

CIVIL CHECKLIST FOR PLAINTIFF

The following checklist may assist you in processing your case. Write down the applicable dates, and check off each event as it occurs:

- \_\_\_\_\_ Date your complaint was filed.  
(Note amount of the filing fee paid: \$93.00 )
- \_\_\_\_\_ Date that the summons, complaint and notice to defendant were served.
- \_\_\_\_\_ Date that the defendant's time to file an answer will expire. (20 days after defendant was served, 30 days if served out of state.)

**If an answer is not filed:**

- \_\_\_\_\_ Date that the application for entry of default was filed with the court, with copies mailed to defaulted defendant(s) and other parties. See Rule 140 of the Justice Court Rules of Civil Procedure.
- \_\_\_\_\_ ~~Date that your request for entry of default judgment without a hearing was filed.~~

**If an answer is filed:**

- \_\_\_\_\_ Date the defendant filed an answer.
- \_\_\_\_\_ Date for all parties to exchange a disclosure statement. Disclosure is the pretrial process requiring each party to exchange information with the opposing party. The exchange must occur within 40 days after the filing date of the answer.

**If a counterclaim is filed:**

- \_\_\_\_\_ Date the defendant filed a counterclaim.
- \_\_\_\_\_ Date that your time to file an answer to the counterclaim will expire. (If the defendant files a counterclaim, you must file an answer within 20 days from the date of service. If you fail to file an answer, the defendant may obtain a default judgment against you.)
- \_\_\_\_\_ Date that your answer to the counterclaim was filed and that a copy was mailed to defendant.

If a hearing/trial is scheduled by the court:

\_\_\_\_\_ Date of hearing/trial. The court will notify all parties of any scheduled hearing dates

#### NOTICE

Default: If the time to answer passes and the defendant(s) fails to answer the complaint, or if the time to answer a counterclaim passes and the plaintiff(s) fails to answer the counterclaim, you may get information and forms from the court or at [www.azturbocourt.gov](http://www.azturbocourt.gov) for obtaining a default judgment.

Dismissal: Plaintiff may dismiss the complaint at any time before the defendant files an answer by filing a Notice of Voluntary Dismissal. Once the defendant has filed an answer, both parties must stipulate (agree in writing) to a dismissal.

Notice of Change of Address: All parties are required to inform the court in writing of a current address to ensure that the party can receive all notices mailed from the court.

Note: The information in this checklist is only a summary. It is not intended to be a complete list of the requirements of the Arizona Revised Statutes or of the Arizona Rules of Civil Procedure.

PLAINTIFF(S) ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name/Address/Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s) Name/Address/Phone  
V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) Name/Address/Phone

CASE NUMBER \_\_\_\_\_  
COMPLAINT  
CIVIL

Plaintiff(s) alleges:

1. This claim arises from:  Tort  Contract  Debt

2. Venue in this precinct is proper because:

- The defendant(s) reside(s) or does business in this precinct
- The debt or obligation that resulted in this claim occurred in this precinct at the following location:
- Other: \_\_\_\_\_ (pursuant to A.R.S. § 12-401)

3. The defendant(s) owes the sum of \$\_\_\_\_\_. The defendant(s) owe the plaintiff(s) this amount because:  
(State the facts in support of your claim. You may attach an additional page to your complaint, if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Plaintiff(s) is also claiming:

- Attorneys fees.
- Prejudgment interest.
- Postjudgment interest.
- Court costs.
- Other (specify): \_\_\_\_\_

5. I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

PLAINTIFF(S) ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Address/Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name/Address/Phone  
V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name/Address/Phone

CASE NUMBER \_\_\_\_\_

SUMMONS

CIVIL

THE STATE OF ARIZONA TO THE ABOVE NAMED DEFENDANT(S):

1. You are summoned to respond to this complaint by filing an answer with this court and paying the court's required fee. If you cannot afford to pay the required fee, you can request the court to waive or to defer the fee.
2. If you were served with this summons in the State of Arizona, the court must receive your answer to the complaint within twenty (20) calendar days from the date you were served. If you were served outside the State of Arizona, the court must receive your answer to the complaint within thirty (30) days from the date of service. If the last day is a Saturday, Sunday, or holiday, you will have until the next working day to file your answer. When calculating time, do not count the day you were served with the summons.
3. This court is located at (physical address) : \_\_\_\_\_
4. Your answer must be in writing. (a) You may obtain an answer form from the court listed above, or on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. (b) You may visit <http://www.azturbocourt.gov/> to prepare your answer electronically; this requires payment of an additional fee. (c) You may also prepare your answer on a plain sheet of paper, but your answer must include the case number, the court location, and the names of the parties.
5. You must provide a copy of your answer to the plaintiff(s) or to the plaintiff's attorney.

IF YOU FAIL TO FILE A WRITTEN ANSWER WITH THE COURT WITHIN THE TIME INDICATED ABOVE, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU, AS REQUESTED IN THE PLAINTIFF(S) COMPLAINT.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge's Signature

{COURT SEAL}

REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES MUST BE MADE TO THE COURT AS SOON AS POSSIBLE BEFORE A COURT PROCEEDING.

**Notice to the Defendant: A lawsuit has been filed against you in justice court!**  
***You have rights and responsibilities in this lawsuit. Read this notice carefully.***

1. In a justice court lawsuit, individuals have a right to represent themselves, or they may hire an attorney to represent them. A family member or a friend cannot represent someone in justice court unless the family member or friend is an attorney. A corporation has a right to be represented by an officer of the corporation, and a limited liability company ("LLC") can be represented by a managing member. A corporation or an LLC can also be represented by an attorney.

If you represent yourself, you have the responsibility to properly complete your court papers and to file them when they are due. The clerks and staff at the court are not allowed to give you legal advice. If you would like legal advice, you may ask the court for the name and phone number of a local lawyer referral service, the local bar association, or a legal aid organization.

2. You have a responsibility to follow the Justice Court Rules of Civil Procedure ("JCRCP") that apply in your lawsuit. The rules are available in many public libraries, at the courthouse, and online at the Court Rules page of the Arizona Judicial Branch website, at <http://www.azcourts.gov/>, under the "AZ Supreme Court" tab.

3. A "plaintiff" is someone who files a lawsuit against a "defendant." You must file an answer or other response to the plaintiff's complaint **in writing and within twenty (20) days** from the date you were served with the summons and complaint (or thirty (30) days if you were served out-of-state.) If you do not ~~file an answer within this time, the plaintiff can ask the court to enter a "default" and a "default judgment"~~ against you. Your answer must state your defenses to the lawsuit. Answer forms are available at the courthouse, and on the Self-Service Center of the Arizona Judicial Branch website at <http://www.azcourts.gov/> under the "Public Services" tab. You may prepare your answer electronically at <http://www.azturhocourt.gov/>; this requires payment of an additional fee. You may also prepare your answer on a plain sheet of paper, but your answer must include the court location, the case number and the names of the parties. You must provide to the plaintiff a copy of any document that you file with the court, including your answer.

4. You may bring a claim against the plaintiff if you have one. When you file your answer or written response with the court, you can also file your "counterclaim" against the plaintiff.

5. You must pay a filing fee to the court when you file your answer. If you cannot afford to pay a filing fee, you may apply to the court for a fee waiver or deferral, but you must still file your answer on time.

6. You may contact the plaintiff or the plaintiff's attorney and try to reach an agreement to settle the lawsuit. However, until an agreement is reached you must still file your answer and participate in the lawsuit. During the lawsuit, the court may require the parties to discuss settlement.

7. Within forty (40) days after your answer has been filed, you and the plaintiff are required to provide a disclosure statement to each other. The disclosure statement provides information about witnesses and exhibits that will be used in the lawsuit. A party may also learn more about the other side's case through discovery. Read the Justice Court Rules of Civil Procedure for more information about disclosure statements and discovery.

8. The court will notify you of all hearing dates and trial dates. You must appear at the time and place specified in each notice. If you fail to appear at a trial or a hearing, the court may enter a judgment against you. To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.

JUSTICE COURT  
ANSWER TO COUNTERCLAIM INSTRUCTIONS

**If you want to file an ANSWER TO A CIVIL CASE COUNTERCLAIM**

A counterclaim is a claim made by the defendant against the plaintiff. If the defendant files a counterclaim, you (the plaintiff, *counter-defendant*) have TWENTY (20) calendar days from the date received in which to file an **Answer to Counterclaim**. There is no fee to file the Answer to Counterclaim.

There is no fee to file an answer to a counterclaim.

**A DEFAULT JUDGMENT MAY BE ENTERED FOR FAILURE TO ANSWER THE COUNTERCLAIM**

Please STOP...

- If you have not received a counterclaim.
- If your time to answer has expired and there has already been a judgment rendered.

Please PROCEED...

- If you are within the time allowed for filing an Answer to Counterclaim.

**FORMS Needed:**

- Answer to Counterclaim.

**INSTRUCTIONS:**

- 1) Complete the form and make copies. The court will require an original and you may wish to keep a copy; additionally, each named defendant will need a copy of your answer.
- 2) File (or mail) the original form with the court clerk
- 3) Mail copies to the defendant(s).

**IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS** A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

PLAINTIFF(S) ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name/Address/Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name/Address/Phone  
V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name/Address/Phone

Plaintiff requests judgment against the defendant(s) named: \_\_\_\_\_

because the named defendant (s) failed to plead or otherwise defend in this action within the time allowed by law.

CASE NUMBER \_\_\_\_\_  
REQUEST FOR ENTRY OF DEFAULT  
JUDGMENT WITHOUT A HEARING  
CIVIL

An affidavit is a made part of this request.

1. I am the plaintiff in this action.
2.  Defendant(s) named herein is engaged in active military service.  
Supporting facts are: \_\_\_\_\_
- Defendant(s) named herein is not in the armed forces of the United States  
Supporting facts are: \_\_\_\_\_
- I am unable to determine whether the defendant(s) is in the military.
3. The following amount is due and owing on plaintiff's claim as of this date.

Principal	\$ _____
Accrued Interest	\$ _____
Attorney Fees	\$ _____
Court Costs	\$ _____
<b>TOTAL</b>	<b>\$ _____</b>

4.  The claim is for a specific amount or an amount that can be determined by a mathematical calculation.
5.  I am attaching a supporting affidavit concerning the claimed amount, along with attachments that prove the amount of the claim.
6. There are no exhibits.
7. I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

**STATEMENT OF SERVICE**

I certify that I will mail a copy of the REQUEST FOR ENTRY OF DEFAULT JUDGMENT WITHOUT A HEARING to the opposing party(ies) at the address(es) listed.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

## INSTRUCTIONS FOR OBTAINING A CIVIL DEFAULT JUDGMENT

1. You may apply for default judgment if:
    - Affidavit of Service has been filed with the court
    - Defendant(s) has not filed an answer within 20 days after defendant was served/30 days if served out of state.
  2. If you have brought your claim against multiple defendants, the default applies only to those defendants who have been properly served and who have failed to file an answer within 20 days after service/30 days if served out of state.
  3. In order to proceed with a default, you must complete and file the "Application for Entry of Default".
  4. If your "Application for Entry of Default" indicates that the defendant(s) you want to default is in the military service, or if it cannot be determined if the defendant(s) is in the military service, this may impact whether the court will enter a default judgment. See the Servicemembers Civil Relief Act, 50 United States Code §521 and related sections.
  5. You must mail a copy of the Application for Entry of Default (by regular U.S. mail) to each defendant who you are seeking to default, and the defendant's attorney, if any. You must also mail the Application to the other parties in the lawsuit.
- 
6. If the defendant(s) files an answer within ten business days of the filing date of the "Application for Entry of Default", the default will not become effective. The case will proceed as if the answer had been timely filed. The ten (10) day period begins the day after the application is filed with the court; the ten (10) day period does not include Saturdays, Sundays, or holidays, and no additional time is added for service by mail.
  7. If the defendant(s) does not file an answer within ten days of the filing date of the "Application for Entry of Default", the default becomes effective.
  8. You may use one of two ways to request the court to enter a default judgment after the default becomes effective. If your claim is for a specific amount, or if your claim is for an amount that can be determined by a mathematical calculation, you may request the entry of default judgment without a hearing. You must attach to your request for entry of default judgment without a hearing, a supporting affidavit concerning the claimed amount, and attachments that prove the amount of the claim. If your claim is not for a specific amount or an amount that can be determined by a mathematical calculation, you may file a request that the court set a default hearing to determine the terms of the judgment. You must present evidence at a default hearing to prove the amount of your claim.
  9. Your request for entry of default judgment without a hearing, or your request that the court set a default hearing, must be mailed to the party who is in default and to the party's attorney, if any, and to the other parties in the case.
  10. A copy of any judgment or notice of hearing will be mailed to all parties by the court.

Note: The information in this checklist is only a summary. It is not intended to be a complete list of the requirements of the Arizona Revised Statutes or of the Arizona Rules of Civil Procedure.



PLAINTIFF(S) ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name/Address/Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s) Name/Address/Phone  
V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) Name/Address/Phone

CASE NUMBER \_\_\_\_\_  
APPLICATION FOR  
ENTRY OF DEFAULT  
CIVIL

NOTICE IS HEREBY GIVEN TO:

Defendant(s): \_\_\_\_\_

Defendant(s) counsel: \_\_\_\_\_  Identity unknown  
At last known address \_\_\_\_\_

If you do not answer or file a responsive pleading with this court within ten (10) days of the filing of this application, default will be effective and a default judgment will be entered against you. The ten (10) day period begins the day after the application is filed with the court; the ten (10) day period does not include Saturdays, Sundays, or holidays, and no additional time is added for service by mail.

1. The above named defendant(s) has failed to plead or otherwise defend in this action within the time allowed by law.
2.  Defendant(s) named herein is engaged in active military service.  
Supporting facts are: \_\_\_\_\_  
 Defendant(s) named herein is not in the armed forces of the United States  
Supporting facts are: \_\_\_\_\_  
 I am unable to determine whether the defendant(s) is in the military.
3. This application is made for the purpose of entering default against the defendant(s).

Date: \_\_\_\_\_  
Signature \_\_\_\_\_

<b>STATEMENT OF SERVICE</b>
I certify that I will mail a copy of the Application for Entry of default to the opposing party(ies) at the address(es) listed.
Date: _____ Signature _____

## CIVIL CHECKLIST FOR DEFENDANT

The following checklist may assist you in processing your case. Check off each action as it occurs or has been completed.

- If you object to the venue (the precinct in which the complaint was filed) you must file a MOTION FOR CHANGE OF VENUE before your Answer is filed.

- Date ANSWER filed and filing fee paid \$60.00  
Within 20 calendar days of the date you were served/30 days if served out-of-state.

*If you fail to file an answer, the plaintiff may obtain a default judgment against you.*

- Date to provide other parties with A DISCLOSURE STATEMENT \_\_\_\_\_  
40 days after filing of Answer

- Date COUNTERCLAIM filed and copy mailed to the Plaintiff \_\_\_\_\_  
If you intend to file a counterclaim you must do so at the same time the ANSWER is filed. You must use the proper form and mail a copy to the plaintiff.

- Date Plaintiff's time to file an Answer to the COUNTERCLAIM expires \_\_\_\_\_

IF NO ANSWER TO THE COUNTERCLAIM IS RECEIVED:

- Date APPLICATION FOR ENTRY OF DEFAULT filed with court and copy mailed to plaintiff

- 
- Date the REQUEST FOR ENTRY OF DEFAULT JUDGMENT filed with the court and copy mailed to the plaintiff

### NOTICE TO ALL PARTIES:

**Default:** If the time to answer passes and the defendant fails to answer the complaint or if the time to answer a counterclaim passes and the plaintiff fails to answer the counterclaim, you may get information and forms from the court for obtaining a default judgment or at [www.azturhocourt.gov](http://www.azturhocourt.gov)

If you no longer wish to proceed with your claim, you are required to file a **Voluntary Dismissal** if the defendant has not filed an answer or a **Dismissal by agreement** that must be signed by all parties if the defendant has filed an answer.

If set by the court, **Pre-trial Conference** is scheduled for \_\_\_\_\_. You are required to exchange with the opposing party ALL INFORMATION (copies of exhibits, list of witnesses, law supporting your claim, or defense etc.) known or available concerning this matter.

**TRIAL** scheduled for \_\_\_\_\_. Bring all evidence, exhibits and witnesses you need to present your case or establish your defense to a counterclaim. Provide additional copies for all parties and the court.

**Notice of Address Change:** All parties are required to inform the court of a current address in writing to ensure that the party can receive all notices mailed from the court.

**Collecting the Judgment:** If you are not able to make arrangements with the losing party to collect your judgment, you may seek a Writ of Execution, a Writ of Garnishment, or an Order for Supplemental Proceedings (debtor's examination). You may ask the court clerk for the necessary form.

DEFENDANT'S ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name/Bar#/ Address/Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s) Name/Address/Phone  
V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) Name/Address/Phone

CASE NUMBER \_\_\_\_\_  
ANSWER  
CIVIL

PLAINTIFF(S) ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Name/Bar #/ Address/Phone

1. The following named Defendant(s) answer(s) the complaint as follows: \_\_\_\_\_  
\_\_\_\_\_
2.  admit  deny that this court has jurisdiction over this matter. (If denied, state reason why.) \_\_\_\_\_  
\_\_\_\_\_
3. I admit the following portion(s) of plaintiff's complaint: \_\_\_\_\_  
\_\_\_\_\_
4. The plaintiff is not entitled to judgment because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. I am asking the court to deny plaintiff's claim. I am also asking for reimbursement of my court costs.
6. I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

<b>CERTIFICATE OF MAILING</b>	
Defendant certifies that a copy of this Answer will be mailed/delivered to the <input type="checkbox"/> Plaintiff(s) or <input type="checkbox"/> Plaintiff's Attorney at the address listed.	
Date: _____	Defendant: _____
	<i>Signature</i>

DEFENDANT'S ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Bar#/ Address/Phone

Select a County \_\_\_\_\_ COUNTY JUSTICE COURTS, STATE OF ARIZONA

\_\_\_\_\_  
(Court Name, Address, Phone)

CASE NUMBER: \_\_\_\_\_

COUNTERCLAIM  
CIVIL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name/Address/Phone

V.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name/Address/Phone

PLAINTIFF'S ATTORNEY INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name/Bar #/ Address/Phone

1. The following named defendant(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ having filed an answer to plaintiff's(s)' complaint, now counterclaims(s) against the following named plaintiff(s)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ as follows:

\_\_\_\_\_

Case Number: \_\_\_\_\_

2. The Plaintiff(s) owes(s) the sum of \$\_\_\_\_\_ because:

3. I am also asking for reimbursement of my court costs and interest at the legal rate from the date of judgment.

4. I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

**STATEMENT OF SERVICE**

Defendant certifies that a copy of the Counterclaim will be mailed/delivered to the [ ] Plaintiff(s) or [ ] Plaintiff's Attorney at the address listed.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature*

**TO PLAINTIFF(S): You have twenty (20) days to respond to this counterclaim by filing a written answer. If you fail to do so, a default judgment may be entered against you for the relief sought by the party filing the counterclaim.**