

Plaintiff: (Name [first, middle, last], Address, City, State, Zip)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

-vs-  See attached for additional plaintiffs

To: Defendant(s) : (Name [first, middle, last], Address, City, State, Zip)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

See attached for additional defendants

If you require reasonable accommodations due to a disability to participate in the court process, please call 266-4311 (WI Relay 7-1-1) and ask for the Court ADA Coordinator at least 10 working days prior to the scheduled court date. Please note that the court does not provide transportation.

Amended  
**Summons and Complaint  
 Small Claims**

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

- Claim for money (\$10,000 or less) 31001
- Return of property (replevin) 31003
- Eviction 31004
- Eviction due to foreclosure 31002
- Arbitration award 31006
- Return of earnest money 31008
- Tort/Personal injury (\$5,000 or less) 31010

**SUMMONS**

**To the Defendant(s):**

You are being sued as described below. If you wish to dispute this matter:

You must appear at the time and place stated.

**OR**

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
Place to Appear/File an Answer	
Dane County Courthouse 215 South Hamilton Street Madison, Wisconsin 53703-3285	
<input type="checkbox"/> Clerk of Circuit Court Office, Room 1000	
<input type="checkbox"/> Commissioner Center, Room 2000	
Information number: (608) 266-4311	
Date Summons Issued	Date Summons Mailed

Clerk/Attorney Signature

**COMPLAINT**

**Plaintiff's Demand:**

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

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

- Claim for Money \$ \_\_\_\_\_
- Return of Earnest Money  Eviction
- Return of property (replevin) *(Describe property in 2 below.)*
- Tort/Personal injury \$ \_\_\_\_\_
- Eviction due to foreclosure
- 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.) For eviction actions in Dane County, money damages are not to be stated on this form. Please see reverse side for instructions.

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

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

**Verification:** Under oath, I state that the above complaint is true, except as those matters stated upon information and belief, and as to those matters, I believe them to be true. I am:  plaintiff.  attorney for the plaintiff.

State of \_\_\_\_\_  
 County of \_\_\_\_\_  
 Subscribed and sworn to before me on \_\_\_\_\_  
 \_\_\_\_\_  
 Notary Public/Court Official  
 \_\_\_\_\_  
 Name Printed or Typed  
 My commission/term expires: \_\_\_\_\_

Signature of Plaintiff or Attorney	Date	Attorney's State Bar Number
		
Plaintiff's/Attorney's Telephone Number	Law Firm and Address	

An original and sufficient copies for service purposes of this document must be submitted at the time of filing (one for each defendant if mail services allowed by court, two for each defendant if personal service is required).

## **EVICTION and REPLEVIN ACTIONS**

### **ALL PARTIES MUST APPEAR AT THE TIME & PLACE STATED ON THIS FORM**

You are advised to bring with you all papers and documents relating to this matter.

#### **Instructions for Eviction Actions**

1. To the Landlord: Attach a copy of any and all termination notices which were served on the defendant. Prior to completing the Summons and Complaint, call the Clerk of Courts Office at 608 266-4311 to schedule a date and time for the hearing. Place the scheduled hearing date and time on the Summons and Complaint prior to making the necessary copies.
2. At the initial hearing on the return date, the court commissioner will encourage the parties to enter into a stipulation whereby both sides agree to a move-out date, a schedule of payment(s), and/or other conditions. Any such stipulation will further provide that if the tenant fails to comply with any term of the stipulation, the landlord will be entitled to obtain a judgment of eviction and a writ of restitution to the sheriff for removal from the premises, without further notice to the tenant.
3. The landlord reserves the right to a rent and damage hearing at a later date.
4. Failure to appear at an eviction hearing or trial may result in a default judgment being entered against the tenant and a writ of restitution issued to the sheriff to have the tenant removed from the premises.
5. If both sides appear and do not reach a stipulation, a court trial will be scheduled, most likely for the Friday immediately following the initial hearing date, before the presiding judge.

#### **Instructions for Replevin Actions**

1. Failure to appear at a replevin hearing or trial may result in a default judgment being entered against the defendant and an execution issued to the sheriff to have the item(s) stated on the summons taken from the defendant's possession.
2. The plaintiff reserves the right to a deficiency hearing at a later date.