

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF JASPER )

IN THE JASPER CIRCUIT COURT  
 SMALL CLAIMS DIVISION  
 115 W. Washington St., Ste. 103  
 Rensselaer, Indiana  
 219-866-4913

Plaintiff's Name (1)

Plaintiff's Name (2)

Street Address

City, State & Zip Code Telephone

Email Address

**VS**

# NOTICE OF CLAIM

CASE NUMBER:

Defendant's Name (1)

Defendant's Name (2)

Street Address

and

Street Address

City, State & Zip Code Telephone

City, State & Zip Code Telephone

E-mail Address

E-mail Address

TYPE OF SERVICE:		TYPE OF CLAIM BEING FILED: (check all that apply)			PLAINTIFF(S) SEEKS JUDGMENT:	
<input type="checkbox"/>	CERTIFIED MAIL	<input type="checkbox"/>	ACCOUNT	<input type="checkbox"/>	DAMAGES (LANDLORD/TENANT)	
<input type="checkbox"/>	SHERIFF	<input type="checkbox"/>	BACK RENT (LANDLORD/TENANT)	<input type="checkbox"/>	EVICTON (LANDLORD/TENANT)	In the sum of : \$
<input type="checkbox"/>	OTHER	<input type="checkbox"/>	CONTRACT	<input type="checkbox"/>	RETURN PERSONAL PROPERTY	Court Costs : \$
<input type="checkbox"/>		<input type="checkbox"/>	DAMAGES	<input type="checkbox"/>	OTHER	\$

You have been sued by the individual(s) set forth above. A brief statement of the nature of the claim against you is as follows:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**CAREFULLY READ THE INFORMATION ON THE REVERSE SIDE**

Attorney Preparing Notice of Claim ( \_\_\_\_\_ )  
 (Party Represented)

Street Address

City, State, Zip Code Telephone Number

Email Address

Date

**This claim is set for Bench Trial on:**

\_\_\_\_\_ at \_\_\_\_\_  
 at the Jasper Circuit Small Claims Court.

**X**

Signature of Plaintiff / Attorney / Counterclaimant

Kara Fishburn, Jasper County Clerk

**CAREFULLY READ THE FOLLOWING INFORMATION**

ALL NOTICE OF CLAIMS are set for bench trial. If a party receives a Notice of Claim and/or Summons that indicates any other type of hearing is set, please bring it to the attention of the Court or Clerk.

BRING ALL WITNESSES, DOCUMENTS AND EVIDENCE that the parties wish to present on the trial date.

UPON ARRIVAL ON THE DATE OF THE BENCH TRIAL, please sign in so that the Court knows that you are present.

KEEP YOUR COURT DOCUMENTS for future reference and always bring them with you to Court.

IF YOU HAVE QUESTIONS ABOUT THE SUIT AGAINST YOU, you should contact the person(s) or entity suing you. The Court and the Clerk can only answer questions concerning Court procedures; they cannot answer questions about the suit against you.

A NATURAL PERSON, A SOLE PROPRIETOR, OR ANY PARTNER IN A PARTNERSHIP may appear pro se or by counsel in any Small Claims proceedings. A sole proprietorship or a partnership MAY appear by a designated full-time employee if the claim does not exceed \$1,500.00 and the proper authorization form has been completed by the partnership or sole proprietorship. The authorization form may be obtained from the Clerk's Office.

A CORPORATION MUST APPEAR BY COUNSEL IN ANY CLAIM EXCEEDING \$1,500.00. A Corporation MAY appear by a designated full-time employee if the claim does not exceed \$1,500.00 and the proper authorization form has been completed. The authorization form may be obtained from the Clerk's Office.

IF YOU HAVE A CLAIM against anyone (including the person suing you) arising from the same transaction or occurrence which is the subject of the notice of suit, you must file a notice of your suit with the Court. If your suit is against the person suing you, you must file your notice of suit early enough so that the person receives a copy of your suit from the Court at least ten (10) calendar days prior to the scheduled hearing. The Clerk's Office and the Court can provide forms.

IF YOU DO NOT DISPUTE THE SUIT AND YOU ARE ABLE TO PAY the suit and court costs in full, you may do so in the Clerk's Office (115 W Washington St Ste 103, Rensselaer, IN 47978) at any time before the scheduled hearing; unless the suit against you is for landlord/tenant ejectment, or for return of personal property.

IF YOU DO NOT DISPUTE THE SUIT BUT YOU ARE NOT ABLE TO PAY the suit and court costs in full, you should either contact the person(s) or corporation suing you or appear at the scheduled hearing in order to establish the manner in which the suit or judgment will be paid.

THE COURT ENCOURAGES ALL PARTIES to meet and to negotiate and try to resolve the pending matter prior to entering the Courtroom for trial. If any party does not want to negotiate and wants to proceed to trial, please inform the bailiff and wait in the Courtroom.

IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, a Default Judgment may be entered against you. If you or your attorney cannot appear for the hearing, contact the court in person immediately upon receipt of this notice.

IF YOU ARE UNABLE TO ATTEND THE TRIAL ON THE DATE SET, you may ask the Court for a continuance. All continuances must be requested in writing and more than five (5) days prior to the date and time set for trial.

Any defendant has the right to a trial by jury; but only if within ten (10) days from receipt of this notice said defendant files with the Court an affidavit requesting a jury trial and pays the associated costs for a jury trial. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties; and within ten (10) days after the jury trial request has been granted, the party requesting a jury trial shall pay the Clerk the additional amount required by statute to transfer the claim to the plenary docket; otherwise, the party requesting a jury trial shall be deemed to have waived the request.

The address of the Clerk's Office is 115 W. Washington St Ste 103, Rensselaer, Indiana, 47978

**Sheriff's Return**

Date received: \_\_\_\_\_

Date served / attempted: \_\_\_\_\_

Personal service

Not in jurisdiction \_\_\_\_\_

Left a copy and mailed a copy

Moved / Vacant \_\_\_\_\_

By: \_\_\_\_\_

## **Jasper Circuit Court Small Claims Information Sheet**

1. All new filings are set for bench trial before the Court. There are NO initial hearings, first hearings or default hearings.
2. The Court encourages all parties to meet in an attempt to resolve pending cases before the Court. You are not required to meet prior to a bench trial, but often times parties find a mutual agreement far more satisfactory than a judgment handed down from the Court. However, you are entitled to your “day in Court” when the bench trial is set.
3. Each party must file the appropriate paperwork with the Court on any case resolved prior to the Court date or resolved prior to entering the Courtroom. Failure to notify the Court and file an appropriate pleading will leave the Court with no conclusion than neither party appeared and the case should be dismissed for lack of prosecution.
4. All parties must follow the Local Rules including LR37-SC00-28 involving Small Claims procedures in this Court. The Local Rule can be found on-line at the Jasper County Clerk’s website or you may obtain a copy from the Clerk’s office.
5. All Corporate entities, sole proprietorships (a business) partnerships, an LLC, an LLP or trust may appear by a trustee (for a trust) or by the owner or a full-time employee in matters less than \$6000.00. Each entity must file a duly adopted resolution allowing the person to represent the entity and the person must file an appropriate affidavit pursuant to the Indiana Small Claims Rules.
6. Some small claims forms can be found in the Clerk’s office or on-line. Other resources such as a small claims manual can be found on-line or at the Clerk’s office. Other forms or assistance may be available at [indianalegalhelp.org](http://indianalegalhelp.org) or <https://indiana.freelegalanswers.org>.
7. Persons may also seek indigent legal assistance from Indiana Legal Services, Inc. (219) 738-6040 or from NWI Volunteer Lawyers, Inc. (219) 945-0995.
8. Cameras, cell-phones and other recoding devices are not permitted on the third floor of the Courthouse where the Courtrooms are located. If you have digital pictures or evidence it must either be printed out or brought to Court on a thumb drive to be admitted into evidence. The Court cannot look at pictures on your cellphone or laptop.
9. Physical items introduced into evidence may have to be kept by the Court pursuant to certain Rules of Evidence, Administration or Trial Procedure so you should keep a copy, if possible, of evidence you wish to introduce if you need it.