

CIVIL 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/30 if served out of state.) 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: \$_____.)
- _____ Date for all parties to exchange a disclosure statement. Disclosure is the pretrial process requiring each party to exchange with the opposing party all information (copies of exhibits, lists of witnesses, law supporting your claim or defense, etc.) that will be presented in trial. The exchange should occur within 40 days after the filing date of the answer.

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 counterclaim is filed and no reply is filed:

- _____ Date that the application for entry of default/motion for default judgment was filed with the court, with copies mailed to defendant(s). See Rule 55 of the Arizona Rules of Civil Procedure.

If a hearing/trial is schedule by a court:

- _____ Date of hearing/trial. The court will notify all parties of any scheduled hearing dates.

NOTICE

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 or at www.azturbocourt.gov for obtaining a default judgment.

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 requirement of the Arizona Revised Statutes or of the Arizona Rules of Civil Procedure.