



SHEBOYGAN COUNTY

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Sheboygan County Assistant Court Commissioner

March 18, 2020

To all litigants,

By order of the Circuit Court Judges, effective March 18, 2020, no personal appearances on small claims cases filed or pending in Sheboygan County will be allowed. This order will be in effect until May 15, 2020 or further order of the court.

DO NOT COME TO THE COURTHOUSE FOR ANY SMALL CLAIMS PROCEEDING!

If you have a scheduled **INITIAL APPEARANCE** scheduled for March 23, 2020 or after and:

- You are a **PLAINTIFF**, you do not need to file a letter of appearance, but Proofs of Service and non-military service must still be in the clerk of courts office prior to the date scheduled. We would prefer those to be by mail in, if possible.
- You are a **DEFENDANT**, you may answer one of two ways:
 - You may mail in your answer form. Defendants should have received a copy of the form with the complaint. If you do not have a form, it can be downloaded at wicourts.gov, under "Forms," "Small Claims". Form SC5200V. Answers must be received by the Clerk of Courts Office before the date scheduled for the initial appearance and a copy should be mailed to the plaintiff
 - You may call the Clerk of Courts Office Small Claims answer line before your scheduled initial appearance date. **This phone number is ONLY to be used for filing a temporary answer to a Small Claims case.** This is a recorded answer line. No staff member will pick up. Messages left at that number regarding anything other than an answer to an upcoming initial appearance will not be returned. You must leave your name, address, telephone number and case number. Please state **ONLY** that you are entering a denial. **DO NOT** give the reasons for your denial. If this is an **EVICITION** action, you must file a written, detailed answer with the Clerk of Courts within 3 days after your scheduled initial appearance and mail a copy to the plaintiff. If this is a **MONETARY ACTION ONLY**, should file a written detailed answer with the Clerk of Courts within 10 days of your scheduled initial appearance date.

The Small Claims Initial Appearance answer line phone number is (920) 459-3073.

You must keep your address and telephone number updated with the Clerk of Courts at all times. If you have cases other than a small claims matter, you must tell the clerk about all of them so that changes can be made to each file.

All small claims pretrials will be held by telephone conference only. A date will be mailed to you. The phone number to call will be listed on the order sent.

Eviction hearings will continue to be scheduled before the circuit court. Notice will be sent to the parties informing them of the date and time of their appearance.

All fact finding hearings other than eviction hearings have been **CANCELLED**. Hearings will be rescheduled after May 15, 2020 or by further order of the court.

Any questions should be directed to the Clerk of Courts office at (920) 459-3070.

We know that these are anxious and frustrating times for everyone and we deeply appreciate your cooperation in these matters.

Enter the name of the county in which you are filing this case.	STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY
Enter the Plaintiff's name. The Plaintiff is the person bringing the lawsuit.	Plaintiff(s): _____
Enter the Plaintiff's address.	First name Middle name Last name _____ Address _____ Address _____ City State Zip
If there is more than one plaintiff, check the "additional plaintiffs" box and attach another sheet with their names and addresses.	<input type="checkbox"/> See attached for additional plaintiffs.
Enter the case number from the summons and complaint.	-VS-
Enter your name. You are the Defendant.	Defendant(s): _____
Enter your address.	First name Middle name Last name _____ Address _____ Address _____ City State Zip
If there is more than one defendant, check the "additional defendants" box and attach another sheet with their names and addresses.	<input type="checkbox"/> See attached for additional defendants.

**Answer and Counterclaim
(Small Claims)**

Case No. _____

ANSWER

I am the defendant (or an authorized representative of the defendant):

Check 1 or 2. Check 1 if you do not dispute the plaintiff's claim.
Check 2 if you do dispute the plaintiff's claim. State the reasons why you disagree.
Check the box if you need more room and attach any additional pages. <i>See Pre-Judgment: Basic Steps to Small Claims Service (SC-6050V).</i>

1. This matter **IS NOT** contested. I agree with the plaintiff's claim. Judgment may be taken as requested in the complaint, plus costs and interest as allowed by law.
- OR-**
2. This matter **IS** contested. I do not agree with the plaintiff's claim. This matter should be scheduled so that the parties may present their evidence. The reason(s) why the matter is contested are as follows: **See attached** for additional information.

Counterclaim/Demand

Check the box if there is no counterclaim/demand and go to the signature section.

I/We do not have a counterclaim/demand against the plaintiff(s).

Check this box if there is a counterclaim/demand. Complete this section only if you are making a counterclaim/demand.

I/We have a counterclaim/demand against the plaintiff(s) and demand judgment against the plaintiff(s) for \$ _____, plus interest, costs, attorney fees, if any, and such other relief as the court deems proper.

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

If you are seeking to recover damages of more than \$5,000 for your tort or personal injury counterclaim, or more than \$10,000 for other types of counterclaims, the case may not continue in small claims court. In addition, you must pay a filing fee to the Clerk of Court, and you must send the *Notice of Counterclaim* (SC-5250V) to the plaintiff(s) on the same day the counterclaim is filed.

NOTE: Eviction actions are heard in small claims court, regardless of the amount of the counterclaim.

If you need more room, check the box and attach any additional pages to this Counterclaim.

Defendant(s) certify that a copy of this answer and counterclaim has been or will be mailed to the plaintiff(s) or plaintiff's attorney, if any.

Follow local rules for filing and serving.

Signatures

Sign and print your name. Enter the date on which you signed your name. **Note:** This signature does not need to be notarized.

▶ _____
Defendant's Signature

▶ _____
Attorney's Signature

Name Printed or Typed

Name Printed or Typed

Address

Law Firm and Address

Email Address

Email Address Telephone Number

Telephone Number Date

Date State Bar No. (if any)

If an attorney is completing this form, enter your information.