

FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION
HOW TO FILE AN AMENDED COMPLAINT

What is an Amended Complaint?

A plaintiff may file an amended complaint to make changes from the original complaint. The Court will replace the original complaint with the amended complaint. Once the amended complaint is filed, the original complaint is no longer valid.

Some reasons a party to file an amended complaint include:

- Add a **new party**; **change an incorrect party** to a correct party; or **correct a spelling error** in an individual or business name.
- Add **new facts**;
- **Change wording** to better explain the claim;
- **Change the dollar amount of the claim**, especially if the amount increases. Or
- **Include exhibits**.

What do I need to do to file an Amended Complaint?

Enter the names and addresses of all parties at the top. If you are making changes, enter all of the names, including the new names, or any other changes. Include the case number.

Explain your claim. The amended complaint replaces the original complaint so the information you want the court to consider must be included. Enter the amount of your claim in the blank.

All plaintiffs must sign the amended complaint.

If you are filing less than one week before your court date, you must get permission from the magistrate assigned to your case.

What is the cost to file an amended complaint?

The fee to file an amended complaint is \$20.00. The Clerk of Court accepts cash, checks, money orders, or credit cards (VISA or MasterCard.) Fees are payable to "Franklin County Municipal Court" or "FCMC."

How are the parties notified of the amended complaint?

When you file an amended complaint, each party has to be served with the summons and the new complaint. Usually service is by certified mail, but you may use one of the other methods of service listed below. In some cases, the trial may be postponed to ensure that the new party has a fair amount of time to receive the summons and to prepare for trial.

The costs for service of process are:

- Certified mail to each defendant, \$6.00 for each defendant;
- Residence service (hand delivery by a court bailiff to anyone age 16 or older at the defendant's place of residence) within Franklin County or the City of Columbus, \$25.00 for each defendant;
- Personal service by a court bailiff to a defendant at a place of your designation within Franklin County or within the City of Columbus, \$25.00 for each defendant.
- Out-of-county sheriff service (hand delivery by the sheriff in the county where the defendant resides), \$41.00 deposit for each defendant.

**FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION**

Case No. _____ CV I _____

Plaintiff(s) Name, Address, ZIP Code, and
Telephone Numbers

Defendant(s) Name, Address, ZIP Code, and
Telephone Numbers

- (1) Has this dispute been to mediation? ☐ Yes ☐ No
- (2) Is the Defendant currently in the United States Military Service? ☐ Yes ☐ No
- (3) The Summons (Defendant's Notice of the Complaint) will be sent by certified mail. If you waive notice of failed service and the certified mail is returned as "Refused" or "Unclaimed," the Court will resend by ordinary mail and set a new trial date. Do you want to waive notice of failed service? ☐ Yes ☐ No

AMENDED COMPLAINT

Please use an additional page if necessary.

Plaintiff demands judgment against Defendant in the sum of \$ _____, plus court costs and interest.

COMPLAINANT'S OATH

_____ (print first and last name), is
(check one) ☐ Plaintiff ☐ Plaintiff's attorney ☐ an officer or salaried employee of the Plaintiff corporation. Complainant also states the following:

"I declare under penalty of law that this Complaint is true and correct to the best of my knowledge."

Signature: _____ Date: _____
Plaintiff, Plaintiff's attorney, or Plaintiff's officer or salaried employee.

Attorney Registration #: _____

FRANKLIN COUNTY MUNICIPAL COURT **CASE NO:** _____

INSTRUCTIONS FOR SERVICE OF SUMMONS

To: Clerk, Franklin County Municipal Court, please issue summons for:

Personal Service ☐ Residence Service ☐ Certified Mail ☐ Ordinary Mail ☐

Other: _____

On the defendant(s) as listed below, in the instructions to server.

DATE: _____ (Signed) _____
Signature of Requesting Party

To: _____ (Server)

You are instructed to make:

Personal Service ☐ Residence Service ☐ Certified Mail ☐ Ordinary Mail ☐

Upon the following defendant(s) and at the address(s) listed below:

Special instructions for server:

_____	Plaintiff	Case No. _____	CV _____
VS.		Signature _____	
_____	Defendant	Attorney Code _____	
_____		Attorney for _____	
_____	Date		

<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Writ of Restitution - \$35.00 (Includes Service) (Red Tag)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> DOCKET TRANSCRIPT - \$20.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Set Out - \$45.00 (Includes Service)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Out of County Sheriff - \$41.00 County Name _____
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Replevin - \$35.00 (Includes Service) (You must complete bailiff instructions)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Post Judgment Motion - \$20.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Execution - \$35.00 (Includes Service) (You must complete bailiff instructions)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Objection to Magistrates Report - \$20.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Execution/Vehicle - \$835.00 (Includes Service) (You must complete bailiff instructions)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Amended Complaint - \$20.00 (plus service fees)
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Exemplified Copy/Certificate of Copy - \$20.00	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Third Party Complaint - \$20.00 (plus service fees)
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Certificate of Judgment - \$10.00	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Counterclaim/Crossclaim - \$20.00 (plus service fees)
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Revivor - \$20.00 (plus service fees)	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Order to Show Cause - \$50.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Certificate of Judgment to BMV - \$10.00 Date of Loss _____ Date of Birth _____ Social Security # _____ Driver's License # _____ License Plate # _____	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Ordinary Mail Service - \$3.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Assignment of Judgment - \$20.00	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Certified Mail Service - \$10.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Appeal - \$50.00	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Bailiff Service - \$25.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Transfer from Small Claims - \$35.00	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Personal/Residence Process Server \$25.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Certified Copies - \$1.00 per copy	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> FedEx - \$15.00
<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> OTHER _____	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Jury Demand Fee - \$10.00
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Jury Demand Deposit - \$500.00
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> New Address _____ _____
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Street _____
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> City
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> State
	<div style="border-bottom: 1px solid black; margin-bottom: 10px;"></div> Zip code