

## FORM SUMMARY

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**Name of Form:** Order for Hearing Non-Eviction (Small Claims)

**Form Number:** SC – 5410VB

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**Statutory Reference:** §799.24(3), Wisconsin Statutes

**Benchbook Reference:**

**Purpose of Form:** To provide a document by which a plaintiff may request the court to schedule a hearing to vacate the dismissal of an action based upon noncompliance of a defendant(s).

**Who Completes It:** The plaintiff(s) or plaintiff's attorney.

**Who Signs It:** **BY THE COURT:** Circuit Court Judge/Circuit Court Commissioner.

**Distribution of Form:** Original will be filed with the court after it has been signed and notarized.

**Accompanying Forms:** None.

**New Form/Modification:** Modified; last update 10/07.

**Modifications:** Added hearing notice date/time/location box and ADA language. Changed form title to Based on Noncompliance.

**Comments:** If either party believes there has a violation of a written agreement between themselves, they may request the court to take appropriate action. If the violation is by a party who owes money, and the amount of money is agreed to, the court may simply be asked to enter a judgment for the money damages plus costs (using SC-5420V). If the violation is such that there are no money damages or that the parties agree that the court should first hold a hearing to determine whether there has been a violation or determine what the appropriate relief should be, the court would be asked to conduct a hearing and make the appropriate determination (using SC-5410V).

**About this Form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office.

**As a *pro se* voluntary form, its use is NOT mandatory but it is required to be accepted and distributed by the circuit courts of the State of Wisconsin.**