

## JUSTICE COURT #2

### CIVIL COUNTERCLAIM

A counter claim is a claim made by the defendant against the plaintiff. A counter claim should be filed at the same time the defendant's answer is filed. If you have already filed an answer, you must file a motion requesting permission to file a counterclaim.

If the amount of your counterclaim **EXCEEDS \$9,999.99** the civil case will immediately be **TRANSFERRED TO THE SUPERIOR COURT** and appropriate filing fees will be assessed by the Superior Court before processing can commence.

#### **Please STOP....**

If you have not been served with a civil summons and complaint.  
If there has already been a judgment rendered.  
If you have not filed an answer to the civil complaint.

#### **Please PROCEED...**

If you are within the prescribed time limit of filing counterclaim and are filing or have filed an answer.

#### **FORMS needed:**

Civil Counterclaim

#### **INSTRUCTIONS:**

1. Complete the form(s)
2. Make copies of the answer form and counterclaim form. The court will require an original of each and you may wish to have copies; additionally each named plaintiff will need a copy.
3. File papers with the court clerk.
4. Pay the answer fee of \$24.00, There is no fee for the counterclaim.
5. Mail the copies to the plaintiff(s).

**IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS.** A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

