

What do I do if I have been served with a law suit?

You can submit your Answer in writing to the court. You may prepare your own form or use one of the court's answer forms. Another option is to consult with an attorney. You must file the Answer within twenty (20) days of being served. The date after service is counted as day one. If the twentieth day falls on a day when the court is closed (a weekend or legal holiday), the Answer is due on the next day the court is open.

Answers must be "filed" to be legally sufficient. The date of mailing is not the date of filing. If you are close to the deadline for filing your answer, bring your answer to court and file it with the clerk yourself. Do not let an inadvertent delay in mail delivery cause you to waive your legal defenses.

You must serve a copy of the Answer to the Plaintiff by either personal delivery or first class mail. You must complete a certificate of service that is your personal oath that you have mailed a copy of your answer to the plaintiff.

There is a \$20 cost to filing an Answer. If you mail in your answer the \$20 fee must accompany your answer. If you neglect sending the answer fee the answer is not considered legally filed.

On the twenty-first (21) day after service, the case may go into default. However the Plaintiff must request default before default is entered.

You protect your rights by timely filing an answer with the clerk of court.

If you are also contending that the Plaintiff actually owes you money, you should file a counterclaim against the Plaintiff giving him notice of your counterclaim by service or first class mail.

The source of this information may be internal or external to the Beaverhead County Justice Court. The Beaverhead County Justice Court makes all reasonable efforts to verify this information. However, the information provided in this document is for your information only. The Beaverhead County Justice Court makes no explicit or implied claims to the validity of this information.