

STATE OF WISCONSIN

MUNICIPAL COURT
DE FOREST / WINDSOR

DANE COUNTY

For Official Use Only

**MOTION TO REOPEN AND ORDER
(DEFAULT JUDGMENT)**

(Issuing Municipality)

-VS-

Citation No.: _____

(Print Citation Number above)

(Print your name above)

1. I am the defendant and judgment was entered against me on _____.

2. I failed to appear due to (check all that apply):

☐ mistake. ☐ inadvertence. ☐ surprise. ☐ excusable neglect.

(Explain in detail):

3. If the case were reopened, I would prevail or the result would be different because:

Defendant Signature

Date

THE COURT ORDERS THAT:

- ☐ The motion is denied for failure to: ☐ meet statutory requirements
☐ establish mistake/inadvertence/surprise/excusable neglect.
☐ demonstrate reasonable prospect of success on the merits.
- ☐ A hearing on the motion shall be held on _____ at _____, at the DeForest/Windsor Municipal Court, 120 S. Stevenson St., DeForest, WI 53532.
- ☐ The motion is approved subject to the defendant paying a \$_____ reopening fee. This matter is set for a ☐ pretrial ☐ trial on _____ at _____, at the DeForest/Windsor Municipal Court, 120 S. Stevenson St., DeForest, WI 53532.

BY THE COURT:

Hon. Jason Hanson
DeForest/Windsor Municipal Court
Municipal Court Judge

Dated

Distribution: Village Attorney
Defendant/Defendant's Attorney

INSTRUCTIONS

If you are the defendant in a case, a default judgment has been entered, and you wish to request that the court reconsider your case, you will first need to request the court to reopen your case. This form is designed to make it easier for you to make this request.

- PRINT who gave you the citation above the section labeled "Issuing Municipality". It will either be "Village of DeForest" or "Village of Windsor".
- PRINT your name above the section labeled "print your name".
- PRINT the citation number above the section labeled "Citation Number". The citation number can be found on any of the court correspondence that you have already received or you will find it in the upper right/left corner of your citation.
- Answer section 1 by entering the date that judgment was entered against you.
- Answer section 2 by simply checking one or more of the boxes
- Answer section 3. Section 3 is the reason why the court should reopen your case and why you think you will win if the court does reopen your case.

For the Village of DeForest:

Attorney Dan Evans
Reuter, Whitish & Evans, S.C.
44 E. Mifflin St. Suite 306
Madison, WI 53703

For the Village of Windsor:

Attorney William Cole
Axley Brynelson, LLP
2 E. Mifflin St.
Madison, WI 53703

Upon receipt of your Motion to Reopen, the court will hold it for 5 days. Within the 5 days, the prosecution may file a written objection to the Motion. After 5 days, the court will review your Motion at its earliest convenience and provide you with a copy of its decision.

Prior to officially reopening the case, the court may require payment of a reopening fee. The charge is discretionary and is usually designed to reimburse the municipality for any expenses it has already incurred as a result of the original judgment being entered.

Other than the advice given here, the Clerk of Courts and the court are prohibited from giving legal advice. If you need further assistance, it is recommended that you seek the assistance of an attorney.