



MARICOPA COUNTY JUSTICE COURTS

If you want to file a...

CIVIL COUNTERCLAIM



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A counterclaim is a claim made by the defendant against the plaintiff. A counterclaim should be filed at the same time the defendant's answer is filed (Refer to the Civil Answer packet). If you have already filed an answer, you must file a motion requesting permission to file a counterclaim.

If the amount of your counterclaim **EXCEEDS \$10,000** the civil case will immediately be **TRANSFERRED TO THE SUPERIOR COURT** and appropriate filing fees will be assessed by the Superior Court before processing can commence.

Please STOP...

- If you have not been served with a civil summons and complaint.
- If there has already been a judgment rendered.
- If you have not filed an answer to the civil complaint.

Please PROCEED...

If you are within the prescribed time limit of filing counterclaim and are filing or have filed an answer.

FORMS Needed:

Civil Counterclaim

INSTRUCTIONS:

- 1) Complete the form(s)
- 2) Make copies of the answer form and counterclaim form. The court will require an original of each and you may wish to have copies; additionally each named plaintiff will need a copy.
- 3) File papers with the court clerk
- 4) There is no fee for the counterclaim.
- 5) Mail the copies to the plaintiff(s).

IT IS IMPORTANT THAT ALL PARTIES KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at <http://justicecourts.maricopa.gov/> for additional filing information and online forms.



Maricopa County Justice Courts, Arizona

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

Attorney for Plaintiff(s) Name / Address / Email / Phone

Attorney for Defendant(s) Name / Address / Email / Phone

COUNTERCLAIM JCRCP Rule 117

Defendant / Counterclaimant, having filed an answer to the plaintiff's / Counter-Defendant's complaint, now counterclaims against the following named plaintiff(s) / Counter-Defendant(s) , as follows:

This is what the Plaintiff / Counter-Defendant has done to cause the damages I am claiming: (state wrongful acts)

1. _____

2. _____

3. _____

4. _____

I am asking the court to award me a judgment against the Plaintiff(s) / Counter-Defendant(s) in the sum of \$ _____
(state claimed damages)

I am also asking for reimbursement of my court costs and interest at the legal rate from the date of judgment.

I state under penalty of perjury that the foregoing is true and correct.

Date: _____
Defendant / Counterclaimant

I CERTIFY that a copy of this document has been or will be mailed on _____ to:	
<input type="checkbox"/> Plaintiff at the above address	<input type="checkbox"/> Plaintiff's attorney
<input type="checkbox"/> Defendant at the above address	<input type="checkbox"/> Defendant's attorney
Date: _____	By _____
Signature	

To Plaintiff(s): You have twenty (20) days to respond this Counterclaim by filing a Written Reply. If you fail to do so, a default judgment may be entered against you for the relief sought by the party filing the Counterclaim.