



ADAMAWA STATE JUDICIARY

DISTRICT COURT LAW

PRACTICE DIRECTIONS ON

SMALL CLAIMS COURT, 2025

BY:

HON. JUSTICE HAFSAT ABDULRAHMAN

(THE HON. CHIEF JUDGE, ADAMAWA STATE)

TABLE OF CONTENTS

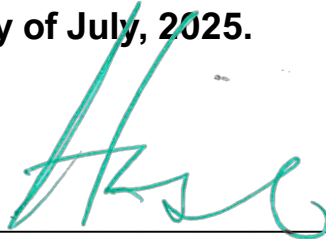
CONTENT	PAGE
PREAMBLE	
ARTICLE 1: OBJECTIVE	5
ARTICLE 2: COMMENCEMENT OF ACTION	5
ARTICLE 3: UNDEFENDED CLAIMS	6
ARTICLE 4: MARKING AND PAYMENT OF FILING FEES	7
ARTICLE 5: ASSIGNMENT OF SMALL CLAIMS FILES	7
ARTICLE 6: SERVICE	7
ARTICLE 7: FILING DEFENCE/ADMISSION/COUNTERCLAIM/COUNTER -AFFIDAVIT TO APPLICATION FOR UNDEFENDED CLAIMS	9
ARTICLE 8: COUNTERCLAIM	10
ARTICLE 9: NON-APPEARANCE	11
ARTICLE 10: PROCEEDINGS AT THE HEARING	11
ARTICLE 11: REPRESENTATION	13
ARTICLE 12: EVIDENCE	13
ARTICLE 13: JUDGMENT	13
ARTICLE 14: ENFORCEMENT OF JUDGMENT	14
ARTICLE 15: APPEALS	14
ARTICLE 16: GENERAL PROVISION	15
ARTICLE 17: WHERE NO PROVISION EXIST	16
CITATION	17
COMMENCEMENT	17

DISTRICT COURTS LAW

PRACTICE DIRECTIONS ON SMALL CLAIMS (COURT) 2025.

Given the various calls made by the Court Users and the need to keep pace with modern realities in commercial adjudication, and in exercise of the powers conferred on me by Section 279 of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended), and Section 89 of the District Courts Law Cap. 44 Laws of Adamawa State 1983 (as amended), and by virtue of all other laws enabling me in that behalf, I **HON. JUSTICE HAFSAT ABDULRAHMAN**, Chief Judge of Adamawa State, hereby issue the following Practice Directions:

Dated this 18th Day of July, 2025.



**HON. JUSTICE HAFSAT ABDULRAHMAN
(THE HON. CHIEF JUDGE)**

PREAMBLE:

Whereas, I, the Hon. Chief Judge of Adamawa State hereby designate some District Courts as Small Claims Courts.

This Practice Directions shall apply and be observed in the Districts' Courts designated as Small Claims Courts and by the High Court, when sitting over appeals from the Small Claims Courts.

SMALL CLAIMS PROCEDURE

ARTICLE 1

OBJECTIVE

The objective of the small claims procedure is to provide easy access to an informal, inexpensive and speedy resolution of simple and liquidated debt recovery disputes in the District Courts.

ARTICLE 2

COMMENCEMENT OF ACTION

1. An action may be commenced in the Small Claims Court where:
 - a. The Defendant or one of the Defendants reside or carry on business in Adamawa State;
 - b. The cause of action arose wholly or in part in Adamawa State;
 - c. The claim is for a liquidated monetary demand in a sum not exceeding ₦20,000,000.00 (Twenty Million Naira), excluding interest and costs or ₦20,000,000.00 (Twenty Million Naira) in Counterclaim as the case may be;
 - d. The Claimant has served on the Defendant, a LETTER OF DEMAND as in Form SCC 1.
2. The action shall be commenced by Claim upon the completion of a Small Claims Complaint Form as in Form SCC 2.
3. The Summons shall issue as in Form SCC 3 upon the Registrar being satisfied that the requirements of 1 and 2 above have been met.
4. Notwithstanding paragraphs 1, 2 and 3 above, where the circumstances requires, Forms SCC 1, 2, 3A, 3B, 5 and 5A can be served together on the Defendant by way of frontloading and their usage be invoked when appropriate.

ARTICLE 3

UNDEFENDED CLAIMS

1. Where a Claimant believes that there is no defence to his claim, he may file with the Summons, an Application for Undefended Claims as in Form SCC 3A.
2. The Application for Undefended Claims shall be supported by an Affidavit stating the grounds for his belief (that there is no defence to his claim) as in Form SCC 3B.
3. If the Defendant files a Counter-affidavit specified in Article 7 (2) below, the Claimant may file a Further-affidavit to the Defendant's Counter-affidavit within 5 days of service of the Counter-affidavit.
4. Where it appears to a District Court Judge that the Defendant has a good defence and ought to be permitted to defend the claim, he may be granted leave to defend.
5. Where it appears to a District Court Judge that the Defendant does not have a good defence, the District Court Judge may enter judgment for the Claimant.
6. Where it appears to a District Court Judge that the Defendant has a good defence to part of the claim but does not have a good defence to other parts of the claim, the District Court Judge may enter judgment for that part of the claim to which there is no defence and grant leave to defend that part to which there is a defence.
7. Where there are several Defendants, and it appears to a District Court Judge that one or more of the Defendants have a good defence, the District Court Judge may permit such Defendants to defend and enter Judgment against the other Defendants.

ARTICLE 4

MARKING AND PAYMENT OF FILING FEES

Where a case satisfies the criteria in Article 2 above, the Court Registrar or any officer of the Court in charge of the Small Claims Registry shall cause the Claim to be marked “Qualified for Small Claims” and direct the Applicant to pay appropriate filing fees.

ARTICLE 5

ASSIGNMENT OF SMALL CLAIMS FILE

1. Upon the marking of the Claim, the Court Registrar or any officer of the Court in charge of the Small Claims Court shall within 24 hours forward the case file to the Administrative District Court Judge for assignment to a District Court Judge of the Small Claims Court.
2. The Administrative District Court Judge shall within 24 hours of receipt of the case file assign the file to a District Court Judge of the Small Claims Court.
Such case assignment shall be on a random basis and shall for the time being be effective in Yola and Mubi Districts. Other designated District Courts may have Small Claims filed at their respective Registry.

ARTICLE 6

SERVICE

1. The Summons and other relevant Forms shall be served by the Bailiff or any duly authorized Court Officer of the Small Claims Court within seven (7) days of filing.

2. Upon service, the Bailiff or any duly authorized Court Officer of the Small Claims Court shall file an Affidavit of Service as in Form SCC 6 or Certificate of Service within 2 days of service.
3. The provision of the Districts' Courts (Civil Procedure) Rules regarding mode of service, except as provided herein, shall apply to any process of whatever description issued by the Small Claims Court.
4. Where the Bailiff or any duly authorized officer of the Small Claims Court is unable to serve the Summons on the Defendant within the time specified in (1) above, he shall file an Affidavit of Non-Service as in Form SCC 4 or Certificate of attempted Service after the expiration of the time allowed for service.
5. In the event of (4) above, the Claimant shall apply for an Order of substituted service of the Summons on the Defendant by filing Form SCC 7.
6. Upon receipt of a duly completed Form SCC 7, the District Court Judge shall make an order for substituted service of the Summons.
7. Substituted service includes service by pasting on a conspicuous area at the Defendant's last known place of abode, by registered post, electronic means via the party's verified/verifiable e-mail, Twitter, Instagram, WhatsApp, Facebook, Telegram, address or account or any other related electronic device as may be appropriate.

Provided that substituted service by means of Text Message (SMS) shall be used for Hearing Notices only. The following provisions shall with respect to substituted service be applicable:

a. The application in terms of Article 6 (5) above must be accompanied by an affidavit verifying and confirming the identity of the respondent, postal/physical address and the electronic mail address at which the defendant will receive service of the summons.

b. A copy of any electronic mail or correspondence including attachments between the parties may be attached as proof of the validity of the electronic mail address or accounts.

c. The Bailiff or any duly authorized Officer of the Small Claims Court shall serve the summons, annexures and pleadings by way of electronic mail on the address as if ordered by the court, indicating what processes have been served by way of electronic mail and the number of pages that were mailed.

ARTICLE 7

FILING OF ADMISSION/DEFENCE/COUNTERCLAIM/COUNTER-AFFIDAVIT TO APPLICATION FOR UNDEFENDED CLAIMS

1. Upon service of the Court Processes/Summons, the Defendant shall file his Defence or Admission or Counterclaim within Seven (7) days by completing Form SCC 5 as appropriate.
2. A Defendant who has been served with an Application for Undefended Claims shall file (along with Form SCC 5 and within 7 days stipulated for him to enter Defence) a Counter-affidavit as in Form SCC 5A stating why judgement should not be entered against him.
3. The provision of Article 6 on service of Summons shall apply to service of a Counterclaim.
4. Where a Defendant fails to file an Answer to the Claim, or a Counter-affidavit to the Application for Undefended Claims, such Defendant shall

be held to have admitted the Claim.

ARTICLE 8

COUNTER CLAIM

1. If at the time the action is commenced the Defendant intends to counterclaim against the Claimant, a liquidated money demand not exceeding ₦20,000,000.00 (Twenty Million Naira) (excluding interest and costs) and which claim arises out of the same transaction or series of transactions, the Defendant shall file a Counterclaim as in Form SCC 5 in answer to the Claim.
2. If at the time the action is commenced, the Defendant intends to counterclaim against the Claimant a liquidated money demand exceeding ₦20,000,000.00 (Twenty Million Naira) excluding interest and costs, the Defendant may file a Counterclaim in the pending Small Claims action by filing Form SCC 5.
3. If at the time the action is commenced, the Defendant has a Counterclaim that exceeds the general jurisdiction of the District Court, the Defendant may still file the Counterclaim, by filing Form SCC 5, PROVIDED that any Judgment in the Defendant's favour shall be limited to the general jurisdiction of the District Courts.
4. In the event of (3) above, the Defendant/Counterclaimant shall be deemed to have abandoned the excess of the Counterclaim.
5. The Defendant(s) Counterclaim shall be limited to the Claimant(s) on record.
6. The Claimant may file a Reply to the Defendant(s) Defence and Counterclaim, such filing shall be within 5 days of service of the Defendant(s) Defence and Counterclaim.

7. No pleadings after Reply shall be allowed.

ARTICLE 9

NON-APPEARANCE

1. When the claim is called for hearing on the date fixed and neither party appears, the District Court Judge shall unless he sees good reason to the contrary, strike out the claim.
2. When the claim is called for hearing and the Claimant appears but the Defendant does not appear, provided there is proof of service, the District Court Judge shall proceed with the hearing of the claim and enter Judgment as far as the Claimant can prove his claim.
3. When the claim is called for hearing, and the Defendant appears but the Claimant does not appear, the Defendant, if he has no Counterclaim may be entitled to an Order striking out the claim.
4. If the defendant has a Counterclaim, the District Court Judge may after striking out the claim as in (3) above proceed to hear the Counterclaim and enter Judgment accordingly, as far as the Defendant can prove his Counterclaim.
5. Where a claim has been struck out in (1) or (4) above, it shall not be relisted.

ARTICLE 10

PROCEEDINGS AT THE HEARING

1. At the first appearance of the parties before the Court, the District Court Judge may promote, encourage and facilitate amicable settlement of the dispute among

the parties where possible. The process of amicable settlement of the dispute among the parties shall not exceed seven (7) days.

2. Notwithstanding (1) above, the parties are also encouraged to contact one another with a view to settling the matter amicably or to narrow the issue. The court must be informed on the hearing date if the case is settled by agreement before that date, and a Consent Judgment may be entered by the Court accordingly.
3. In the event that parties are unable to settle the dispute amicably, the District Court Judge may hold a preliminary hearing for the purpose of narrowing down issues and giving directions for hearing of the Claim or Counterclaim (as the case may be) including a hearing time table, length of trial or hearing, exchange of witness(es) list, formulation and settlement of issues, as appears to the District Court Judge to secure the just, expeditious and speedy disposal of the Claim or Counterclaim.
4. Hearing shall be conducted by the court from day to day as far as is practicable and may only be adjourned as a last resort and for the shortest possible time.
5. Adjournment can only be granted during proceedings in unforeseen or exceptional circumstance and a party may not be granted more than one adjournment during the entire proceedings.
6. The entire hearing period shall not be more than thirty (30) days from the first date of hearing, inclusive of the seven (7) days for amicable settlement.
7. During the hearing, the District Court Judge may ask any question to the witness or order the witness to produce any document in the witness' possession in order

to clear up any ambiguity which may have been left obscured in evidence given by such a witness.

ARTICLE 11

REPRESENTATION

1. Parties may represent themselves at the proceedings in the Small Claims Court.
2. Partnerships, Registered Companies and Incorporated Trustees can be represented by either a Partner, Company Secretary or any other Principal Officer of the Partnership or Company, or a Trustee, or other Principal Officer of the Incorporated Trustees.

ARTICLE 12

EVIDENCE

1. Parties may testify on their own behalf and tender all necessary documents and they may call other witnesses to give evidence at the hearing.
2. In the interest of justice, the Court may depart from the strict application of provisions of Evidence Act.

ARTICLE 13

JUDGMENT

1. The District Court Judge shall deliver Judgment within fourteen (14) days of the completion of hearing. The Judgment shall include the Court's determination of issues raised in any interlocutory application(s) filed by any of the parties.

2. The entire period of proceedings from filing till Judgment shall not exceed sixty (60) working days.
3. The Judgment of the Court shall not be invalid by reason of the entire proceedings of the court having exceeded sixty (60) working days.
4. The District Court Judge should endeavour to issue authenticated copies of the Judgment immediately after its delivery but in any event not exceeding 7 days from the date of the delivery of the Judgment.

ARTICLE 14

ENFORCEMENT OF JUDGMENT

1. The Defendant or Defendant to the Counterclaim (as the case may be) shall comply with the Judgment and pay the Judgment sum forthwith.
2. Upon default of the Defendant or Defendant to the Counterclaim to pay the Judgment, the Judgment shall be enforced in like manner as any order of the District Court for the payment of money.

ARTICLE 15

APPEALS

1. Where either party is aggrieved with the Judgment, such party shall comply with the provisions of Order XXVII of the District Courts Rules with regard to Leave of the District Court.
2. The aggrieved party shall file the Notice of Appeal as in Form SCC 8 within 14 (fourteen days) of the delivery of the Judgment stating the

reasons for the Appeal.

3. The Registrar of the Small Claims Court Registry shall compile the records of appeal within fourteen (14) days of the submission of Form SCC 8 upon payment of the requisite fees.
4. The Records of Appeal shall thereafter be forwarded to the Fast Track Registry of the High Court, where it is then assigned to a Judge of the Fast Track Court designated to hear appeals from the Small Claims Court.
5. The Judge, so designated shall cause Hearing Notices to issue to the parties and the appeal shall be heard at the earliest convenience of the Court.
6. The Appeal shall be by written briefs of the parties and on the records of the appeal.
7. The whole Appellate Process from the assignment of the Appeal to Judgment shall not exceed thirty (30) days.

ARTICLE 16

GENERAL PROVISIONS

1. Every District Court Judge presiding in a Small Claims Court must take judicial control and management of all cases allocated to him/her by the Chief Registrar/Administrative District Court Judge.
2. The District Court Judge must note in the Small Claims record book, the duration of each sitting. The record book shall provide detailed information on the progress of each case from filing to issuance of judgment.

3. The District Court Judge must note on the record of the proceedings in respect of each case:
 - a. the time of the day when the proceedings actually commenced and actually ended; and
 - b. the time of the day of the commencement and conclusion of each adjournment on that day.
4. In line with Article 12 (2) above, all District Court Judges hearing Small Claims will strive to finalize cases within sixty (60) working days of filing by the Claimant. Such District Court Judges must report monthly to the Chief Registrar/Director Magistrates on all part-heard cases that have not been finalized within sixty (60) working days from the date of commencement of the trial, provided that a District Court Judge having more than five (5) part heard cases may not commence any new case without a written approval from the Chief Registrar/Administrative District Court Judge. Any District Court Judge under this Practice Direction who has more than five (5) part-heard cases must submit along with his monthly report an action plan on how he intends to reduce the part-heard cases and provide monthly reports on progress.
5. Upon the direction of the Chief Registrar, an Administrative District Court Judge must submit any information and any assessment material including statistics, records showing compliance with time frames for court events, and any other reports required by the Chief Judge to assess the functioning and efficiency of the Small Claims Courts.

ARTICLE 17

WHERE NO PROVISION EXISTS

Where no provision is made in this Practice Direction, the provisions of the District Court (Civil Procedure) Rules; the High Court (Civil Procedure) Rules or any other written law for the time being in force shall so far as they can be conveniently applied, be in force in the Small Claims Court.

CITATION

This Practice Direction may be cited as the “**Adamawa State Practice Directions on Small Claims Court 2025.**”

COMMENCEMENT

This Practice Direction shall come into effect on the **18th Day of July, 2025.**



**HON. JUSTICE HAFSAT ABDULRAHMAN
(THE HON. CHIEF JUDGE)**