

JUSTICE COURT #2

SMALL CLAIMS 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 \$2,500** the small claims case will immediately be **TRANSFERRED TO THE JUSTICE COURT** as a civil case.

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 \$14.00, 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.

JUSTICE COURT #2 PO Box 1159, 136 West Center; Pima AZ 85543 Phone: 928-485-2771 Fax: 928-485-9961	CASE NUMBER:
	DEFENDANT'S COUNTERCLAIM

PLAINTIFF (NAME/ADDRESS/PHONE)	DEFENDANT (NAME/ADDRESS/PHONE)
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The Defendant, having filed an answer to the Plaintiff's complaint, also files a counterclaim against the Plaintiff as follows:

_____ Date _____ Defendant

NOTE TO PLAINTIFF: *If you fail to reply to the counterclaim, judgment may be entered against you as requested in this counterclaim.*

CERTIFICATE OF SERVICE BY MAIL

I hereby CERTIFY that I mailed a copy of this COUNTERCLAIM to the Plaintiff.

Date: _____ Defendant: _____