

**EX PARTE MOTION TO SHORTEN TIME
TO ANSWER (Form #11)
AND
ORDER SHORTENING TIME TO ANSWER (Form #12)
LANDLORD INSTRUCTIONS**

WHAT IS THE PURPOSE OF FORM #11 AND FORM #12?

Form #11 and Form #12 may be used to request that the court issue an order requiring the Tenant/Defendant to answer in fewer days than normally allowed. Twenty (20) calendar days is the normal length of time a defendant has to answer a complaint. However, under Justice Court rules, the time to answer **may not** be shortened **to less than** ten (10) judicial days.¹

Be aware that these forms are unrelated to the process by which you may request the court to issue a show cause hearing for a Temporary Writ of Restitution. That process is discussed in the instructions for Form #13, Application for a Temporary Writ of Restitution.

HOW AND WHEN ARE THESE FORMS USED?

At the time you file your Complaint for Unlawful Detainer, Form #10, you may seek from the court an Order Shortening Time to Answer, Form #12. The motion is “ex parte,” which means that you do not have to serve your request on the Tenant/Defendant, and the court does not have to communicate with the Tenant/Defendant before signing the Order Shortening Time to Answer, Form #12. Once you have this order, you must have it served with the Summons and Complaint for Unlawful Detainer, Form #10.

FILLING OUT FORM #11

Heading

Fill in the name of the township and county of the Justice Court as set forth on the Complaint for Unlawful Detainer, Form #10.

¹ “Judicial Days” do not include date of service, weekends or legal holidays.

Parties

You must fill in the names, addresses and phone numbers of the Landlord/Plaintiff and Tenant/Defendant as set forth on the Complaint for Unlawful Detainer, Form #10.

Case No. and Dept. No.

If you bring Forms #10, #11 and #12 together, make sure that all three documents have the same information written on them by the court clerk for the Case Number and Department Number.

If Forms #11 and #12 are brought to the court at a later date, use the identical Case Number and Department Number as was assigned on the Complaint for Unlawful Detainer, Form #10.

Body of ex parte motion

In the first blank, state the number of days you wish to give the tenant to answer. It can be no less than ten (10) judicial days. In the second space, (several blank lines) state the reason you wish to shorten the time for tenant to file an Answer to Complaint for Unlawful Detainer, Form #21. A judicial day is a day the court is open for business. Ten judicial days do not include weekends and legal holidays. It also will not include the day the complaint is served.

POINTS AND AUTHORTIES

You do not need to fill out anything here. The reason the Points and Authorities are here is because they explain the law that supports the motion.

SIGNATURE SECTION

You must sign, print your name, and put in the date where indicated in the signature block.

FILLING OUT FORM #12

Heading

Fill in the name of the township and county of the Justice Court as set forth on the Complaint for Unlawful Detainer, Form #10.

Parties

You must fill in the names, addresses and phone numbers of the Landlord/Plaintiff and Tenant/Defendant as set forth on the Complaint for Unlawful Detainer, Form #10.

Case No. and Dept. No.

If you bring Forms #10, #11 and #12 together, make sure that all three documents have the same information written on them by the court clerk for the Case Number and Department Number.

If Forms #11 and #12 are brought to the court at a later date, use the identical Case Number and Department Number as was assigned on the Complaint for Unlawful Detainer, Form #10.

Body of the Order

Do not fill in the number of days you wish to shorten the time for answering; the judge will fill that in if your motion is granted.