



## ACCESS CENTER SMALL CLAIMS A-Z

### CAR ACCIDENTS

1. Do you own the car you were driving? **If not, you cannot sue for the damage to the car. You cannot sue for property that you do not own.**
2. Does the other party own the car he or she was driving? **If no, make sure to add the owner as a co-defendant (2<sup>nd</sup> defendant.)**
3. Where did the accident take place? **If outside of San Francisco, defendant must live in San Francisco or the case cannot be heard San Francisco.**
4. Where does the defendant live now? **If defendant moved after accident, plaintiff cannot file in San Francisco unless the accident happened in San Francisco.**
5. When did this incident happen? **The incident must have happened within the last 3 years for property damage and within the last 2 years for personal injury.**
6. How much do you want to sue for? **If it is for over \$10,000 (for all claims relating to the accident), you must file it in a higher court, or forever waive the excess amount. Also, you may not split a claim that exceeds \$10,000 into smaller separate cases, e.g. sue for \$6,000 in one case and sue for \$5,000 in another case for the same related accident. That is called “claim splitting” and is strictly prohibited.**