

Checklist for Filing an Answer to a Complaint or Petition

- You must complete a form before you file it. These instructions will help you complete the forms.
- Court staff cannot complete a form for you.
- Attach a copy of any document referred to in the form.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Some forms may not apply in your case.
- Contact the Self-Help Center if you need more help:
<http://www.utcourts.gov/selfhelp/contact/>.

The complaint or petition tells you what the plaintiff/petitioner wants the court to do. Read the complaint or petition carefully.

An answer tells the court and the other party whether you agree or disagree with each of the statements in the complaint or petition.

See the [Answer web page](#) for answer forms specific to these case types:

- Custody, Support or Paternity
- Debt Collection
- Divorce
- Eviction

If you agree with everything that is requested in the complaint, you can work with the other party to file a stipulation. This document is signed by both parties and tells the court they are in agreement.

(1) Completing the Answer form

- Print your name and contact information in the upper left hand corner of the Answer form. Check whether you are the defendant/respondent or the attorney for the defendant/respondent.
- Complete the heading exactly as it appears in the complaint or petition.
- Paragraph (1) – If you **agree** with a statement in the Complaint/Petition, write its paragraph number in the lines provided. If the statements in the Complaint/Petition do not have paragraph numbers, describe the statement. For example, “Plaintiff claims that”
- Paragraph (2) – If you **disagree** with a statement in the Complaint/Petition, write its paragraph number in the lines provided.

- Paragraph (3) – If you **do not have enough information** to agree or disagree with a statement in the Complaint/Petition, write its paragraph number in the lines provided.
- Paragraphs (4), (5), and (6) – use these optional sections to provide an explanation for why you disagree with a paragraph, if you wish.
- Do not include any private and protected information in your answer. When filed, this document becomes a public record in some case types. 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 and data that are classified as public, private, and protected, see [Rule 4-202.02](#). You may file non-public information with the court on a non-public information form. For more information, forms and instructions see our web page on [Non-public Records](#).

(2) Affirmative defenses

An affirmative defense is a reason that the plaintiff/petitioner should lose even if all of the claims are true. For example, the plaintiff made a procedural mistake, like not serving you properly or the case was filed after the statute of limitations. You might not have any affirmative defenses.

If you are not sure whether you have an affirmative defense, consider contacting an attorney. The [Finding Legal Help web page](#) provides information about free and low cost ways to get the help of an attorney.

- If you have any affirmative defenses, state them in Paragraphs (7) and (8). Each defense should be a separately numbered paragraph.
- See [Utah Rule of Civil Procedure 8\(c\)](#) about affirmative defenses.

(3) To add a request

If you want the court to do something, you must explain that in Paragraph (9) and, if needed, Paragraph (10). For example, you could ask the court to dismiss the complaint/petition. Explain fully what you are asking for.

(4) Date, sign and file your Answer.

- Complete the Certificate of Service.
- File the original copy of the Answer with the court, and serve a copy of the Answer on the other party. [Utah Rule of Civil Procedure 5](#) governs service.

(5) Counterclaim

A counterclaim is a claim that you have against the plaintiff/petitioner. You might not have any counterclaims. See [Utah Rule of Civil Procedure 13](#) about counterclaims.

- If you have a counterclaim, follow the instructions that accompany that form.
- There is no fee for filing an Answer, but there is a fee for a counterclaim. For more information, see our webpage on [Fees](#).