

**Lawrence Superior Court II
Courthouse Plaza-Lower Level
918 16th Street, Suite 400
Bedford, IN 47421
(812)275-4161**

Cause No. 47D02 _____

Claim for Possession and Rent Due

PLAINTIFF

DEFENDANT

CO-DEFENDANT

Name _____	Name _____	Name _____
Address _____	Address _____	Address _____
City _____	vs. City _____	vs. City _____
& Zip _____	& Zip _____	& Zip _____
Phone _____	Phone _____	Phone _____
Email _____	Email _____	Email _____

Notice to the Defendant (s), _____,

The above named plaintiff has filed this complaint for the immediate possession of real estate. The Plaintiff says: That on the ___ Day of _____, 20___, this plaintiff leased/rented to said defendant, for the term of _____ from that date, the following real estate, to-wit: (list address of property leased/rented) _____

_____ further that he is entitled to the immediate possession of the above named property.

That in consideration of said renting, said defendant has promised and agreed to pay as rent therefor, the sum of _____ dollars per _____, payable in advance on the _____ day of each and every _____; that said defendant entered into and took possession of said premises and has failed to pay the installment of rent falling due on the _____ day of _____, 20___; that the same is now due and unpaid; that the defendant now unlawfully holds over and detains the possession of said premises from plaintiff, to plaintiff's damage in the sum of _____ dollars (\$ _____) for unpaid rent due and _____ dollars (\$ _____) for damages to the premises. (Amount of damages to premises may be amended at damages hearing if need be.) **(A copy of the ten day notice to quit must be attached.)**

WHEREFORE, plaintiff demands judgement for the immediate possession of said premises and _____ dollars (\$ _____).

Copy of any notice to Defendant(s) required by Indiana Law is attached to the claim.

Date: _____
_____ **Plaintiff**

You must appear for hearing of this claim at the Lawrence Superior Court II, Courthouse Plaza, 918 16th Street, Suite 400, Bedford, Indiana, at _____ .m. on the _____ day of _____, 20_____, to show cause why the plaintiff should not be put into possession.

You must appear for hearing on damages and the amount of past due rent at the Lawrence Superior Court II, Courthouse Plaza, 918 16th Street, Suite 400, Bedford, Indiana, at _____ .m. on the _____ day of _____, 20_____.

See instructions to the Defendant on back

Instructions to Defendant

1. Although you and Plaintiff may be represented by an attorney at trial, you are not required to have an attorney represent you. Corporations must be represented by an attorney except for certain exceptions.
2. Non-incorporated businesses may designate a full-time employee to appear if certain requirements are met.
3. You have a right to trial by jury. You will lose that right unless you request a jury trial in writing within ten (10) days after you receive this notice and follow all other legal requirements.
4. If you properly request a jury trial and your request has been granted, it may not be withdrawn without the consent of the 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.
5. Should you fail to appear in Court on the date set for any hearing or trial, a default judgment may be entered against you by the Court. If you do not dispute Plaintiff's claim, you may nonetheless appear for the purpose of allowing the court to establish a method by which the judgment shall be paid.
6. If you pay the claim in full plus court costs, before the hearing date you do not have to appear.
7. If you have a claim against the Plaintiff which arises from the same circumstances as Plaintiff's claim against you, you should file that (counter)claim as soon as possible since the law requires that Plaintiff receive notice of your counterclaim at least seven (7) days prior to trial.
8. You should bring to the trial all documents in your possession or under your control concerning Plaintiff's claim. All witnesses you wish to call should be present at trial. Subpoenas are available for that purpose.
9. Contact the Court at (812) 275-4161 or in writing at the above address if you are unable to appear at the time or place designated in the notice. Continuances requested less than seven (7) days prior to trial will not be granted unless good cause is shown.
10. A Small Claims Handbook is available from the Clerk of the Court to all parties as a public service to help you or Plaintiff understand the procedures and policies of the Small Claims Court.