

IN THE JUSTICE COURT OF TETON COUNTY

GEORGE R. KUVINKA, JUSTICE OF THE PEACE

_____)	SMALL CLAIMS ACTION
(NAME))	
_____)	NO. SC-_____
(MAIL ADDRESS))	
PLAINTIFF,)	
VS.)	
_____)	SMALL CLAIMS
(NAME))	
_____)	AFFIDAVIT
(MAIL ADDRESS))	
DEFENDANT.)	

1. I, _____, being duly sworn on _____ (TYPED OR PRINTED NAME OF PERSON SIGNING THIS AFFIDAVIT) oath, state that the Defendant is justly indebted to the Plaintiff in the principal sum of \$ _____, plus the filing fee of \$10, plus the Sheriff's service fees of \$ _____, and for such other costs as Plaintiff is entitled.

Plaintiff's claim is based upon the following:

2. Demand for payment has been made, and payment refused.

3. Following are the Defendant's:

Business Address: _____
 Home Address: _____
 Phone Numbers: Business: _____ Home: _____

4. I request Judgment in the amount stated above.

STATE OF WYOMING)
) SS _____
 COUNTY OF TETON) (Plaintiff's / Agent's signature)

Subscribed and sworn to before me
 this _____ day of _____, 20____.

 JUDGE / Clerk of Court / Notary Public

Plaintiff's:

Business Address: _____
 Home Address: _____
 Phone Numbers: Business _____ Home: _____

NOTICE TO PLAINTIFF AND DEFENDANT

You are hereby notified that this case has been set for trial. If you choose to appear, you MUST bring with you the witnesses, papers and evidence which will prove your case or defend your position. IF YOU DON'T APPEAR, YOU MAY LOSE YOUR CASE. Additional information appears on the reverse side of this Affidavit. **PLEASE READ IT.**

INFORMATION FOR PLAINTIFFS AND DEFENDANTS

1. Because the Court may have to contact you regarding this case, it is necessary that the Court have your correct name, mailing address and telephone number(s). Therefore, if your name is incorrect or misspelled, or if the address or phone number(s) indicated for you on the Affidavit are incorrect in any way, please notify the Court immediately at PO Box 2906, Jackson; 733-7713.

2. If the Defendant wants to contest this case, he/she **MUST APPEAR** in Court on the date and at the time stated in the Summons.

3. If the Defendant feels he/she has a **COUNTERCLAIM** against the Plaintiff involving basically the same circumstances, facts, people, incident, etc., he/she must file a separate Small Claims Action immediately. In this instance, it may be necessary to reset the Court date for the original case so that both matters (cases) will be heard by the Judge at the same time.

4. Attorneys in Small Claims actions are neither necessary nor encouraged, but you may bring an attorney with you to advise you during the hearing.

5. The Court date scheduled for this case generally cannot be changed **UNLESS BOTH PARTIES AGREE**, preferably in writing. You may call the Court Clerk at 733-7713 to ascertain future available Court dates, discuss them with the other party, and agree on a new date; both parties must contact the Court to advise their agreement to the new date, or appear together at the Court's office to sign a Stipulation for Continuance.

6. **NOTE: Both parties must bring to the trial (hearing) THREE (3) COPIES OF ALL MATERIAL YOU WISH TO SUBMIT TO THE JUDGE AS EVIDENCE (all papers, documents, pictures, receipts, bills, etc.) about this case. You may also bring witnesses, people who know anything at all about the case.**

7. If you need a witness who will not appear voluntarily, you may ask the Court to issue a **SUBPOENA**. You must supply an exact location (residence and/or employment) where the witness can be served by the Sheriff. Subpoenas must be requested in person no less than five (5) days before the trial date. The Sheriff's Office will charge you a \$10 fee to serve each Subpoena.

8. If the Defendant owes the money claimed, he/she should pay the Plaintiff directly before the Court date. Upon acceptance of payment (be sure a check will clear the bank), the Plaintiff must inform the Court that the suit should be dismissed.

9. If the Defendant owes the money but cannot pay it all at once, he/she may make arrangements with the Plaintiff to sign a **STIPULATED JUDGMENT**, in which both parties agree on the amount to be paid and when it is to be paid (e.g., installments due when). Both parties must sign this Stipulation before a Notary Public, which can be done at the Court's office at any time prior to Noon on the date set for trial, or in the Courtroom just prior to 2:00 p.m. on your scheduled Court date.

10. If the Defendant does not appear in Court on the date stated in the Summons, the Court will assume that all allegations in the Small Claims Affidavit are true and will award the Plaintiff the amount requested in the suit (maximum \$3,000), plus Court costs. This is called a **DEFAULT JUDGMENT**.

11. If the Plaintiff does not appear in Court on the date stated in the Summons, the case will be dismissed.

12. **APPEALS** of Small Claims actions to the District Court shall be processed pursuant to W.R.A.P.C.L.J. and only on questions of law and not a review of the sufficiency of evidence.

13. If you have any other questions that are not covered above, call the Court Clerk at 733-7713, or stop by the Court's office in the Teton County Courthouse, 180 South King Street, Jackson.

