

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 and complaint were served.
- _____ Date that your time to file an answer will expire. (20 days from date you were served. See ARS §22-514.) If you fail to file an answer the plaintiff may obtain a default judgment against you.
- _____ Date that a motion for change of venue was filed. (If you object to venue [the precinct in which the complaint was filed], you must file a Motion for Change of Venue before your answer is filed.)
- _____ Date that your answer was filed and a copy mailed to the plaintiff. (Note amount of the filing fee paid: \$_____.)

If a counterclaim is filed:

- _____ Date that your counterclaim was filed and a copy was mailed to the plaintiff(s). If you intend to file a counterclaim you must do so at the same time that your answer is filed.
- _____ Date that the plaintiff's time to file a reply to counterclaim will expire. (20 days from date of service of counterclaim. See Rule 12(a) of the Arizona Rules of Civil Procedure.)
- _____ Date that plaintiff's reply to your counterclaim was received.

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 of Hearing: 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), if you request such transfer at least 10 days prior to the date of the scheduled hearing.

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.