

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.

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. Like 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 had it notarized, make 2 copies. Bring the Original and your 2 copies to the County Clerk for filing with the Court. File the Original and ask to have your copies stamped with “date of entry”. Bring the copies back with you. Send 1 stamped copy to the Plaintiff and keep 1 stamped copy for your files.

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) _____,

ANSWER TO

Defendant.

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