

This form is also available in Spanish.
(Este formulario está disponible en español.)

Enter the name of the county in which you are filing this case.	STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY														
The plaintiff is the person bringing the law suit. Enter the Plaintiff's name and address. If two plaintiffs are living at the same address, then the names and addresses may be listed together. For more plaintiffs, check the "additional plaintiffs" box and attach another sheet with their names and addresses.	Plaintiff: _____ First name Middle name Last name _____ Address _____ Address _____ City State Zip <input type="checkbox"/> See attached for additional plaintiffs. -VS-														
If this is an Amended Complaint, check the box. Enter the case number given you by the Clerk. The defendant is the person or business you are suing. Enter the name(s) and address(es) of the defendant(s). For more than two defendants, check the "additional defendants" box and attach another sheet with their names and addresses.	To: Defendant(s): _____ First name Middle name Last name _____ Address _____ Address _____ City State Zip <input type="checkbox"/> See attached for additional defendants.														
On the far right: Check one of the boxes to show what type of small claims case you are filing. Note: The clerk will provide the phone number for the disability box.	<input type="checkbox"/> Amended Summons and Complaint (Small Claims) Case No. _____ <table border="0"><tr><td><input type="checkbox"/> Claim for money (\$10,000 or less)</td><td>31001</td></tr><tr><td><input type="checkbox"/> Tort/Personal injury (\$5,000 or less)</td><td>31010</td></tr><tr><td><input type="checkbox"/> Return of property (replevin)</td><td>31003</td></tr><tr><td><input type="checkbox"/> Eviction</td><td>31004</td></tr><tr><td><input type="checkbox"/> Eviction due to foreclosure</td><td>31002</td></tr><tr><td><input type="checkbox"/> Arbitration award</td><td>31006</td></tr><tr><td><input type="checkbox"/> Return of earnest money</td><td>31008</td></tr></table> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">If you require reasonable accommodations due to a disability to participate in the court process, please call _____ prior to the scheduled court date. Please note that the court does not provide transportation.</div>	<input type="checkbox"/> Claim for money (\$10,000 or less)	31001	<input type="checkbox"/> Tort/Personal injury (\$5,000 or less)	31010	<input type="checkbox"/> Return of property (replevin)	31003	<input type="checkbox"/> Eviction	31004	<input type="checkbox"/> Eviction due to foreclosure	31002	<input type="checkbox"/> Arbitration award	31006	<input type="checkbox"/> Return of earnest money	31008
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☐ One or both parties require the services of an interpreter. Which party? _____
Which language? _____ Complete and file the Interpreter Request (GF-149) form.

SUMMONS

Do not check either of these boxes. The clerk will check one or both and circle "AND" or "OR" according to local court procedure. The clerk will circle what you need to do and will provide the date, time, and place to appear and/or answer.	To the Defendant(s): You are being sued as described on the attached complaint. If you wish to dispute this matter: <input type="checkbox"/> You must appear at the time and place stated. AND / OR (circle one, if applicable) <input type="checkbox"/> You must file a written answer and provide a copy to the plaintiff or plaintiff's attorney on or before the date and time stated. If you do not appear or answer, the plaintiff may win this case and a judgment entered for what the plaintiff is asking.	When to Appear/File an Answer	
		Date	Time
Note: Leave dates blank; the clerk or plaintiff's attorney will enter them.	Clerk/Attorney Signature	Place to Appear/File an Answer	
		Date Summons Issued	Date Summons Mailed

COMPLAINT

Plaintiff's Demand:

The plaintiff states the following claim against the defendant(s):

Check the box for the type of small claims case you have filed.

See Basic Guide to Wisconsin Small Claims Actions (SC-6000V).

Briefly explain the facts and why the court should award you what you are asking for.

For Eviction Actions: If you are seeking money damages, you must also state that claim on this form. If you do not know the exact amount of money damages yet, state that the amount of money damages cannot yet be determined.

If you need more room, check this box and attach additional sheets.

Check if you are the plaintiff or the attorney.

1. Plaintiff demands judgment for: *(Check as appropriate)*

☐ Claim for Money \$ _____

☐ Tort/Personal injury \$ _____

☐ Return of property (replevin) *(Describe property in 2 below.)*
(Not to include Wis. Stats. 425.205 actions to recover collateral.)

☐ Eviction

☐ Eviction due to foreclosure

☐ Return of Earnest Money

☐ Confirmation, vacation, modification or correction of arbitration award.

Plus interest, costs, attorney fees, if any, and such other relief as the court deems proper.


2. Brief statement of dates and facts:

(If this is an eviction action and you are seeking money damages, you must also state that claim on this form.)

☐ **See attached for additional information.** Provide copy of attachments for court and defendant(s).

I am the ☐ plaintiff.
☐ attorney for the plaintiff.

Complete this section accordingly.

		_____	
Plaintiff's Signature		Attorney's Signature	
_____		_____	
Plaintiff's Name Printed or Typed		Attorney's Name Printed or Typed	
_____		_____	
Plaintiff's Address		Attorney's Address	
_____		_____	
Plaintiff's Email Address		Attorney's Email Address	Telephone Number
_____		_____	_____
Plaintiff's Telephone Number	Date	Date	State Bar No (if any)
_____	_____	_____	_____

COPIES: For each person you are suing, make two copies of this signed original and any attachments, and bring them to the clerk of court.

SMALL CLAIMS RULES CHIPPEWA COUNTY, WISCONSIN

RETURN DATE-APPEARANCE AND ANSWER

ALL PARTIES MUST APPEAR. Defendants must state or file a detailed answer alleging facts. General denials are insufficient and may result in a judgment for the plaintiff.

If a defendant does not appear, the plaintiff will be entitled to a judgment if the complaint states a proper complaint. If the defendant resides out of state, the court will allow a written answer to be filed, instead of a personal appearance.

If a plaintiff does not appear, the complaint shall be dismissed without prejudice, and costs may be awarded to the defendant as allowed by statute. **Complaints dismissed because the plaintiff failed to appear require that a new action must be commenced.**

Any person appearing on behalf of a party **must** have authorization to settle the case. **If a party appears without full authority to settle the case, the case shall be dismissed without prejudice and a new action must be commenced.**

The Small Claims Commissioner shall conduct a settlement conference in all contested matters on the return date. If a settlement is not reached, a trial date will be set before the Court Commissioner on a future date for all contested money actions. Evictions, replevins, and garnishment trials shall be set before a Judge. **Whenever possible, eviction trials will be held on the return date before one of the Circuit Court Judges.**

SERVICE

Small claims summonses and complaints may be served by regular mail, certified mail, or personal service if the defendant lives in Chippewa County. Personal service is required on all eviction actions and non-county residents. Certified mail or personal service is required on all replevin actions.

PLEADINGS

All pleadings **must** be filed before being served, Sec. 799.12(7) of the Wisconsin Statutes.

Pursuant to Sec. 218.04(9j), a collection agency may bring a consolidated creditors action, but it is not allowed to appear in court without counsel. When multiple plaintiffs appear in the same action, the collection agency for those plaintiffs **must** submit a bill of costs apportioning the costs and fees among the various plaintiffs.

Evictions: Per Chippewa County Circuit Court Rule 903.01, the following documents **MUST** be filed with the Summons & Complaint: (A) The name of the owner of the rental property; (B) The name of the person(s) authorized by the landlord to act on behalf of the landlord; (C) A copy of any written lease; (D) A copy of the notice to vacate.

DECLARATION OF NONMILITARY SERVICE

To provide the Court with the defendant's current military status as required by the Servicemembers Civil Relief Act, A Declaration of Nonmilitary Service form must be completed and filed on or before the Return Date Hearing. The military status website can be found at <https://scra.dmdc.osd.mil/>.

For general information on small claims court, A Basic Guide to Wisconsin Small Claims Actions is available on the Internet at www.wisconsincourts.gov. (Click on **Self Help Center** and select **Going to Court**). You can also purchase a copy of this Guide at the Clerk of Courts office.