

SMALL CLAIM

ELKHART SUPERIOR COURT #4

Christopher Anderson, Clerk
Elkhart Superior Court 4
101 N. Main Street • Suite 105
Goshen, Indiana 46526

Name

Street and Number

City ZIP

Telephone Plaintiff

E-Mail Address

CASE NO. _____

AGAINST

Street and Number

Name

City ZIP Telephone

Name Defendant

E-mail Address

TO THE CLERK: Please summon the Defendant(s) to appear in Court to answer this claim.

TO THE DEFENDANT: The Plaintiff has filed a lawsuit based on the following:

STATEMENT OF CLAIM

- Account or Note - Attached
- Written Contract – Attached
- Other
- Wages
- Rent
- Damages
- Oral Contract
- Immediate Possession

Brief Statement of Plaintiff's Claim: _____

Plaintiff asks judgment against Defendant for \$ _____ plus interest from _____ at the rate of _____% and costs of the proceeding.

Your Signature

AFFIDAVIT

The undersigned affirms under the penalties for perjury that the Defendant(s) (is / are) not now serving in the Armed Forces of the United States.

NOTICE TO APPEAR

You must appear in Court on the _____ day of _____, 20_____, at _____ M. for initial hearing. If you fail to appear on said date, judgment by default may be entered against you for what the Plaintiff has demanded. You may appear either in person or by an attorney. If the case is set for trial, you should bring to the hearing all witnesses, account books, receipts, or other documents under your control which support your defense. Subpoenas for the witnesses, if requested by a party, will be issued by the Clerk. If you do not wish to dispute the claim, you may appear for the purpose of allowing the Court to establish the method by which the judgment shall be paid. If judgment is entered against you, your earnings may be garnished or your property attached to satisfy said judgment. If you have a claim for relief against the Plaintiff arising from the same transaction or occurrence, you must file a counterclaim seven (7) days before trial. If you are unable to appear at the time or place designated in the notice, you should telephone 535-6463 at least ten (10) days before the initial hearing to request a continuance. Corporations must appear by counsel or, in unassigned claims not exceeding \$1,500.00, by a full-time employee of the corporation designated by the Board of Directors. The designated employee must file with the Clerk a copy of the Board of Directors resolution.

Attorney for Plaintiff and Address

Clerk/Deputy Clerk
Small Claims Division