



ZAMFARA STATE OF NIGERIA



ZAMFARA STATE JUDICIAL DISTRICT COURT LAW

PRACTICE DIRECTIONS ON SMALL CLAIMS COURT, 2025

ARRANGEMENT OF ARTICLE

COVER PAGE	- - - - -	i
ARRANGEMENT OF ARTICLE	- - - - -	ii
PREAMBLE -	- - - - -	1
COMMENCEMENT:	- - - - -	1
ARTICLE 1: OBJECTIVE -	- - - - -	1
ARTICLE 2: COMMENCEMENT OF ACTION -	- - - - -	2 – 3
ARTICLE 3: MARKING AND PAYMENT OF FILING FEES -	- - - - -	3
ARTICLE 4: ASSIGNMENT OF SMALL CLAIM FILES	- - - - -	3
ARTICLE 5: SERVICE OF THE SUMMON -	- - - - -	4 – 5
ARTICLE 6: FILING OF DEFENCE/ADMISSION/	- - - - -	5
COUNTER CLAIM		
ARTICLE 7: COUNTER CLAIM -	- - - - -	5 – 6
ARTICLE 8: NON-APPEARANCE	- - - - -	6
ARTICLE 9: PROCEEDINGS AT THE HEARING	- - - - -	6 – 7
ARTICLE 10: REPRESENTATION	- - - - -	7
ARTICLE 11: EVIDENCE -	- - - - -	8
ARTICLE 12: JUDGMENT -	- - - - -	8
ARTICLE 13: ENFORCEMENT OF JUDGMENT	- - - - -	8
ARTICLE 14: GARNISHEE PROCEEDINGS	- - - - -	9 – 10
ARTICLE 15: APPEALS	- - - - -	10
ARTICLE 16: GENERAL PROVISIONS-	- - - - -	11
ARTICLE 17: REVOCATION OF 2023 PRACTICE DIRECTION -		11

DISTRICT COURTS LAW

PRACTICE DIRECTION ON SMALL CLAIMS 2025

In exercise of the powers conferred on me by Section 274 of the Constitution of the Federal Republic of Nigeria, 1999 (As amended), Section 116 of the High court Law, Cap 60 Laws of Sokoto State 1996, s applicable in Zamfara State, section 89 of the District Courts Laws Cap 44 Laws of Sokoto State 1996, as applicable in Zamfara State and all other powers enabling me in that behalf, **I Hon. Justice Kulu Aliyu OFR**, Chief Judge of Zamfara State, hereby issue the following Practice Directions.

Dated this Day of 2025

***Hon. Justice Kulu Aliyu OFR
(Chief Judge, Zamfara State)***

PREAMBLE

WHEREAS I, the Hon. Chief Judge hereby designates some District Courts as Small Claims Courts.

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

COMMENCEMENT:

This practice direction shall come into effect on the day of, 2025

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 arising from business disputes in the District Courts.

ARTICLE 2

COMMENCEMENT OF ACTION

1. An action may be commenced in the Small Claims Court where –
 - (a) The plaintiff or one of the plaintiffs resides or carries on business in Zamfara State;
 - (b) The Defendant or one of the Defendants resides or carries on business in Zamfara State;
 - (c) The cause of action arose wholly or in part in Zamfara State;
 - (d) The claim is for a liquidated debt recovery arising from business disputes in a sum not exceeding Nine Million (N9,000,000.00), excluding interest and costs;
 - (e) The plaintiff has served on the Defendant, a letter of demand or a demand notice as in Form ZSCA 1;

2. The action shall be commenced by claim upon the completion of a Small Claims Complaint Form as in Form ZSCA 2.
3. The summons shall be issued as in Form ZSCA 3 upon the Presiding District Judge of the Small Claims Court being satisfied that the requirements of Article 2 above have been met.

ARTICLE 3

MARKING AND PAYMENT OF FILING FEES

1. Where a case satisfies the criteria in Article 2 above, the Chief Registrar or Presiding District Judge of the Small Claims Court shall cause the claim to be marked "Qualified for Small Claim" and direct the Applicant to pay appropriate filing fees.
2. Filing fees should be paid as follows –
 - (a) for claims from One Naira to Two Million (N1 – N2,000,000.00) = N5,000.00
 - (b) for claims above Two Million to Four Million (N2,000,000.00 – N4,000,000.00) = N7,500.00
 - (c) for claims above Four Million to Six Million (N4,000,000.00 – N6,000,000.00) = N10,000.00
 - (d) for claims above Six Million (>N6,000,000.00) = N15,000.00
5. The State Government shall be entitled to 50% of the interests accrued on every case.
4. All fees shall be paid directly to the State Consolidated Revenue Account (www.payzamfara.com)

ARTICLE 4

ASSIGNMENT OF SMALL CLAIM FILES

1. Upon the marking of the Claim, the Chief Registrar or Administrative District Judge of the Small Claims Court shall within Twenty-Four (24) hours direct or forward the case file to the District Judge of the Small Claims Court.
2. The assignments of these cases shall be undertaken on a random basis.

ARTICLE 5

SERVICE OF THE SUMMONS

1. Summons shall be served by the Registry of the Small Claims Court within seven (7) days of filing by the Bailiff of the Small Claims Court.
2. Upon service, the Bailiff of the Small Claims Court shall file an Affidavit of service as in Form ZSCA 6 within two (2) days of service.
3. The provision of the Zamfara State District Courts (Civil Procedure) Rules 2014 (hereinafter referred to as "The District 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 Courts.
4. Where the Bailiff of the Small Claims Court is unable to serve the Summons on the Defendant within the time specified in sub (1) of this article, he shall file an Affidavit of Non-Service as in Form ZSCA 4 after the expiration of the time allowed for service.
5. In the event of sub (4) of this article, the Plaintiff shall apply for an Order of substituted service of the Summons on the Defendant by filling Form ZSCA 7.
6. Upon receipt of a duly completed Form ZSCA 7, the District Judge shall make an order for substituted service of the summons.
7. Substituted service may also be effected by electronic means. If substituted service is to be effected by electronic means, the following provisions shall apply.
 - (i) The application in terms of sub (5) of this article must be accompanied by an affidavit confirming the identity of the Respondent electronic mail address of which the Defendant will receive service of the summons.
 - (ii) A copy of any electronic mail correspondence, including attachments between the parties shall be attached as proof of the validity of the electronic mail address.

- (iii) The Sheriff/Bailiff 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 6

FILING OF DEFENCE/ADMISSION/COUNTER CLAIM

1. Upon service of the Summons, the Defendant shall file his Defence/Admission or Counterclaim within Seven days by completing Form ZSCA 5 as appropriate.
2. The provision of Article 5 on service of Summons shall apply to service of a Counterclaim.
3. Where a Defendant fails to file an Answer to the Claim, such Defendant may be held to have admitted the Claim.

ARTICLE 7

COUNTER CLAIM

1. If at the time the action is commenced the Defendant intends to claim against the Plaintiff, a liquidated debt recovery arising from business disputes not exceeding Nine Million Naira (N9,000,000.00) excluding interest and costs and which claim arises out of the same transaction or series of transactions, the Defendant shall complete and file a counterclaim form as in Form ZSCA 5 in answer to the Claim.
2. 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 file the counterclaim, by completing Form ZSCA 5.

PROVIDED that any Judgment in the Defendant's favour, shall be limited to the general jurisdiction of the District Courts.

3. In the event of sub 2 of this article, the Defendant/Counter Plaintiff shall be deemed to have abandoned the excess of the counterclaim.

4. The Defendant(s) counterclaim shall be limited to the Plaintiff(s) on record.
5. The Plaintiff may file a reply to the Defendant(s) Defence and Counterclaim within five days of service of the Defendant(s) Defence and Counterclaim.
6. No pleadings after reply are allowed.

ARTICLE 8

NON-APPEARANCE

1. When the claim is called for hearing on the date fixed and neither party appears, the District Judge shall unless he sees good reason to the contrary, strike out the claim.
2. Where the claim is called for hearing and the Plaintiff appears but the Defendant does not appear, provided there is proof of service, the District Judge shall proceed with the hearing of the claim and enter Judgment as far as the Plaintiff can prove his claim.
3. Where the claim is called for hearing and the Defendant appears but the Plaintiff does not appear, the Defendant if he has no counterclaim, shall be entitled to an Order striking out the claim, but if he has a counterclaim, the District Judge shall proceed to hear the counterclaim and enter Judgment accordingly as far as the Defendant can prove his counterclaim.

ARTICLE 9

PROCEEDINGS AT THE HEARING

1. At the first appearance of the parties before the Court, the District Judge shall promote, encourage and facilitate amicable settlement of the dispute among the parties by mediating and providing settlement options to the parties as he deems fit. The process of mediating and facilitating amicable settlement of the dispute among the parties shall not exceed seven days.
2. Notwithstanding sub (1) of this article, the parties are also encouraged to contact one another with a view to settling the

matter amicably or to narrow the issues. However, 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 the parties are unable to settle the dispute amicably, the District Judge shall hold a pre-trial conference for the purpose of 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 it appears to the District 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 and exceptional circumstances 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 30 days from the first date of hearing, inclusive of the seven days for amicable settlement.
7. During the hearing, the District Judge may ask any question to the witness or order the witness to produce any document in the possession of the witness in order to clear up any ambiguity which may have been left obscured in evidence given by such witness.

ARTICLE 10

REPRESENTATION

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

ARTICLE 11

EVIDENCE

Parties may testify on their behalf, tender all necessary documents and they may call other witnesses to give evidence at the hearing.

ARTICLE 12

JUDGMENT

1. The District Judge shall deliver judgment within 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 to judgment shall not exceed 60 working days.
3. The judgment of the Court shall not be invalidated by reason of the entire proceedings of the Court having exceeded 60 working days.
4. The District Judge shall provide authenticated copies of the judgment immediately after its delivery but in any event not exceeding seven days from the date of the delivery of the judgment.

ARTICLE 13

ENFORCEMENT OF JUDGMENT

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

ARTICLE 14

GARNISHEE PROCEEDINGS

1. A Judgment Creditor who is entitled to the benefit of a judgment for recovery or payment of money shall fill and file motion exparte as in FORM ZSCA 9 with accompanying affidavit containing the following information:
 - (a) The name and address of the Judgment Debtor.
 - (b) Details of the judgment or order sought to be enforced.
 - (c) The amount of money remaining due under the judgment or order.
 - (d) If the judgment debt is payable by instalments, the amount of any instalments which have fallen due and remain unpaid.
 - (e) The name and address of the third party.
 - (f) If the third party is a bank or building society.
 - (i) Its name and the address of the branch at which the Judgment Debtor's account is believed to be held; and
 - (ii) The account number; or, if the Judgment Creditor does not know all or part of this information, confirmation that to the best of the Judgment Creditor's knowledge or belief, the third party:
 - (a) Is within the jurisdiction; and
 - (b) Owes money to or holds money to the credit of the judgment debtor.
 - (g) If the Judgment Creditor knows or believes that any person other than the Judgment Debtor has any claim to the money owed by the third party:
 - (i) His name and (if known) his address; and
 - (ii) Such information as is known to the Judgment Creditor about his claim.
 - (h) Details of any other applications for third-party debt orders issued by the Judgment Creditor in respect of the same

judgment debt. Where the Judgment Creditor satisfied the provision of Article 9 sub 1, of this practice direction the District Judge may issue a Garnishee Order nisi and direct the Garnishee(s) to show cause regard been had to provision of Section 83 (2) of the Sheriff & Civil Process Act.

ARTICLE 15

APPEALS

1. Where either party is aggrieved with the Judgment, such party shall complete the Appeal form, as in Form ZSCA 8 within 14 days of the delivery of the Judgment stating the reasons for the Appeal.
2. The Registrar of the Small Claims Registry shall compile the records of appeal within 14 days of the submission of Form ZSCA 8.
3. 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.
4. 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.
5. The Appeal shall be by oral hearing of the parties and on the records of the appeal.
6. The whole Appeal Process from the assignment to Judgment shall not exceed 30 days.
7. Without prejudice to the provisions of this practice direction or any other enactment, appeal against the decision of the Small Claims Court shall terminate at the Zamfara State High Court.

ARTICLE 16

GENERAL PROVISIONS

1. Every District Judge presiding in a Small Claims Court must take judicial control and management of all cases assigned to him by the Chief Registrar/Administrative District Judge.
2. The District Judge shall record the proceedings and shall 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 Judgment.
3. Where no provision is made in this Practice Direction, the provisions of District Court Rules shall apply to the proceedings at the Small Claims Court while the High Court (Civil Procedure) Rules or any other written laws for the time being in force, shall so far as they can be conveniently applied, be adopted at the Small Claims Appellate Court.
4. Each District Court of the Small Claims Court must submit to the Chief Registrar or any Officer designated by Judicial Committee on the Small Claim Courts, monthly returns including any information, assessment material, statistics and records showing compliance with the timelines for the Small Claims proceedings, and any other reports that may be required from time to time to assess the functioning and efficiency of the Small Claims Courts.

ARTICLE 17

REVOCATION OF 2023 PRACTICE DIRECTION

The Zamfara State practice direction for the Small Claims Courts dated 9th day of November, 2023 is hereby revoked.