



# Yuma County Justice Court Precinct One

186 S. 2nd Avenue, Ste. A Yuma, AZ 85364 (928) 817-4100

# CIVIL ANSWER

## CIVIL CHECKLIST FOR DEFENDANT

The following checklist may assist you in processing your case. You may check off each action as it occurs and enter dates of completed or future actions.

- If you object to the venue (the precinct in which the Complaint was filed), you must file a request to transfer the venue of the lawsuit to the correct precinct. This must be done no later than 10 days after you have filed your Answer and must include an affidavit stating the reasons for your request. See JCRCP 133(c).
  
- Answer filed and filing fee paid on \_\_\_\_\_ (date)  
Within 20 calendar days of the date you were served / 30 calendar days if served out-of-state.  
If you fail to file an Answer, the Plaintiff may obtain a default judgment against you.
  
- Provided other parties with a Disclosure Statement on \_\_\_\_\_ (date)  
(40 calendar days after filing of Answer)
  
- Counterclaim filed, and copy mailed to the Plaintiff on \_\_\_\_\_ (date)  
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.
  
- Plaintiff's time to file an Answer to Counterclaim expires on \_\_\_\_\_ (date)  
(20 calendar days after service)

### **If no Answer to Counterclaim is received:**

- Application for Entry of Default filed with court and copy mailed to all parties in the case on \_\_\_\_\_ (date).
  
- Request and Affidavit for Entry of Default Judgment filed with court and copy mailed to all parties in the case on \_\_\_\_\_ (date).

## 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 or its website for obtaining a default judgment, or at <http://www.azcourts.gov/efilinginformation> or <http://www.azcourts.gov/selfservicecenter>.

**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.

**If set by the court, a Pre-trial Conference is scheduled for \_\_\_\_\_.** You are required to exchange with the opposing party the Disclosure Statement (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 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 forms.

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

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Representing [ ] Self or [ ] Lawyer for \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

**YUMA JUSTICE COURT PRECINCT ONE**  
**168 W. 2<sup>nd</sup> Avenue, Yuma, AZ 85364**  
**Phone: (928) 817-4100 Fax: (928) 817-4101**

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

**ANSWER (CIVIL)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

1. The following named Defendant(s) answer(s) the Complaint as follows: \_\_\_\_\_  
\_\_\_\_\_
2. I [ ] 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. I deny the following portion(s) of Plaintiff's Complaint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. I do not have enough knowledge to admit or deny the following portion(s) of Plaintiff's Complaint:

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

6. I am asking the court to deny Plaintiff's claim. The Plaintiff is not entitled to judgment because:

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

7.  I am also asking for reimbursement of my court costs and/or attorneys' fees.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant(s) Signature

\_\_\_\_\_  
Defendant(s) Title

Please inform court staff if interpreter services are required.

YES. I need interpreter services. Language: \_\_\_\_\_

**I CERTIFY** that a copy of this document will be provided by:

hand-delivery  first-class mail  electronic means on \_\_\_\_\_  
to \_\_\_\_\_

hand-delivery  first-class mail  electronic means on \_\_\_\_\_  
to \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant(s) Signature

\_\_\_\_\_  
Defendant(s) Title

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Representing  Self or  Lawyer for \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_



**YUMA JUSTICE COURT PRECINCT ONE**

**168 S. 2<sup>nd</sup> Avenue, Yuma, AZ 85364**

**Phone: (928) 817-4100 Fax: (928) 817-4101**

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

**COUNTERCLAIM (CIVIL)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

1. The following named Defendant(s): \_\_\_\_\_ having filed an Answer to Plaintiff's Complaint, now counterclaim(s) against the following named Plaintiff(s) \_\_\_\_\_ as follows.
2. If this claim is for recovery on an assigned debt, the original owner of the debt is: \_\_\_\_\_
3. This court has jurisdiction over this matter. If the amount requested exceeds the jurisdictional limit of the justice court, the case will be transferred to the Superior Court.
4. Venue in this precinct is proper because:  
 The Defendant resides in this precinct, or  
 A.R.S. § 22-202 permits me to file a lawsuit in this venue.
5. The Plaintiff(s) owe the Defendant(s) because: \_\_\_\_\_

(State the facts in support of your claim. You may attach an additional page to your complaint, if necessary.)

6.  **The amount I am requesting can be calculated with certainty.** I am asking the court to award me judgment against Plaintiff(s) in the sum of \$ \_\_\_\_\_.

**OR**

**The amount I am requesting cannot be calculated with certainty.** I am asking the court to award me judgment against the Plaintiff(s) in the approximate sum of \$ \_\_\_\_\_.

Describe the damages: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. I am also asking for reimbursement of the following:

<input type="checkbox"/> Attorney's fees	\$ _____
<input type="checkbox"/> Pre-judgment interest	\$ _____
<input type="checkbox"/> Post-judgment interest	\$ _____
<input type="checkbox"/> Court costs	\$ _____
<input type="checkbox"/> Other (specify): _____	\$ _____
<b>Total:</b> \$ _____	

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant(s) Signature

\_\_\_\_\_  
Defendant(s) Title

**TO THE PLAINTIFF(S): You have 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.**

Please inform court staff if interpreter services are required.

YES, I need interpreter services. Language: \_\_\_\_\_

**I CERTIFY** that a copy of this document will be provided on \_\_\_\_\_ by:

hand-delivery  first-class mail  electronic means

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant(s) Signature

\_\_\_\_\_  
Defendant(s) Title

**YUMA JUSTICE COURT PRECINCT ONE**

**168 S. 2<sup>nd</sup> Avenue, Yuma, AZ 85364**

**Ph: (928) 817-4100 Fax: (928) 817-4101**

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

**NOTICE OF DISCLOSURE TO  
OPPOSING PARTY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

On the following date, \_\_\_\_\_, I state that I mailed or otherwise provided a copy of the Disclosure Statement as required by JCRCP 120, to all other parties named in this lawsuit. I also state that a copy of all documents listed as exhibits in the Disclosure Statement were also mailed to all other parties in this lawsuit.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature [ ] Plaintiff [ ] Defendant

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**168 S. 2<sup>nd</sup> Avenue, Yuma, AZ 85364**

**Ph: (928) 817-4100 Fax: (928) 817-4101**

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

**DISCLOSURE STATEMENT**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( ) \_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

**INSTRUCTIONS:**

1. Complete this Disclosure Statement form and mail it, along with a copy of all the documents that you listed, to the other side. **Do not file the Disclosure Statement and/or attachments with the court.**
2. Complete and file the Notice of Disclosure to Opposing Party, with this Court.

The Arizona Justice Court Rules of Civil Procedure require that each party share with the other party all information known or available concerning this case. Please refer to Rule 121, JCRCP, for more specific information concerning disclosure.

This Disclosure Statement provides a format for you to make such disclosure. This Disclosure Statement must be completed and exchanged with all parties within 40 days of the filing of the Answer.

During the course of the action, any new information must also be exchanged. Failure to comply could result in any of the following consequences: 1) dismissal of this case; 2) a default judgment entered; or 3) your new information or exhibits excluded from being presented at trial.

I am the [ ] Plaintiff [ ] Defendant

Pursuant to Rule 121, JCRCP, I hereby disclose the following and certify that such disclosure includes all information in his or her possession, custody and control, as well as any information which can be determined, learned or obtained by reasonable investigation:

1. What are the facts supporting the claim?

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2. A description of the damage(s) and copies of any exhibits that show how you calculated the dollar value of the damages claimed. Bring a copy of these documents and exhibits to any Pretrial Conference which may be scheduled (see 5A below).

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3. What law supports your claim(s)?

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4. List of Witnesses

List the names, addresses, and telephone numbers of any witnesses whom the undersigned party expects to call at trial (and include a brief summary of their expected testimony).

NAME	ADDRESS	PHONE	EXPECTED TESTIMONY

5. List of Documents and Other Information

A. Any documents or evidence which would be available for review by the court which supports your claim(s).

B. Any other information, documents or witnesses of which you may have knowledge, pertaining to this matter.

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_
- (6) \_\_\_\_\_
- (7) \_\_\_\_\_

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party Signature

**I CERTIFY** that a copy of this document will be provided by:

hand-delivery  first-class mail  electronic means on \_\_\_\_\_

to \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party(ies) Signature

Person Filing: \_\_\_\_\_  
 Address (if not protected): \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_  
 Representing  Self or  Lawyer for \_\_\_\_\_  
 Lawyer's Bar Number: \_\_\_\_\_



**YUMA JUSTICE COURT PRECINCT ONE**

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**Ph: (928) 817-4100 Fax: (928) 817-4101**

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

**MOTION TO SET AND  
 CERTIFICATE OF READINESS**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 ( ) \_\_\_\_\_  
 \_\_\_\_\_

vs.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 ( ) \_\_\_\_\_  
 \_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
 Email

Defendant(s) Name / Address / Phone /  
 Email

**INFORMATION ABOUT MY CASE:** You must check one box after each number. The statements must be true before you can check the box and file this document with the court.

I am the  Plaintiff  Defendant in this action.

1.  **SET MY CASE FOR TRIAL.** By filing this motion, I am asking the court to set this case for trial. My case will be ready for trial on or after \_\_\_\_\_ (date). I have identified all issues known to me at this time, that are related to this matter.
2.  **WE DO NOT AGREE.** A Petition or Complaint and an Answer or Response in this case has been filed. The other party and I do not agree, and we have not been able to settle this case.

3.  **CIVIL CASE.** The parties have completed, or will have had a reasonable opportunity to complete, discovery within 60 days of the trial date I file this “Motion to Set and Certificate of Readiness” with the Court. (Discovery is the way to obtain facts and information from the other party. By checking this box and signing this document, I am telling the Court that I have obtained all of the facts and information I need from the other party and that I have answered all discovery requests from the other party, OR that this will happen within 60 days from the date I sign this document). Note: Both parties are required to give the other party a disclosure statement. See Rule 121, Justice Court Rules of Civil Procedure.

4.  **ESTIMATED LENGTH OF TRIAL.** Estimated length of time \_\_\_\_ hours or \_\_\_\_ days.

**I state under penalty of perjury that the information and statements provided above are true and correct.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party Signature

**I declare to the court, under penalty of perjury, that I have done the following:**

1. I gave the Court the ORIGINAL “Motion to Set and Certificate of Readiness” to file, on this date: \_\_\_\_\_.
2. **You must mail or deliver a copy of the “Motion to Set and Certificate of Readiness” to the other party or his/her lawyer. If there is a Court Order for the parties to not have contact, do NOT deliver in person to the other party.**

**I CERTIFY** that I mailed a copy of this Motion to Set and Certificate of Readiness to:

- Plaintiff at the above address or  Plaintiff’s Attorney
- Defendant at the above address or  Defendant’s Attorney

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Representing  Self or  Lawyer for \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_



**YUMA JUSTICE COURT PRECINCT ONE**

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**Phone: (928) 817-4100 Fax: (928) 817-4101**

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

**APPLICATION FOR ENTRY OF  
DEFAULT (CIVIL)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( )

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( )

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

The Summons, Complaint and Notice to Defendant were served to: \_\_\_\_\_

**OR**

The Counterclaim was served to: \_\_\_\_\_

**NOTICE**

**If you do not answer or file a responsive pleading with this court within ten 10 court business days of this application, the default will become effective and the other party may request a judgment be entered against you.**

The above-named Defendant(s) has failed to file an answer or otherwise respond within the time allowed by the Arizona Justice Court Rules of Civil Procedure. I am applying for an entry of default against the above-named Defendant(s).

If I am the Plaintiff, then I state that \_\_\_\_\_ was served the Summons, Complaint and Notice to Defendant by:  Constable  Process Server  Publication  Alternative Service  Acceptance of Service

If I am the Plaintiff, then I state that \_\_\_\_\_ was served the Summons, Complaint and Notice to Defendant by:  Constable  Process Server  Publication  Alternative Service  Acceptance of Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party(ies) Signature

**Notice to Filing Party:** After 10 court business days have passed since the filing of this application, it is your responsibility to file a Request and Affidavit for Entry of Default Judgment or request a hearing.

**I CERTIFY** that a copy of this document will be provided by:

hand-delivery  first-class mail  electronic means on \_\_\_\_\_  
to \_\_\_\_\_

hand-delivery  first-class mail  electronic means on \_\_\_\_\_  
to \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party(ies) Signature

**YUMA JUSTICE COURT PRECINCT ONE**

**168 S. 2<sup>nd</sup> Avenue, Yuma, AZ 85364 Phone: (928)**

**817-4100 Fax: (928) 817-4101**

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

**REQUEST AND AFFIDAVIT FOR  
ENTRY OF DEFAULT JUDGMENT**

*(JCRCP Rule 140)*

**With Hearing**

**Without Hearing**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( )  
\_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
( )  
\_\_\_\_\_

Plaintiff(s) Name / Address / Phone /  
Email

Defendant(s) Name / Address / Phone /  
Email

I request that the court enter a default judgment against the party(ies) named:

\_\_\_\_\_, \_\_\_\_\_.

The named party(ies) has failed to file an Answer or otherwise respond in this action within the time allowed by Arizona Justice Court Rules of Civil Procedure. At least 10 court business days have passed since the Application for Entry of Default was filed.

If I am the Plaintiff, then I state that \_\_\_\_\_ was served the Summons, Complaint, and Notice to Defendant by:  Constable  Process Server  Publication  Alternative Service  Acceptance of Service

If I am the Plaintiff, then I state that \_\_\_\_\_

is in military service  is not in military service

Supporting facts are: \_\_\_\_\_  
\_\_\_\_\_

OR  I am unable to determine whether \_\_\_\_\_ is in military service.

The total amount is due and owing on my claim as of today's date:

Principal	\$ _____
Pre-judgment interest	\$ _____
Costs	\$ _____
Attorney's fees	\$ _____
Other (specify): _____	\$ _____
<b>Total:</b>	\$ _____

plus interest at the rate of \_\_\_\_\_% per annum from the date of judgment. See A.R.S. § 44-1201(B).

- If I am requesting a default judgment without a hearing, (1) my claim is for a specific amount or can be determined by mathematical calculation, AND (2) I have attached documents that prove my claim amount.
- If I am requesting an award of court costs, I have attached a verified statement of costs.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party(ies) Signature

\_\_\_\_\_  
Filing Party(ies) Title

**I CERTIFY** that a copy of this document will be provided on \_\_\_\_\_ by:

hand-delivery  first-class mail  electronic means

\_\_\_\_\_  
Date

\_\_\_\_\_  
Filing Party(ies) Signature

\_\_\_\_\_  
Filing Party(ies) Title