

NATHAN A. LUY
Clerk of the Circuit Court, Stephenson County
15 North Galena Avenue
Freeport, IL 61032
(815) 235-8266

INSTRUCTIONS FOR PREPARING SMALL CLAIMS COMPLAINTS

1. Prepare document entirely
2. Amount claimed in small claim cases may not exceed \$10,000.00, exclusive of interest and costs.
3. State nature of claim, giving dates and other relevant data. If the claim is based on written contract or other instrument, the contract or other instrument must be attached to the small claim complaint original and all copies of the complaint. In cases of accounts, the bill sued for (copy) must be attached.
4. Filing fees for complaint of:

\$250.00 to under is	\$122.00
\$250.01 to \$500.00 is	\$132.00
\$500.01 to \$2,500.00 is	\$152.00
\$2,500.01 to \$10,000.00 is	\$187.00
5. Service of summons is by the Sheriff or Civil process server. You must make arrangements with that office.
6. Certified mail summons are \$16.50 which includes postage.
7. The resident to be sued with service by certified mail must reside in Stephenson County. Residents out of the county may be sued in this county, but will need service of summons by the Sheriff or process server in the county in which he/she resides.
8. Jury demand fee is \$12.50 for a 6 Panel Jury or \$25.00 for a 12 Panel Jury.
9. A person has the right to handle his/her own case without the assistance of an attorney. However, if complications arise, you may wish to consult an attorney.
10. The first appearance in court the defendant will agree with or dispute the claim. If the claim is disputed a trial will be set at that time. Nevertheless, the plaintiff should bring along any documents to support his/her claim. It is not necessary to bring along witnesses at this time.
11. It is important to be in court promptly at the time set for your trial and to be ready for trial. If you have evidence to support your case, it too should be available.
12. Continuances will be granted only by the Judge to which the case is assigned.
13. If a judgment is entered in your favor and is not promptly paid, it is recommended that an attorney be consulted. The remedies available for collection are generally too complicated to be exercised without legal advice.
14. The foregoing instructions are not intended to explain all the rights and duties of small claim litigation, but are for your guidance. For additional information, consult an attorney.
15. The Circuit Clerk's Office is not a collection agency and **will not** accept payments on judgments.

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
STEPHENSON COUNTY, ILLINOIS**

Case Number _____

Plaintiff (s)
VS

File Stamp

Defendant(s).

SMALL CLAIM COMPLAINT

I, the undersigned, claim that the defendant(s) is indebted to the plaintiff(s) in the sum of \$ _____
for _____

and that the plaintiff(s) has(have) demanded payment of said sum; that the defendant(s) refused to pay the same and
no part thereof has been paid; that the defendant(s) reside(s) at _____

Phone No. _____ that the plaintiff resides at _____

Phone No. _____ : in the State of Illinois.

Date _____
(Month Day Year)

(Signature of Plaintiff(s))

AFFIDAVIT

_____ on oath states that the allegations in
this complaint are true.

(NOTARY SEAL)

Signed and sworn to before me

(Notary Public)

_____, _____

Original filed with Circuit Clerk Office (Need to provide copy for Defendant and Plaintiff)

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
STEPHENSON COUNTY, ILLINOIS**

} } } } }
Plaintiff(s) }

VS.

No. _____

Amount Claimed _____

} } } } }
Defendant(s) }

SUMMONS

To each defendant:

You are hereby summoned and required to appear before this court at

_____ , Illinois,

at _____ o'clock _____ .M., on _____ ,20 _____ , to answer the complaint in

this case, a copy of which is hereto attached. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT
MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service and not less than 3 days before day of appearance. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 3 days before the day of appearance.

WITNESS, _____ ,20 _____ .

(Seal of court)

(Clerk of the Circuit Court)

(Plaintiff's attorney or plaintiff if not represented by an attorney)

Name
Attorney for
Address
City
Telephone

Date of service: _____ ,20 _____ .

(To be inserted by officer on copy left with defendant or other person)

Original Returned filed with Circuit Clerk Office (Need to provide copy for Defendant)