

EVICTION and REPLEVIN ACTIONS

ALL PARTIES MUST APPEAR AT THE TIME & PLACE STATED ON THIS FORM

You are advised to bring with you all papers and documents relating to this matter.

Instructions for Eviction Actions

1. To the Landlord: Attach a copy of any and all termination notices which were served on the defendant. Prior to completing the Summons and Complaint, call the Clerk of Courts Office at 608 266-4311 to schedule a date and time for the hearing. Place the scheduled hearing date and time on the Summons and Complaint prior to making the necessary copies.
2. At the initial hearing on the return date, the court commissioner will encourage the parties to enter into a stipulation whereby both sides agree to a move-out date, a schedule of payment(s), and/or other conditions. Any such stipulation will further provide that if the tenant fails to comply with any term of the stipulation, the landlord will be entitled to obtain a judgment of eviction and a writ of restitution to the sheriff for removal from the premises, without further notice to the tenant.
3. The landlord reserves the right to a rent and damage hearing at a later date.
4. Failure to appear at an eviction hearing or trial may result in a default judgment being entered against the tenant and a writ of restitution issued to the sheriff to have the tenant removed from the premises.
5. If both sides appear and do not reach a stipulation, a court trial will be scheduled, most likely for the Friday immediately following the initial hearing date, before the presiding judge.

Instructions for Replevin Actions

1. Failure to appear at a replevin hearing or trial may result in a default judgment being entered against the defendant and an execution issued to the sheriff to have the item(s) stated on the summons taken from the defendant's possession.
2. The plaintiff reserves the right to a deficiency hearing at a later date.