

SAMPLE ANSWER

(must be completed on 8-1/2" x 11" paper)

IN THE COUNTY/CIRCUIT COURT,
IN AND FOR ____ COUNTY, FLORIDA

CASE NO: _____

JUDGE: _____

DIV: _____

Plaintiff(s)

vs.

Defendant(s)

ANSWER

- 1.
- 2.
- 3.
- 4.

I hereby certify that a copy hereof has been furnished by hand-delivery/mail to Plaintiff/Plaintiff's attorney this ____ day of _____, 20__.

Signature Defendant

Street Address

City, State, Zip Code

Phone Number

About FloridaLawHelp.org

FloridaLawHelp.org is administered by Florida Legal Services, Inc. and is produced in cooperation with Pro Bono Net and the legal services organizations and government agencies throughout Florida and the United States.

This brochure is for general education only. It is not intended to be used to solve *individual problems*. If you have specific questions, see an attorney.



The Florida Bar Foundation, with Interest on Trust Accounts program funding, provides support for this service.



FloridaLawHelp.org

To locate your local legal aid or legal services office, please visit us on the web at

www.floridalawhelp.org

Your local legal aid or legal services office can be located through either the "Find Local Help" or "Directory" links.

If you don't have access to the internet, consult your local Directory Assistance for the number of the legal aid or legal services office nearest to you.

Special thanks to Community Legal Services of Mid-Florida, Inc.

FloridaLawHelp.org

Filing Your Answer to a Complaint



WHY FILE AN ANSWER?

If you are served with a summons and complaint (or petition), this means someone has filed a lawsuit against you. A **summons** notifies you that you have been sued and informs you that you must respond to the lawsuit. A **complaint** sets forth the reason and basis for the suit. *If you do not want to lose your right to defend yourself and participate in the court proceedings, you must file an answer within the time frame stated in the summons.*

WHEN MUST YOU RESPOND?

You have a limited time to respond. The summons will tell you exactly how many days.

A summons for eviction gives you only five (5) working days to file your answer with the court. Count five days starting with the day *after* you are served the summons. Do not count Saturdays, Sundays, or legal holidays.



All other summonses will give you twenty (20) days to file your answer. Count twenty days starting with the day after you are served, and count every day, including Saturdays and Sundays.



WHAT IF I DO NOT RESPOND OR DO NOT MEET THE DEADLINE?

If you do not respond or meet the deadline, the person filing the lawsuit will win a judgment against you. This is called a default. There are some limited circumstances where a default can be challenged. One of them is if you were not properly notified of the lawsuit and did not have a chance to respond. Contact Community Legal Services of Mid-Florida, Inc. *immediately* if you receive this kind of a default judgment or if you do not understand the response time frames.

WHAT DO I SAY IN MY ANSWER?

Read the complaint or petition to see why you are being sued and what the person wants the court to do. Then write a response to each numbered paragraph of the complaint or petition. Every allegation in a complaint is usually given a number. You should number your answer the same way. All you have to write is whether you agree with or disagree with the statement in the paragraph. If you disagree, you **DO NOT** have to explain why you disagree.

If you have other facts that you want the judge to know, add additional numbered paragraphs. Place your responses under the heading "Answer." You may refer to the sample answer format in this brochure.

Be sure to put names of the parties and the case number at the top of your Answer. In the certificate of service, state how you sending plaintiff a copy. At the end, add your address and phone number and sign the answer.



WHAT DO I DO NEXT?

Make at least two more copies of your answer. The original answer is filed with the Clerk of the Court where the lawsuit was filed. Look at the top of the summons to see in which court the lawsuit was filed. Once your original is filed, the court will keep you advised of all hearings so that you can continue with your defense.

You must also mail one copy of the answer to the plaintiff or the plaintiff's attorney. Look at the name and address on the summons to see where to send the plaintiff's copy. Keep one copy for your records.

DO NOT DELAY!

