



Pro Se Answers Fact Sheet

General Instructions

If you have been served with a civil Summons and Complaint or Petition, you must respond to the claim within thirty days of being served, or a default judgment could be entered against you.

It is preferable to consult an attorney when you have been served; however, if you are unable to obtain an attorney's services, you have the option of filing a response or Answer for yourself.

Form of Your Answer

Your answer should begin with the caption of the case.

For example:

IN THE CIRCUIT COURT OF _____ COUNTY, ARKANSAS
____ DIVISION

JANE DOE PLAINIFF

VS. Case No: _____

JOHN DOE DEFENDANT

You should probably deny all of the allegations contained in that specific paragraph until you consult with an attorney.

Always add an additional numbered paragraph stating that you "deny all allegations that are not specifically admitted."

Include all affirmative defenses: "accord and satisfaction, arbitration and award, comparative fault, discharge in bankruptcy, duress, estoppels, exclusiveness of remedy under worker's compensation, lack or failure of consideration, fraud, illegality, injury by fellow servant, laches, license, payment, release, res judicata, set-off, the statute of frauds, the statute of limitations, and waiver."

Finally, conclude with this statement: "Defendant reserves the right to plead further and reserves objections on the basis of lack of jurisdiction over the subject matter; lack of jurisdiction over the person; improper venue; insufficiency of process; insufficiency of service of process; failure to state facts upon which relief can be granted; and failure to join a party under Rule 19, if any."

What Do You Do Next?

- take the original and two copies of your Answer to the Clerk of the Court in the county that the lawsuit was filed
- have the Clerk "file-mark" your Answer
- the Clerk of the court will keep the original copy, which will be placed in the court file and will give the additional copies to you
- keep one of the "file-marked" copies for your records
- mail the other "file-marked" copy to the Plaintiff's attorney or to the Plaintiff if they are not represented by an attorney

For example:

IN THE CIRCUIT COURT OF _____ COUNTY, ARKANSAS
____ DIVISION

JANE DOE PLAINIFF

VS. Case No: _____

JOHN DOE DEFENDANT

Comes the Defendant, [your name], and for their answer to the Complaint filed herein against them states as follows:

1. Defendant specifically denies the allegations contained in paragraph one—paragraph _____ of the Complaint filed herein against them.
2. Defendant does not specifically admit any of the allegations contained in the Complaint filed here against them.
3. Defendant specifically denies each and every allegation of the complaint not specifically admitted herein.
4. Defendant specifically pleads the following affirmative defenses: defendant reserves the right to plead further and reserves objections on the basis of lack of jurisdiction over the subject matter; lack of jurisdiction over the person; improper venue; insufficiency of process; insufficiency of service of process; failure to state facts upon which relief can be granted; and failure to join a party under Rule 19, if any.

Defendant pleads all affirmative defenses, specifically accord and satisfaction, arbitration and award, comparative fault, discharge in bankruptcy, duress, estoppels, exclusiveness of remedy under worker's compensation, lack or failure of consideration, fraud, illegality, injury by fellow servant, laches, license, payment, release, res judicata, set-off, the statute of frauds, the statute of limitations, and waiver.



WHEREFORE, Defendant requests that the Complaint filed herein against them be dismissed; for their costs herein expended; and for any and all other just and proper relief.

_____,
Pro Se [Your name]
[Your complete mailing Address]
[Your phone number]

CERTIFICATE OF SERVICE

I hereby certify that I have this ____ day of _____, 20____, served the Plaintiff's attorney or Plaintiff, if not represent by an attorney, with the foregoing Answer by placing same in the U. S. Mail with sufficient postage attached.

[Your signature]
[Date]

This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit arlegalservices.org. For information specific to Legal Aid of Arkansas, Inc., visit arlegalaid.org. Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).

The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

**Content provided by:
Center for Arkansas Legal Services**

Updated August 2017