



## ACCESS CENTER SMALL CLAIMS A-Z

### SUING A PUBLIC ENTITY

1. What type of injury have you suffered and when did it occur? **You have 6 months to file a claim with the government agency from the date of your injury if it is for personal injury or property damage. If you are suing for breach of contract, you have one year from the date of your injury to file a claim with the government agency in question.**
2. Did you file a claim with the government agency? **You must file a claim with the government agency on its own claim form before filing a small claims case in court.**
3. If you have filed a claim with the agency, has the agency sent you a response or denial letter yet? **If not, you cannot yet file a small claim, unless 45 days has passed since submission of the agency claim.**
4. Often, court customers want to sue a government agency (specifically, the San Francisco Police Department) if they have been arrested, harassed or caused any other type of emotional distress by an SFPD officer. You can request this, but it is up to you to determine the appropriate amount (i.e. \$5000). You must quantify your pain and suffering accordingly and will need to explain how you came up with their dollar amount. **For example, if a man was arrested and wants to sue the SFPD for \$5,000 to account for his injuries, pain, and suffering, he could state that \$1,000 was for medical bills, \$2,000 was for lost wages, \$1,000 accounts for humiliation x5 days in jail, etc.**