

## INSTRUCTIONS FOR FILING ANSWERS AND COUNTERCLAIMS

If you are sued (by having a **Complaint** delivered to you), you should file an **Answer** to the **Complaint**. An **Answer** is a written response to each numbered paragraph of the **Complaint**, saying whether you agree or disagree. The **Answer** form is available on the court website. It is important to file an **Answer**, because if you don't the case may be decided against you without you getting a chance to tell your side of the story. You also need to file a **Notice of Appearance** form providing your contact information. The court will use the mailing address you provide to send you any notices about your case. An email address and phone number are helpful if the court or the other parties need to contact you quickly.

You must file the **Answer** with the court and send copies to the party suing you (the Plaintiff) and to any other parties in the case. If any of the parties are represented by a lawyer, you must send everything to the lawyer, not directly to the person or business suing you. The **Complaint** has a special number on it called a Docket Number. You must put that number on your **Answer** and everything else you file in the case so it can be properly filed by the court.

It is always a good idea to seek the advice of a lawyer to help you with the case if possible. If you do not believe you can afford a lawyer, there are still options to get legal help. There are lawyers who can assist you for just a limited part of a case such as preparing the **Answer** (called a "limited appearance"), lawyers who offer sliding scale fees for those of limited income, and lawyers who will give you a half hour of free advice. In addition, Legal Services Vermont may be able to help if your income is below a certain level. We suggest you try all of these options before trying to defend a case by yourself:

Vermont Lawyer Referral Service:	<a href="http://www.vtbar.org">www.vtbar.org</a>	1-800-639-7036
Legal Services Vermont:	<a href="http://vtlawhelp.org">vtlawhelp.org</a>	1-800-889-2047
<a href="http://Vt.freelegalanswers.org">Vt.freelegalanswers.org</a>		

If you have a lawyer, they will take care of preparing and filing the Answer for you. *If you do not have a lawyer, you are still responsible for following the Vermont Rules of Civil Procedure*, which you can find online or in a library. There are deadlines for filing Answers, which you can find in the rules.

The **Answer** is the place to list any defenses to the Plaintiff's claims—why you think they should lose the case. If you think you have a separate claim against the Plaintiff—not just a defense explaining why the Plaintiff should not win their claims—you can also file a separate **Counterclaim**. There is a fee for filing a **Counterclaim**, which the court clerk can explain to you. There is also a form available on the court website. You must file the Counterclaim with the court (with a **Certificate of Service**) and send a copy to all of the parties, not just whoever you are making the claim against.

Even if you are representing yourself, the same rules that apply to lawyers also apply to you. You are expected to read and follow the Vermont Rules of Civil Procedure. They can be found online or at a library.