

Center Township Small Claims Court of Marion County, Indiana
300 E. Fall Creek Parkway North Drive, Suite 130
Indianapolis, IN 46205
(317) 920-4530 (317) 920-4534 fax
www.centergov.org/small-claims-court

SERVICE REQUESTED:

- PERSONAL
COPY
CERTIFIED MAIL

Plaintiff: Name, Address and Telephone Number

vs.

Cause No.: 49K01- -EV-

Defendant(s): Name, Address and Telephone Number

The plaintiff complains of the defendant and says: That on ... the plaintiff rented of the Defendant the premises located at ... in Marion County, Indiana at a rent of \$ ... per week/month and that on ... said tenancy expired by the terms thereof for the reason: Plaintiff ILLEGALLY LOCKED OUT by Defendant and/or SHUT OFF UTILITIES. That ever since said date of ... the plaintiff has been entitled to the possession of said premises. That the Defendant unlawfully holds over and detains possession of said premises from the plaintiff to his/her damages in the sum of \$ ...

Current date:

Plaintiff/Plaintiff's Attorney

TO ANY CONSTABLE OF THIS TOWNSHIP: You are hereby commanded to summon the above-defendant(s) to appear before me in court on: ... at ... o'clock ... M.

EMERGENCY HRG GRANTED / EMERGENCY HRG DENIED

CONSTABLE'S RETURN OF SERVICE OF NOTICE OF CLAIM

I certify that I have served this Notice of Claim on

- 1) By reading a claim to the Defendant,
2) By leaving a copy of the Notice of Claim at ... which is dwelling place, or usual place of abode of ..., and by mailing a copy of the Notice of Claim to Defendant at such address.
3) Other Service Remarks:

NOTICE TO ALL PARTIES:

- The nature of the Plaintiff's Claim against you and demand made is stated above.
- You may represent yourself or hire an attorney.
- In court, on the date and time set above, you will be asked to admit or deny the claim. If you deny the claim, a trial date shall be set t this admit or deny hearing.
- If the Defendant does not wish to dispute the claim of the Plaintiff, he/she may appear to agree to a judgment and for the purpose of allowing the court to establish a method by which the judgment shall be paid.
- If the Defendant cannot appear at the time and place set for the admit/deny hearing, he/she shall write the Court at the above-address requesting a trial setting at a future date.
- If the Defendant fails to appear in Court at the time set for a hearing, a default judgment may be entered against the Defendant.
- The Plaintiff waives a trial by jury by filing his/her claim in the Small Claims Court.
- The Defendant waives trial by jury also unless he/she requests a jury trial no fewer than ten (10) days after receipt of the notice of claim.
- Once a request for a trial by jury is granted, a transfer fee for transfer to Superior Court must be paid within ten (10) calendar days. If the fee is not paid, waiver of jury trial occurs. Once a request is made and fee paid, request cannot be withdrawn without consent of the other party.
- The Defendant may within ten (10) days of service of the summons file a change of venue of this matter. Proper venue is determined by the court in the following order:
1. In an action upon a debt or account, venue is in the township where any defendant has consented to venue in a writing signed by the Defendant.
2. Venue is in the township where a transaction or occurrence giving rise to any part of the claim took place.
3. Venue is in the township (in a county of the Small Claims Court) where the greater percentage of individual defendant (s) included in the complaint resides, or if there is no such greater percentage, the place where any individual defendant so named resides, owns real estate, or rents an apartment or real estate or where the principal office or place of business of any defendant is located.
4. Venue is in the township where the claim was filed if there no other township in the country in which the small claims court sits in which required venue lies.

Claims between landlord and tenants shall be in the township where the real estate is located.