TRANSFERRING A CASE FROM SUPERIOR COURT OF JUSTICE TO SMALL CLAIMS COURT

Claim started in Superior Court valued at $25,000 or less

Parties agree to transfer case to Small Claims Court.

One party asks the Registrar of Superior Court of Justice to transfer case to Small Claims Court.

The party asking for the transfer:

1. Files with the court a Form 4E and the written consent of the parties;

2. Pays court fee to transfer the court file to Small Claims Court ($75 fee).

Registrar transfers the case to Small Claims Court.

Parties do not agree to transfer case to Small Claims Court.

One party brings a motion in Superior Court of Justice to transfer the case to Small Claims Court.

For the steps, see Small Claims Court - Increase in monetary limit from $10,000 to $25,000.

Moving party pays court fee for filing a Notice of Motion ($127 fee).

Court decides whether to Order a transfer to Small Claims Court.

Court orders case to be transferred to Small Claims Court.

Court refuses to order transfer. Case proceeds in Superior Court of Justice.

Moving party pays court fee to transfer court file to the Small Claims Court ($75 fee).

Court transfers the case to Small Claims Court.

No motion to transfer.

Case proceeds in Superior Court of Justice.