

Preparing an Answer

In order to defend yourself in the lawsuit, you must file a written response to the Complaint. This response could be “Preliminary Objections” or an “Answer,” and it must be filed **within 20 days** from the date you received the lawsuit. These instructions are for filing an Answer. If you want to file Objections, you should not use these instructions or forms.

If you do not file a response to the complaint within 20 days, you will receive a notice, by regular mail, telling you that you have 10 days to file it, or a judgment will be entered against you by default. These 10 days are counted from the date on the notice (not the date you receive it).

Part I – Responding to Plaintiff’s Statements

Caption: You should first write the caption exactly as you see it on the Complaint at the top of the page. This includes the name of the parties, the name of the Court, and the case number.

Numbered paragraphs: You must respond to each of the paragraphs in the Complaint, and your responses must match the numbered paragraphs in the Complaint. You can respond to each paragraph in one of the following ways:

- a. Admitted.
- b. Denied [and add specific details about what you’re denying.]
- c. Admitted in part and denied in part [and add specific details about what you’re denying.]
- d. After reasonable investigation, I am without knowledge or information sufficient to form a belief as to the truth of this paragraph, and it is therefore denied.

Part II - Adding Statements/Paragraphs

After you finish responding to the numbered paragraphs in the Complaint, you can add paragraphs to your Answer to explain your defenses or your claims against the other party. Your additional paragraphs should start with the title **“New Matter”** and continue with the same numbering that you used for your responses.

Examples of defenses:

- Payment (“I paid all or part of the money that the plaintiff is trying to collect.”)
- Statute of Limitations (“They waited too long to sue me.”) The period of time depends on the type of claims brought by the plaintiff.

- Wrong plaintiff (“I owe somebody else, not this person.”)
- Wrong defendant (“They sued the wrong person.”)
- The actions complained about are not prohibited or required by the written or verbal contract (for cases involving a contract.)
- The plaintiff agreed to the actions that they are complaining about.

Possible counterclaims:

- The plaintiff breached our contract [give details].
- The plaintiff caused damage to me or my property.
- The plaintiff failed to follow a law that allows me to sue for damages. [identify the law specifically]

Part III - Exhibits

You may need to attach documents to the Answer, to support your defenses or counterclaims. Each document should be labeled alphabetically (i.e. Exhibit “A”, “B”, “C”, etc.) and can be referred to in your Answer by the labels that you assign.

Part IV - Notice to Plead

If you include New Matter with your answer, you should also include a Notice to Plead at the beginning of your Answer. This tells the plaintiff to respond to your New Matter, and it may help your case if they don’t respond. If you do not include New Matter, you don’t need a notice to plead.

Part V - Confidential Information or Documents

You should not include any information that is defined as “confidential” in the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts*, and you must certify that there are no confidential information or documents included. (See final form.) If you want to include confidential information/documents, you have to ask for a special form and file it separately. This includes:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;

5. Minors' names and dates of birth;
6. Abuse victim's address and other contact information, including employer's name, address and work schedule (in family court actions);
7. Financial Source Documents;
8. Minors' educational records;
9. Medical/Psychological records;
10. Children and Youth Services' records;
11. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.Civ.P. No. 1920.33;
12. Income and Expense Statement as provided in Pa.R.Civ.P. No. 1910.27(c); and
13. Agreements between the parties as used in 23 Pa.C.S. §3105.

Part VI - Filing & Service

- Make at least 2 copies
- File the Answer at the Prothonotary's Office in the county courthouse.
- Send a copy of the Answer to the other party at the address they used in their Complaint.

Plaintiff

v.

Defendant

: IN THE COURT OF COMMON PLEAS OF
: _____ COUNTY, PENNSYLVANIA
:
:
: No. _____
:
:

NOTICE TO PLEAD

To: _____(Plaintiff)

You are hereby notified to file a written response to the enclosed New Matter within twenty (20) days from service hereof or a judgment may be entered against you.

(Defendant's signature)

(Defendant's name, printed)

Plaintiff

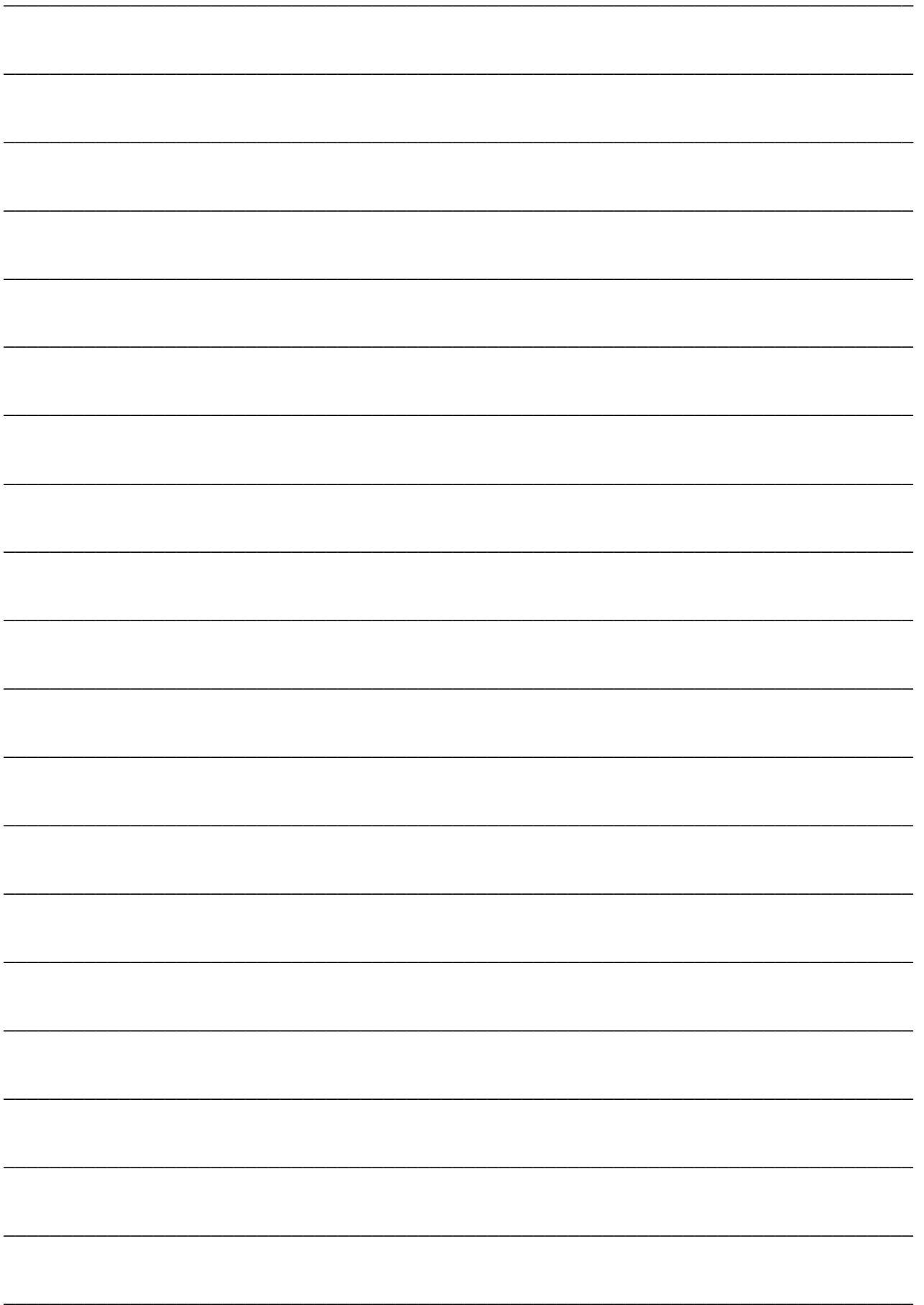
v.

Defendant

: IN THE COURT OF COMMON PLEAS OF
: _____ COUNTY, PENNSYLVANIA
:
:
: No. _____
:
:

ANSWER

1. _____
_____.
2. _____
_____.
3. _____
_____.
4. _____
_____.
5. _____
_____.
6. _____
_____.
7. _____
_____.



NEW MATTER

WHEREFORE, the defendant requests that judgment for the defendant, against the plaintiff.

Respectfully submitted,

(Defendant's signature)

(Defendant's name)

(Defendant's address)

(Defendant's phone number)

VERIFICATION

I verify that the statements made in this Answer and New Matter are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date

Defendant's signature

Plaintiff

v.

Defendant

: IN THE COURT OF COMMON PLEAS OF
: _____ COUNTY, PENNSYLVANIA
:
:
: No. _____
:
:

CERTIFICATE OF SERVICE

I certify that I am serving Plaintiff the foregoing Answer, by mailing a copy via first class mail on

_____ to them at this address:
(Date)

Respectfully submitted,

(Defendant's signature)

(Defendant's name)

(Defendant's address)

(Defendant's phone number)

Plaintiff

v.

Defendant

: IN THE COURT OF COMMON PLEAS OF
: _____ COUNTY, PENNSYLVANIA
:
:
: No. _____
:
:

CERTIFICATION

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

(Defendant's signature)

(Defendant's name)

(Defendant's address)

(Defendant's phone number)