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## Legal Aid Organizations in Mississippi

While you are not required to have an attorney when appearing at Justice Court, it may be beneficial to search for legal help for any issues. The following list outlines some of the organizations that may be able to offer legal aid free of charge.

### **American Civil Liberties Union of Mississippi**

[www.aclu-ms.org](http://www.aclu-ms.org)  
601-354-3408

### **Catholic Charities, Inc.**

[www.catholiccharitiesjackson.org](http://www.catholiccharitiesjackson.org)  
601-355-8634

### **Disability Rights Mississippi**

[www.drms.ms](http://www.drms.ms)  
601-968-0600

### **Mississippi College School of Law Clinical Programs**

<http://www.law.mc.edu/academics/clinics>  
601-925-7180

### **Mississippi Center for Justice**

[www.mscenterforjustice.org](http://www.mscenterforjustice.org)  
601-352-2269

### **Mississippi Center for Legal Services**

[www.mscenterforlegalservices.org](http://www.mscenterforlegalservices.org)  
1-800-498-1804

### **Mississippi Immigrant Rights Alliance**

[www.yourmira.org](http://www.yourmira.org)  
601-968-5182

### **Mission First Legal Aid**

<https://www.missionfirst.org/legal-aid>  
601-608-0056

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# MISSISSIPPI CENTER FOR JUSTICE

## About This Resource

This resource was created by the **Mississippi Center for Justice**, a public interest law firm that advances racial and economic justice through legal services, policy advocacy, community engagement, and media advocacy. The Center's areas of practice include public benefits, disaster relief, health care access, healthy food access, educational opportunity, affordable housing, consumer protection, and community development. The Center does not provide representation on criminal law matters.

For more information, call 601.352.2269 or visit [www.mscenterforjustice.org](http://www.mscenterforjustice.org).

Know Your Rights

Civil Claims in Justice Court

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## Civil Matters before Mississippi Justice Courts

Justice Courts handle the vast majority of civil and criminal cases in Mississippi. Justice Courts are small claims courts meaning plaintiffs, that is to say those people bringing a lawsuit against another individual, may only bring a suit if the amount in question is under \$3,500. Though the Justice Courts hear both civil and criminal matters, this pamphlet is only concerned with civil matters and does NOT discuss criminal matters. The two primary civil issues that Justice Courts will hear are 1) consumer debt and 2) landlord-tenant issues. While no one is required to have an attorney in Justice Court, it is usually advisable to retain counsel for legal matters.

### Consumer Debt

In consumer debt cases, creditors will bring an action to recover funds that they previously lent to individuals. Though many lenders will attempt to recover the money themselves, sometimes lenders will sell the debt to a third party. For this reason, the party suing to collect a debt may not be the same party that lent the money.

In order to receive a judgment from the court, a debt collector will need to prove that they actually lent the money in question. To provide proof of the loan, the debt collector will often need to show 1) the amount of the loan and 2) the signature of the individual who borrowed the money. If a debt collector shows the loan, and the defendant does not have a defense, the judge will likely rule for the debt collector.

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## Landlord-Tenant

Justice Courts will also hear disputes between landlords and tenants. These disputes may concern overdue rent, improper living conditions, or removals (this is when a landlord attempts to remove a tenant from the property). As with consumer debt cases, a landlord will need to show proof that a tenant is withholding rent or acting inappropriately. The landlord may provide a lease and note how long the tenant has not provided rent.

In order to refute these charges, a tenant would need to provide proof that the rent payment was actually made. A tenant may provide receipts, bank deposit statements, copies of checks or any other documentation that shows payment to the landlord.

### Aftermath

The court's decision may have strong repercussions. For example, a landlord may win the right to remove a tenant from the property or a debt collector could win the right to garnish (or take) the defendant's wages.

Once the judge has decided the outcome of the case, the case will be closed at the Justice Court level. If either party feels that the outcome was wrongly decided, they may seek to appeal the judgment and have a higher court review the case. You have a legal right to appeal. Any appeals would go before the County Court. An appeal may cost upwards of \$100.

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## Know Your Rights

There are some incidents that may be helpful in deciding the outcome of a particular case:

- 1) Notice-** Both parties must know when and where the court hearing will be. If someone has not received notice of the court hearing, that person may invalidate any decision made by the court.
- 2) Presence-** If either party is absent on the day of the hearing, the opposing counsel may automatically end the case. For this reason, it is very important to show up to court at the right time.
- 3) Saying "no"-** It is ok to disagree with an opposing counsel. If something seems incorrect about the opposing parties' argument, it is appropriate to disagree and to ask to explain why that particular argument may not be correct.

### General Notes

It is important to show up on time for court. Though the proceedings may take several hours, each party has very limited time before the judge. For this reason, it is important to be prepared by bringing all the evidence available and practicing what to say ahead of time. It is also important to dress well.

It is important to be familiar with all the documents in the case. Take time to reread your lease in landlord-tenant cases or your loan agreement in consumer debt cases.