

Self-representation

You can lodge a civil claim if you want to start a court action to recover money owed to you. This is often called suing, or civil litigation. This sheet provides general procedural information on how to lodge a civil claim but must not be relied upon for [legal advice](#).

Small debt claims

Queensland Magistrates Courts are semi formal in nature, and it is not uncommon to have self-represented parties in this jurisdiction. The Magistrates Court may be an option to recover a small debt claim.

Deciding disputes

In Queensland, courts or tribunals decide disputes over money, based on evidence. Where your matter will be heard depends on the amount of the dispute.

- [Up to \\$25,000](#) - QCAT
- [Up to \\$150,000](#) - Magistrates Court
- [Between \\$150,000 and \\$750,000](#) - District Court
- [More than \\$750,000](#) - Supreme Court.

Top tips

- Prepare a civil claim [online](#) to help file in the correct format
- You can include both the fees for serving notices and interest in your claim
- Calculate interest using the courts' [interest calculator](#)

Claim/Statement of claim

The applicant can submit a claim (short description) and statement of claim (the facts of what occurred and what was owed) to the Magistrates Court. It is not evidence.

- The person or entity making the claim is known as the plaintiff.
- The person or entity being sued is known as the defendant.
- To lodge your claim with the court you need to download, print, and sign your completed claim and statement of claim and lodge them (in person or by post).
- Once you have lodged your claim and paid the filing fee, the court will return sealed copies to you.

Serving the defendant

You must give (or serve) a sealed copy of the claim and statement of claim to each of the defendants within 12 months of filing it.

You can do this yourself, or employ a court bailiff, commercial agent, or process server.

Use this [free search function](#) to find the fees for having a bailiff or licensed commercial agent serve the other party. The fees listed are the maximum amount for serving notices that can be claimed.

Responding to a claim

The other party (the respondent) will have 28 days to respond, and you will be served with their response.

Within 14 days of receiving the defendant's notice of intention to defend, you can file a reply in response to their defence.

If they ignore the claim

If the defendant ignores your claim, you may request a default judgment/money order for the amount outstanding at least 28 days after the claim was served on them.

What happens next?

If the defendant pays the amount of your claim, the matter will end.

A claim and statement of claim won't be set for a trial until a settlement conference has been held and all parties have signed [Form 48 - Request for trial date \(DOC, 89.5 KB\)](#).

The court will set down via a direction hearing a timeline for evidence, which can be delivered via witness statement.

Your witness statement should refer to any evidence you are relying on such as photos, screen shots, and emails. These should be annexed one by one as they are referred to in your statement.

Settlement conference

The applicant can ask for a settlement conference to occur which may resolve the matter before getting to hearing.

It is likely that a settlement conference will be set. This will operate much like a mediation and is typically run by the registrar.



More information

The [Queensland Courts](#) website sets out the process for making a [claim and statement of claim](#). This includes the templates and process for application, service, and settlement conference.

To get general assistance, support and information about Magistrates Court procedures contact your local [Magistrates Court](#). Please note, Court staff can't give legal advice or recommend what you should do in your case; however, they can give general procedural advice.

This information provides general guidance only. It does not constitute legal advice. We recommend you seek Independent legal advice which considers your individual circumstances and applicable laws.

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