

SMALL CLAIMS PACKET



IN THE DISTRICT COURT OF WYANDOTTE NATION

Wyandotte Nation Courts
64700 E Hwy 60
Wyandotte, Ok 74370

Court Clerk Phone: 918-678-6342
Court Administrator Phone: 918-678-6394
Fax: 918-676-7002

The forms in this packet are to be used as a template if you are seeking to file a Small Claims case. Please read the instructions carefully before completing the forms. The Court Clerk CANNOT accept an Affidavit that is not filled out completely.

Should you need assistance in preparing the Affidavit, you must consult with an Attorney at your own expense, the Nation does not provide Legal Aid. The Court Clerk is prohibited and CANNOT provide legal advice and wording on court documents as mandated by Ethical Code and Court Rules. The Court Clerk provides guidance to ensure your case successfully flows through the Court system.

Packet contains:

1. Instructions
2. Small Claims Affidavit



IN THE DISTRICT COURT OF WYANDOTTE NATION

INSTRUCTIONS

SMALL CLAIMS

IMPORTANT INFORMATION-PLEASE READ!

1. Small Claims Affidavit must be filled out completely to the best of your knowledge and ability.
2. The Plaintiff is the party or entity filing the Affidavit. The Defendant is the party that is being sued.
3. We must have a last known address for the Defendant to attempt service. If service cannot be made at that address, it will be your responsibility to provide to the court a new address for service.
4. Small Claims Affidavit must be signed in front of the Court Clerk or a Notary Public when you are ready to file.
5. Filing fees, copy fees, etc., must be made in the form of **CASH, CASHIER'S CHECK, MONEY ORDER, DEBIT/CREDIT CARD OR E-CHECK (there is a processing fee when using a debit/credit card or e-check)** and must be payable to "**Wyandotte Nation Courts**". Filing fees **MUST** be paid at the time of filing your Affidavit. If you are unsure of the amount of filing fees, contact the Court Clerk.
6. Submit original Small Claims Affidavit and one (1) copy of the Affidavit, if you would like a copy for your records. If the Court Clerk makes any copies, you will be charged \$1.00 for the first page and \$.50 for each additional page.
7. The Court Clerk will fill out the ORDER on the Affidavit with a **DATE OF HEARING**. The Affidavit and Order will be mailed to Defendant at last known address by certified mail unless you would prefer service by Tribal PD or a Process Server. Please let the Court Clerk know your preferred service method.

FILING FEES-SMALL CLAIMS

FEE

Court Costs.....	\$75.00
Filing Fee.....	\$75.00
Certified Mail Fee.....	Per USPS
Private Process Server.....	\$60.00
Service by Tribal Police Department	\$30.00

OFFICE HOURS: 8:00AM-12:00PM and 1:00PM-4:30PM, MONDAY-FRIDAY

Mailing & Physical
Address:

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IN THE DISTRICT COURT OF WYANDOTTE NATION
SMALL CLAIMS DIVISION

_____,)
Plaintiff,)
)
vs.) Small Claims No: _____
)
)
_____,)
Defendant,)

SMALL CLAIMS AFFIDAVIT

WYANDOTTE NATION)
) Ss.
)

_____, being duly sworn, deposes and says:

That the defendant resides at _____,
(within, without) the jurisdiction of the Wyandotte Nation, and the mailing address of defendant
is _____;

The defendant is indebted to the plaintiff in the sum of \$_____ for

_____, which arose (within, without) the Nation's jurisdiction; plaintiff has
demanded payment of said sum, but the defendant refused to pay the same and no part of the
amount sued has been paid;

and/or

The defendant is wrongfully in possession of certain personal property described as

that the value of said personal property is \$_____; and that plaintiff is entitled
to possession thereof and has demanded that defendant relinquish possession of said personal
property, but that defendant wholly refused to do so.

Plaintiff

Subscribed and sworn to before me this _____ day of _____, 20_____.

My Commission Expires: _____

(SEAL)

Notary Public (or Clerk or Judge)

ORDER

To the within named defendant:

You are hereby directed to appear and answer the foregoing claim and to have with you all books, papers and witnesses needed by you to establish your defense to said claim.

This matter shall be heard at the Wyandotte Nation Tribal Court in 64700 E Hwy 60, Wyandotte, OK 74370, at the hour of _____ o'clock _____.m. of the _____ day of _____, 20_____, or at the same time and place seven (7) days after service hereof, whichever is the latter. And you are further notified that in case you do not appear, judgment will be given against you as follows:

For the amount of said claim as it is stated in said affidavit, for possession of personal property described in said affidavit and in addition, for costs of this action (including attorney fees where provided by law), including costs of service of this order.

Dated this _____ day of _____ 20_____.

Clerk of the Court (or Judge)