

# HOWARD SUPERIOR III COURT

## PLAINTIFF

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

Howard Superior III Court  
Howard County Courthouse  
Kokomo Indiana 46901  
Telephone: 456-2220  
HOWARD COUNTY CLERK  
Telephone: 456-2204

## DEFENDANT

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

SMALL CLAIM DOCKET

CAUSE NO: 34D03-\_\_\_\_\_SC\_\_\_\_\_

TO THE CLERK: Please summon the Defendant(s) by certified mail/Sheriff of \_\_\_\_\_  
County to appear in Court to answer this claim.

STATEMENT OF CLAIM: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Wherefore Plaintiff ask judgment against the Defendant(s) for \$ \_\_\_\_\_ or an amount not to  
exceed \$8,000.00 plus interest (if applicable), and costs therein.

\_\_\_\_\_  
Signature of Plaintiff

## NOTICE TO APPEAR

TO: (1)  
Defendant: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_

TO: (2).  
Defendant: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_

The Plaintiff(s) asks judgment in this Court against you for sum stated above. You are to appear in the Howard Superior Court III for trial upon the Plaintiff's claim on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ P.M. You may appear for the trial in person or you may appear with your attorney. If you do not wish to dispute the Plaintiff's claim, you may appear at the time and date stated for the purpose for the purpose of assisting the Court in establishing the method by which you will be directed to pay the judgment. If you do not appear for the trial, a default judgment may be entered against you. Although this is a trial setting, there is the possibility that the Court's schedule will not allow the case to go to trial on this date. If you dispute this claim and would like the Court to set this matter for trial on a date that is less likely to be continued, please contact the Court at (765)-456-2220 EXT 1 for further instruction.

The Defendant must provide the Court and the Plaintiff with a written copy of any counterclaim arising out of the Plaintiff's claim at least seven (7) calendar days before the trial.

Either the Plaintiff or Defendant may represent themselves individually or be represented by a lawyer. If the Plaintiff or Defendant is a corporation or limited liability company, it must be represented by a lawyer, except that a full-time employee may appear on behalf of an employer provided that a Certificate of Compliance affidavit has been filed with the Court and the claim is limited to \$1,500.00.

Trial by jury may be requested by Defendant within ten (10) days after receipt of the notice of claim, and that 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 this claim to the plenary docket; otherwise, the party requesting a jury trial shall be deemed to have waived the request.

**EVIDENCE:**

If you have photographs that you want to put into evidence that are on a digital device (phone, tablet, computer, etc.), it is advisable to have those photographs printed separate from the device. Otherwise, the entire device may have to be entered into evidence and kept by the court for up to sixty (60) days.

**RETURN OF NOTICE OF CLAIM**

This Notice of Claim came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and I served the same on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

- 1.) By delivering a copy of Notice of Claim.
- 2.) By delivering a copy of Notice of Claim personally to \_\_\_\_\_  
(address) \_\_\_\_\_
- 3.) By leaving a copy of the Notice of Claim at \_\_\_\_\_
- 4.) By serving his agent as provided by rule, statute or valid agreement, to wit: \_\_\_\_\_

5.) Defendant cannot be found in my bailiwick and Notice of Claim was not served. And I now return this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Sheriff of \_\_\_\_\_ County

\*\*\*As of July 2017 any case requiring additional Sheriff service after judgment will be assessed a one-time additional fee of \$28.00\*\*\*