

**DAWSON COUNTY JUSTICE COURT**  
**207 WEST BELL STREET**  
**GLENDIVE, MT 59330**  
**PHONE (406) 377-5425**  
**FAX (406) 377-1869**

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**FILING A SMALL CLAIMS CASE**

1. The Defendant must reside in Dawson County.
2. The amount requested may not exceed \$7,000.00.
3. The filing fee is \$30.00 for filing the case. That amount is payable to Justice Court.
4. The Sheriff's service fee is \$50.00, plus mileage, if applicable. The Sheriff's Department will determine if an additional amount will be added for mileage, depending on the distance from the city limits. Mapquest is used to determine the mileage from the Sheriff's Office at 440 Colorado Blvd to the Defendant's address outside city limits.
5. The \$50.00 fee to the Sheriff's Department will be separate from the filing fee. If paying by check, you will need two checks, one payable to Justice Court, and the other payable to the Dawson County Sheriff's Department.
6. Include the fee amounts (\$80.00, or more, if applicable for mileage) in the dollar amount requested on the Small Claims form. Where it is indicated "for" on the form, add the words, "including filing fee and Sheriff's service fee".
7. The address of the Defendant is required for service by the Sheriff's Department.
8. In addition to the small claims form, you must fill out the Praeceptum form, which is an instruction for service by the Sheriff's Department.
9. If it is requested that two individuals be served, the fee for service will be \$50.00 for each Defendant. For example: if it is indicated, "John Doe or Mary Smith", one or the other will be served, and the service fee remains at \$50.00. If it is indicated, "John Doe and Mary Smith", both individuals must be served, and the total fee for service is \$100.00.

If you should have any questions regarding the filing of a Small Claims case, feel free to stop by the Court, or call (406) 377-5425, between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday.

**DAWSON COUNTY JUSTICE COURT**

COMPLAINT AND ORDER

**IN THE SMALL CLAIMS DIVISION OF THE JUSTICE COURT OF DAWSON COUNTY, STATE OF MONTANA**

**BEFORE THE HONORABLE STACEY NERISON, JUSTICE OF THE PEACE**

\_\_\_\_\_  
\_\_\_\_\_

Plaintiff (s),

VS

\_\_\_\_\_  
\_\_\_\_\_

Defendant (s).

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\*

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Complaint Case No. \_\_\_\_\_

Calendared \_\_\_\_\_

**COMPLAINT**

*STATE OF MONTANA, COUNTY OF DAWSON*

Comes now the plaintiff, being first duly sworn upon oath, and complains and alleges that the Defendant(s) is (are) indebted to the Plaintiff (s) in the sum of

\$ \_\_\_\_\_ for \_\_\_\_\_

which sum is now due, owing and unpaid despite demands for the payment of the sum, together with Plaintiff's costs expended in this action.

That the obligation sued on was contracted to be performed in the above-named Dawson County and that at the commencement of action, the Defendant resides in the above-named Dawson County.

**SUBSCRIBED AND SWORN TO BEFORE ME**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Justice of the Peace

By \_\_\_\_\_

Clerk, Dawson County, Montana Justice Court

\_\_\_\_\_  
Plaintiff's Address

**ORDER OF THE COURT/NOTICE TO DEFENDANT**

**THE STATE OF MONTANA**, to the above-named Defendant(s): You are hereby directed to appear and answer the within and foregoing Complaint, in the above entitled court at trial to be held at:

THE DAWSON COUNTY JUSTICE COURT, COURTHOUSE, GLENDIVE, MONTANA.

on \_\_\_\_\_, at \_\_\_\_\_ M.      reset for \_\_\_\_\_, at \_\_\_\_\_ M.

reset for \_\_\_\_\_, at \_\_\_\_\_ M.      reset for \_\_\_\_\_, at \_\_\_\_\_ M.

and to have with you all books, papers and witnesses needed by you to establish your defense to the claim. You are further notified that in case you do not appear, judgment will be taken against you by default for the relief demanded in the Complaint and for costs of this action, including costs of service of the Complaint and Order of the Court/Notice to Defendant. You are further notified that within ten (10) days of service upon you of this Complaint and Order, you may remove this action from the Small Claims Court to Justice Court and that your failure to remove constitutes a waiver of your rights to trial by jury and to representation by counsel.

**To the Sheriff, Constable or Service of Process of said county, greetings,  
Make legal service and due return thereof on the Defendant at:**

\_\_\_\_\_  
JUSTICE OF THE PEACE

By \_\_\_\_\_

Clerk of Small Claims Division

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

File No: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Plaintiff,

-vs -

\_\_\_\_\_  
\_\_\_\_\_

Defendant.

**P R A E C I P E**  
INSTRUCTIONS FOR SERVICE

TO: Dawson County Sheriff's Office

Date: \_\_\_\_\_

From:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Instructions for Service:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

*Note: Paper will not be served if the Preacipe is not signed  
Instructions must include home address, if requesting service upon individual.*