Texas Small Claims Filing Checklist (2026)

From the demand letter to collecting the judgment

Work through these steps in order. TRCP means the Texas Rules of Civil Procedure, Part V (justice courts). Guide: clearlegaltips.com/texas-small-claims-court/

1. CHECK THE LIMIT (TRCP 500.1(a))

[ ] My claim is for money damages, civil penalties, personal property or other relief, and it is $20,000 or less, not counting statutory interest and court costs but counting attorney fees, if any.

Amount I am claiming ($): _____

[ ] My case is not one of the five suit types a justice court cannot hear (Gov. Code 27.031(b)).

2. ASK FOR PAYMENT IN WRITING

Date I sent my written demand: _____

How I sent it, and my proof: _____

3. PICK THE COUNTY AND PRECINCT

Defendant's legal/trade name: _____

Defendant's address: _____

County and precinct I am filing in: _____

[ ] This is the county and precinct where the defendant lives (CPRC 15.082) or another venue allowed by TRCP 502.4(b).

4. PETITION AND FILING FEE (TRCP 502.2)

[ ] Petition completed with the required contents (TRCP 502.2(a)).

[ ] Filed in person, by mail or electronically as the court allows (TRCP 502.1).

Filing cost	Amount
State consolidated civil fee (LGC 133.151(a-1))	$21
Local consolidated filing fee (LGC 135.103(a))	$33
Total filing cost	$54

Service is a separate fee set by the county: $85 per defendant on the Harris County schedule and $92 on the Bexar County 2026 schedule. Check your county.

Fee paid ($) or Statement: _____

5. SERVE THE DEFENDANT (TRCP 501.1, 501.2)

[ ] I know the plaintiff is responsible for getting the defendant served (TRCP 501.1(a)).

Who will serve the defendant: _____

Date, time and place served: _____

[ ] The proof of service is on file at least 3 days before any default judgment (TRCP 501.3(h)).

6. ANSWER AND TRIAL DATE

Defendant answer due (14th day): _____

If the 14th day is a weekend, holiday or court closure, the deadline moves (TRCP 502.5(d)).

Trial date on the court notice: _____

The court gives at least 45 days notice of the trial unless an earlier setting is required (TRCP 503.3(a)).

[ ] If I want a jury: written demand at least 14 days before trial and the $22 fee or a Statement of Inability (TRCP 504.1).

7. GET READY FOR TRIAL

[ ] Evidence in date order: the original for me and a copy for the other side.

[ ] Asked for a subpoena only if a witness would not come to testify on their own (TRCP 500.7).

[ ] Wrote a one-sentence opening: who owes me, how much and why.

8. AFTER JUDGMENT

Date judgment was signed: _____

Motion deadline (14 days): _____

A motion for new trial or to set aside is due within 14 days after the judgment is signed (TRCP 505.3).

Appeal deadline (21 days): _____

An appeal to county court needs a bond, a cash deposit or a Statement of Inability within 21 days (TRCP 506.1(a)).

[ ] Before paying for a writ, I checked what the defendant owns and which property is exempt (Prop. Code ch. 41, 42).

[ ] To put a lien on real property in a county, I asked the judge or clerk for an abstract of judgment (Prop. Code 52.002) and will record it there (52.001).

[ ] I noted the 10-year dormancy date for the judgment (CPRC 34.001(a)).

INSTRUCTIONS FOR USE

Checked in November 2026 against TRCP Part V, Gov. Code 27.031, Local Gov. Code 133.151 and 135.103, CPRC 15.082 and 34.001, Property Code ch. 41, 42 and 52 and the Harris and Bexar County fee schedules. General information, not legal advice. Fees and local practice vary by county: ask your justice court clerk, and consult a licensed Texas attorney for advice on your situation. Guide: clearlegaltips.com/texas-small-claims-court/