



Small Claims TERMINOLOGY

Important Terminology to understand when filing a Small Claims Case.

Appeal	Refers to the process by which a party dissatisfied with the decision made by the trial court seeks to have that decision reviewed by a higher court.
Authority of Principal	An individual employee (known as an 'agent') can be granted legal authority to act for their employing business entity through a document called "Authorization of Principal". A "principal" is an officer, member, managing member, or partner of the business entity.
County Court	County Court is a division of the state court system, which handles civil cases under \$50,000 including small claims, as well as misdemeanor criminal cases and traffic offenses.
Court Costs/Fees	Words related to the financial obligations associated with legal proceedings and payment options.
Default Judgment	A judgment in favor of one party when the opposing party fails to take required action within the specified time frame. For example: The defendant fails to appear for the pre-trial conference and the plaintiff is granted a default judgment as a result.
Defendant	The person or business entity the lawsuit is filed against.
E-Filing	Method of submitting documents to the Clerk of Courts via the electronic filing portal to initiate a case or file documents within a pre-existing case.
Fictitious Business Names	A Fictitious Business Name is a name used by a natural person or real business entity for conducting business under such a name, which is different from its legal name. Fictitious names are legally required to be registered with the Department of State.
Foreclose a Lien	A legal action taken by a creditor to enforce their lien and collect an outstanding amount.

Judgment	The final decision or ruling of a court. A judgment, in a legal context, is a formal decision or final ruling issued by a court of law at the conclusion of a legal proceeding or trial. The judgment is typically the court's official determination regarding the rights, obligations, liabilities, and remedies of the parties involved in the case. It can include orders for specific actions, damages, or other legal consequences.
Lack of Prosecution	A situation where the plaintiff, who initiated the lawsuit, fails to actively pursue or advance the case. This lack of action can take various forms, such as failing to file necessary documents, missing court deadlines, not responding to requests for information, or not attending scheduled hearings.
Litigation	Litigation is the process of resolving disputes or legal conflicts between two or more parties through the legal system, typically in a court of law. It involves filing a lawsuit and going through various legal procedures to settle the dispute, which can result in a judgment or court decision.
Mediation	A process in which a neutral third party listens to the complaints and concerns of all parties to a dispute and then tries to assist those parties to reach an agreement that resolves those concerns. The mediator, unlike a judge, has no authority to impose a decision on the parties.
Misappropriated Property	Property that has been stolen, embezzled, converted, or otherwise wrongfully appropriated against the will of the rightful owner.
Monetary Relief	Involves payment of money as a remedy for a harm or loss suffered by one party
Non-Monetary Relief	Non-monetary relief refers to remedies in a legal context that do not involve financial compensation. Instead, it typically entails court-ordered actions or restrictions, such as injunctions, restraining orders, or specific performance mandates, aimed at resolving disputes or preventing future harm.
Negligence	Failing to exercise the degree of reasonable care expected of someone in order to minimize the risk of harm to another person.

Plaintiff	A plaintiff is a party who initiates a legal action or lawsuit in a court of law. The plaintiff is the individual, entity, or organization that brings a complaint or a claim against another party (the defendant) seeking a legal remedy or resolution for a perceived wrong, harm, or dispute. The plaintiff must be at least 18 years old, if under 18, the plaintiff must have an adult file the case on their behalf.
Pleading	The written statements of each side of a lawsuit, including the plaintiff's claim and the defendant's response.
Pretrial Conference	A preliminary meeting between parties in a case and their attorneys before the commencement of the actual trial.
Promissory Note	A legal document in Florida that states a borrower's agreement to repay a lender a specific amount of money within a set time frame.
Registered Agent	A registered agent is an individual or entity whose duty it is to receive important legal documents on behalf of a business entity. The registered agent serves as the business's main point of contact so it must have a physical address in the state where the business operates.
Service of Process	The legal notification of the existence of a lawsuit to a defendant.
Small Claims Action	A small claims action is a legal case filed in the county court which requests damages in the form of money or property with a value of \$8,000 or less.
Statement of Claim	A statement of claim is the written pleading or form which states the parties' names, the facts, circumstances and nature of the case, the amount or value of the dispute, and the resolution or outcome requested by the plaintiff.
Summons	A written notice (a writ) informing a person of a lawsuit against him or her. A summons tells the individual when and where to appear in court to defend him or herself.
Trial	The trial is the court proceeding in which the plaintiff and the defendant present evidence to the judge for ruling on the case.
Venue	The venue is where the plaintiff has the legal right to file a lawsuit against the defendant.
Stipulation or Mediated Agreement	A stipulation or mediated agreement is the result of a process in which the plaintiff and defendant reach a written resolution to the dispute either by themselves or with the help of a neutral mediator.