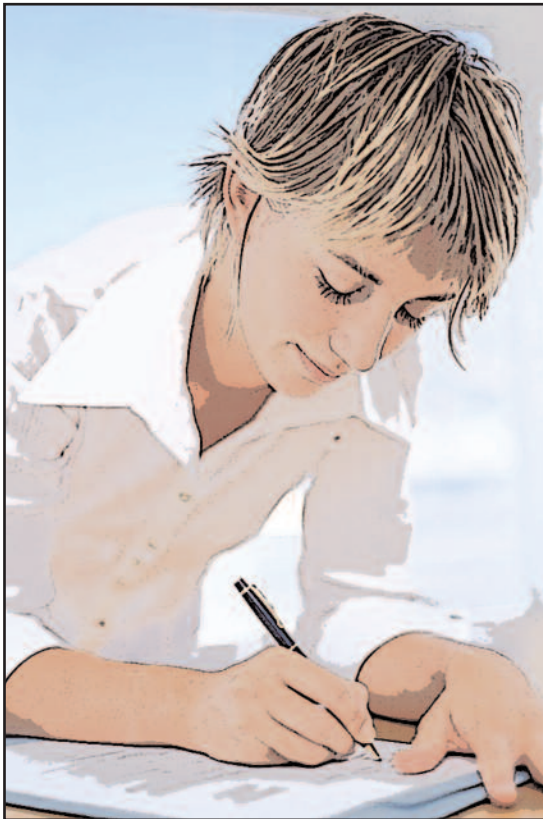




4125 East Tamiami Trail Naples, FL 34112
Tel. (239) 775-4555 Fax (239) 775-3887

How To File An Answer



This handout is intended to give only general advice and may not cover your specific situation. It is not intended as a substitute for individual legal advice. If you have a question about the information in this handout or have a situation not covered in this handout, you should contact an attorney as soon as possible.

Why File An Answer?

If you are served with a summons and complaint (or petition), this means someone has filed a lawsuit against you. A summons notifies you that you have been sued and informs you that you must respond to the lawsuit. A complaint sets forth the reason and basis for the suit. *If you do not want to lose your right to defend yourself and participate in the proceedings, you must file an answer within the time frame stated in the summons.*

What Is The Time Frame To Respond?

You have a limited time to respond. The summons will tell you exactly how many days. A summons for eviction of a rental property gives you only five (5) working days to file your answer with the court. Count five days starting with the day after you are served the summons. Do not count Saturdays, Sundays, or legal holidays.



All other summonses will give you twenty (20) days to file your answer. Count twenty days starting with the day after you are served and count every day, including Saturdays and Sundays.

QUESTIONS?

Contact

**LEGAL AID SERVICE
OF COLLIER COUNTY**

4125 East Tamiami Trail Naples, FL
(239) 775-4555

What If I Do Not Respond Or Do Not Meet The Deadline?

If you do not respond or meet the deadline, the person filing the lawsuit will win a judgment against you. This is called a default. There are some limited circumstances where a default can be challenged. One of them is if you were not properly notified of the lawsuit and did not have a chance to respond.

What Do I Say In My Answer?

Read the complaint or petition to see why you are being sued and what the person wants the court to do. Then write a response. It is best to respond to each numbered paragraph of the complaint or petition. Every allegation in a complaint is usually given a number. You should number your answer the same way.

If you have other facts that you want the judge to know, add additional numbered paragraphs. Place your responses under the headings "Answer." You may refer to the sample answer format in this brochure.

After you have written your responses, be sure to fill in the other blanks such as the names of the parties and the case number. If you are attaching any copies of important documents, write the names of these documents under the heading "Attachments" at the bottom of the page (above your signature).



Finally, look at the very last paragraph of the answer and choose how you will give a copy to the party filing the lawsuit (either hand-deliver or mail), then sign and date the answer.

What Do I Do Next?

Make at least two copies of your completed answer. The original, with any attachments, goes to the Clerk of the Court where the lawsuit was filed. Look at the top of the summons to see if it was filed in the County or Circuit Civil Court. Once your original is filed, the court will keep you advised of all hearings so that you can continue with your defense.

BE SURE TO ATTACH THE COPIES OF THE IMPORTANT DOCUMENTS (COPIES ONLY – NO ORIGINALS)

You must mail one copy (with any attachments) to the plaintiff or the plaintiff's attorney. Look at the name and address on the summons to see where to send the plaintiff's copy. Keep one copy in a safe place for your records.





The mission of Legal Aid Service of Collier County (LASCC) is to provide high-quality free civil legal advice, representation and education to the residents of Collier County, based on need, so as to encourage self-sufficiency and improve the lifestyle and living conditions of the entire community.

FAMILY LAW

LASCC provides advice, counsel and representation in a variety of family law matters, including Dissolution of Marriage cases (divorce), Custody Litigation and several other areas. We make referrals to a variety of agencies if we cannot help you. The Family Law Unit primarily focuses on representing victims of domestic violence in family law matters, providing advice and counsel for Final Judgment of Injunction for Protection Against Domestic Violence (restraining orders).

PUBLIC BENEFITS

LASCC provides advocacy and representation to those applying for public benefits such as Social Security, Medicare, Medicaid, Worker's Compensation, and facilitates Collier's elderly residents access to the courts.

HOUSING UNIT

LASCC's Housing Unit helps to ensure fair treatment for Collier County's low-income tenants and homeowners by providing legal assistance, advocacy and representation regarding matters such as tenant evictions, landlord/tenant disputes, government-subsidized housing (Section 8), and mortgage foreclosures.

EDUCATION LEGAL RIGHTS

The Education Legal Rights Project of Collier County provides legal advice and representation to children and parents when the child's needs are not being met in the school. Such needs may include additional services due to a learning disability, physical, mental or emotional disability, other health impairment, or other disabling conditions.

IMMIGRATION SERVICES

LASCC's Immigration Services assists victims of domestic violence, trafficking in persons, and other violent crimes in obtaining lawful immigration status. We represent abused, abandoned, or neglected immigrant children in their applications for lawful permanent residence. In removal proceedings we represent clients with meritorious defenses such as adjustment, cancellation, political asylum, and NACARA. We also work at family reunification through family petitions and visa practice, especially for families of farm workers. Please contact our Immokalee office for more information at (239) 657-7442.

LOW INCOME TAXPAYER CLINIC

Do you have problems or questions regarding Federal Income Taxes? LASCC's Low Income Taxpayer Clinic can probably help. The program assists low-income taxpayers in resolving their tax disputes with the Internal Revenue Service.

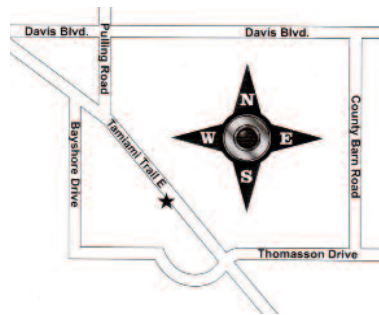
Contact Our Office

HOURS OF OPERATION:
9-5 Mon - Fri.

ADDRESS:
4125 East Tamiami Trail
Naples, FL 34112

PHONE:
(239) 775-4555

FAX:
(239) 775-3887



SAMPLE ANSWER
(must be completed on 8-1/2" x 11" paper)

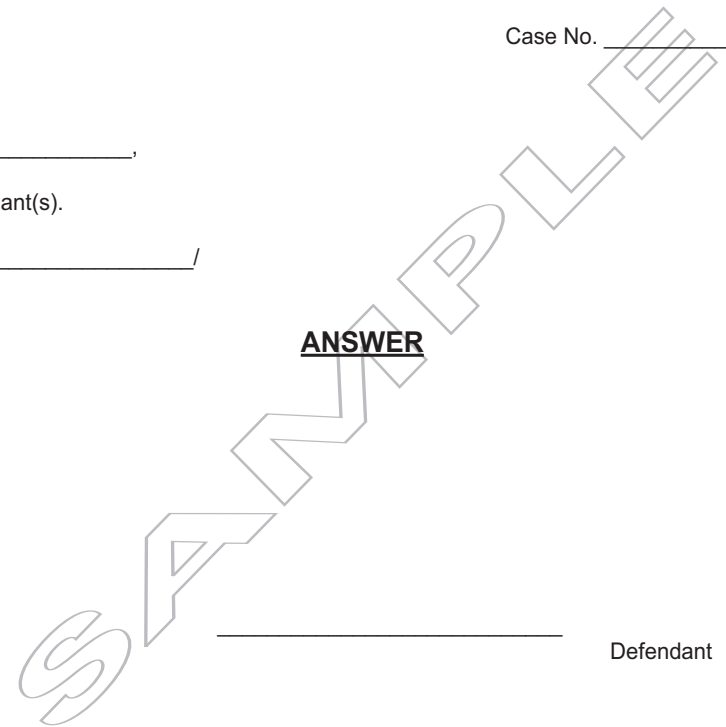
IN THE COUNTY/CIRCUIT COURT, CIVIL DIVISION
IN AND FOR COLLIER COUNTY, FLORIDA

Plaintiff(s)

VS. Case No. _____

Defendant(s)

- 1.
- 2.
- 3.



ANSWER

Defendant

Street Address

City, State, Zip Code

I hereby certify that a copy hereof has been sent by hand-delivery/U.S. Mail to Plaintiff/Plaintiff's Attorney

this ____ day of _____, 20__.

Defendant

NOTE: This handout is intended to give only general advice as to how to file an answer with the court and may not cover your specific situation. It is not intended as a substitute for individual legal advice. If you have a question about the information contained in this handout or have a situation not covered in this handout, you should contact an attorney as soon as possible. Also remember that an answer must be completed on an 8-1/2" x 11" sheet of paper. Please do not file this sample answer with the court.