

Instructions: How to complete forms in the Civil Answer Packet

Form: Civil Answer

- Step 1: Read all the papers you were served. You should have received a Summons, Certificate of Compulsory Arbitration, and a Complaint.
- Step 2: Research your case. If you need more information about a civil lawsuit, legal terms, or what is required for a Civil Answer, you may research books such as *Arizona Civil Trial Practice*, *Black's Law Dictionary* or *Arizona Legal Forms*, which you may find at the Law Library Resource Center.
- Step 3: Fill out the answer form – use black ink only
- **Heading:** Complete the information in the upper left corner of the first page. If you have no attorney and are representing yourself, be sure to mark the "Representing Self" box.
 - **Names and Case Number:** Use the case number on the right side of Summons. Write the Plaintiff's name on the line to the left of the case number. Write your name on the line labeled "Defendant." Remember, you will always be the Defendant throughout this case.
 - **Admissions and Denials:**
 - Use the numbers listed on the left side of the Complaint as the guide for your responses to each numbered statement made by the Plaintiff. For each number, ask yourself "Is the sentence true?" (admit) or "Is the statement untrue?" (deny) Or, "Do I have enough information after reading the numbered sentences to admit or deny?"
 - If you need more paper, add another sheet immediately after the sheet on which you are writing, and label the sheet with the part of the answer to which it refers.
 - **WARNING:** Failure to deny a claim in an Answer results in the claim being deemed admitted. (See *Az. Civil Rule 8(c)(6)*.) To avoid this result, a statement has been included in the Answer stating that all claims not specifically admitted are denied.
 - **Defenses:** The facts or arguments presented by the Defendant to show why the Plaintiff doesn't have a right to the relief requested. An attorney knowledgeable in civil law, and the book *Arizona Legal Forms, Civil Procedure, Rule 8 and 12* which lists and explains the different defenses, may assist you if you plan on using a defense.
 - Check the box for any affirmative defense that applies in your case.
 - If you have a defense that is not listed, write in your defense in the space provided.

WARNING

Defenses lost if not stated: Certain defenses and affirmative defenses are waived (lost) if not stated in the Answer or a motion filed under Rule 12, Arizona Rules of Civil Procedure.

Speak to an attorney if you have questions about asserting a defense or affirmative defense.

- **Signature:** You must sign and date the Answer prior to making copies and filing with the Clerk of Superior Court.
- **Certificate of Service:** Place a mark in the box and write the date you will file the Original Answer with the Clerk of Superior Court. Mail or deliver a copy of the Answer to the Judicial Officer, and mail or deliver a copy of the Answer to Plaintiff or the Plaintiff's Attorney. Then fill in the names of the Judicial Officer, the Plaintiff or Plaintiff's Attorney to whom you will mail or deliver the Answer packets; and the address where you will mail the packet for the Plaintiff or Plaintiff's Attorney.

Form: Certificate of Compulsory Arbitration (if you agree with the Plaintiff's Certificate of Compulsory Arbitration, you do not need to file this form)

- This form asks whether the dollar amount involved in your case is above or below the \$50,000 limit.
- If the largest amount you are seeking is \$50,000 or less (excluding interest, attorneys' fees, and costs), your case is subject to compulsory arbitration per Maricopa County Superior Court Local Rule 3.10.
- If you are seeking an award above \$50,000, your case is not subject to compulsory arbitration.
- If you are asking for anything other than monetary relief, your case is not subject to arbitration.
- If you (as Defendant) disagree with the Plaintiff's Certificate of Compulsory Arbitration, you will need to explain why you disagree.

Form: Defendant's Demand for Jury Trial (this form is optional)

- If you do not want a jury trial, skip this part.
- If you want a jury trial, write in your name, address and other information at the top of the page. Identify yourself as the Defendant and write in the Plaintiff's name. Then write your name again on the line that begins with the word "Defendant."
- **Date and Sign:** At the bottom of the page, write the date you finish the form, and then sign the form. If your attorney is filing the form for you, your attorney must sign the form.