

FORM SUMMARY

Name of Form:	Declaration Based on Noncompliance Non-Eviction (Small Claims)
Form Number	SC-5410VA
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 the defendant(s).
Who Completes It:	The plaintiff(s) or the plaintiff(s)' attorney.
Distribution of Form:	Original is filed with the court.
Accompanying Forms:	
New Form/Modification:	Modification; last update 09/24.
Modifications:	Removed references to affidavit as part of 23 Wis Act 245 (unsworn declaration).
Comments:	If either party believes there has been 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 Form SC-5420VA, Declaration Based on Noncompliance for Money Judgment Non-Eviction (Small Claims). 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 Form SC-5410VA, Declaration Based on Noncompliance Non-Eviction (Small Claims).
About this Form:	This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.
<p>As a <i>pro se</i> 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.</p>	
<p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>	