

## JUSTICE COURT – MONTGOMERY COUNTY

**Debt Claim.** Cases filed on or after September 1, 2013 to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person engaged in the business of lending money at interest. The claim can be for no more than \$10,000.00, excluding statutory interest and court costs but including attorney fees, if any. Debt Claim cases in Justice Court are governed by Rules 500-507 and 508 of Part V of the Rules of Civil Procedure.

**Small Claims.** Cases filed on or after September 1, 2013 for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim cannot exceed \$10,000.00, excluding statutory interest and court costs but including attorney fees, if any. Small Claims cases are governed by Rules 500-507 and 508 of Part V of the Rules of Civil Procedure. Include writs of re-entry, tax warrants, dangerous dog cases (in which no criminal charges have been filed), tow hearings, junk vehicles, and deed restriction cases. *Do not include property hearings, as they are statutorily defined as a magistrate duty (Art. 47.01-47.02, Code of Criminal Procedure).*

**Eviction.** All suits for eviction (recovery of possession of premises) brought to recover possession of real property under Chapter 24 of the Texas Property Code, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000.00, excluding statutory interest and court costs but including attorney fees, if any. Eviction cases filed on or after September 1, 2013 are governed by Rules 500-507 and 510 of Part V of the Rules of Civil Procedure.

**Repair and Remedy.** A case by a residential tenant under Chapter 92, Subchapter B, of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. Repair and Remedy cases filed on or after September 1, 2013 are governed by Rules 500-507 and 509 of Part V of the Rules of Civil Procedure.

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The Rules of Civil Procedure can be found online, at any Law Library, any Justice of the Peace Court Office, or by contacting an attorney.

Online sites include, but are not limited to:

<http://www.supreme.courts.state.tx.us> (Supreme Court's website "Latest News and Updates")

<http://www.states.legis.state.tx.us> (Texas Constitution and Statutes)

<http://www.texasbar.com> (State Bar of Texas)

The Montgomery County Law Library is located at 301 North Thompson, Suite 105, Conroe, Texas, 77301. The Law Library is open Monday through Friday from 8 a.m. to 5 p.m. and can be contacted by calling 936-539-7960 or 936-539-7976 (Pro Se Services).

Justice of the Peace, Pct. 1- 300 South Danville Street, Willis Texas, 77378 (936-539-7801)

Justice of the Peace, Pct. 2- 2241 North 1<sup>st</sup>, Conroe Texas, 77301 (936-538-3788)

Justice of the Peace, Pct. 3- 1520 Lake Front Circle, The Woodlands Texas, 77380 (936-539-7803)

Justice of the Peace, Pct. 4- 22354 Justice Drive, New Caney Texas, 77357 (936-521-8970)

Justice of the Peace, Pct. 5- 19100 Unity Park Drive, Magnolia Texas, 77355 (936-539-7806)