

INSTRUCTIONS FOR USE OF FORMS

GUIDELINES: This form is to acquaint you with court procedures. Please read carefully since this form contains valuable information, which you may need.

SUMMONS: Please complete the heading on the page (Plaintiff & Defendant) and the area addressed to the Sheriff. We need the Defendant's name; and the address or addresses where they may be served. In the event that you are filing against two people (husband and wife, etc.), we need a copy of the summons directed to each individual. Please feel free to make copies of these forms. You must enclose a **\$50.00 cashier's check or money order (the Sheriff's office does not accept personal checks) payable to the Sweetwater County Sheriff's office for each summons** to be served. It is your responsibility to provide a current physical address (not P.O. Box) for the Defendant.

AFFIDAVIT: Please complete the entire form. You are the Plaintiff and they are the Defendant (s). Be specific, but brief, in the explanation of your claim. Any details can be presented in court. For instance, if you were involved in an accident; give the date, time and place of the accident and the amount you have been damaged. If you are owed monies; give the specific reason, date borrowed and/or account numbers. Sign the form before a notary public if you plan to mail the form back to us. Otherwise, we will witness your signature when you appear to file. **A check or money order for the \$10.00 filing fee payable to the Circuit Court** must accompany each case. Remember the **maximum claim in Small Claims Court is currently \$6000.00.**

HEARING: It is the responsibility of the parties to bring to the hearing any evidence they want considered. This means that you must bring all documents, reports, or photographs you want the court to consider to the hearing. It is highly recommended copies be brought for the opposing party and the court. Also, you will need to have any witnesses you want the court to hear from present at court. If a witness is not willing to come at your request you may ask the court to issue a subpoena to require they attend the hearing, however there will be costs / fees for this process. If a witness will come voluntarily then they may come and any cost / fees will not apply. It is the responsibility of the parties to arrange for the presence at hearing of any witness they wish the court to hear from. The court will not consider any statements from witnesses who are not present. The court will not consider a letter from a witness who is not present in court, even if the letter has been notarized. The witness must appear in court. **The Court will not call a witness on the telephone to hear what they have to say. Any photographs, text messages, or emails must be printed out so they can be made part of the Court's file. The Court will NOT consider any photographs or documents that are not printed out. Failure to bring evidence or failure to have a witness present may result in a verdict against you.**

If you need further assistance, please call the Small Claims department at (307) 922-5220, weekdays, between the hours of 8:00 am and 5:00 pm.

In the CIRCUIT COURT of the THIRD JUDICIAL DISTRICT of SWEETWATER COUNTY, WYOMING

Plaintiff(s)

VS.

Docket No. _____

Defendant(s)

SMALL CLAIMS AFFIDAVIT

1. I, _____ (the Plaintiff) being duly sworn on oath state the Defendant is justly indebted to Plaintiff in the principal sum of \$ _____, plus the filing fee of \$10.00, Sheriff's Fees, and for such other costs as Plaintiff is entitled. Plaintiff's claim that said sum is due is based upon the following:

2. Demand for payment has been made and refused.

3. The Defendant's address and phone number within this County are (Defendant's Contact Information):

a. Business address: _____

b. Home address: _____

c. Phone No: Business _____ Home _____ Cell _____

4. I request judgment in the amount above stated, plus costs and such other amounts as I am legally and justly entitled.

Plaintiff's signature

Plaintiff's a. Business address: _____

b. Home address: _____

c. Phone No.: Business _____ Home _____ Cell _____

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

Clerk of Court/Notarial Officer

NOTICE TO PLAINTIFF AND DEFENDANT

TO THE 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 YOU MAY LOSE YOUR CASE.** If Plaintiff does not appear for trial this matter may be dismissed. If Defendant does not appear for trial, judgment may be entered against you for the amount claimed by Plaintiff. When you appear at trial, you should check in with the Circuit Court Clerk's Office or other Court personnel.

In the CIRCUIT COURT of the THIRD JUDICIAL DISTRICT of SWEETWATER COUNTY, WYOMING

Plaintiff(s)

VS.

Docket No. _____

Defendant(s)

SUMMONS WITH RETURN

TO THE SHERIFF OF _____ COUNTY:

You are hereby COMMANDED to serve a copy of this Summons and the Small Claims Affidavit upon:

Name: _____

Location to serve: _____

Service is to be made no sooner than the ____ day of _____, 2____, and no later than the ____ day of _____, 2 _____. If service cannot be made as directed or service is made, file your return forthwith.

TO THE ABOVE NAMED DEFENDANT:

Your are hereby summoned to appear in the above Court located at: 50140 C US HWY 191 South, Suite 200, Rock Springs, WY 82901 on the _____ day of _____, 2 _____, at _____, __M., and defend against Plaintiff's claim.

If you fail to appear judgment may be entered against you for the amount claimed by Plaintiff. You are asked to inform the court if you intend to appear by telephoning the court Clerk at _____

or by stopping by the Clerk's office. **You do not have to appear, but you are reminded if you don't appear, judgment may be rendered against you in the amount claimed by Plaintiff.**

BY THE COURT

JUDGE/CLERK

(SEAL)

RETURN

STATE OF WYOMING)
) SS
COUNTY OF _____)

I, the undersigned, do hereby certify that I served a copy of this Summons together with a copy of the Small Claims Affidavit in this case upon the Defendant named above on the _____ day of _____, 20____, by serving the same upon the Defendant as follows: _____

SHERRIF'S FEES: _____
SERVICE: _____ SHERIFF
MILEAGE: _____ BY: _____
RETURN: _____ DEPUTY SHERIFF
TOTAL: _____

(Amended May 9, 2000, effective July 1, 2000; amended December 2, 2002, effective January 6, 2003.)