

**ONEIDA JUDICIARY
INSTRUCTIONS FOR FILING A COMPLAINT FOR
TITLE 6 PROPERTY & LAND**

1. Complete and sign the Complaint and Summons.

- a. The notice of eviction or notice of foreclosure/default must be filed with the complaint.

2. File the original Complaint with the Court.

- a. The Clerk will review the filing for completion.
- b. The Clerk will assign a case number.
- c. Pay a filing fee of \$50.00 with the Clerk **OR** complete a Fee Waiver Request Form.

Note: 1) Fee Waiver Requests must be approved by the Court.

2) You must provide documentation (proof) of income for Fee Waiver Requests.

- d. The Clerk will issue a Summons with court date and time.

3. Serve all Parties.

- a. **You may not serve/deliver the court papers yourself.**
- b. The Complaint and Summons must be served upon the Respondent(s).
- c. Proof of service must be delivered to the Court within ten (10) days of service upon the Respondent. Proof of service must be in accordance with Rules 803.5-6

4. You MUST also serve the Nation's Secretary's Office.

- a. Personal Service: (**MUST be attempted first**) Personal service consists of delivering to each of the parties a copy of the paper being served. It can be served by:
 - i. A law enforcement officer or
 - ii. Any other person who is:
 1. not a party to the action and
 2. at least eighteen (18) years of age.
- b. Mail Service (IF personal service is not successful): Service of any and all papers, when made by mail and from any party shall be by certified mail, with return receipt (green card).
- c. Service of Publication: To Serve by publication you must make a request to the Court. Form is available at <https://oneida-nsn.gov/government/judiciary/>

Any questions? Call the Clerk of Court at 920-496-7200.

Oneida Trial Court
P.O. Box 19
Oneida, WI 54155
(920) 496-7200

**ONEIDA JUDICIARY – TRIAL COURT
TITLE 6 PROPERTY & LAND COMPLAINT**

Case No. _____

Please check appropriate box for type of case:

- | | | | |
|---|-----|---|-----|
| <input type="checkbox"/> Real Property | 601 | <input type="checkbox"/> Landlord-Tenant | 611 |
| <input type="checkbox"/> Leasing | 602 | <input type="checkbox"/> Mortgage/Foreclosure | 612 |
| <input type="checkbox"/> Eviction/Termination | 610 | | |

Petitioner: Check this box if more than one Petitioner, attach below information on a separate sheet.

Enter the name, address and daytime phone number of the person filing the Petition. (You are the Petitioner).	First name	Middle name	Last name	(Maiden name)	
	Current Mailing Address				
	City	State	Zip	Daytime Phone Number	
	Petitioner's Date of Birth		IF represented, attorney or advocate name		
	Attorney or advocate mailing address	City	State	Zip	Phone Number
	Is attorney or advocate approved to practice at the Oneida Judiciary? Yes or No <input type="checkbox"/> Unknown				

Respondent: Check this box if more than one Respondent, attach below information on a separate Sheet.

Enter the name, address, and daytime phone number of the Respondent.	Respondent (Oneida Nation Entity or Department)	Oneida Nation Program (if applicable)	
	Current Mailing Address		
	City	State	Zip

COMPLAINT

1. Please state what specific section of a Tribal law(s), regulation(s), policies, or ordinances were not followed by the Respondent:

Please list the Law and section that was violated.

SEE ATTACHED.

2. For evictions, why were you evicted?

Please check all that apply.

- Failure to pay rent.
- Waste or Contract Breach other than Rent Payment.
- Violation of any other terms of the contract.

Please specify the violation: _____

- Violating a law, rule or nuisance.

(a) what law or rule is alleged to have been violated or nuisance act alleged to have been committed?

**If timely filed, there is an automatic stay on evictions, for violating a law, rule or nuisance, pending the determination of the Oneida Judiciary.

3. For foreclosures, why were you foreclosed upon?

Please check all that apply.

- Failure to comply with the payment terms of a mortgage.
- Failure to comply with an agreement to cure default.
- Other reason, please specify:

4. Please list the specific relief sought from the Respondent(s):

Explain how you were harmed and describe your damages in detail. What do you want from the Respondent?

SEE ATTACHED.

Oneida Trial Court
P.O. Box 19
Oneida, WI 54155
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5. Have the locks been changed at your residence?

Yes No

If yes, when _____

6. Please list all persons that make up your household:

List
everyone
who lives in
the home.

Dated this _____ day of _____, 20____.

BY: Petitioner or Petitioner's Attorney/Advocate

Signature

Printed

Phone #

Oneida Trial Court
P.O. Box 19
Oneida, WI 54155
(920) 496-7200

**ONEIDA JUDICIARY
TRIAL COURT**

_____,
Petitioner(s)

Case No: _____

v.

_____,
Respondent(s)

SUMMONS

To the person named above as Respondent:

Complaint was filed and is attached to this summons.

You are summoned to appear for hearing before the court on:

Date: _____

Time: _____

Location: 2630 W. Mason Street, Green Bay, WI 54303

A failure to appear and defend may result in a default judgment against the Respondent for the relief demanded in the Complaint.

BY THE CLERK:

Signature (Clerk)

Date

AFFIDAVIT OF SERVICE

Case No. _____

Petitioner

v.

Respondent

I, _____, swear that on _____, I personally served
Date

the Civil Complaint on the following person: _____.

Date:

Time:

Location:

To the best of my knowledge, _____, is present in the
community and is not a member of the armed forces.

I swear the foregoing is true and correct.

Dated this _____ day of _____, 20____.

Signature of Person serving other party

PLEASE NOTE: Only use this form if you
are having the other person personally
served.