

IN THE SMALL CLAIM DIVISION
FOUNTAIN CIRCUIT COURT

CAUSE NUMBER: 23C01-_____-SC-_____

Claimant(s) _____
Address: _____
Phone: _____
e-mail Address: _____

AGAINST

Defendant(s) _____
Address: _____
Phone: _____
e-mail Address: _____

NOTICE OF CLAIM

TO THE DEFENDANT(S): You are notified that the claimant(s) filed a claim against you. The hearing date for this claim has been set for _____, 20____ at _____ AM.

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

Balance due on: Account (copy attached) _____; Promissory Note (copy attached) _____;
Back Rent & Eviction _____; Wages _____; Other _____;

The Claimant(s) ask for a judgment against the Defendant(s) for \$ _____;
Interest from _____ 20____, at the rate of _____ %;
Attorney fees (if applicable) \$ _____;
Costs of this proceeding \$ _____

Dated: _____

Claimant (or Attorney)

- You may appear either in person or by attorney at this hearing. If you do not appear and answer this claim, a default judgment can be entered against you for what the claimant(s) has/have demanded. If judgment is entered against you, your earnings may be garnished or your property may be taken to satisfy said judgment.
- To dispute this CLAIM, you must APPEAR. If you wish to dispute this claim and your defense is supported by witnesses, account books, receipts, or other documents, you MUST PRODUCE them at the hearing. Subpoenas for witnesses, if requested by a party, will be issued by the Clerk of the Fountain Circuit Court.
- If you have a 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 Plaintiff, at least seven (7) days prior to hearing date.
- By filing this small claim, the Plaintiff has waived the right to a trial by jury. You have a right to a jury trial, but, only if requested by a written affidavit stating in good faith the questions of fact requiring a jury trial and paying costs within ten (10) days after receiving this claim. Your failure to do so, waives your right to trial by jury.
- If you are unable to appear on the hearing date for good reason, you must contact the Clerk's Office, Circuit Court, Covington, Indiana, telephone number 765-793-2192 at least seven (7) days (unless an emergency) before the hearing date to ask for a continuance which may or may not be granted. Any questions or a request for an Instruction manual on Small Claims should be directed to the Clerk's Office at the above number. Neither the Commissioner nor the Clerk, nor employees thereof can give you legal advice on this matter.
- Corporations, partnerships, or sole proprietors must be represented by an attorney unless the unassigned claim is \$1,500.00 or less and the necessary resolutions and affidavits designating a full time employee are filed with the Court.

SERVICE BY:
_____ Sheriff
_____ Certified Mail

Fountain County Clerk

Clerk's File Stamp