

## SMALL CLAIMS CHECKLIST FOR DEFENDANT

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

- [ ] \_\_\_\_\_ Date the summons, complaint, and Notice to Plaintiff and Defendant were served.
- [ ] \_\_\_\_\_ Date that your time to file an answer will expire. You have 20 days from the date of service to file an answer. If you fail to file an answer, the plaintiff may obtain a default judgment against you. See Arizona Revised Statutes (ARS) § 22-514 and Rules 3 and 7, Arizona Rules of Small Claims Procedure (ARSCP).
- [ ] \_\_\_\_\_ Date that your answer was filed and a copy was mailed to the plaintiff. Note amount of the filing fee paid: \$\_\_\_\_\_.
- [ ] \_\_\_\_\_ Date that a motion for change of venue, if applicable, was filed.

### If a counterclaim is filed:

- [ ] \_\_\_\_\_ Date that your counterclaim was filed and a copy was mailed to the plaintiff.

### If a hearing is scheduled by the court:

- [ ] \_\_\_\_\_ Date of hearing. Bring all evidence, exhibits, and witnesses you will need to present your claim or your defense. Bring extra copies of documents for all parties and the court.

## NOTICE

**Transfer:** If you wish to preserve your right to appeal, you may have your case transferred to the civil division of the justice court pursuant to ARS § 22-504(A) and Rule 11, ARSCP, if you request such transfer at least 10 days prior to the date of the scheduled hearing.

**Dismissal:** The plaintiff may dismiss the complaint at any time before you file an answer or counterclaim by filing a Notice of Voluntary Dismissal. If you have filed an answer or counterclaim and the plaintiff wishes to dismiss the complaint, both parties must agree in writing to a dismissal.

**Notice of Change of Address:** All parties must provide the court with a mailing address, email address, and phone number, if available. You should notify the court of any changes to this information, as the court may use this information to communicate with you by mail, email, text message, or phone about your case.

**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 the Arizona Rules of Small Claims Procedure.