

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE ALLEN SUPERIOR COURT
SMALL CLAIMS DIVISION
1 West Superior St.
Fort Wayne, IN 46802
(260) 449-7936

CASE NUMBER:

Plaintiff's Name (1)

Street Address

City, State Zip Code

Email Address Telephone Number

AGAINST

and

Defendant's Name (2)

Defendant's Name (1)

Street Address

Street Address

City, State Zip Code

City, State Zip Code

Email Address Telephone Number

Email Address Telephone Number

Corporations See Instructions on Back of Form

NOTICE OF EVICTION CLAIM

TYPE OF SERVICE REQUIRED:		TYPE OF CLAIM BEING FILED:			PLAINTIFF(S) SEEKS JUDGMENT:	
<input type="checkbox"/>	CERTIFIED MAIL	<input type="checkbox"/>	DAMAGES (LANDLORD/TENANT) - CDLT	<input type="checkbox"/>	EVICTION (LANDLORD/TENANT) - EV	<input type="checkbox"/>
<input type="checkbox"/>	SHERIFF	<input type="checkbox"/>		<input type="checkbox"/>		in the sum of \$
<input type="checkbox"/>	PRIVATE PROCESS	<input type="checkbox"/>		<input type="checkbox"/>		court costs of \$
<input type="checkbox"/>	OTHER	<input type="checkbox"/>		<input type="checkbox"/>		for a total of \$

You have been sued by the individual(s) set forth above. A brief statement of the nature of the claim against you is as follows:

The Plaintiff is seeking immediate possession of the real property located at _____,

Indiana, _____, alleging that the Defendant _____.

The first appearance in court will be an initial Status Conference to provide information to both parties and set the next court date for a hearing on the claims alleged. If a tenant or landlord does not have an attorney and does not appear for the initial hearing, then the court may enter a default judgment or dismiss the case.

CAREFULLY READ THE INFORMATION ON THE REVERSE SIDE

Attorney Preparing Notice of Claim (_____)
(Party Represented)

Street Address

City, State, Zip Code Telephone Number

Email Address Supreme Court ID Number

This claim is set for an **INITIAL STATUS CONFERENCE** on _____ at _____ .M. at the Allen Superior Court Small Claims Division, 1 West Superior St., Fort Wayne, IN 46802.

Plaintiff / Attorney / Counterclaimant

DATE _____

CLERK OF THE ALLEN CIRCUIT AND SUPERIOR COURTS

CAREFULLY READ THE FOLLOWING INFORMATION

KEEP YOUR COURT DOCUMENTS for future reference and always bring them with you to Court. IF YOU HAVE QUESTIONS ABOUT THE SUIT AGAINST YOU, you should contact the person(s) or entity suing you. The Court and the Clerk can only answer questions concerning Court procedures; they cannot answer questions about the suit against you.

A NATURAL PERSON, A SOLE PROPRIETOR, OR ANY PARTNER IN A PARTNERSHIP may appear pro se or by counsel in any Small Claims proceedings. A sole proprietorship or a partnership MAY appear by a designated full-time employee if the claim does not exceed \$6,000.00 and the proper authorization form has been completed by the partnership or sole proprietorship. The authorization form may be obtained from the Clerk's Office.

A CORPORATION MUST APPEAR BY COUNSEL IN ANY CLAIM EXCEEDING \$6,000.00. A corporation MAY appear by a designated full-time employee if the claim does not exceed \$6,000.00 and the proper authorization form has been completed. The authorization form may be obtained from the Clerk's Office.

IF YOU HAVE A CLAIM against anyone (including the person suing you) arising from the same transaction or occurrence which is the subject of this Notice of Claim, you must file a notice of your claim with the Court in this same case. If your claim is against the person suing you, you must file your notice of claim early enough so that the person receives a copy of your claim from the Court at least ten (10) calendar days prior to the scheduled hearing. The Clerk's Office and the Court provide forms for you to file any such claim(s).

WHEN YOUR CASE IS SCHEDULED ON A TRIAL CALENDAR, a trial will be held on that date before a Magistrate. BE PREPARED TO PROVE YOUR SIDE OF THE CASE by bringing with you all documents in your possession or control and all witnesses on your behalf.

IF YOU FAIL TO APPEAR AT THE INITIAL STATUS CONFERENCE OR A SUBSEQUENT SCHEDULED HEARING OR TRIAL, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU. If you or your attorney cannot appear for the conference, hearing, or trial contact the Court immediately.

IF YOU ARE UNABLE TO ATTEND THE TRIAL ON THE DATE SET, you may ask the Court for a continuance. Except for proven extraordinary circumstances, you are entitled to only one continuance, so use it only if you have a good reason, and only if it is absolutely necessary. All continuances must be requested in writing and filed with the Court at least seven (7) days prior to the date and time set for trial.

Any defendant has the right to a trial by jury, except on nonmonetary/equitable claims such as eviction; but only if within ten (10) days from receipt of this Notice of Claim said defendant files with the Court an affidavit requesting a jury trial and pays the additional fee for a jury trial. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties; and within ten (10) days after the jury trial request has been granted, the party requesting a jury trial shall pay the Clerk the additional fee (\$70.00) required by statute to transfer the claims out of Small Claims Court; otherwise, the party requesting a jury trial shall be deemed to have waived the request.

A more detailed sheet of general information regarding Small Claims Court is available upon your personal request at the Court or Clerk's offices.