

**STACY M. BUTTERFIELD, CLERK OF THE CIRCUIT COURT  
INSTRUCTIONS FOR FILING AND PROCESSING CLAIMS**

Polk County Courthouse  
255 North Broadway  
Bartow, Fl 33831

Lakeland Government Center  
930 E. Parker Street, Room 240  
Lakeland, Fl 33801

Northeast Polk County Government Center  
3425 Lake Alfred Road, #7 – Gill Jones Center  
Winter Haven, Fl 33881

Phone Number for  
All Locations  
(863)534-4000

The claim amount must be from \$.01 to \$5,000.00 and the action must have arisen in Polk County or the defendant must reside in Polk County in order for this Court to have jurisdiction. The defendant(s) complete name, address, and telephone number must be furnished at the time of filing your claim and **must be legible**. If your claim is against a corporation, the officer's name representing the corporation is required; if your claim is against a sole proprietorship, the name of the owner is needed. You will need to attach a copy of any supporting documents to your claim and provide the Clerk's Office with an additional copy for each defendant being served. If copies are not submitted a fee of \$1.00 per page will be charged.

If you choose to file a claim, you will need to complete a Statement of Claim form and file it together with the appropriate filing fee and service fee to the clerk of the County Court at one of the above locations. The forms are provided at the offices listed above or can be downloaded on-line at: <http://www.polkcountyclerk.net>. Once the claim has been filed, a pre-trial hearing will be scheduled and held at the location in which the Statement of Claim was filed.

**FILING FEES**

**OTHER FEES**

Claims of less than \$100.00	\$55.00	Oath, Administering, Attesting and Sealing	\$3.50
Claims of \$100.00 to \$500.00	\$80.00	Service by Sheriff/ Service for Writ of Possession	\$40.00/\$90.00
Claims of \$500.01 to \$2,500.00	\$175.00	Service by Process Server	Contact Server
Claims of more than \$2,500.00	\$300.00	Server by Insurance Commissioner	\$15.00
For each defendant in excess of five	\$2.50	Service by Secretary of State	\$8.75
For all claims of not more than \$1,000.00 filed simultaneously with an action for replevin of property that is the subject of the claim	\$130.00	Service by Certified Mail (per defendant)	Post Office Rates
Garnishment, attachment, replevin and distress	\$85.00	Plus 2 postage stamped envelopes or postage fees	
Issuing Summons/Notice to Appear	\$10.00	Postage for mailing final disposition (per person)	Post Office Rates
Garnishment Registry Deposit (includes handling fee)	\$103.00	Recording of Final Judgment	\$1.00 per page \$2.00 for certification \$10.00 first page \$8.50 additional pages

**Note: The Clerk's Office is currently accepting Visa, MasterCard, Discover cards and American Express. If you pay by credit, there is an additional nonrefundable charge that is assessed and remitted to the financial service provider.**

The Clerk of the Circuit Court and the Judge cannot discuss with you the merits of your claim nor act as your attorney. You are not required to have an attorney but you may be represented by one. You or your attorney will be required to be present at all hearings to avoid your claim being dismissed or having a judgment entered against you. Your claim will be scheduled for mediation and a pretrial hearing. You should not bring witnesses to this hearing. If a settlement is not reached at pretrial, a trial will be scheduled for a later date at which time you should bring witnesses and any evidence having a bearing on your claim.

If your claim is improperly served, or if the defendant refused to accept registered mail, or defendant was unable to be located, you may request the claim be reset for pretrial and service can again be attempted at your expense.

If a judgment is rendered in your favor or a default judgment is entered upon the failure of the defendant to appear at the hearing, you may apply at any of the above offices for a certified copy of the final judgment and a writ of execution. Judgments accrue interest per year, not compounded, at a rate set by Florida Statutes.

You may record a certified copy of the final judgment in the public records in Polk County or in any county in Florida in which the defendant resides or owns real property. Upon recording your judgment, you will have a possible lien upon any real property the defendant owns or may own within the next 10 years. You would need to check with the Clerk's Office in regard to extending the lien beyond 10 years.

A Writ of Execution can be issued 10 days after the judgment is rendered. See the Secretary of State web site [www.sunbiz.org](http://www.sunbiz.org) for information to levy on property. There is no charge in the Clerk's Office for issuing the writ of execution but the Sheriff's Office charges a fee for processing and requires a deposit for cost before a levy will be made.

A garnishment may be filed against the defendant's wages if he is not the head of a family, against his bank account, or against a third party having in his possession money or other property belonging to the defendant.

After entry of final judgment, recording of the judgment, issuance of the Writ of Execution, issuance of Record of Unsatisfied Judgment, if applicable, or the issuance of a Writ of Garnishment, there is no further assistance this Court can render in connection with your claim. The final judgment can be enforced only as described above. This office has no facilities to assist you in locating property of the defendant and cannot guarantee collection of amounts which may be found due and owing to you.

This information is furnished to you through the courtesy of this office in an effort to help you to better understand your position and what to expect from this court action. It is our desire to help you in every way possible as provided under the duties of the Clerk of the Circuit of Polk County, Florida.