

SMALL CLAIMS WHERE TO FILE A SUIT (VENUE)

Orange County has five Small Claims Court Locations

For information about the areas covered by each Judicial District refer to page two.
CENTRAL – HARBOR NBF – NORTH – HARBOR LHF – WEST

What is Venue?

Venue is the place where a case is heard. A case must be filed in the correct court location and venue. The appropriate venue must be one of the following:

- Where the Defendant lives or Defendant's business is located.
- Where the Plaintiff's property was damaged.
- Where the Plaintiff was injured.
- Where a contract (written or spoken) was made, signed, performed, or broken by the Defendant **or** where the Defendant lived or did business when the Defendant made the contract.

It's important to file your case in a court in the appropriate county or venue. When you file your case, you must state on the Plaintiff's Claim and Order to Defendant form why the court where you filed your claim is the proper court. As a general rule, a case must be filed in the county where the defendant resides. This promotes fairness, since it's usually easier for a defendant to defend a case if it's filed where he or she resides.

Exceptions to the general rule:

The following are some exceptions to the general rule that a case must be filed and heard in the county where the defendant resides:

- Automobile accident- The claim may be heard in the appropriate county where the accident occurred or where the defendant resides.
- Contract- The claim may be heard in the county where the contract was entered into, where the contract was to be performed by the defendant, or where the plaintiff is entitled to receive payment, unless the claim arises from a consumer purchase.
- Consumer purchase (claim by seller)- A claim to enforce a debt arising from a consumer purchase can be filed only in the county (1) where the consumer signed the contract, (2) where the consumer resided when the contract was signed, (3) where the consumer resided when the action was filed, or (4) where the goods purchased on installment credit are installed or permanently kept.
- Consumer purchase (claim by buyer)- An action can also be filed in localities (1), (2), or (3) immediately above by the consumer against a business firm that provided the consumer goods, consumer services, or consumer credit. Suit also can be filed by the consumer in any of those locations if the suit is based on a purchase that results from an unsolicited telephone call made by the seller to the buyer (including a situation where a buyer responds by a telephone call or electronic transmission).

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Phone (714) 571-5277 Website (<http://www.ocsmallclaims.com/>)

What if the defendant is outside the county?

In cases against defendants who live outside the county, the judge must always inquire and determine if the court is a proper court for the case. If the judge finds that the case wasn't filed in the proper court/ venue, the judge must dismiss the case without prejudice unless all defendants are present and agree that the case may be heard.

What if there is more than one county or court location where my claim can be properly filed?

If there is more than one county where your claim can be properly filed, you may select the location that is most convenient for you or your witnesses. If you file in a county in which the defendant doesn't reside, you must give the defendant a longer period of time for responding to your claim, and it will take longer for your case to get to court for hearing.

SMALL CLAIMS WHERE TO FILE A SUIT (VENUE) CONT'D

The listings below provide the areas covered by each Judicial District. To determine which district you should file your small claims action, determine which city is applicable to your situation. For example, if you plan to file a small claims action against a defendant who lives in Irvine, then you would refer to the list below, find Irvine, in this case, you would file at the Harbor Justice Center, Newport Beach Facility.

CENTRAL JUSTICE CENTER	HARBOR JUSTICE CENTER	NORTH JUSTICE CENTER	SOUTH JUSTICE CENTER	WEST JUSTICE CENTER
700 Civic Center Dr. West Santa Ana, CA 92701	4601 Jamboree Rd. Newport Beach, CA 92663	1275 N. Berkeley Ave. Fullerton, CA 92835	23141 Moulton Pkwy Laguna Hills, CA 92653	8141 13 th Street Westminster, CA 92683
Civil Division (714) 834-3580 Small Claims Division (714) 834-3584 Sheriff (714) 569-3700	Civil Division (949) 476-4765 Small Claims Division (949) 476-4764 Sheriff (949) 476-4820	Civil Division (714) 773-4664 Small Claims Division (714) 773-4416 Sheriff (714) 773-4520	Civil Division (949) 472-6964 Small Claims Division (949) 472-6968 Sheriff (949) 472-6942	Civil Division and Small Claims Division (714) 896-7191 Sheriff (714) 896-7231
COWEN HEIGHTS EL MODENA LEMON HEIGHTS MODJESKA ORANGE ORANGE-OLIVE ORANGE PARK ACRES SANTA ANA SILVERADO CANYON TUSTIN VILLA PARK	BALBOA ISLAND CORONA DEL MAR COSTA MESA IRVINE IRVINE PARK JOHN WAYNE AIRPORT LIDO ISLAND NEWPORT BEACH SANTA ANA HEIGHTS	ANAHEIM ANAHEIM HILLS ATWOOD BREA BUENA PARK CARBON CANYON FULLERTON LA HABRA LA PALMA PLACENTIA RICHFIELD SUNNY HILLS YORBA LINDA	ALISO VIEJO CAPISTRANO BEACH COTO DE CAZA CRYSTAL COVE DANA POINT EL TORO FOOTHILL RANCH LAGUNA BEACH LAGUNA HILLS LAGUNA NIGUEL LAKE FOREST LEISURE WORLD MISSION VIEJO NEWPORT COAST O'NEIL PARK PORTOLA HILLS RANCHO SANTA MAGARITA SAN CLEMENTE SAN JUAN CAPISTRANO TRABUCO CANYON	CYPRESS FOUNTAIN VALLEY GARDEN GROVE HUNTINGTON BEACH LIBERTY PARK LOS ALAMITOS MIDWAY CITY OCEAN VIEW ROSSMOOR SEAL BEACH STANTON SUNSET BEACH SUNSET HEIGHTS SURFSIDE WESTMINSTER

SPECIAL RULES FOR RETAIL INSTALLMENT CONTRACTS AND SALES:

- The rules apply to most retail installment sales or goods and services for Personal, Family, or Household use – NOT FOR BUSINESS USE
- The rules do not cover services of physicians and dentist or services regulated by the federal government

YOU CAN SUE WHERE:

(1) The buyer signed the contract; (2) The buyer resides at the time of the suit; (3) The goods are attached to real property (for example: a portable storage shed).

SPECIAL RULES FOR AUTOS SUBJECT TO THE AUTOMOBILE SALES FINANCE ACT:

- The rules apply to the installment sales and long-term lease of new and used motor vehicles purchased primarily for personal use.
- Does NOT apply to trailers or mobile homes or vehicles purchased primarily for business use.

YOU CAN SUE WHERE:

(1) The buyer signs the contract; (2) The buyer resided at the time the contract was signed; (3) The vehicle is permanently garaged.

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