

HOWARD SUPERIOR III COURT

PLAINTIFF

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

Howard Superior III Court

Howard County Courthouse

Kokomo Indiana 46901

Telephone: 456-2220

HOWARD COUNTY CLERK

Telephone: 456-2000

DEFENDANT

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

SMALL CLAIM DOCKET

CAUSE NO: 34D03-_____SC_____

TO THE CLERK: Please summon the Defendant(s) by certified mail/Sheriff of _____
County to appear in Court to answer this claim.

STATEMENT OF CLAIM: _____

Wherefore Plaintiff ask judgment against the Defendant(s) for \$_____ or an amount not to
exceed \$10,000.00 plus interest (if applicable), and costs therein.

Signature of Plaintiff

NOTICE TO APPEAR

TO: (1)

Defendant: _____

Address: _____

City: _____

TO: (2)

Defendant: _____

Address: _____

City: _____

The Plaintiff(s) asks judgment in this court for the sum stated above. You are to appear in Howard Superior Court 3 for an initial hearing on the claim on the _____ day of _____ 20____, at _____ P.M. You may appear in person or by counsel for this initial hearing. If you do not wish to dispute the claim, you may appear at the time and date stated for the purpose of assisting the Court in establishing the method by which you will be directed to pay the judgment. If you do not appear for any proceeding (which would include any initial hearing or trial) or any continuance thereof, a default judgment may be entered against you for the amount of the claim, plus court costs and interest.

The Defendant must provide the Court and the Plaintiff with a written copy of any counterclaim arising out of the Plaintiff's claim at least seven (7) calendar days before the trial.

Either the Plaintiff or Defendant may represent themselves individually or be represented by a lawyer. If the Plaintiff or Defendant is a corporation or limited liability company, it must be represented by a lawyer, except that a full-time employee may appear on behalf of an employer provided that a Certificate of Compliance affidavit has been filed with the Court and the claim is limited to \$10,000.00

Trial by jury may be requested by Defendant within ten (10) days after receipt of the notice of claim, and that once a jury trial request has been granted; it may not be withdrawn without the consent of the other party or parties: and within ten (10) days after the jury trial request has been granted, the party requesting a jury trial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 be deemed to have waived the request.

EVIDENCE:

If you have photographs that you want to put into evidence that are on a digital device (phone, tablet, computer, etc.), it is advisable to have those photographs printed separate from the device. Otherwise, the entire device may have to be entered into evidence and kept by the court for up to sixty (60) days.

RETURN OF NOTICE OF CLAIM

This Notice of Claim came to hand on the _____ day of _____, 20____, and I served the same on the _____ day of _____, 20____.

- 1.) By delivering a copy of Notice of Claim.
- 2.) By delivering a copy of Notice of Claim personally to _____
(address) _____
- 3.) By leaving a copy of the Notice of Claim at _____
- 4.) By serving his agent as provided by rule, statute or valid agreement, to wit: _____
- 5.) Defendant cannot be found in my bailiwick and Notice of Claim was not served. And I now return this _____ day of _____, 20____.

Sheriff of _____ County

***As of July 2017 any case requiring additional Sheriff service after judgment will be assessed a one-time additional fee of \$28.00

**** A small claims litigant manual is available on in.gov/courts/publications/small-claims-manual/.
If you are unable to access this manual, you may request a copy in the Howard Superior Court III Office.