

INSTRUCTIONS FOR COMPLETING THE HENNEPIN COUNTY CONCILIATION COURT COUNTERCLAIM FORM

The following information is required to process your Conciliation Court Counterclaim. If required information is not provided, your counterclaim form and filing fee will be returned to you.

1. The caption stays the same as on the original claim. Enter plaintiff(s) name, street address, city, state and zip code exactly as it appears on the original claim. **One name per box, even for married couples.**
NOTE: If more than two plaintiffs use Additional Litigant Form that can be downloaded from our website at www.mncourts.gov/district/4

2. Enter defendant(s) name, street address, city, state, zip code and telephone number with area code **exactly** as it appears on the original claim form. **One name per box, even for married couples.**
NOTE: Please verify that your address is correct. If more than three defendants use Additional Litigant Form that can be downloaded from our website at www.mncourts.gov/district/4

3. Enter the following information:
 - Amount owed (\$15,000 maximum)
 - Filing Fee \$70.00
 - Grand Total including filing fee
 - Date of Incident, event or transaction
 - **Brief description – (please use a size 10 font or larger, and only use the space provided on the text box. Keep claim form to one page)**

4. Sign the claim form and include your daytime phone number with area code. **Signature must be notarized.**

Failure to include all of the above will result in your documents being returned to you without being filed. **Do not attach exhibits or other documents to the claim form. Please bring them to court on the day of your hearing.**

Mail or bring your counterclaim form and \$70.00 filing fee payable to “Hennepin County Conciliation Court” to:

Conciliation Court
350 South 5th Street
Room 306 – City Hall
Minneapolis MN 55415-0926

CONCILIATION COURT PROCEDURES

- **Failure to Appear:** Failure of defendant to appear at the hearing may result in a default judgment being entered for the plaintiff. Failure of the plaintiff to appear may result in dismissal of the action or a default judgment being entered in favor of the defendant on any counterclaim that has been asserted.
- **Questions:** Visit www.mncourts.gov/district/4/?page=395 for answers to common questions about filing a claim in Hennepin County Conciliation Court. To learn how to represent yourself in a Conciliation Court case, visit www.mncourts.gov/selfhelp. All correspondence should be addressed to the Conciliation Court.
- **Continuances:** The court administrator may change the date for trial if there is good cause for a continuance and a request for continuance is made at least five days (exclusive of Saturdays, Sundays and holidays) prior to trial. The court administrator may grant only one continuance per party, the maximum allowed is 30 days. A Judge must determine all other requests for continuance. All parties will be notified by the Court of any new date set for trial. The Court in its discretion may assess costs not to exceed \$50.00, either absolute or conditional, to the other party as a condition of granting an order for a continuance of any case.
- **Counterclaims:** The defendant may, if s/he has a claim against the plaintiff which is within the jurisdiction of the Court, file it with the Court not less than five days (exclusive of Saturdays, Sundays and holidays) before the trial date, upon payment of a filing fee. The Court will then notify the plaintiff of any such claim. Both the claim and counterclaim will be tried at the same time. If the counterclaim exceeds the jurisdiction limit of the Conciliation Court, see Minnesota General Rules of Practice for the District Courts, Rule 510.
- **Evidence:** Each party should bring to the trial all witnesses and exhibits, including repair bills and estimates, deemed necessary to prove his or her case. Upon request before the trial, the Court will issue subpoenas requiring witnesses to appear. There are additional costs for issuing subpoenas and it is the responsibility of the party requesting the subpoena to have it served on the witness.
- **Trials:** After hearing the evidence, the Judge will either make a ruling or take the case under advisement for later decision. The parties will be notified by mail of the Judge's decision. If a party changes his or her address, the Court must be notified.
- If the parties agree on a settlement prior to trial, each party who has made a claim or counterclaim shall promptly advise the Court in writing that the claim or counterclaim has been settled and that it may be dismissed. The plaintiff may notify the Court by completing the Notice of Settlement section on the claim form and mailing or bringing it to Conciliation Court.

*****COUNTERCLAIM*****

CASE NO. _____

STATE OF MINNESOTA
COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT
CONCILIATION COURT

Plaintiff #1
Address
City/State/Zip

Plaintiff #2
Address
City/State/Zip

VERSUS

Defendant #1
Address
City/State/Zip

Defendant #2
Address
City/State/Zip

Defendant #3
Address
City/State/Zip

The plaintiff(s) owe defendant(s) \$ _____, plus a \$ _____ filing fee, for a total of \$ _____, plus costs, because on or about, (month and year) _____, _____, the following event occurred. Briefly describe the event below.

Under oath, I swear the above statement of counterclaim is true and correct to the best of my knowledge, and that the person(s) being sued are at least 18 years of age, and not in the military service.

Signed _____

Title of Representative: _____

Daytime telephone: (_____) _____

Failure of defendant to appear at the hearing may result in a default judgment being entered for the plaintiff. Failure of the plaintiff to appear may result in dismissal of the action or a default judgment being entered in favor of the defendant on any counterclaim that has been asserted.

SUBSCRIBED AND SWORN TO BEFORE ME

NOTARY STAMP OR COURT SEAL

Signature _____

Date _____

IMPORTANT NOTICE TO THE PARTIES:

You are hereby summoned to appear at the hearing of the above entitled case. See the attached Notice of Hearing for time and location. If not attached, call Conciliation Court at 612-348-2713.

*******COUNTERCLAIM*******

Notice of Settlement

The above-entitled case having been settled, the same may be and hereby is dismissed with my consent.

Date: _____

Defendant's Signature