

# HOW TO ANSWER A COMPLAINT



## LEGAL RESOURCES LIBRARY

*This material is provided to answer general questions about the law in New York State. The information and forms were created to assist readers with general issues and not specific situations, and, as such, does not replace the legal advice or representation of an attorney. Because of this and because of unanticipated changes in the law, the Rural Law Center of New York (RLC) makes no claim that this information will achieve the results you desire. Also, the RLC disclaims any responsibility for actions taken based on this material. If you are seeking advice about a specific legal issue, you should contact an attorney licensed to practice in New York State.*

**You may contact the Rural Law Center of New York, Inc. as follows:**

BY MAIL: 22 U.S. Oval, Suite 101, Plattsburgh, New York 12903

PHONE: (518) 561-5460

FAX: (518) 561-5468

OR VISIT OUR WEBSITE: [www.rurallawcenter.org](http://www.rurallawcenter.org)

# INSTRUCTIONS FOR COMPLETING YOUR ANSWER TO COMPLAINT

THE NUMBERS BELOW DESCRIBE WHAT YOU NEED TO WRITE IN THE BLANKS WITH THE SAME NUMBERS ON THE SAMPLE FORM, WHICH FOLLOWS THIS PAGE

1. Name of Court (This will be on the Complaint you received).
2. Name of County.
3. Name of company/person who is suing you.
4. Your name.
- 4a. Copy this number from the Complaint you received.
5. Here just write in the number (from the Complaint) of the basic paragraphs you admit to. For example, if paragraph 1 states your name, then put in “1” as a paragraph that you admit to being true. If paragraph 2 says where you live then put in a “2”, etc. If the paragraph contains a part that isn’t true, put that in after “except”. So your answer may say something like “Admits paragraphs 1, 2, 4, 7, except for the following statement: my street address is actually 546.
6. If there are statements in the Complaint that you deny, then put in the numbers of those paragraphs. Otherwise, leave this section out.
7. Put in paragraphs here that you have no actual knowledge about. For instance, if paragraph 3 in the Complaint had said, “Plaintiff is a corporation” – you would list paragraph 3 here, since you don’t have actual knowledge of that.
8. Fill in the blanks here with any other information explaining your situation.
- 8a. Fill this in if your bank account was seized by creditors, but **ONLY** holds exempt funds like Social Security. **Unless you have exempt funds, do not use this part about your bank account.**
10. Date this.
11. Sign in front of a notary.
12. Have your signature notarized.

When you have completed your Answer and sign it before a notary, keep a copy for yourself. Bring the Original to the County Clerk for filing with the Court. You will be given a receipt once you file, and you need to attach that to the copy of the answer that you have for service on the Plaintiff. This is an important step.

**SAMPLE FORM**

Fill in the blanks as directed in the instructions on the previous page

1) \_\_\_\_\_ Court

2) COUNTY of \_\_\_\_\_

.....

3) \_\_\_\_\_,

Plaintiff,

v.

4a) Index No.

\_\_\_\_\_

4) \_\_\_\_\_,

Defendant.

**ANSWER TO**

**COMPLAINT**

.....

Defendant(s) answer(s) the complaint as follows:

5) Admits the statements contained in paragraph numbers \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, except for the following statements: \_\_\_\_\_

6) Denies the statements contained in paragraph numbers \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, except for the following statements: \_\_\_\_\_

7) Lacks knowledge of the truth and therefore denies the statements contained in paragraph numbers \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

8) Defendant further asserts that \_\_\_\_\_

8a) Defendant further asserts that (s)he has one bank account where only exempt funds from \_\_\_\_\_ are deposited.

9) Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

10) \_\_\_\_\_

Signature

11) Sworn to me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public