



Yuma County Justice Court Precinct Three

10260 Dome St. / PO Box 384 Wellton, AZ 85356 Ph. 928-785-3321

CIVIL

(Complaint & Summons)

COMPLAINT AND SUMMONS INSTRUCTIONS

If you want to file a Civil Complaint . . .

In situations where a civil dispute arises, the justice court offers grounds for a civil lawsuit within its jurisdictional limit. Jurisdiction means the kinds of cases a court has the authority to hear. In justice court, you may file a civil lawsuit claiming an amount **up to and including \$10,000.00**. You may also ask for reimbursement of court costs and/or attorney's fees. Court costs include but are not limited to filing and service fees.

If you wish to file a civil lawsuit for an amount of \$10,000.00 or over, you must file your case in the Superior Court.

Please STOP...

- If you are suing for more than \$10,000.00
- If this case:
 - Involves a claim of defamation by libel or slander.
 - Is (an eviction) for forcible or unlawful detainer.
 - Involves a claim for specific performance.
 - Is part of a class action suit.
 - Seeks injunctive relief.

Please PROCEED...

- If you are suing for \$10,000.00 or less.
- If you are filing within the correct venue (either the Defendant's residence or where the transaction transpired).

FORMS Needed...

- Civil Complaint & Summons

INSTRUCTIONS:

1. Read the Information for Filing a Civil Case in Justice Court.
2. Check the venue for your claim on the court precinct map. You are responsible for filing your case in the correct court.
3. Complete the forms and make copies of the Civil Complaint and the Civil Summons. Make 3 copies of each form if you are filing against one person or a company. Make 4 copies if you are filing against two persons (such as a married couple).
4. Bring the original form and copies to file with the court clerk and pay the filing fee.
5. Serve the forms on the Defendant(s). You may serve by any method of service available by Arizona Rules of Civil Procedure, Rule 4, including process server.

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.

INFORMATION FOR FILING A CIVIL CASE IN JUSTICE COURT

IF YOU ELECT TO REPRESENT YOURSELF

You have a responsibility to yourself and to the court to acquire a sufficient knowledge to complete the forms properly and to follow your lawsuit to conclusion. There are certain steps you must follow to pursue it properly. This information is provided to assist you in general procedure. You may also want to refer to the Arizona Revised Statutes (A.R.S.), Arizona Justice Court Rules of Civil Procedure (JCRCP) and Arizona Rules of Civil Procedure (ARCP) for additional information. Statutes may be viewed online at www.azleg.gov; the rules may be viewed online at <https://govt.westlaw.com/azrules/>; or either may be found at your local library.

CLERK DUTY

The clerks in the Justice Court are not attorneys and cannot give legal advice. The clerks' responsibility is to take your court filing and to provide forms and explain court procedures. It is not the clerks' responsibility to advise you if you have a legal claim. The clerk is not responsible for any error you may make in asserting or defending the claim. The court does not take sides or render an opinion regarding the merits of a claim.

COURT FEES

Filing fees are payable at the time of filing. Refer to the court's posted schedule of fees. (A.R.S. § 22-281(A))

JURISDICTIONAL LIMIT

Jurisdiction means the kinds of cases a court has authority to hear. In Justice Court, you may file a lawsuit involving damages up to and including \$10,000.00. A larger claim may be reduced to less than \$10,000.00 and the remaining amount waived.

Reimbursement of court costs and/or attorney's fees may be claimed in addition to the \$10,000.00 maximum. Court costs include but are not limited to filing and service fees. (A.R.S. § 22-201)

VENUE

Venue means the proper geographical area (the precinct) in which a lawsuit may be filed. You must file the lawsuit where the Defendant resides or does business or where the cause of the lawsuit occurred.

CHANGE OF VENUE

A motion for change of venue for improper venue must be filed within 10 days of filing an answer. If a motion is filed alleging that the lawsuit is filed in the wrong precinct and the court orders a change of venue, the case will be transferred to the proper precinct. If you oppose a motion for change of venue you must file an objection in writing within 10 days after service of the motion. (JCRCP 133(c))

Venue may be proper in more than one precinct, however, if, after hearing the original venue is found to be wrong, additional fees may be assessed to the Plaintiff. (A.R.S. § 12-407)

ATTORNEYS

An attorney may represent either party. (*JCRCP 102*)

PARTIES

Every lawsuit shall be prosecuted in the name of the real party in interest. Be sure that you have named the correct party.

INDIVIDUALS. An individual named in a lawsuit may represent him or herself. One spouse cannot represent the other. If both husband and wife are named as parties, both must answer the complaint (as evidenced by the signature of both on the pleadings). If one party fails to answer or appear, he or she may be subject to a judgment by default.

CORPORATIONS. A corporation authorized to transact business in the State of Arizona is required to maintain a statutory agent upon whom process (court papers) may be served.

The name and address of the statutory agent may be obtained by calling the Corporation Commission at (602) 542-3026 or checking the website at <http://www.azcc.gov/>.

When filing against a corporation, it is recommended that you contact the Corporation Commission and obtain the correct corporate name and the name and address of its statutory agent.

(CAUTION: The statutory agent is not the Defendant. The statutory agent is the party upon whom service may be made on behalf of the corporation).

UNINCORPORATED BUSINESSES. When filing on behalf of, or against an unincorporated business, it is necessary that the true name or names of the party doing business under that business name be shown as the Plaintiff or Defendant. This information may be obtained by calling the Secretary of State.

PARTNERSHIPS. A partnership may sue, or be sued, in the name that it has assumed or by which it is known. A partner may appear and represent his own partnership interest but cannot represent the partnership or the interest of other partners unless he or she is an attorney.

PLEADINGS shall set forth a short and plain statement. (*JCRCP 107*)

1. Upon which the court's jurisdiction depends.
2. Upon which the court's venue depends.
3. Showing the pleader is entitled to relief.
4. A demand for judgment for the relief sought.

EXAMPLES:

I am claiming damages against the Defendant in the amount of \$10,000.00. (jurisdiction)

The Defendant resides in the South Phoenix Precinct, (or, the lawsuit occurred in the South Phoenix Precinct). (venue)

The Defendant owes me money because ... (legal entitlement to claim)

Wherefore, the Plaintiff requests that the court enter judgment in their favor in the sum of ... (demand)

SERVICE OF SUMMONS AND COMPLAINT

Service is the delivery of a legal document notifying a person of a legal lawsuit taken against him or her. In addition to any other available methods as provided by JCRCP Rule 113, service of the summons and complaint may be by a private process server. The fees of a private process server are regulated by statute. The process server may ask for payment in advance or may bill you for the cost of the service. You are to make payment arrangements directly with the process server for the services performed. (JCRCP 113)

EACH NAMED DEFENDANT MUST BE SERVED A COPY OF THE COMPLAINT/ SUMMONS.

YOUR LAWSUIT WILL BE DISMISSED IF THE SUMMONS AND COMPLAINT HAVE NOT BEEN SERVED WITHIN 120 DAYS OF THE FILING OF THE COMPLAINT. (JCRCP 113)

SERVICE AFTER APPEARANCE

After a party has filed an appearance in a lawsuit, unless otherwise ordered by the court, all subsequent pleadings, notices and orders may be served upon the attorney of record or the appearing parties (the Plaintiff or Defendant) by regular first-class mail. (JCRCP 120)

It is important that all parties keep the court apprised of any change in address by the court and must be filed with the court when a party changes their address. (JCRCP 102)

DEFAULT

- A party defaults when that party fails to respond to a lawsuit within the specified time allowed. If the Defendant fails to file an answer to the complaint within the time allowed, the Plaintiff may apply for an entry of default against the Defendant.
- If a counterclaim has been filed and the Plaintiff fails to file a reply to the counterclaim within the time allowed, the counter-claimant (Defendant) may apply for an entry of default against the counter-Defendant (Plaintiff) on the counterclaim.
- The party seeking the default must mail a copy of the application to the defaulting party. If the party claimed to be in default fails to file an answer or pleading or otherwise defend in the

lawsuit within 10 judicial days of the filing of the application, the default will take effect and a default judgment will be entered against the party or parties in default.

- Judgment by default may be entered by motion or by hearing. If the claim is for a specified monetary sum, the party seeking the default judgment may file an affidavit stating the amount due and a motion requesting that the court enter judgment for that amount and for costs. In other cases, the court will set the matter for hearing to determine the amount of damages and to enter judgment as evidenced at the hearing. (*JCRCP 140*)

DISMISSAL

- The Plaintiff may dismiss the claim at any time prior to Defendant filing an answer or other pleading. Once the Defendant has filed an answer or other responsive pleading, both parties must stipulate to a dismissal (agree in writing).
- The Defendant may ask the court for reimbursement of court costs and/or attorney fees expended to defend the lawsuit. (*JCRCP 144*)

FILING AN ANSWER

- An answer is the Defendant's response to the Plaintiff's allegations as stated in a Complaint. The Defendant has 20 calendar days from the date of service in which to file an answer (in writing) to the Complaint.
- If the Complaint is served out-of-state, the party served has 30 calendar days in which to file an Answer. If served by registered mail or by publication, or if service is waived, other time limits apply. (*JCRCP 114*)
- In computing the time in which to file an answer, the date of service is not included. If the last day falls on a Saturday, a Sunday, or a legal holiday, the Answer may be filed on the next immediate judicial day.
(*JCRCP 115*)

The Answer should respond to each element of the Complaint. (*JCRCP 116*)

FILING A COUNTERCLAIM

- A Counterclaim is a claim made by the Defendant against the Plaintiff a counter lawsuit within a lawsuit.
- A Counterclaim, if asserted, is filed at the time of filing the Answer.
- If the Defendant files a Counterclaim, the Plaintiff (counter-Defendant) has 20 days from the date of service in which to file a Reply (in writing) to the Counterclaim. There is no fee for filing a Reply to a Counterclaim.
- If the Counterclaim exceeds \$10,000, the case will be immediately transferred to the Superior Court and appropriate filing fees will be assessed by Superior Court before processing can continue. (*JCRCP 117*)

MOTIONS

A motion is a request made by a party asking the court to issue a ruling or an order. If a party files a motion of any kind with the court and the opposing party has objections to the motion made, those

objections must be filed in writing with the court within 10 judicial days of the filing of the motion. The judge will consider the motion and any objections thereto and enter an order either granting or denying the motion. Or, on request of either party, the court may schedule an oral argument before rendering an order. (*JCRCP 128*)

HOW TO COMPUTE TIME LIMITS

In computing any period of time, the day of the act is not included (day 1 is the day following the date of the act or event). When any period of time allowed is less than 11 days, Saturday, Sundays or holidays are not counted (*only judicial days or working days are counted*). When any period of time allowed is 11 days or more, all days are counted (*straight days*). The last day of the period of time is included in the count - but does not end until 12:00 midnight of that day. (*JCRCP 115*)

Whenever one party has the right or is required to respond to a filing of the other party within a specified period of time, and the notice or paper is served by mail, 5 calendar days (*straight days*) are added to the period of time. This does not apply to the mailing of a Notice of Entry of Default. (*JCRCP 115(b)*)

DISCLOSURE

Disclosure is the pretrial process requiring each party to fully disclose to the other party(ies) the evidence and witness testimony that will be presented in trial. Disclosure Statements must be filed with the court and a copy sent to all parties within 40 days of the filing of the Answer. Failure to comply with disclosure may result in sanctions, dismissal or a default judgment.

Disclosure includes:

- The factual basis for each claim/defense.
- A description of the damage(s) and copies of any exhibits substantiating the dollar value of the damages.
- The legal theory upon which each claim is based.
- The names, addresses, and telephone numbers of all witnesses and a brief summary of the expected testimony.
- A list of documents or other evidence that supports the claim. (*JCRCP 121*)

MEDIATION

A mediation hearing may be set to assist the parties in reaching a settlement. If a settlement agreement cannot be reached, the case will be set for trial.

- A failure to appear at the scheduled mediation hearing may result in dismissal of the Complaint or a Judgment may be entered in favor of the party that appears. (*JCRCP 130*)

THE TRIAL

- If your lawsuit is set for trial, you should educate yourself regarding court procedures and the rules regarding what evidence is admissible. The Plaintiff has a responsibility to prove by the greater weight of evidence (“preponderance of evidence”) that they have a legal right to the claim for damages.

- Motions to continue a trial date must be in writing and filed with the court.
- A failure to appear at the scheduled trial date may result in dismissal and the Defendant may be awarded his or her costs and/or attorney fees necessarily incurred to defend the lawsuit. (*JCRCP 132*)
- Either party can request a jury trial. Both parties will be required to exchange and submit prepared jury instructions to the court before trial. The party requesting a jury will be assessed jury fees, if judgment is not found in favor of the requesting party.
- If a jury is not requested, the judge will hear the case. A person representing himself (acting as their own attorney) will be held to the same standard as an attorney. (*JCRCP 133*)
- At trial, the Plaintiff will proceed first and may call witnesses and/or introduce exhibits. The Defendant may cross-examine any witnesses or object to the admission of any exhibit. After the Plaintiff rests, the Defendant will then present their case and may call witnesses and/or introduce exhibits that may prove or defend their position. The Plaintiff may cross-examine any witnesses or object to the admission of any exhibit. (*JCRCP 134*)
- After all evidence is presented, the judge or jury will decide the case. (*JCRCP 133(f)*)

APPEAL

Either party may appeal from a Justice Court judgment by filing a Notice of Appeal within 14 calendar days of the Entry of Judgment. The court cannot extend the time for appeal.

Ask the clerk for information regarding bonds and costs of appeal. (*JCRCP 138 and A.R.S. § 22-261(A)*)

When you are paid in full, you must file a Satisfaction of Judgment with the court. This form is available from the court. (*A.R.S. § 22-247*)

The following checklist may assist you in processing your case. Check off each as it occurs.

PLAINTIFF CHECKLIST	DEFENDANT CHECKLIST
Date COMPLAINT filed and filing fee paid _____ Date SUMMONS and COMPLAINT given to server for service on Defendant(s) _____ Date COMPLAINT served _____ Date time to ANSWER _____ (20 days after Defendant served / 30 days if served out-of-state) IF ANSWER IS RECEIVED: Date Defendant files _____ Date time to file DISCLOSURE _____ (40 days after filing of ANSWER) IF NO ANSWER IS RECEIVED: APPLICATION FOR ENTRY OF DEFAULT filed with court and copy mailed to Defendant _____ NOTICE TO PARTY filing for default Anytime after ten (10) judicial days have passed since the filing of this Application, it is your responsibility to file a Request for Entry of Default Judgment or request a hearing. Statement of cost and proof of the claim (receipts, contract, etc.) must also served upon all the parties in the lawsuit Date time to REPLY TO COUNTERCLAIM Expires _____ If the Defendant files a counterclaim, YOU must file a reply to the counterclaim within 20 calendar days. If you fail to file a reply, the Defendant may obtain a default judgment against you.	If you object to the venue (the precinct in which complaint was filed) you must file a MOTION FOR CHANGE OF VENUE FOR IMPROPER VENUE before the ANSWER is filed. Date ANSWER filed and filing fee paid _____ (Within 20 calendar days of the date you were served or 30 days if served out-of-state) If you fail to file an ANSWER, the Plaintiff may obtain a DEFAULT JUDGMENT against you. Date time to file DISCLOSURE _____ (40 days after filing of ANSWER) Date COUNTERCLAIM filed, and copy mailed 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 time to REPLY _____ Date Plaintiff files a _____ IF NO REPLY IS RECEIVED APPLICATION FOR OF ENTRY OF DEFAULT filed with court and copy mailed to Plaintiff _____ NOTICE to PARTY filing for Default: Anytime after ten (10) judicial days have passed since the filing of this application, it is your responsibility to file a Request for Entry of Default Judgment or request a hearing. Statement of Cost and proof of the claim (receipts, contract, etc.) must also served upon all the parties in this lawsuit.

NOTICE TO ALL PARTIES

DEFAULT

If the time to answer passes and the Defendant fails to answer the Complaint, or if the time to reply to a Counterclaim passes and the Plaintiff fails to reply to the Counterclaim, you may get information and forms from the court for obtaining a Default Judgment.

It is required that a **Voluntary Dismissal** be filed if the case is settled out of court.

Pretrial conference scheduled for _____. You are required to exchange with the opposing party ALL INFORMATION (copies of exhibits, list of witnesses, law supporting your claim, etc.) known or available concerning this matter.

TRIAL scheduled for _____. Bring all evidence, documents and witnesses you need to present your case or establish your defense.

NOTICE OF ADDRESS CHANGE

All parties are responsible for informing the court of a current address to ensure that the party can receive all notices mailed from the court.

COLLECTING THE JUDGMENT AWARD

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 (JDE). You may ask the court clerk for the necessary forms.

Yuma County Justice Courts

HOW TO DESIGNATE AND SERVE A PARTY

Refer to ARSCP 2, Parties to a Lawsuit and ARSCP 5 Service

AN INDIVIDUAL

John Jones
1234 S. Main Street
Phoenix, AZ 85040

SERVE : Each party must be served with a copy of the Complaint, Summons, and Notice not later than 45 days after the filing date of the complaint.

HOW TO SERVE : By either registered or certified mail (return receipt requested), Constable, Sheriff, or Private Process Server. ARSCP 5

HUSBAND AND WIFE

John and Mary Jones, husband and wife
1234 S Main Street
Phoenix, AZ 85040

SERVE : Each spouse must be served a copy of the Complaint, Summons and Notice. One spouse may be served with the other spouse's copies if they reside at the same residence. Unless served by Certified Mail, Restricted Delivery, each party must receive and sign their own individual green card.

TWO OR MORE LEGAL NAME OF DEFENDANTS

JOHN SMITH
1234 s. Main Street
Phoenix, AZ 85040

MARY JONES
1000 E. First Street
Phoenix, AZ 8504

SERVE: Each named defendant must be served a copy of the Complaint, Summons and Notice ARSCP 5(b)

USE OF CORRECT LEGAL NAME OF DEFENDANT RULE 2(B)

A plaintiff must use the party's correct legal name when filing a lawsuit. Each defendant must be sued by the correct legal name

No amended complaints will be allowed.

ARSCP 4(c)

SOLE OWNERSHIP

John Jones, Dba
Jones' Delicious Candy Shoppe
1234 S. Main Street
Phoenix, AZ 85040
SERVE: The Owner

PARTNERSHIP

JOHN SMITH and JOE JONES, Partners
DBA JJ's Café
1000 E. First Street
Phoenix, AZ 85040

SERVE: either:

1. A Partner
2. A Managing or general agent
3. An Agent authorized by appointment

CORPORATION

LLC COMPANY

UNINCORPORATED ASSOCIATION

ABC Candy Store, Inc.
1234 S. Main Street
Phoenix, AZ 85040
SERVE: Statutory Agent
5678 N. Eegee St.
Phoenix, AZ 85040

If serving a statutory agent, the statutory agent must also mail a copy to the party on whose behalf the agent received service.

Service may also be effected upon:

1. An Officer of the corporation - President, Vice-President, Secretary, Treasurer
2. A Managing or general agent
3. An Agent authorized by appointment or law

PARENTS OF MINOR

If the minor is under 16 years of age
SERVE: the Minor and the parent or guardian
John and Mary Jones, husband and wife
Parents of Johnny Jones, a minor
1234 S. Main Street
Phoenix, AZ 85040

If the minor is 16 years of age or more

SERVE: the Minor

SERVING THE DIRECTOR OF INSURANCE

SERVE: the Statutory Agent

If the Statutory agent is the DIRECTOR OF INSURANCE

SERVE: The DIRECTOR OF INSURANCE
100 n. 15TH Avenue, Suite 102
Phoenix, AZ 85007
602-264-3100

SERVING THE REGISTRAR OF CONTRACTORS

SERVE: Registrar's Legal Officer and the Bonding company must be named as a defendant and served.

YUMA JUSTICE COURT PRECINCT TWO

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 a **Reply to Counterclaim**. There is no fee to file the Reply to Counterclaim.

There is no fee to file 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 a Reply to Counterclaim

FORMS Needed

Reply 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.

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 20 days from the date you were served with the summons and complaint (or 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 <https://www.azcourts.gov/selfservicecenter> via the "Forms & Instructions" icon. You may visit <http://www.azcourts.gov/efilinginformation> for information on how to prepare your Answer electronically; 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 request 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 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 ensure 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.

Person Filing: _____

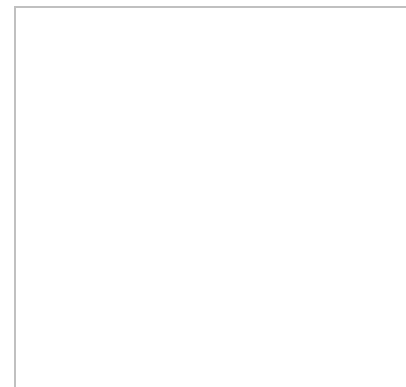
Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

YUMA JUSTICE COURT PRECINCT THREE
10260 Dome St. / PO BOX 384 Wellton, AZ 85356
Ph: (928) 785-3321



COMPLAINT (CIVIL)

() _____

vs.

() _____

Plaintiff(s) Name / Address / Phone /
Email

Defendant(s) Name / Address / Phone /
Email

Plaintiff(s) alleges:

1. This claim arises from: ☐ Tort ☐ Contract ☐ Debt
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, and the amount requested does not exceed the jurisdictional limit of the justice 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 Defendant(s) owe the Plaintiff(s) because: _____

_____.

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

Case Number: _____

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

Describe the damages: _____

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

☐ Attorney's fees	\$ _____
☐ Pre-judgment interest	\$ _____
☐ Post-judgment interest	\$ _____
☐ Court costs	\$ _____
☐ Other (specify): _____	\$ _____
Total:	\$ _____

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

Date

Plaintiff(s) Signature

Plaintiff(s) Title

Please inform court staff if interpreter services are required.

☐ YES, I need interpreter services. Language: _____

YUMA JUSTICE COURT PRECINCT THREE
10260 Dome St. / PO BOX 384 Wellton, AZ 85356
Ph: (928) 785-3321

SUMMONS (CIVIL)

()

Plaintiff(s) Name / Address / Phone /
Email

vs.

()

Defendant(s) Name / Address / Phone /
Email

FROM 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 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 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. Your answer must be in writing.
 - (a) You may obtain an Answer form this Court: **250 W. 2nd St. Ste A, Yuma, AZ 85364**
 - (b) You may also obtain an Answer from the website <https://azcourts.gov/selfservicecenter> via the "Forms and Instructions" icon.
 - (c) You may also prepare your answer electronically. This will require payment of an additional fee. Visit <http://azcourts.gov/efilinginformation> for more information
4. You must provide a copy of your answer to the Plaintiff(s) or to the Plaintiff's attorney. (JCRC Rule 120)

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

REQUEST FOR REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES 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: _____

YUMA JUSTICE COURT PRECINCT THREE
10260 Dome St. / PO BOX 384 Wellton, AZ 85356
Ph: (928) 785-3321

Case Number: _____

**APPLICATION FOR ENTRY OF
DEFAULT (JCRCP Rule 140)**

() _____

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.

Case Number: _____

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 THREE
10260 Dome St. / PO BOX 384 Wellton, AZ 85356
Ph: (928) 785-3321

Case Number: _____

**REQUEST AND AFFIDAVIT FOR
ENTRY OF DEFAULT JUDGMENT
(CIVIL)**

☐ **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

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): _____	\$ _____
Total:	\$ _____

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