

**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>