

# Did someone sue you for breach of contract? (unlimited - verified)

## HOW TO:

- Answer a lawsuit started against you in civil court for breach of contract. You will need to use these forms if there is a page called "Verification" in the paperwork that was given to you by the other side.

## WHEN TO USE:

- If someone wants money from you because they think you owe it to them based on a contract, loan or agreement. For example, you can use this answer if you have been sued because you have not paid your medical or credit card bills or have not finished a contracting job.
- **Important:** You **must** file the **original Answer, Affirmative Defenses** and completed **Proof of Service** with the court's clerk within **30 days** after receiving the lawsuit paperwork.

If you want more information about civil lawsuits, please look at the Court's website at [www.sccsuperiorcourt.org](http://www.sccsuperiorcourt.org) or [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov).

*Self Service Center  
Superior Court, County of Santa Clara  
99 Notre Dame Avenue  
San Jose, CA 95113  
408.882.2926*

[www.sccselfservice.org](http://www.sccselfservice.org)  
Santa Clara County  
Self-Help website

[www.sccsuperiorcourt.org](http://www.sccsuperiorcourt.org)  
Santa Clara County  
General website

[www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)  
State of California  
Self-Help website

Verified Answer – Contract  
1/2/04

# INSTRUCTIONS

**A. Fill out the attached blank forms** (type or print neatly in blue or black ink) using the attached sample forms as a guide:

- **Answer #982.1(35)**
- **Affirmative Defenses Attachment (please read these and see if they apply to your case).**
- **Verification /Proof of Service by Mail #SCL-0031**

**B. How to File Your Papers:**

Follow these easy steps *in order* from, from 1 to 3:

1. Make **2 copies** of your completed papers (one for You, one for the other party **or** their attorney). **The original is filed with the court.**
2. Serve the paperwork to the other side:
  - a. Have someone over 18 who is not involved in your case (the "server") mail one **copy** of the **Answer** and **Affirmative Defenses** (if you used them) to the lawyer **or** the person suing you (if they do not have a lawyer). **You cannot mail the papers yourself!**
  - b. After the server puts a copy of the **Answer** and **Affirmative Defenses** (if you used them) in the mail, have him or her **completely** fill out the **Proof of Service by Mail** form.
3. **Bring the completed Proof of Service by Mail** along with your **original Answer** and **Affirmative Defenses** to the court located at 191 North First Street, San Jose CA 95113. Go to the court clerk's window and ask for the clerk to file the **Answer, Affirmative Defenses** and **Proof of Service** together.
  - a. The filing fee for this paperwork is \$302.50 for cases between \$10,001 and \$25,000 and \$296.20 for cases of more than \$25,000.
  - b. If your income is low and you want to ask the court to not pay the fee, fill out an Application for Waiver of Court Fees and Costs packet (#982(a)(17) and (982(a)(18))). Fee waiver packets and sample forms are available at the Self- Service Center.

**C. Attend your scheduled case management conference.**