



# County of Malheur

## Justice Court

1178 SW 4<sup>th</sup> Street, Ste. 1, Ontario, OR, 97914  
Phone 541-889-5712 – Fax 541-889-7163

### CIVIL DEPARTMENT

#### Small Claim and FED (Eviction) hours, filing fees & service costs

To Whom It May Concern:

The Civil Department is open from 7:00 a.m. to 11:30 a.m. and from 1:00 p.m. to 2:00 p.m. Monday through Friday. During these hours and days the court will be open for Small Claims and FED's (Evictions). We are sorry for any inconvenience. If you have any questions please call and ask to speak with Jessica in our Civil Department.

A quien puede concernir:

El departamento Civil está abierto de 7:00 a 11:30am y de 1:00 a 2:00pm el Lunes a Viernes. Durante estas horas y días de la corte estará abierta para Reclamos y FED (desahucios). Pedimos disculpas por cualquier inconveniente. Si usted tiene alguna pregunta llame y pida hablar con Jessica en nuestro Departamento Civil.

#### FEES & COSTS:

Small Claim filing fee (no form):	\$35.00
Small Claim filing fee + form:	\$38.00
Small Claim Service cost (Malheur County Sheriff only):	\$36.00

**Self addressed stamped envelope must be provided for the court to forward any forms or documents to the sheriff for serving. This includes any and all civil documents along with any sheriff service fees.**

**If service is necessary in another county, you will need to get that information before filling out the form and filing with the court. Please include sheriff fee by check or money order.**

Hearing fee (defendant):	\$35.00
--------------------------	---------

#### PLEASE NOTE THE FOLLOWING:

**SMALL CLAIMS FORMS, (CLAIM/NOTICE OF CLAIM) MAY NOT BE USED IN LIEU OF A COUNTERCLAIM FORM (YOU MAY ASK THE CLERK FOR THE APPROPRIATE PAPERWORK FOR THIS; THEY WILL ONLY PROVIDE IT AT YOUR REQUEST) IF YOU ASK FOR A HEARING REGARDING YOUR CASE.**

Certification of Judgment fee (with or without hearing): \$9.00

A prevailing fee of \$100.00 is awarded to the party granted judgment by the court. A prevailing fee of \$115.00 is also awarded if a judgment is granted in a hearing setting. This is automatically added to the judgment.

Notice to Plaintiff(s); please be advised of the following:

All Small Claims filed, having been served BUT NOT containing a judgment and claims that have not been served will be CLOSED and purged from court records after 60 days from filed date. Any further action on the claim will require re-filing.

**GARNISHMENTS:**

Writ of garnishment filing fee (no form): \$20.00

Writ of garnishment filing fee + form: \$23.00

Writ of garnishment service costs (Malheur County Sheriff only): \$25.00

**If you wish to garnish into another county or state, you must file an exemplification with the court. This is sent to the county clerk in Vale and sent back to the plaintiff for filing in the necessary county/state.**

Certified, Exemplified Judgment \$9.00

This is to take judgment into another state to collect by a garnishment. Please include a stamped, addressed envelope for the clerk and a copy of the Transcript of Judgment. You must file a transcript of judgment to send your case to a higher court for the purpose of doing a lien or other higher court procedures. This includes a certified copy of the original judgment, and a transcript. Also include a stamped and addressed envelope addressed to the Defendant and one to the Plaintiff for the clerk to send to both parties. There are two fees for this service.

Circuit Court fee: \$8.00

(This must be written out directly to Circuit Court on a separate check or money order)

Justice Court fee: \$9.00

**F.E.D. (EVICTIONS):**

F.E.D. (Eviction) filing fee: \$79.00

IF ANSWER filed with request for a trial: \$75.00

Plaintiff fee when a trial is requested by defendant \$31.00

F.E.D. service fees will be paid to the Malheur County Sheriff Dept. they will advise you of the cost upon delivery to that office.

Note: Any service over 75 miles from the county seat will add an additional \$36.00 for service.