



How to File an Answer in Civil Court

Use this guide if you have been served a debt collection lawsuit & received a Complaint.

1. Why Should I File an Answer?

If you want to defend the lawsuit, you must file an Answer. In the **Complaint**, the person suing you (the **Plaintiff**) tells the court about the debts they think you owe. You are the **Defendant**. Your response to the Complaint is called an **Answer**.



If you do not file an Answer, the court will enter a **Default Judgment** against you. This means that the Plaintiff automatically wins the case.

2. What Do I Say in My Answer?

An Answer is your chance to tell the court your side of the story: What in the Complaint is true? What is not true? Did the Plaintiff follow the rules of civil court?

- ★ See *page 2* for a blank, printable Answer template you can fill out yourself.
- ★ See *page 3* for extra instructions on how to fill out your Answer.



3. When and Where Do I File an Answer?

★ **Remember to save a copy for yourself!**

- Mail the Plaintiff a copy of the Answer **within 20 days** of receiving the Complaint.
 - Find the Plaintiff's address on the **Summons**.
 - If Plaintiff's attorney's address is on the Summons, send the copy to them.
- Mail the original Answer to the court **within 5 days** of mailing the Plaintiff's copy.
 - The "**Division**" is the name of the court where you file your answer.
 - Find out which courts serve your area @ [mass.gov/courthouse-locator](https://www.mass.gov/courthouse-locator)

4. What If I Still Need Help?

You can reach out to Greater Boston Legal Services' **Consumer Rights Unit** for advice. We can't take every case, but will try our best to help.



- Call our intake line at **617-371-1234**
- Contact **Eastern Regional Legal Intake Helpline** at **617-603-1700**

★ Check <https://www.masslegalhelp.org/File-Answer> for more information.

COMMONWEALTH OF MASSACHUSETTS

_____ County, ss.

DISTRICT COURT

_____ DIVISION

DOCKET No. _____

_____ Plaintiff(s)

v.

ANSWER

_____ Defendant(s).

Defendant answers the Complaint as follows:

ANSWER (Check all that apply)

- 1. ___ General Denial: I deny each of the Plaintiff's allegations in the Complaint.
- 2. ___ I deny the allegations of paragraphs _____ in the Complaint.
- 3. ___ I admit to the information in paragraphs _____ of the Complaint.

AFFIRMATIVE DEFENSES (Check all that apply)

- 1. ___ I did not receive a copy of the Summons and Complaint.
- 2. ___ The copy of the Summons and Complaint I received was improperly served.
- 3. ___ I do not owe this debt.
- 4. ___ I previously paid the debt in full.
- 5. ___ I do not believe I owe this amount of debt.
- 6. ___ This debt is over six years old, and Plaintiff cannot sue to collect it.
- 7. ___ I am a victim of identity theft and I did not agree to be responsible for this debt.
- 8. ___ This debt has been discharged in bankruptcy.
- 9. ___ My only source of income is _____, which is exempt from collection.
- 10. ___ Other. Explain: _____

COUNTERCLAIMS (Check all that apply)

- 1. ___ Plaintiff committed "unfair or deceptive practices" in violation of G.L. Ch. 93A.
- 2. ___ Plaintiff violated _____ by _____.

Respectfully submitted,

(sign here) _____

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by regular mail postage pre-paid on _____ at this address:

_____.

(sign here) _____

COMMONWEALTH OF MASSACHUSETTS

The county
listed on the Complaint County, ss.

DISTRICT COURT

Where the court is located DIVISION

DOCKET No. The docket number
listed on the Complaint

The person or group that is suing you
Plaintiff(s)

v.

ANSWER

Your name
Defendant(s).

ANSWER (Check all that apply)

- Read each line of the Complaint. Notice that each paragraph has a number.
 - If you **disagree with everything** in the Complaint, check blank 1.
 - If you **disagree with parts** of the Complaint, check blank 2 & list the paragraph numbers.
 - If you **agree with parts** of the Complaint, check box 3 & list the paragraph numbers.
1. ___ General Denial: I deny each of the Plaintiff’s allegations in the Complaint.
 2. ___ I deny the allegations of paragraphs _____ in the Complaint.
 3. ___ I admit to the information in paragraphs _____ of the Complaint.

AFFIRMATIVE DEFENSES (Check all that apply)

- Affirmative Defenses can help you lower or wipe out the debt you owe.
 - **Only check the statements you can prove at trial.**
1. ___ I did not receive a copy of the Summons and Complaint.
 2. ___ The copy of the Summons and Complaint I received was improperly served.
 3. ___ I do not owe this debt.
 4. ___ I previously paid the debt in full.
 5. ___ I do not believe I owe this amount of debt.
 6. ___ This debt is over six years old, and Plaintiff cannot sue to collect it.
 7. ___ I am a victim of identity theft and I did not agree to be responsible for this debt.
 8. ___ This debt has been discharged in bankruptcy.
 9. ___ My only source of income is _____, which is exempt from collection.
 10. ___ Other. Explain: _____

COUNTERCLAIMS (Check all that apply)

- Counterclaims are when you accuse the Plaintiff of breaking debt collection laws or civil court rules.
 - **Only check the statements you can prove at trial.**
 - Learn more about 93A violations at mass.gov/service-details/the-massachusetts-consumer-protection-law
1. ___ Plaintiff committed “unfair or deceptive practices” in violation of G.L. Ch. 93A.
 2. ___ Plaintiff violated _____ by _____.

Respectfully submitted,
(sign here) _____
Your signature

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by regular mail postage pre-paid on date at this address: Plaintiff’s attorney’s address.

(sign here) _____
Your signature