

STATE OF INDIANA

IN THE VERMILLION CIRCUIT COURT

COUNTY OF VERMILLION

CAUSE NO. 83C01-_____-SC-_____

Name

Name

Street & Number

Street & Number

City, State, Zip

City, State, Zip

Telephone

Telephone

Email PLAINTIFF(S)

Email PLAINTIFF(S)

VS.

Name

Name

Street & Number

Street & Number

City, State, Zip

City, State, Zip

Phone

Phone

Email DEFENDANT(S)

Email DEFENDANT(S)

NOTICE OF CLAIM

TO THE DEFENDANT(S): You have been sued by the Plaintiff whose name appears above. The trial date for this law suit is on the _____ day of _____, at _____: _____ P.M. in Vermillion Circuit Court at 255 S. Main St., 3rd Floor Courthouse, Newport, IN 47966, and check in at the Judge's Office on the 3rd floor upon arrival.

Balance due on:

- ___ Claim on Account (Attach itemized statement)
- ___ Promissory Note (copy attached)
- ___ Back Rent
- ___ Eviction (Attach a copy of Written Contract/Lease Agreement)
- ___ Wages
- ___ Other

A brief statement of the nature of the Plaintiff's claim against you is as follows:

The Plaintiff seeks judgment against Defendant(s) in the amount of \$_____, plus interest from _____, at the rate of _____%, and the Court cost in the amount of \$_____.

PLAINTIFF REQUESTS SERVICE UPON DEFENDANT BY:

- ___ CERTIFIED MAIL
- ___ SHERIFF

Date

Plaintiff/Attorney for Plaintiff

Notice of the suit must be served upon the named Defendant at least ten (10) days before the parties are to appear in Court. If the Clerk or the Sheriff is unable to find or notify the Defendant of the lawsuit within this time, you may either dismiss the suit or request a continuance of the trial date in order to have more time to notify the Defendant of the suit.

If you fail to appear in Court on the date and at the time set for trial, the Plaintiff can receive a judgment for the amount claimed, plus Court costs.

If your suit is based upon a written contract, you must provide to the Clerk of the Court one (1) copy of the contract for the court records and one (1) copy for each Defendant.

If you have any counterclaim arising from the same transaction or occurrence which is the subject matter of the Plaintiff's claim, you may file a statement of such claim with the Court, and send a copy to the Plaintiff, at least (7) days prior to trial.

By filing this small claim, the Plaintiff has waived the right to a trial by jury. You have ten (10) days from receipt of this notice to file an affidavit in compliance with Ind. Code 33-28-3-7 or Ind. Code 33-29-2-7 requesting a jury trial and pay the costs for transferring the case. Your failure to do so, waives your right to trial by jury.

You may represent yourself in this Court. You do not need to employ an attorney. You may, however, have an attorney represent you if you wish.

All corporation entities must be represented by an attorney on all claims exceeding \$1,500.00.

If you do not wish to dispute the claim, you may nonetheless appear for the purpose of allowing the Court to establish a method of payment. You should, however, first contact the Plaintiff or the Plaintiff's attorney and attempt to arrange payment. At trial, you will be required to appear with your witnesses and any documents required to prove your side of the case. If you intend show the Court any document or photograph at your hearing, you must bring 1 copy for the Court and 1 copy for each party or your document may not be allowed to be shown to the Court. The Vermillion Circuit Clerk's Office will make copies of documents however, copies will be \$1.00 per page.

A Small Claims Manual explaining small claims procedures is available to review at the Vermillion County Clerk's Office or online at <https://www.in.gov/judiciary/2710.htm>

IF YOU CANNOT APPEAR ON THE DATE AND TIME INDICATED, YOU MUST FILE A WRITTEN MOTION TO CONTINUE TRIAL and mail to the Vermillion County Clerk's Office, P.O. Box 10, Newport, IN. 47966. **YOU ARE REQUIRED TO SEND A COPY OF THE MOTION TO CONTINUE TO THE OPPOSING PARTY.**