

Civil Answer - Unverified

# SAMPLE

Use the samples to help you complete  
the packet of blank forms.



ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): <b>Your Name</b> <b>Your Street Address</b> <b>Your City, State, and Zip</b> ATTORNEY FOR (NAME): <b>In Pro Per</b>		TELEPHONE: <b>Your Phone #</b>	FOR COURT USE ONLY:  <b>SAMPLE ONLY</b>  <b>Do not write on this copy!</b>
Insert name of court, judicial district or branch court, if any, and post office and street address: <b>Superior Court of California</b> <b>Civil Division</b> <b>Check with Staff</b>			
PLAINTIFF: <b>Person/Company who is Suing You</b>			
DEFENDANT: <b>Your Name</b>			
<b>ANSWER - Contract</b>			
<input checked="" type="checkbox"/> <b>TO COMPLAINT OF (name):</b> <b>Person/Company who is Suing You</b>	<input type="checkbox"/> <b>TO CROSS-COMPLAINT (name):</b>	CASE NUMBER: <b>Your Case Number</b>	

PUT THE # OF PAGES ATTACHED HERE. DO NOT INCLUDE THE PROOF OF SERVICE.

- This pleading, including attachments and exhibits, consists of \_\_\_\_\_
- DEFENDANT (name): **Your Name**

answers the complaint or cross-complaint as follows:

- Check ONLY ONE:
  - Defendant
  - Defendant

**Read each statement ("a" or "b") and choose which one best fits your situation.**

(1) Defendant claims the following statements are false (use paragraph numbers or explain):

If you choose "b", write the number of the paragraph(s) here, from the papers that were given to you, that you believe are NOT TRUE. (ex. 3.b. or BC-1)

Continued on Attachment 3.b.(1).

- Defendant has no information or belief that the following statements are true, so defendant denies them (use paragraph numbers or explain):

If you choose "b", write the number of the paragraph(s) here, from the papers that were given to you, that you are NOT SURE are true. (ex. 3.b. or BC-1)

Continued on Attachment 3.b.(2).

If this form is used to answer a cross-complaint, plaintiff means cross-complainant and defendant means cross-defendant.

SHORT TITLE:

Person Suing You vs. Your Name

CASE NUMBER:

Your Case Number

**ANSWER-Contract**

4.  AFFIRMATIVE DEFENSES

Defendant alleges the following additional reasons that plaintiff is not entitled to recover anything:

See the attached defenses. If you see that any apply to your case check "4." and the box "Continued on Attachment 4." and check the box(es) on the attachment that apply to your case.

Continued on Attachment 4.

5.  Other:

If you would like to explain your side of the case, check box "5." you can write it out here.

6. DEFENDANT PRAYS

a. that plaintiff take nothing.

b.  for costs of suit.

c.  other (specify):

Print Your Name.....  
(Type or print name)

Sign Your Name.....  
(Signature of party or attorney)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  <b>YOUR NAME</b> <b>YOUR ADDRESS</b>  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>SELF-REPRESENTED</b>	<b>SAMPLE ONLY Do not write on this copy!</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Clara</b> STREET ADDRESS: <b>CHECK WITH STAFF</b> MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: <b>Name of person who started the case</b>  RESPONDENT/DEFENDANT: <b>Name of person who responded to the case</b>	
<b>PROOF OF SERVICE BY FIRST-CLASS MAIL - CIVIL</b>	

*(Do not use this Proof of Service to show service of a Summons and Complaint.)*

1. I am over 18 years of age and **not a party to this action**. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:  
**Server's Address**
3. On (date): **Date Answer mailed** I mailed from (city and state): **City & State Answer mailed from**  
the following **documents (specify):**  
**Answer - Contract**

The documents are listed in the *Attachment to Proof of Service by First-Class Mail - Civil (Documents Served)* (form POS-030(D)).

4. I served the documents by enclosing them in an envelope and (check one):
  - a.  **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
  - b.  **placing** the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelope was addressed and mailed as follows:
  - a. **Name** of person served: **Plaintiff's Name**
  - b. **Address** of person served:  
**Plaintiff's Attorney's Name**  
**Plaintiff's Attorney's Address**

(If Plaintiff doesn't have an attorney, put Plaintiff's Address here)

The name and address of each person to whom I mailed the documents is listed in the *Attachment to Proof of Service by First-Class Mail-Civil (Persons Served)* (POS-030(P)).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **Server dates here**

**Server prints their name here** \_\_\_\_\_  
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

**Server signs their name here** \_\_\_\_\_  
(SIGNATURE OF PERSON COMPLETING THIS FORM)

## INFORMATION SHEET FOR PROOF OF SERVICE BY FIRST-CLASS MAIL - CIVIL

(This information sheet is not part of the Proof of Service and does not need to be copied, served, or filed.)

**NOTE:** This form should **not** be used for proof of service of a summons and complaint. For that purpose, use *Proof of Service of Summons* (form POS-010).

Use these instructions to complete the *Proof of Service by First-Class Mail - Civil* (form POS-030).

A person over 18 years of age must serve the documents. There are two main ways to serve documents: (1) by personal delivery and (2) by mail. Certain documents must be personally served. You must determine whether personal service is required for a document. Use the *Proof of Personal Service - Civil* (form POS-020) if the documents were personally served.

The person who served the documents by mail must complete a proof of service form for the documents served. **You cannot serve documents if you are a party to the action.**

### INSTRUCTIONS FOR THE PERSON WHO SERVED THE DOCUMENTS

The proof of service should be printed or typed. If you have Internet access, a fillable version of the Proof of Service form is available at [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms).

*Complete the top section of the proof of service form as follows:*

First box, left side : In this box print the name, address, and telephone number of the person *for* whom you served the documents.

Second box, left side : Print the name of the county in which the legal action is filed and the court's address in this box. The address for the court should be the same as on the documents that you served.

Third box, left side : Print the names of the Petitioner/Plaintiff and Respondent/Defendant in this box. Use the same names as are on the documents that you served.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. The case number should be the same as the case number on the documents that you served.

*Complete items 1-5 as follows:*

1. You are stating that you are over the age of 18 and that you are not a party to this action. You are also stating that you either live in or are employed in the county where the mailing took place.
2. Print your home or business address.
3. Provide the date and place of the mailing and list the name of each document that you mailed. If you need more space to list the documents, check the box in item 3, complete the *Attachment to Proof of Service by First-Class Mail - Civil (Documents Served)*(form POS-030(D)), and attach it to form POS-030.
4. For item 4:  
Check box a if you personally put the documents in the regular U.S. mail.  
Check box b if you put the documents in the mail at your place of business.
5. Provide the name and address of each person to whom you mailed the documents. If you mailed the documents to more than one person, check the box in item 5, complete the *Attachment to Proof of Service by First-Class Mail - Civil (Persons Served)*(form POS-030(P)), and attach it to form POS-030.

**At the bottom, fill in the date on which you signed the form, print your name, and sign the form. By signing, you are stating under penalty of perjury that all the information you have provided on form POS-030 is true and correct.**