CHAPTER 1 STANDARD FORMS OF PLEADINGS FOR SMALL CLAIMS ACTIONS

[Pursuant to Iowa Code section 631.15]

Form 3.1: Original Notice — Action for Money Judgment.

IN THE DISTRICT COURT OF IOWA

	IN AND FOR		COUNTY, IOWA	
Plaintiff(s)				
(Name)		_		
(Address)		_		
(Name)		_		
(Address)	VS.	_	ORIGINAL NOTICE (Action for money judgment)	
Defendant(s)	10.		Small Claim No. Date Filed	
(Name)		_		
(Address)		_		
(Name)		_		
(Address)		_		
TO THE ABOVE-NA	AMED DEFENDANT(S):			
UNLESS YOU AP court at (city), Iowa rendered against you u IF YOU DENY TH	PEAR by completing and fill (zip code), within 20 day upon plaintiff's claim together E CLAIM AND APPEAR	ling the sys after ser with in by filing	(state briefly the basis for the deman attached appearance and answer form with the cler (exact address) in service of this original notice upon you, judgment neterest and court costs. If the attached appearance and answer within 20 data ceive notification from the clerk's office of the plant of the pl	rk of the shall be ays after
		Plair	ntiff(s)	
Judgment Entry:				

Ch , p.2 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; June 29, 1984; Letter May 12, 1987 (obsolete reference to "town" stricken); November 9, 2001, effective February 15, 2002]

Form 3.2: Original Notice — Action for Forcible Entry and Detainer.

IN THE DISTRICT COURT OF IOWA

IN AND FOR	COUNTY, IOWA
Plaintiff(s)	
(Name)	-
(Address)	-
(Name)	-
(Address) vs.	ORIGINAL NOTICE (Action for forcible entry and detainer)
Defendant(s)	Small Claim No. Date Filed
(Name)	-
(Address)	<u>-</u>
(Name)	<u>-</u>
(Address)	-
TO THE ABOVE–NAMED DEFENDANT(S):	
YOU ARE HEREBY NOTIFIED that the above	e-named plaintiff(s) demand(s) from you possession of (state
exact address of real property) for the reason that	
UNLESS YOU APPEAR before the court to con	
(exact address of court) in day of , 20 , judge and for court costs.	(city), Iowa, at o'clock .m. on the ment shall be rendered against you for possession of the property
	Plaintiff(s)
Judgment Entry:	

Ch , p.4 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; Letter May 12, 1987 (obsolete reference to "town" stricken); November 9, 2001, effective February 15, 2002]

Form 3.3: Original Notice — Action for Forcible Entry and Detainer and Money Judgment.

IN THE DISTRICT COURT OF IOWA IN AND FOR COUNTY, IOWA

(Small Claims Division) Plaintiff(s) (Name) (Address) (Name) (Address) **ORIGINAL NOTICE** (Action for forcible entry and VS. detainer and money judgment) Defendant(s) Small Claim No. Date Filed (Name) (Address) (Name) (Address) TO THE ABOVE-NAMED DEFENDANT(S): Count I YOU ARE HEREBY NOTIFIED that the above-named plaintiff(s) demand(s) from you possession of (state exact address of real property) for the reason that (state basis of demand). Count II YOU ARE HEREBY NOTIFIED that the plaintiff(s) demand(s) from you the amount of \$ based on (state briefly the basis for the demand). UNLESS YOU APPEAR before the court to contest this matter at (exact address of the court) in o'clock (city), Iowa, at .m. on the day of 20 , judgment shall be rendered against you for possession of the property and for a money judgment together with interest and court costs.

Ch, p.6 SMALL CLAIMS FORMS

Address

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at 515–286–3394. (If you are hearing impaired, call Relay Iowa TTY at 1–800–735–2942.)

Judgment Entry:

[Court Order May 6, 1998; November 9, 2001, effective February 15, 2002]

Form 3.4: Appearance and Answer of Defendant.

IN THE DISTRICT COURT OF IOWA IN AND FOR COUNTY, IOWA

	II (II (D I O			0001	.,,,,,	3 11 11		
Plaintiff(s)								
(Name)								
(Address)								
(Name)								
(Address)	VS.			APPE		CE AND A		R
Defendant(s)	10.			Small Cla	aim No		`-	
(Name)								
(Address)								
(Name)								
(Address)								
I HEREBY	enter my	appearance	and	deny	the	claim	of	plaintiff(s).

Defendant

Ch , p.8 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; November 9, 2001, effective February 15, 2002]

Form 3.5: Counterclaim.

IN THE DISTRICT COURT OF IOWA

IN AND FOR		COUNTY, IO	WA	
Plaintiff(s)				
(Name)				
(Address)				
(Name)				
(Address)				
vs. Defendant(s)		COUNT Small Claim No. Date Filed	ERCLAII	М
(Name)		Date I ned		
(Address)				
(Name)				
(Address)				
TO: , PLAINTI	FF(S)			
YOU ARE HEREBY NOTIFIED that counterclaimant(s), demand(s) from you the amount briefly the basis	t of \$	based on for	the	, defendant(s), as (state demand).
	Defe	endant(s) —		Counterclaimant(s)

Ch , p.10 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; November 9, 2001, effective February 15, 2002]

Form 3.6: Cross-claim Against Coparty.

IN THE DISTRICT COURT OF IOWA

IN AND F	R COUNTY, IOWA
Plaintiff(s)	
(Name)	
(Address)	
(Name)	
(Address)	CROSS-CLAIM AGAINST COPARTY
Defendant(s)	Small Claim No. Date Filed
(Name)	
(Address)	
(Name)	
(Address)	
I (We), name(s) of party(ies) against whom the	emand is made) the amount of \$ based on (state briefly the basis for the demand)

Cross-claimant(s)

Ch , p.12 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; November 9, 2001, effective February 15, 2002]

Form 3.7: Original Notice — Cross-petition Against Third Party.

IN AND FOR

IN THE DISTRICT COURT OF IOWA

COUNTY, IOWA

Plaintiff(s)			
(Name)	_		
(Address)	_		
(Name)	_		
(Address) vs.	_	ORIGINAI (Cross–petition ag	
Defendant(s)		Small Claim No. Date Filed	anise tini u party)
(Name)	_	Dute Theu	
(Address)	_		
(Name)	_		
(Address)	_		
Third Party Defendant(s)			
(Name)	_		
(Address)	_		
(Name)	_		
(Address)	_		
TO: ,	THIRD	PARTY	DEFENDANT(S):
YOU ARE HEREBY NOTIFIED that, you the amount of \$ based on demand). UNLESS YOU APPEAR by completing and fi	iling the attach	(state b	titioner(s), demand(s) from riefly the basis for the ver form with the clerk of the
court at (zip code), within 20 days after service of this of upon cross–petitioner's claim together with interest	(exact add original notice	ress) in upon you, judgment sl	(city), Iowa

Ch, p.14

SMALL CLAIMS FORMS

IF YOU DENY THE CLAIM AND APPEAR by filing the attached appearance and answer within 20 days after service of this original notice upon you, you will then receive notification from the clerk's office of the place and time assigned for hearing.

Cross-petitioner(s)

Judgment Entry:

[Court Order December 11, 1975, received for publication February 28, 1984; June 29, 1984; Letter May 12, 1987 (obsolete reference to "town" stricken); November 9, 2001, effective February 15, 2002]

Form 3.8: Appearance and Answer of Third Party Defendant.

IN THE DISTRICT COURT OF IOWA

IN AND FOR	COUNTY, IOWA
Plaintiff(s)	
(Name)	_
(Address)	_
(Name)	_
(Address) vs.	APPEARANCE AND ANSWER OF THIRD PARTY DEFENDANT
Defendant(s)	Small Claim No. Date Filed
(Name)	_ Bate Fried
(Address)	_
(Name)	_
(Address)	_
Third Party Defendant(s)	
(Name)	_
(Address)	
(Name)	_
(Address)	_

I HEREBY enter my appearance and deny the claim of ,cross–petitioner(s).

Ch , p.16 SMALL CLAIMS FORMS

[Court Order December 11, 1975, received for publication February 28, 1984; November 9, 2001, effective February 15, 2002]

Form 3.9: Petition of Intervention.

IN THE DISTRICT COURT OF IOWA

		IN AND FOR		COUNTY	, IOWA	
Plaintiff(s)						
(Name)						
(Address)						
(Name)						
(Address)						
	VS.				OF INTERV	ENTION
Defendant(s)				Small Claim	No.	
(Name)				Date Filed		
(Address)						
(Name)						
(Address)						
Intervenor(s)						
(Name)						
(Address)						
(Name)						
(Address)						
то т	НЕ	ABOVE-NAMED	PLAIN	TIFF(S)	AND	DEFENDANT(S):
		fendant") and demar	either) and the amount of \$	"adversely to		tter of this litigation es" or "allied with from
(state flame(s) (brief		basis	for	the	demand).

Intervenor(s)

[Court Order December 11, 1975, received for publication February 28, 1984; November 9, 2001, effective February 15, 2002]

Form 3.10: Original Notice — Action of Replevin.

$\label{eq:court} \mbox{IN THE DISTRICT COURT OF IOWA} \\ \mbox{IN AND FOR} \qquad \qquad \mbox{COUNTY, IOWA} \\$

(Small Claims Division)

Plaintiff(s)	
(Name)	
(Address)	
(Name)	
(Address)	ORIGINAL NOTICE (Action of Replevin)
vs. Defendant(s)	Small Claim No. Date Filed
(Name)	
(Address)	
(Name)	
(Address)	

TO THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY NOTIFIED that the above-named plaintiff(s) demand(s) possession of property described as:

(insert description)

- (1) The actual value of the property is \$ (If more than one item is involved, separate values must be stated for each item.) (May not exceed \$5,000 in total value.)
 - (2) Plaintiff(s) is (are) entitled to immediate possession because (check one):
 - Plaintiff(s) own(s) the property;
 - J Plaintiff(s) has (have) a security agreement for the property (copy attached) providing that plaintiff(s) is (are) entitled to seize possession on default, and that default(s) as follows has (have) occurred;
 - (State other grounds).
 - (3) j (a) That the property is not in the possession of the defendant(s) under court order or judgment; or
 - (b) That property was taken by the defendant(s) under a court order or judgment but is improperly held, being exempt from such seizure because: (state basis for exemption).
- (4) That to the best belief of the plaintiff(s) the property is being held by the defendant(s) because: (state facts constituting the defendant's(s') alleged reason for detaining the property).
- (5) That the plaintiff(s) is (are) entitled to damages for such retention in the amount of \$ based on: (state grounds of alleged damage).

UNLESS YOU APPEAR by completing and filing the attached appearance and answer form with the clerk of the court at (exact address) in (city), Iowa (zip code),

Ch , p.20

SMALL CLAIMS FORMS

within 20 days after service of this original notice upon you, judgment shall be rendered against you upon plaintiff's(s') claim together with interest and court costs.

Public

SMALL CLAIMS FORMS

Original Notice — Action of Replevin (cont'd)

IF YOU DENY THE CLAIM AND APPEAR by filing the attached appearance and answer within 20 days after service of this original notice upon you, you will then receive notification from the clerk's office of the place and time assigned for hearing.

				Plaintif	f(s)					
STATE OF IOWA COUNTY OF I (We),		}	SS:			, do hei	reby sw	vear or	affirm that	the above
and foregoing	statements	are	true	and	correct	as	I		verily	believe
Subscribed and sw	vorn to before m	e hv				(Signatu	ıre(s)		of	affiant(s)
this	day of	СОУ				, 20				, 01

Notary

Ch , p.22 SMALL CLAIMS FORMS

[Report March 10, 1987, effective July 1, 1987; Court Order November 25, 1998; November 9, 2001, effective February 15, 2002; June 14, 2002, effective July 1, 2002]

Form 3.11: Original Notice — Foreign Corporation or Nonresident Defendant.

IN THE DISTRICT COURT OF IOWA IN AND FOR COUNTY, IOWA

(Small Claims Division)

		(Siliali Ciai	ilis Division)				
Plaintiff(s)							
(Name)							
(Address)							
(Name)							
(Address)					AL NOTIC		
Defendant(s)	VS.		(Foreign Con Small of Date F	Claim No.	or Nonresid	ent Defe	endant)
(Name)			2444 1				
(Address)							
(Name)							
(Address)							
ТО	THE	A	BOVE–NAMED			DEFEN	DANT(S):
YOU ARE H based on the demand).	EREBY NOTIFIED th	nat the plaintiff(s) d	emand(s) from yo	ou the amou		oriefly the	e basis for
UNLESS YC court at Iowa State of Iowa, costs.	OU APPEAR by complete (zip code), within 6 judgment shall be ren	60 days after the fil dered against you	ing of this origination upon plaintiff's(s	(exa al notice w s') claim to	ct address) i ith the secre ogether with	n etary of s interest	(city), state of the and court
	NY THE CLAIM ANI s original notice with clerk's office	the secretary of sta					
		ni.					
		Pla	intiff(s)				

Judgment Entry:

Ch , p.24 SMALL CLAIMS FORMS

[Report September 29, 1987, effective December 1, 1987; November 9, 2001, effective February 15, 2002]

Plaintiff(s)

Judgment Entry:

SMALL CLAIMS FORMS

Form 3.12: Original Notice — Nonresident Motor Vehicle Owner or Operator.

$\label{eq:court} \mbox{IN THE DISTRICT COURT OF IOWA} \\ \mbox{IN AND FOR} \mbox{COUNTY, IOWA}$

(Small Claims Division)

(Name)				
(Address)				
(Name)				
(Address)	VS.		0 0	SINAL NOTICE r Vehicle Owner or Operator)
Defendant(s)	vo.		Small Claim N	•
(Name)			2 1	
(Address)				
(Name)				
(Address)				
ТО	THE	A	BOVE-NAMED	DEFENDANT(S)
based on the demand). UNLESS YOU court at Iowa of the State of Io court costs. IF YOU DENY the filing of this	(zip code), within 60 days owa, judgment shall be ren Y THE CLAIM AND APP original notice with the	and filing the after the filindered agains EAR by filindirector of tr	attached appearance and (ng of this original notice t you upon plaintiff's(s') g the attached appearance cansportation of the State	(state briefly the basis for answer form with the clerk of the fexact address) in (city), with the director of transportation) claim together with interest and the and answer within 60 days after the of Iowa, you will then receive the assigned for hearing

Plaintiff(s)

Ch , p.26 SMALL CLAIMS FORMS

[Report September 29, 1987, effective December 1, 1987; November 9, 2001, effective February 15, 2002]