



## Research Guide for Self-Represented Litigants: Small Claims

### Getting Started

Legal research involves identifying the statutes and case law that apply to your case. The easiest way to start your legal research is with “secondary sources,” which are materials that discuss and explain the law but are not the law itself. Many resources can be found for free online, but this guide also points you to books and subscription databases that you may be able to use at your local public law library. This guide is specially focused on small claims. For basic information regarding legal research and starting a case, see our guide “Starting and Responding to a Civil Case.”

### Important Terms

- Small claim – a lawsuit asking for money, totaling \$10,000 or less
- Lien – the right of a lender to take someone’s property in payment for a debt
- Collection – the process of getting the other party to pay the judgment amount to you
- Garnishment – when a person who owes money has that money taken out of their paycheck or bank account to pay a debt they owe

### Online Resources

#### Legal Self-Help

- Illinois Legal Aid Online
  - Starting a Case: <https://www.illinoislegalaid.org/legal-information/starting-small-claims-court-case>
  - Responding to a Case: <https://www.illinoislegalaid.org/legal-information/responding-case-filed-against-me-small-claims-court>
  - Small Claims Court: <https://www.illinoislegalaid.org/legal-information/small-claims-court>
  - Video on Going to Small Claims Court: <https://www.illinoislegalaid.org/legal-information/small-claims-court>
  - Collecting a Judgment: <https://www.illinoislegalaid.org/legal-information/collecting-judgment>
  - Wage garnishment basics: <https://www.illinoislegalaid.org/legal-information/wage-garnishment-basics>
- Nolo: <https://www.nolo.com/legal-encyclopedia/small-claims-court>
- FindLaw: <https://litigation.findlaw.com/going-to-court/illinois-small-claims-courts.html>
- Better Business Bureau: <https://www.bbb.org/>

#### Government Agencies

- Illinois Attorney General: <http://www.ag.state.il.us/consumers/smlclaims.html>
- Illinois Secretary of State, search for Corporation/LLC Certificates of Good Standing: [https://www.cyberdriveillinois.com/departments/business\\_services/corp.html](https://www.cyberdriveillinois.com/departments/business_services/corp.html)
  - Use this search function to locate the “registered agent” if you are suing a corporation

### Forms

- Check for your county here: <https://www.illinoislegalaid.org/form-library/515706/forms>

### **Resources at Your Local Law Library**

You will find many resources available for free at your local public law library that are not available on the internet. These may include online subscription databases, like Westlaw and LexisNexis. They also include the library's book collection. Check for these books or ask a librarian to help you find something similar.

**IICLE's** – stands for Illinois Institute of Continuing Legal Education. These books offer easy-to-understand analysis on a wide variety of legal issues.

- *Collection Litigation: Representing the Creditor* (2019)
- *Collection Litigation: Representing the Debtor* (2019)
- *Small Claims Credit Collection* (2011)

### **Other Books**

- *Everybody's Guide to Small Claims Court*, by Cara O'Neill (Nolo)
- *Collection Actions: Defending Consumers and Their Assets*, by Jonathan A. Sheldon & Carolyn L. Carter (National Consumer Law Center)
- *The American Bar Association Guide to Resolving Legal Disputes: Inside and Outside the Courtroom*, by Sheila Maloney (American Bar Association)

### **Seeking Additional Help**

Law librarians may help you find the books listed in this guide or other suitable replacements if these are not available. They may have their own resource guides or recommendations. In general, library staff can help you find information and develop search strategies, but they are unable to provide legal advice or interpret the law.