North Carolina Small Claims Filing Checklist (November 2026)

From the limit to collecting a judgment

G.S. means the North Carolina General Statutes. Judicial Branch means the North Carolina Judicial Branch small claims page. Guide: clearlegaltips.com/north-carolina-small-claims-court/ Check each box as you finish the step and fill in the blanks as you go.

1. CHECK YOUR CLAIM

[ ] My claim is for money, specific personal property, or summary ejectment, and the amount in controversy (without interest and costs) is $10,000 or less (G.S. 7A-210, 7A-243).

Amount I am claiming ($): _____

[ ] I asked the clerk of superior court for my county's small claims limit. The Judicial Branch says it is $5,000 to $10,000 depending on local rules.

2. PICK THE COUNTY AND THE PARTIES

[ ] I will file with the clerk of superior court in the county where at least one defendant lives (G.S. 7A-213). For a business defendant I checked where its registered or principal office or place of business is (G.S. 1-79).

County I am filing in: _____

Defendant's full name and address: _____

3. CHECK THE DEADLINE

Date my claim arose: _____

Most contract claims: three years, with exceptions (G.S. 1-52(1)). Contract for the sale of goods: four years (G.S. 25-2-725(a)).

4. FORMS AND COPIES

[ ] Complaint marked "Small Claim" on its face, three copies. For money owed the Judicial Branch points to AOC-CVM-200.

[ ] Magistrate Summons (AOC-CVM-100), three copies, only the top of the first page filled in, with the names and addresses of all parties.

[ ] Servicemembers Civil Relief Act affidavit (AOC-G-250). My county clerk told me which forms and how many copies it wants.

5. FEE AND SERVICE

Filing fee: $96 for costs assessed before Dec. 1, 2026. For costs assessed on or after Dec. 1, 2026, the $80 part becomes $110 (G.S. 7A-305 as changed by S.L. 2026-41 s.16.21), which makes $126 by our arithmetic. Ask the clerk what applies.

Filing fee my clerk quoted ($): _____

[ ] I will serve the defendant by the sheriff (the Judicial Branch lists a $30 fee) or by certified mail, return receipt requested. If I cannot afford the fee I asked about the indigent petition (AOC-G-106).

6. TRIAL

Trial date written on the magistrate summons (no later than 30 days after the action is commenced, G.S. 7A-214): _____

[ ] I will bring documents, recordings, and witnesses. There is no jury, and the rules of evidence for civil trials apply (G.S. 7A-222).

7. AFTER THE DECISION

Judgment date: _____

Last day for a written notice of appeal (10 days after judgment) and to pay appeal costs (20 days): _____

[ ] If I won, I waited for the 10-day appeal period, served the Notice of Right to Have Exemptions Designated (AOC-CV-406), waited out the debtor's 20 days to respond, and then asked the clerk for a writ of execution.

[ ] I will not plan on garnishing wages or public benefits. The Judicial Branch says a winning party cannot, except in child support cases.

Date I notified the clerk of any payment received (within 60 days, G.S. 1-239(c); Certificate of Payment, AOC-CV-413): _____

INSTRUCTIONS FOR USE

This checklist is general information, not legal advice. The fee changes for costs assessed on or after Dec. 1, 2026, and counties can set their own limit and forms, so check your clerk. Read the guide at clearlegaltips.com/north-carolina-small-claims-court/ for the details.