

INSTRUCTIONS FOR COMPLAINT

These instructions are only intended to provide information on how to fill out this form. It is not intended to substitute legal advice. There may be additional documents and procedures for your particular type of civil action. If you have any legal questions regarding the specific facts of your case, please consult with an attorney.

For other questions, you may contact the Trial Court at (715) 284-2722. In addition, copies of the applicable law can be found on the Nation's website located at www.ho-chunknation.com/HCNLaws.aspx or by contacting the Ho-Chunk Nation Legislature at (715) 284-9343 or (800) 294-9343.

Do not include these instruction sheets when you file the completed form.

Complaint:

A complaint is an initial pleading that starts an action and states the basis for the court's jurisdiction, the basis for the plaintiff's claim, and the demand for relief.

The plaintiff is the party who brings the action to court - the person who fills out the complaint.

The defendant is the party being sued in the action - the person who the complaint is brought against.

Instructions:

- **Page 1, Lines 1-8:** Enter your full, legal name on the plaintiff line. There can be more than one plaintiff. Enter the defendant's full, legal name on the defendant line. There can be more than one defendant. You do not need to write a case number. A case number will be assigned by the Court. A cause of action is a factual situation that entitles one person to obtain a remedy in court from another person.
- **Page 1, Lines 9-15:** Describe your claim(s) in short, plain statements showing why you are entitled to relief.
- **Page 1, Lines 16-28:** Enter the applicable information as it relates to the plaintiff.
- **Page 2, Lines 1-14:** Enter the applicable information as it relates to the defendant. Jurisdiction is the court's power to exercise authority over all persons and things within its territory and to hear and decide a case or issue in dispute. The plaintiff must show that the Ho-Chunk Nation Trial Court has jurisdiction over the action and the parties in the action.
- **Page 2, Lines 15-23:** State the specific law or laws that relate to your action and give the Ho-Chunk Nation Trial Court authority to hear and determine your action.
- **Page 2, Lines 24-28:** List any documents you intend to use in your case. For each document attached, identify each by content and number of pages.

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- **Page 3, Lines 1-12:** Provide a summary of the incident and circumstances resulting in this action.
- **Page 3, Lines 13-20:** Provide a summary of the harm or injury you suffered that was caused by the defendant.
- **Page 3, Lines 21-28:** A request for relief is a request for a determination of the rights and liabilities of one or more parties in an action that a legal authority allows the court to decide by a judgment. In simpler terms, a request for relief is what you are asking the court to do with your case i.e. what do you want to occur in your case. State what you want the Ho-Chunk Nation Trial Court to do. Explain the requests fully.
- **Page 4, Lines 1-4:** The prayer for relief is a request addressed to the court and appearing at the end of a pleading; it is a request for specific relief or damages.
- **Page 4, Lines 5-6:** State the number of additional pages used, if any.
- **Page 4, Lines 7-23 & Page 5, Lines 1-13:** Be sure to read the statement that precedes your signature. If you are self-represented, you must date and sign the document. If you are represented by a lawyer, the lawyer must date and sign the document.