

Counterclaim

STATE OF INDIANA, COUNTY OF MARION, §:

Counter-Claimant: (Original Defendant name, address & phone #)

VS.

Counter-Defendant: (Original Plaintiff name, address & phone #)

In the MARION COUNTY
SMALL CLAIMS COURT
WAYNE TOWNSHIP DIVISION
5401 W. WASHINGTON STREET
INDIANAPOLIS, INDIANA 46241
Phone: (317) 241-9573
Fax: 317-248-7917

CAUSE NO. 49K08-_____-_____

The Defendant hereby files a Counterclaim against the Plaintiff. (This Counterclaim, and your original claim, will be heard on the same date, time and place as your original claim. The Court may enter a default judgement against you on the Counterclaim if you fail to appear.)

A brief statement of the nature of this Counterclaim against you is as follows:

(Attach document(s) that support the above statement.)

The Defendant requests judgement against the Plaintiff for \$_____, and court costs.

Date

Signature of Attorney or Pro Se Party

This case is currently set for a hearing on _____ at _____ M.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this Counterclaim on ____/____/____ by placing a copy in the United State Mail, First Class, postage prepaid, addressed to:

Date

Signature of Attorney or Pro Se Party

Wayne Township Small Claims Court
Judge Gerald B. Coleman
Preparing your Small Claims Case for Trial

- 1) Your opening statement should summarize the nature of your claim and the damages you have suffered because of injury, breach of contract, or whatever basis for your claim and why the other person is at fault.
- 2) Bring your evidence (Exhibits) to prove your case! This may be a written contract, Receipts, Letters, Estimates in writing, Repair Orders, Photographs, Canceled Checks, Account Books, Advertisements, Warranties, Service Contracts, or other documents.
- 3) Ask your witnesses to come to court. If a witness does not want to attend, you may request that the clerk issue a subpoena ordering the witness to appear.
- 4) Arrange your Exhibits in a clear understandable manner. Number all of your exhibits (1, 2, 3, etc.). If you are the defendant, use letters instead of numbers (a, b, c, etc.).
- 5) Bring two copies of all Exhibits that you intend to submit to the Court for your case, one copy for the court and one copy for the opposing party.
- 6) The Court cannot look at any evidence on your telephone, laptop or tablet so you must print out any evidence if you want the Court to consider it.**
- 7) Consider practicing your presentation in front of someone or a mirror. You can also come visit a small claims session to see how cases are conducted.

This is your one opportunity to present your case. Make it count!