

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.