

STATE OF INDIANA, COUNTY OF BENTON
BENTON CIRCUIT COURT
SMALL CLAIMS DOCKET

CAUSE NO. 04C01-_____ -SC-_____

Name _____
Plaintiff

vs.

Name _____
Defendant

Address _____

Address _____

Telephone _____

Telephone _____

NOTICE OF CLAIM

THE STATE OF INDIANA TO DEFENDANT _____

YOU HAVE BEEN SUED BY THE PLAINTIFF NAMED ABOVE. The nature of the claim against you is stated in the attached complaint. Although the rules of evidence are relaxed in small claims hearings, you may wish to seek the services of an attorney.

You may appear in the Benton Circuit Court, 706 E. 5th St., Fowler, Indiana for hearing of this cause on:

_____ the _____ day of _____ 20____, at _____ am / pm.

If you wish to contest the claim and are unable to appear on the date set, you should file a written request stating the reason you want a continuance. This request must be filed at least 7 days prior to the trial. For emergency requests, you may communicate with the Court by phone. (765-884-0370). The Judge may or may not grant your request.

NOTICE TO PARTIES: Individuals may appear in all court proceedings in person or by an attorney. An attorney must represent corporations if the claim by or against the corporation exceeds \$1,500.00. You should bring to trial all documents in your possession or control concerning this claim.

NOTICE TO DEFENDANT(S): If you do not wish to dispute the claim of the plaintiff, you may appear for the purpose of allowing the Court to determine the method of which the judgment shall be paid. You may also pay the claim and court costs at anytime prior to trial, and the lawsuit will be dismissed, unless the claim is for possession of real or personal property.

If you fail to appear for trial, a default judgment may be entered against you. You have the right to a trial by jury, but only if you file with the Court an affidavit requesting a jury trial and pay jury demand costs within ten (10) days after receipt of this notice. If you demand a jury trial, the formal rules of evidence will apply.

If you wish to file a counter-claim, you must file a notice of claim with this Court within such a time as will allow a copy to be mailed to the plaintiff by the Clerk to be received at least seven (7) days prior to trial date.

Neither the Judge of the Court, the Clerk of the Court, nor employees thereof can give you legal advice concerning this matter.

SERVICE OF NOTICE TO DEFENDANT BY:

_____ CERTIFIED MAIL
_____ SHERIFF

SERVICE OF NOTICE TO PLAINTIFF BY REGULAR MAIL

DATE SENT BY CLERK _____ / _____ / _____

CLERK OF THE BENTON CIRCUIT COURT

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.