

ANSWER - SMALL CLAIMS

JD-CV-40A1 Rev. 7-18
P.B. §§ 24-12, 24-14, 24-16, 24-19

STATE OF CONNECTICUT
SUPERIOR COURT
SMALL CLAIMS SESSION
www.jud.ct.gov

ADA NOTICE
The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

Docket Number

Name of Case

Defendant Address:

Court Address:

Notice Issued Date:

Phone:

Fax:

Instructions:

1. To answer this claim, fill out this form and file it with the clerk. Send a copy to each Plaintiff (or representative for the plaintiff) and fill out the Certification below.
2. Please read the Information about the Answer Form on the back.

This is your Answer Date _____ (This is **NOT** your court date)

In response to the claim for: _____ plus court costs and fees, if any, this is my response: (check all boxes that apply)

I disagree with the claim because: (State below why you disagree; be brief but specific. You will be given a hearing (trial) with a magistrate and the magistrate will decide what, if anything, you owe. At the hearing (trial) you can explain why you disagree and can give the court documents and materials that show why you disagree).

I admit I owe part of the claim: (Give the reasons why you do not owe the entire amount. You will be given a hearing with a magistrate and the magistrate will determine what you owe).

I admit I owe the claim but need more time to pay. (You may ask for a period of time during which you can make payments that you suggest. If you do not, and you are an individual, the court will enter a judgment with an order of payments of \$35 each week until the judgment is paid. If you ask to pay less than \$35 per week, and the plaintiff does not agree, a hearing will be scheduled. A judgment against a business and a judgment against a landlord for return of a security deposit, will be ordered paid in a lump sum).

Counterclaim Notice:

If you file a Counterclaim it must be filed with the fee required by section 52-259(b) of the Connecticut General Statutes.

Counterclaim: The plaintiff owes money to me in the amount of _____ for the following reasons:

Certification: I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on (date) _____ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties of record who received or will immediately be receiving electronic delivery.

Name and address of each party and attorney that copy was or will be mailed or delivered to*

*If necessary, attach additional sheet or sheets with name and address which the copy was or will be mailed or delivered to.

Signature	Print name and title of person signing	Date signed
Mailing address (Number, street, town, state and zip code)	Telephone number	Juris No. (if attorney is signing)

Courthouse Return Address

Attorney/Firm Appearance Defendant Address or Self-represented Appearance Address

INFORMATION ABOUT THE ANSWER FORM

1. Do I have to come to court on the Answer Date?

You do not need to come to court on the Answer Date unless you are coming to court to return the answer form.

2. How do I file an Answer?

You may file an Answer to dispute claims made by the plaintiff (person who is suing you) in the complaint or to ask for more time to pay a debt. To do so, return a completed Answer form to the court on or before the Answer Date.

If you are a self-represented party you may return the completed form to the court by mail, fax machine, or hand delivery. You may also file your answer electronically if you have signed up for E-Services on the Judicial Branch website and you request electronic access to this case, and your request has been approved by the clerk. If you are an attorney, you must file the answer form electronically unless you have received an exclusion from electronic service requirements. After you have filed an answer, the clerk will schedule a hearing (trial), and will send you a written notice by mail of the date and time to come to court.

3. What happens if I do not file an Answer?

If you do not file an Answer by the Answer Date, a judgment could enter against you without a hearing. That means that the court could decide the case for the plaintiff without hearing your side.

If a judgment is entered against you, you must pay the amount of money ordered by the judgment to the person who has sued you. If you do not pay the amount of the judgment, the person who won the judgment against you may try to collect the money by getting permission from the court to have the money taken from your wages, financial accounts or property.

4. What if I want to sue the person who is suing me?

If you believe that the plaintiff owes you money, you may file a Counterclaim against the plaintiff. The fee for a Counterclaim is \$95. The fee must be paid to the court when you file.

If you are a self-represented party you may return the completed form to the court by mail, hand delivery or through E-Services (if you have followed the E-Services process above). If you file electronically, you will be asked to make your payment in the My Shopping Cart section of the web page. Do not fax any answer that contains a counterclaim.

5. How will I know when to come to court?

You will receive notice by mail from the court of the time, date and place or any hearing scheduled in your case.

6. What if I want this case moved from small claims to the regular civil docket?

You may file a motion to have the case removed from small claims session and place on the regular civil docket. A fee of \$125 is charged for moving the case from small claims to the regular civil docket.

IF YOU ADMIT YOU OWE THE CLAIM, MAKE ALL PAYMENTS DIRECTLY TO THE FOLLOWING:

Plaintiff #1 - Attorney/Firm Appearance Plaintiff Address or Self-represented Appearance Address

DO YOU HAVE QUESTIONS ABOUT SMALL CLAIMS PROCEEDINGS AND NEED TO SPEAK WITH AN ATTORNEY?

Volunteer attorneys are available in certain courthouses statewide to give legal advice and assistance in Small Claims matters. Dates and locations can be found at www.jud.ct.gov/volunteer_atty_prgm.htm or call (860) 263-2734. Meeting with the volunteer attorney will occur on a first come, first served basis, so arrive early. There is no cost to you for this service.