

INSTRUCTIONS ON SUMMONS FOR EVICTIONS

This form references specific South Dakota Codified Laws (SDCL), and you can find these laws on the South Dakota Legislature website. If you have any legal questions, it is highly recommended that you consult with an attorney. Court staff are unable to provide you with legal advice or assist you in completing this form. For specific questions related to the forms, you can contact the Legal Form Helpline at 1-855-784-0004 or email UJS staff at ujssrlhelp@ujs.state.sd.us.

IMPORTANT NOTICE

1. If you are the Plaintiff filing on behalf of a corporation or LLC, you will need to obtain an attorney. You can refer to SDCL 15-39-47 for Persons Authorized to Act as an Attorney.

To complete this form, you will need to:

1. Complete the caption by filling in the name of the county you are filing in, the judicial circuit number, Plaintiff and Defendant's name.
 - a. The Clerk will provide you a case number at the time of filing.
 - b. Your judicial circuit can be found on the [South Dakota Unified Judicial Website](#)
2. Fill in your name on the line provide for "Plaintiff/Landlord" and fill in the Tenant(s) name on the line provided for "Defendant/Tenant(s)".
3. Leave the file number blank, the Clerk of Courts will provide this.
4. Date and sign the form.
5. File the Summons, Verified Complaint, and lease agreement, if there was one, with the Clerk of Court.
6. Serve the Summons, Verified Complaint, and lease agreement, if there was one, on the Defendant/Tenant(s) by way of Sheriff or process server, subject to a fee.
7. The Defendant/Tenant(s) will have 5 days, not counting the day served, to file an Answer.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

<p>_____</p> <p>Plaintiff/Landlord</p> <p>v.</p> <p>_____</p> <p>Defendant/Tenant(s)</p>	<p>Case No.: _____</p> <p style="text-align: center;">SUMMONS (FOR EVICTION)</p>
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TO THE ABOVE-NAMED DEFENDANT/TENANT(S):

YOU ARE HEREBY SUMMONED and required to answer the Verified Complaint of the Plaintiff, a copy of which is herewith served upon you, and to serve the Plaintiff with a copy of your Answer or other proper response within FIVE (5) days from the date of the service of the Summons upon you, exclusive of the day of service. You must file the original Answer with the above Clerk of Courts office.

IF YOU FAIL TO FILE AND SERVE AN ANSWER, judgment by default may be taken against you for the relief demanded in the Complaint and the Court will issue an order to evict.

Dated this _____ day of _____, _____.

Plaintiff/Landlord's Signature

Plaintiff/Landlord's Printed Name

Plaintiff/Landlord's Mailing Address

City, State & Zip Code

Plaintiff/Landlord's Phone Number