

8. If the defendant answers the suit, a trial date will be set. The plaintiff and the defendant will be sent notice by mail of the court date. We discourage motions for continuance, however, if it becomes necessary, any request for a continuance must be in writing and timely filed. (At least 5 working days prior to trial date or as soon as the need for continuance is known.)
9. If you have witnesses to your suit who will not come to Court voluntarily you may ask this Court to subpoena those individuals prior to trial. This request should be made as soon as possible allowing at least a week for service of subpoena. There is a fee for the service of subpoena.
10. A Small Claims suit does not require hiring an attorney; however, you are free to do so if you wish.
11. **This court does not collect the judgment for you, nor can we force the defendant to pay the judgment.** If you receive a judgment for your claim against the defendant, you may request an **Abstract of Judgment** and/or a **Writ of Execution** to help you in your collection of this judgment. There are other post judgment remedies available, but these are the two most common. An **Abstract** puts a cloud on the title to any real property the defendant may own in the county where the abstract is filed. Abstracts may be filed in more than one county. This can be obtained ten (10) days after the judgment is signed. A **Writ of Execution** may be obtained thirty (30) days after the judgment is signed. This document authorizes the Constable or Sheriff to seize any non-exempt assets belonging to the defendant. Those assets are then sold, and the proceeds are applied to the judgment.
12. As a plaintiff, you have the burden of proof to show by the weight of the evidence that the defendant is the cause of your damages in the capacity, which the defendant was sued. All damages and evidence necessary to meet your burden should be available at the time of trial.
13. If you have any other procedural question, please call and we will try to assist you, although **THIS COURT MAY NOT ANSWER ANY LEGAL QUESTIONS.**
14. It is imperative that you provide us with your daytime phone number and notify us immediately of any changes in your number or address.

Judge Monica Teran
Justice of the Peace, Pct. 5
1030 N. Zaragosa, Suite A
El Paso, TX 79907
(915) 859-3744