

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street and Number  
\_\_\_\_\_  
City  
\_\_\_\_\_  
Telephone No.                      *Plaintiff*  
**Against**

**NOTICE OF SMALL CLAIM**

*RUSH CIRCUIT/SUPERIOR COURT*  
101 East 2<sup>nd</sup> Street  
Rushville, Indiana 46173  
Telephone (765) 932-5451

Case No. \_\_\_\_\_

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Name                                      *Defendant(s)*

**TO THE CLERK:**

Please summon the defendant(s) to appear in court to answer this claim.

**STATEMENT OF CLAIM**

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

NOTE: IF CLAIM IS BASED UPON A DOCUMENT, A COPY MUST BE ATTACHED AND IF BASED ON AN ACCOUNT, AN ITEMIZED STATEMENT MUST BE ATTACHED.

WHEREFORE, PLAINTIFF asks judgment against defendant(s) for \$\_\_\_\_\_, plus interest from \_\_\_\_\_, 20\_\_, at a rate of \_\_\_% and court costs.

\_\_\_\_\_  
PLAINTIFF SIGNATURE

**NOTICE TO APPEAR**

TO: (1) \_\_\_\_\_  
Defendant  
\_\_\_\_\_  
Street and Number  
\_\_\_\_\_  
City  
\_\_\_\_\_  
Telephone No.

(2) \_\_\_\_\_  
Defendant  
\_\_\_\_\_  
Street and Number  
\_\_\_\_\_  
City  
\_\_\_\_\_  
Telephone No.

You are to appear in the Assembly Room, 1<sup>st</sup> Floor, Rush County Courthouse, Rushville, Indiana for trial upon the Plaintiff's claim on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock, \_\_.M. You may appear in person or with your attorney. **If you do not appear at the time, on the date stated, default judgment may be entered against you for the amount asked by the Plaintiff.** If you do not wish to dispute plaintiff's claim, you may appear at the time and date above stated, for the purpose of allowing the court to establish the method by which the judgment shall be paid. You should bring all documents in your possession or under your control, which relate to the Plaintiff's claim. You may request a jury trial. You will waive your right to a jury trial, unless requested within ten (10) days after receipt of the notice of claim. If your jury trial request is granted, you must pay within ten (10) days the additional amount required by statute to transfer to plenary docket or your request will be deemed waived. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party. A small claim manual is available in Clerk's office. If you are unable to appear for trial or have questions, you may call the Court Clerk at the above number.

\_\_\_\_\_  
*Rush Circuit/Superior Court Clerk*

**SMALL CLAIMS CERTIFICATE OF MAILING**

I certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I mailed a copy of this Notice of claim to each of the defendant(s) \_\_\_\_\_ by registered or certified mail requesting a return receipt signed by the addressee only, addressed to each of said defendant(s) \_\_\_\_\_ at the address(es) furnished by the plaintiff.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Clerk Rush Circuit/Superior Court*

**RETURN OF SERVICE OF SUMMONS BY MAIL**

I hereby certify that service of the Notice of Claim with return receipt requested was mailed on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that a copy of the return receipt was received by me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, which copy is attached herewith.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Clerk Rush Circuit/Superior Court*

**CERTIFICATE OF CLERK OF SUMMONS NOT ACCEPTED BY MAIL**

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I mailed a copy of this summons and a copy of the complaint to the defendant(s) \_\_\_\_\_ by registered or certified mail, and the same was returned without acceptance this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and I did deliver said notice of claim to the Sheriff of \_\_\_\_\_ County for service.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Clerk Rush Circuit/Superior Court*

**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 personally to \_\_\_\_\_
2. By leaving a copy of Notice of Claim at \_\_\_\_\_  
The dwelling or usual place of abode of defendant: \_\_\_\_\_  
(Name of person)  
and by mailing by first class mail a copy of the Notice of Claim on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to \_\_\_\_\_ his last known address.
3. By serving his agent as provided by rule, statute or valid agreement to wit: \_\_\_\_\_
4. Defendant cannot be found in my bailiwick and summons was not served.  
And I now return this writ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Fee \$ \_\_\_\_\_

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