

IN THE SCOTT SUPERIOR COURT
(SMALL CLAIMS DOCKET)

Name

Address

City

Telephone

Claimant

AGAINST

No. _____

Name

Name

Address

City

Defendants

TO THE CLERK:

Please notify the defendant(s) to appear in Court to answer this claim.

STATEMENT OF CLAIM

() Account or Note -- Attached

() Wages

() Other _____

Plaintiff asks judgment against defendant(s) for \$ _____ plus interest from
_____, at the rate of _____% and costs
of this proceeding.

Plaintiff

NOTICE TO APPEAR

TO: _____ AND _____
Defendant Defendant

You are hereby notified that Plaintiff has filed the above claim against you; You are hereby notified that you are
to appear in SMALL CLAIMS DIVISION of the SCOTT SUPERIOR COURT at _____ M. on the
_____ day of _____, _____ for the trial
of this claim.

BE SURE TO READ AND UNDERSTAND THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS
NOTICE.

Clerk Scott Superior Court.

INSTRUCTIONS TO DEFENDANT IN SMALL CLAIMS CASE

1. Plaintiff has filed the claim set out on the reverse side of these instructions against you.

2. Your case has been set for trial on the date and at the time indicated in the notice to appear.

3. A natural person may appear in person or by counsel in any small claims proceeding. A corporation must appear by counsel or, in unassigned claims not exceeding one thousand five hundred (\$1,500.00), by a full-time employee of the corporation designated by the Board of Directors to appear as the corporation in the presentation or defense of claims arising out of the business of the corporation.

In unassigned claims not exceeding one thousand five hundred dollars (\$1,500.00), a sole proprietor or partnership may appear by a designated full-time employee of the business in the presentation or defense of claims arising out of the business.

REMEMBER, The Court Clerks and the Judge cannot advise you in this way.

4. You should bring to the trial all the documents in your possession or under your control concerning this claim.

5. Even if you do not wish to dispute the claim you may nonetheless appear for the purpose of allowing the Court to establish the method by which the judgment shall be paid.

6. If you have any counterclaim arising from the same transaction or occurrence which is the subject matter of the plaintiff's claim, you may bring or mail a statement of such claim to the Clerk of the Scott Superior Court within such time as will allow the Court to mail a copy to the plaintiff and be received by him at least 7 calendar days prior to the hearing.

7. The trial shall be informal, with the sole objective of dispensing speedy justice between the parties according to the rules of substantive law. All testimony shall be given under oath or affirmation.

8. You can bring witnesses with you to testify at the trial. If a witness is reluctant to appear, the Clerk can issue a subpoena to compel the witness to appear. These subpoenas should be issued at least a week before the scheduled trial.

9. Either party may be granted a continuance of the trial for good cause shown. Except in unusual circumstances no party shall be allowed more than one continuance in any case. Continuances shall be for as short a period as possible, usually not to exceed one week.

10. You may contact the Scott Superior Court, 1 E. McClain Ave., Scottsburg, Indiana (Telephone 752-8424) if you are unable to appear at the time or place designated for the trial.

11. A default judgment may be entered against you if you fail to appear.

SCOTT SUPERIOR COURT

CLERK'S CERTIFICATE OF MAILING

I certify that on the _____ day of _____, _____, I mailed a copy of the Statement of Claim, Notice to Appear, and Instructions to Defendant in Small Claims Case to each of the defendants named in the Statement of Claim by certified mail requesting a return receipt addressed to said defendant(s) at the address(es) furnished by the plaintiff.

Clerk, Scott Superior Court

STATE OF INDIANA

IN THE SCOTT SUPERIOR COURT

COUNTY OF SCOTT

Plaintiff

Vs.

Cause No. _____

Defendant

**SMALL CLAIMS
AFFIDAVIT OF NON-MILITARY STATUS**

Comes now the affiant, and states:

I _____ am _____ Plaintiff
(Name of Affiant) OR
_____ a designated full-time employee of _____
(name of Plaintiff)

I am of adult age and am fully authorized by Plaintiff to make the following representations:

1. Plaintiff believes that defendant is not a minor or an incompetent individual.
2. If the Defendant is an individual, Plaintiff states and declares that:

_____ Defendant is not on active military service. Plaintiff's statement that Defendant is not on active military service is based upon the following facts:

OR

_____ Plaintiff is unable to determine whether or not Defendant is not on active military service.

("Active military service" includes fulltime duty in the military (including the National Guard and reserves) and, for members of the

National Guard, service under a call to active service authorized by the President or Secretary of Defense. For further information, see the definition of "military service" in the Servicemembers Civil Relief Act, as amended, 50 U.S.C.A. Appx.521)

I swear or affirm under the penalties of perjury that the foregoing representations are true.

Dated: _____

Signature of Affiant: _____