

SMALL CLAIMS MOTION TO RE-OPEN CHECKLIST

– MILWAUKEE COUNTY

FILING AND SERVICE FEES

- \$5: satisfaction fee
- Cost of mailing

FORMS and COPIES NEEDED

- Forms used depends on the reason you want to re-open (Original)
 - *If you did not appear or Milwaukee County is the wrong location for the action:*
Motion to Reopen Small Claims Judgment, and Order (SC-515 A and B)
 - *If you have new information or believe a factual mistake was made:*
No state form exists for this situation. You should seek legal advice about how to proceed.
- Affidavit of Mailing – Small Claims (SC-5130V) (Original)

SECTION A: Filing a Motion to Reopen

Complete the following steps in order.

- Complete the correct document.
- Go to the Room G-9 in the back (Record Center) to request that your file be sent to Room 400.
- Take the completed document to Room 400 (Small Claims Courtroom) and give the form to the clerk.
 - A Court Commissioner will review your document.
 - If the Commissioner agrees that your case should be re-opened, you will be given a hearing date. Then, you MUST mail a copy of the motion to the other party.
 - If the Commissioner does not agree that your case should be re-opened, the case will be transferred to the Small Claims Judge for review.
 - The judge will then decide if you should have another hearing on your case.
 - If the Judge grants a new hearing, you will be given a hearing date. Then, you MUST mail a copy of the motion to the other party.
 - If the Judge decides that you should not have a new hearing, your case is finished and the judgment remains as it was entered.

SECTION B: Next Steps

- If you are granted a hearing in front of the Commissioner or the Judge, bring your completed and notarized Affidavit of Mailing that tells the court you mailed a copy of your motion to the other party.
- Organize any items you want to share with the court that will support your claim. It is helpful to have two copies of documents (one to share with the court and one to share with the other party).
- Arrive to the courthouse early. Be sure to plan for travel/parking, going through security, and finding the right courtroom.