

Where Do I File My Lawsuit?

There are many things that affect where you file your case.

1) **Which County?**

- Cases are often filed in the county where one or both parties live or have their businesses, but not all cases are supposed to be filed where you live.
- The process of identifying which county you should file your case in is called “determining proper venue.”
- ***If you need help deciding what county your case should be filed in, talk to a lawyer.*** You can find a lawyer using the resources described in the video How to Find a Lawyer.

2) **Which Court?** In Texas there are different levels of courts where trials are held. They are called many different things: district courts, county courts, county courts at law, probate courts, and justice courts. Which court you file in depends on the type of case you are filing, and sometimes on the amount of money that is involved in the case. It also depends on the county because each county is different.

3) **Using the Texas Civil Courts Guide.** The Texas Civil Court Guide can help you find the proper court to file a case. A link to the guide can be found on this website.

- **Before you use the guide, it is very important that you read the instructions first.**
- Choose the county where you will be filing and the type of case.
- A dollar amount must be given for some types of cases. If you need to enter a dollar amount for the kind of case you are filing, the guide will tell you.
- After you click Search, you will see the search results. The search will tell you contact information for one or more clerks and also the courts that may handle your case.

4) **Which Clerk’s Office?**

- Cases are filed in a clerk’s office.
- Clerks are elected officials that have many duties, but one of their most important jobs is for their offices to handle case files. Each county has 2 kinds of clerks – a district clerk and a county clerk. (In some counties, the same person is both a district clerk and a county clerk.)
- In most counties, district clerks handle papers for cases decided by district courts, and county clerks handle papers for cases decided by the different kinds of county courts.
- When you search on the Texas Civil Courts Guide, you may get more than one clerk’s office and more than one court. When that happens, you should get in touch with each clerk’s office to learn more about filing your case.

5) **Filing in justice of the peace courts.** If your search results tell you that the courts where your case may be heard are justice of the peace courts, you will also see precinct numbers and, in some cases, “Place” numbers.

- Counties are sometimes broken up into smaller areas called precincts, and justice of the peace courts serve a precinct.
- If you need to file in the justice of the peace court, you can file in any “Place” court within that same precinct.
- If your search on the Civil Courts Guide says your case may be heard by more than one justice of the peace court, call the local justice of the peace court for more information.

6) **File in the appropriate clerk’s office.**

- When you decide where to file your case, go to the clerk’s office and give them the Petition and Civil Case Information Sheet.
- Take at least 2 extra copies with you and ask the clerk to stamp the copies with the date and time.