

Replevin Process

A case to request the return of someone's personal property (*items, not land*)

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The Petitioner files the Complaint with the Clerk's Office or through an Attorney

The Petitioner MUST serve the following documents:

- The Complaint
- All Proposed Exhibits
- The CVL Replevin Advisement
- Summons
- Blank Answer form

The Return Date on Summons

Will be issued the date of filing.

This date is the deadline for the respondent to file their Answer. **THIS IS NOT A HEARING.** Parties will not showup to the Courtroom on this date.

See the [CVL Replevin Advisement](#) for Details

By the Return Date on Summons, the Respondent may file an Answer into the case. They may file their Answer anytime after Service is completed, up until the close of business, 4:30pm, on the Return Date on Summons.

Not everyone will choose to file an Answer.

A Show Cause Hearing

A Show Cause hearing is **OPTIONAL** and **TEMPORARY**. Must be requested when the Petitioner files their Complaint. This will be held in Div N. The **PURPOSE** is to allow the Petitioner to request temporary possession of the property until the Final Judgement. **IT IS NOT A FINAL DECISION.** There can also be a **BOND** set by the Judicial Officer which the Plaintiff would need to pay to gain temporary possession of the property. Parties should follow steps 1-6 regardless of whether a Show Cause hearing is requested.

How to get a Show Cause Hearing-

IF the Petitioner checked either of the 2 boxes requesting a Show Cause hearing on the Complaint **AND** the Judicial Officer **GRANTS** their request. A Show Cause date will be issued within 2 weeks of the **ORDER** being **GRANTED**, not 2 weeks of the petitioner filing the case. Show Cause dates only happen on Thursday afternoons. The Petitioner will need to serve documents regarding the Show Cause hearing.

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If an Answer is filed

The Parties may be Ordered to participate in Mediation prior to a Court date being set for the final Hearing.

If an Answer is NOT Filed

A Default Judgement **MAY** enter. If Plaintiff files the Motion for Default Judgement it will be sent to a Civil Judge.

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Final Judgement

This is to determine who the rightful owner of the property is, and to assess any monetary damages done to the property.

This will be overseen by a County Court Judge.

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