

JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE
IN AND FOR _____ COUNTY
COURT NO. _____

COUNTER-CLAIM CROSS-CLAIM (*CHOOSE ONE*)

CIVIL ACTION NO: _____

COUNTER/CROSS-CLAIM PLAINTIFF(S)

VS. **COUNTER/ CROSS-CLAIM DEFENDANT(S)**

1) Name _____

1) Name _____

COUNTER/CROSS-CLAIM PLAINTIFF(S)

VS. **COUNTER/CROSS-CLAIM DEFENDANT(S)**

2) Name _____

2) Name _____

A counterclaim or cross-claim which any party may be aware prior to the commencement of the trial on the plaintiff's claim, should be filed by the party in writing no later than five (5) days prior to the time and date of trial. In the event a counterclaim or cross-claim is served so close to the commencement of trial such that the defendant has insufficient opportunity to prepare a defense, the Justice of the Peace Court shall grant, upon motion or request, a continuance to that party in order that the party will not be prejudiced. **The counterclaim or cross-claim shall be served by submitting the original to the Court where the action is pending and by mailing a copy to the opposing party or the opposing party's attorney of record** (JP Civil Rule 13(d)) A counterclaim is filed by a defendant against a plaintiff. A cross-claim is filed by one defendant against another defendant. Both are for issues arising from the plaintiff's initial complaint. For a 3 Judge Panel, this must be filed within 5 days of the appeal (25 Del. C. § 5717(b)) along with a Bill of Particulars.

\$ _____ Amount of money claimed
 Return of Personal Property Total Value \$ _____ (Attach a list of property with description)
 Possession

Statement of Facts: _____

Date

Counter/Cross-claim Plaintiff or Attorney

A certificate of service form (MISC27C) is available and may be attached to this filing
in support of service requirements to necessary parties.

VIEW YOUR CASE ONLINE: <https://courtconnect.courts.delaware.gov>