

INSTRUCTIONS FOR COMPLETING, FILING AND SERVING AN ANSWER TO A CIVIL COMPLAINT

Court clerks CANNOT offer or give legal advice. If you have questions on how to proceed with your case, it is strongly recommended that you consult with an attorney.

The person filing the complaint is called the PLAINTIFF(s). The person who the complaint is being brought against is the DEFENDANT(s).

Step 1. Enter your information in the top left corner.

Step 2. Enter the judge's name in the caption.

Step 3. Enter the name(s) of the party suing you on the lines designated for "Plaintiff(s)".

Step 4. Enter your name(s) on the lines designated for "Defendant(s)".

Step 5. Enter the case number (found on your summons and complaint) on the line after "Case No."

Step 6. Enter your name(s) in the space after "COMES NOW".

Step 7. In the body of the answer, you must ADMIT, DENY or state LACK OF SUFFICIENT KNOWLEDGE for each allegation in the complaint.

- ✓ If you ADMIT to an allegation, you're conceding that the facts and assertions contained in that allegation are true and correct.
- ✓ If you DENY an allegation, you're asserting that some fact or assertion in that allegation is untrue or incorrect. Those facts and assertions will remain at issue in the case, and the plaintiff will be required to prove those facts and assertions if they're necessary to his/her claim against you.
- ✓ If you don't know how to respond to an allegation because you don't have enough information, state the allegation and declare that you lack sufficient knowledge to admit or deny the allegation. Any fact or assertion contained in those particular allegations will be considered denied, and the plaintiff will be required to prove those facts and assertions if they're necessary to his/her case.

Step 8. Enter the date that you are signing the answer.

Step 9. Place your signature on the line marked "Defendant(s)," print or type your address and phone number on the appropriate lines.

Step 10. Complete the Certificate of Service portion at the bottom of the form on the same date that you will mail your answer to the plaintiff (or their attorney, if represented). Provide the

This document has been prepared as a courtesy to assist you with completing your answer. It is not to be construed as providing legal advice or representation on how to prepare your case or defense.

name and address that you are mailing your answer to on the three lines provided. You can find this information on your complaint. Date and sign the last line above “Defendant(s).” By dating and signing the Certificate of Service, you are telling the court that you have served a copy of your answer to the plaintiff (if the plaintiff is unrepresented) or plaintiff’s attorney.

Step 11. Make copies of your answer. You must provide the clerk with enough copies. If the clerk has to make copies for you, you will be charged a copy fee. You need:

- Original for court file
- Copy for each plaintiff
- Copy for each defendant

Step 12. Take the original and the copies of your answer to the Justice Court Civil Clerk with your \$30.00 filing fee. The clerk will file-stamp the original and the copies. The original will be placed in the court file and the copies will be returned to you.

Step 13. After filing your answer, you must mail a copy to the plaintiff (or their attorney) on the same date that you complete the Certificate of Service portion of your answer.

After you’ve filed your answer:

Different things may happen after you file your answer. You may be contacted by the Plaintiff or their attorney (if represented) regarding possible solutions for a settlement or the Plaintiff may motion for further hearings. If the case is placed on the court calendar for hearings, you will be notified via mail. Make sure you keep the court and the Plaintiff informed if your address and/or phone number changes. If you have questions on how to proceed with your case you should consult with an attorney. The clerks CANNOT offer or give you legal advice.

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION, OR A MODIFICATION OF POLICIES OR PROCEDURES TO PARTICIPATE IN A COUNTY PROGRAM, SERVICE OR ACTIVITY, SHOULD CONTACT JUSTICE COURT AT 258-3474, AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.