

IN RE: CIRCUIT COURT RULES**ORDER RELATING TO LITIGATION
OF CONSTRUCTION/REMODELING
CLAIMS IN THE SMALL CLAIMS
COURT**

IT IS HEREBY ORDERED that the following rule concerning litigation of Construction/Remodeling Claims in Small Claims Court is adopted by all branches for Portage County, subject to further order of the Court;

That in any small claims action in which the plaintiff alleges a claim of defective construction or remodeling of his/her dwelling pursuant to a written or oral agreement with a party who performed construction services and/or supplied construction materials relating to a residential dwelling or any other existing structure at the plaintiffs residential premises (including work relating to driveways, sidewalks, swimming pools, terraces, patios, fences, porches, garages or basements), the plaintiff shall affirmatively allege in his/her complaint whether s/he has complied with all provisions of §895.07 Wis. Stats.;

That the plaintiff shall attach as exhibits to his/her complaint those notices, offers and proposals made by the plaintiff to the defendant and copies of all offers and proposals received by the plaintiff from defendant sent or received prior to commencement of the action as provided in §895.07(2) Wis. Stats.;

That failure to comply with the provisions of said statute as required in this Order will result in dismissal of the action without prejudice or entry of an order staying the proceedings pending compliance with said statute pursuant to §895.07(3) Wis. Stats.

This rule shall be listed in the Small Claims section as Paragraph 7 of the Local Rules.

Dated at Stevens Point, Wisconsin, this 31st day of October, 2016

BY THE COURT:



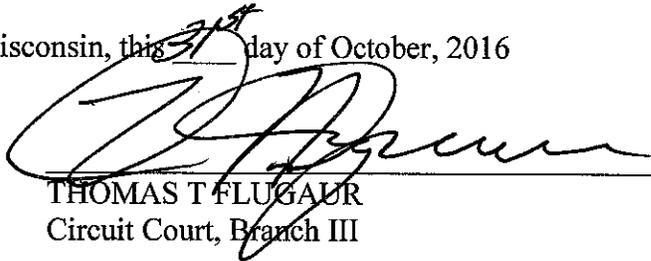
THOMAS B EAGON
Circuit Court, Branch I

Dated at Stevens Point, Wisconsin, this 27th day of October, 2016



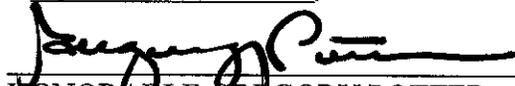
ROBERT J SHANNON
Circuit Court, Branch II

Dated at Stevens Point, Wisconsin, this 31st day of October, 2016



THOMAS T FLUGAUR
Circuit Court, Branch III

APPROVED this 2 day of Nov, 2016.



HONORABLE GREGORY POTTER
Chief Judge, Sixth Judicial District