

PLAINTIFF PROCEDURES

For a Residential Eviction Action Filed in the Justice Court

Filing the Summons and Complaint

- **One** copy of the summons and complaint for filing;
- **One** copy of the summons and complaint for each plaintiff;
- **Two** copies of the summons and complaint for each defendant;
- **One** copy of the summons and complaint for the process server.

Bring these documents to the justice court listed on the complaint along with a copy of the **notice to vacate** that was served on the tenant (*RPEA Rule 5(b)(7)*), the **Residential Eviction Procedures Information Sheet** (*RPEA Rule 5(a)(5)*), and the **appropriate filing fees**.

Note: Print copies of the judgment and writ for future use.

At the time of filing the court will set a hearing date and time.

Serve the Summons and Complaint

The summons and complaint must be served by a constable or a registered private process server. Service fees will apply.

Service of the summons and complaint must be completed at least two days before the date set for the initial appearance in court. *See A.R.S. 12-1175(C); and A.R.S. 33-1377(B)*.

Initial Appearance in Court

At the initial appearance (the date provided on the summons for you to appear in court) the court will call the case and identify the parties. The court will determine if the representatives are properly authorized to represent the parties to the action. *RPEA Rule 11(a)*.

A judgment form is provided in your form set. Bring this form to court for the initial appearance.

If the complaint is contested, the court will order a trial on the merits. *See RPEA 11(b)(1)*.