

## Answer Information Sheet

This is a general civil case *Answer* form.\*

Talk to a lawyer before signing or filing this form with the court. You may accidentally give up important legal rights if you file an *Answer* without first talking to a lawyer.\*\* And, this may not be the right type of *Answer* form for your case. Depending on your case, you may need to file an *Answer* that is verified (signed in front of a notary) and includes specific legal defenses to the lawsuit filed against you or identifies specific things the Plaintiff did not do before filing the lawsuit. A lawyer can explain your legal rights and draft the documents needed in your particular case.

For help finding a lawyer, contact your local lawyer referral service or the Lawyer Referral Information Service at [www.TexasBar.com](http://www.TexasBar.com) or 1(800) 252-9690. If you can't afford to hire a lawyer to take your whole case, you can hire a lawyer just to give you advice, review your forms, draft a document or help you prepare for a hearing. This is called limited scope representation. You may also be able to get free advice from a volunteer lawyer. For a list of legal service programs near you, go to [www.TexasLawHelp.org](http://www.TexasLawHelp.org) and click on "Find Legal Assistance."

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### **What does an Answer do?**

Filing an Answer enters your appearance in the lawsuit filed against you.

If you have been served and **do not** file an *Answer*, the court can enter a **default judgment** against you. This means the court makes the orders the Plaintiff asked for in the *Petition* without any further notice to you.

Filing an *Answer* stops the court from entering a **default judgment**. Once you have filed an *Answer* the Plaintiff must give you notice of all hearings and send you a copy of any documents filed in the lawsuit.

### **Is there a deadline to file an Answer?**

Yes. If a process server has served you with court papers, you have a limited time to file your *Answer*. Counting from the day you were served, you have 20 days plus the following Monday, at 10am, to file an *Answer*. If you do not file your *Answer* by the deadline, the Plaintiff can ask the court to enter a **default judgment** against you.

### **Is there a fee to file an Answer?**

No. It does not cost anything to file an *Answer*.

### **How do I file an Answer?**

Fill out this form and sign it. Make at least two copies. Take the original and copies to the clerk's office in the county where the *Petition* was filed. The clerk will keep the original, stamp your copies and give them back to you.

You must deliver a copy of your *Answer* to each party in the case. You must deliver it by certified mail return receipt requested, fax or personal delivery. If a party is represented in the case by a lawyer, send the copy to the party's lawyer. If the party does not have a lawyer, send it to the party.

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\*Don't use this *Answer* form if the case filed against you is a family law case, such as a divorce or custody case. Get a family law *Answer* form at [www.TexasLawHelp.org](http://www.TexasLawHelp.org).

\*\*For example, if you don't live in Texas you may be able to argue that a Texas court doesn't have power to make orders against you. However, you will give up your right to make that argument if you file an *Answer* (or any other pleading) before filing a *Special Appearance*. Or, you may be able to argue that the Plaintiff filed the case in the wrong Texas county. However, you will give up your right to make that argument if you file an *Answer* before filing a *Motion to Transfer Venue*.

**Cause Number** \_\_\_\_\_  
(Complete the heading so that it looks exactly like the Petition)

\_\_\_\_\_  
**Plaintiff** (Print Full Name)

**VS**

\_\_\_\_\_  
**Defendant** (Print Full Name)

In the (check one):

\_\_\_\_\_  
Court Number

☐ District Court  
☐ County Court at Law  
☐ Justice Court (JP)

\_\_\_\_\_ County, Texas

### Defendant's Answer

My name is \_\_\_\_\_. I am the Defendant in this Case.  
(PRINT your full name.)

I enter a general denial. I request notice of all hearings in this case.

The last three numbers of my driver's license number are \_\_\_\_\_. My driver's license was issued in (State) \_\_\_\_\_.

**Or** ☐ I do not have a driver's license number.

The last three numbers of my social security number are \_\_\_\_\_.

**Or** ☐ I do not have a social security number.

I understand that I *must* let the Court, the Plaintiff's lawyer (or the Plaintiff if the Plaintiff does not have a lawyer), and any other party or attorney of record in this case know in writing if my mailing address or email address changes during this case. If I don't, any notices about this case will be sent to me at the mailing address or email address on this form.

I pray that Plaintiff take nothing by this suit, for costs of court, and for such other and further relief, at law or in equity, to which I may be justly entitled.

Respectfully submitted,

\_\_\_\_\_  
Defendant's Name (print)

( )  
\_\_\_\_\_  
Phone number

→  
\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

Defendant's  
Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
city state zip

Defendant's Email  
Address: \_\_\_\_\_

Defendant's Fax #  
(if available): \_\_\_\_\_

### **Certificate of Service**

I will give a copy of this document to the Plaintiff's attorney or the Plaintiff (if the Plaintiff does not have an attorney) on the same day this document is filed with (turned in to) the Court as follows:

*If I file this document electronically*, I will send a copy of it to the Plaintiff or the Plaintiff's attorney through the electronic file manager if possible. If not possible, I will give a copy to the Plaintiff or the Plaintiff's attorney in person, by mail, by commercial delivery service, by fax, or by email.

*If I file a paper copy of this document*, I will give a copy of it to the Plaintiff or the Plaintiff's attorney in person, by mail, by commercial delivery service, by fax, or by email.

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*Defendant's Signature*

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*Date*