

Checklist for Counter Affidavit and Summons

Keep a copy of all documents for your records.
Attend all court hearings.

(1) Coversheet

- Print your name and address and those of the other parties and lawyers (if known).
- Print the amount of damages you are claiming.
- Do not check the “jury demand” box. Jury trials are not authorized in small claims cases.
- The amount of damages you are claiming determines the filing fee. Check the correct filing fee in the “Small Claims” section.
- Page 2 does not apply.

(2) Counter Affidavit and Summons

- Print your name and contact information at the top of the first page. Check whether you are the defendant or the attorney for the defendant.
- Complete the heading exactly as it appears in the Affidavit and Summons.
- Paragraph (1). Enter the amounts claimed in the spaces provided. Include in the principal amount any interest accrued to the date of filing. Do not file an amended Counter Affidavit to claim interest between the filing date and the judgment date. If the court grants judgment, the court will include prejudgment interest in the judgment if you qualify for it.
- Paragraph (2). Enter the date on which the events happened. Describe the facts.
- Paragraph (3): Check the box. You cannot sue a governmental entity or governmental employee for on-the-job conduct in small claims.
- Paragraph (4): Check the box. You cannot sue in small claims if the claim has been assigned to you.
- Omit any private or protected information. When filed, this document is a public record. Code of Judicial Administration [Rule 4-202.09\(9\)](#) requires that you omit from a public record any information that is not itself public information. For a list of records, data and information classified as public, private, and protected, see [Rule 4-202.02](#).
- Signature. Sign the Counter Affidavit under oath before a notary or a judicial services representative.
- Summons. Leave blank. The judicial services representative will complete the Summons and mail a copy of the Counter Affidavit and Summons to the plaintiff. The judicial services representative may have to reschedule the trial.
- File the form with judicial services representative.