



District Court

Answer to Small Claims Lawsuit (Self-represented Litigant)



You have been sued! Follow the directions below. If you do not, the court can give the person who sued you everything they asked for in this lawsuit against you.

Instructions

Use this packet to file an answer to a Small Claims Lawsuit. A Small Claims Lawsuit is a court case for money if the amount is \$5,000 or less, not including court costs (fees for using the court). When you are done, file this form with the Clerk of the District Court – Small Claims Division.

Need Other Services? See page 7 of this packet.

The Answer to Small Claims Lawsuit has seven (7) parts:

- Part 1: Plaintiff's Statement of Claim
- Part 2: Answer
- Part 3: Expert Witness
- Part 4: Counterclaim
- Part 5: No Appeal of the Counterclaim
- Part 6: Signature
- Part 7: Certificate of Service

Plaintiff: The plaintiff is the person who files a court case for money.

Defendant: The defendant is the person or company who may owe the plaintiff money. You are the defendant in this case.

There may be more than one plaintiff or defendant in a case.

Step 1: Read Part 1 - Statement of Claim by the plaintiff carefully. This is where the plaintiff tells the court why you owe money to the plaintiff and how much. See page 3 of this packet.

Step 2: Fill out the Answer form. An answer is a written response to the Small Claims Lawsuit. The Answer form begins on page 3 of this packet.

Step 3: File your Answer within twenty (20) days of service. Service means delivery of court papers to you personally by a sheriff or constable. Service is how you find out about the lawsuit.

Step 4: If you do not file an Answer, the court can enter a judgment by default. This means the court can order you to pay the money the plaintiff claims that you owe without you being there.



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| |
|------------------------|
| Case Number |
| To be filled in by the |

Part 1 – Plaintiff’s Statement of Claim

In this section, the plaintiff writes how much you owe.

| |
|-------------------------------|
| The plaintiff claims you owe: |
| \$ _____ Amount |
| plus |
| \$ _____ Court costs |
| \$ _____ Total claim |

If the plaintiff wins the lawsuit, the court clerk will tell you the amount you must pay as well as any interest and court costs the plaintiff may be owed.

Part 2 – Answer

1 Give the court your contact information.

Your name,
address,
telephone, and
email

| |
|--|
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|--|

Name and
address of
your lawyer if
you have one

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2 Use this part of the form to tell the court your side.

- I disagree with the claim of the plaintiff because:
- I admit I owe the claim and judgment (a decision by the court that I owe the amount claimed by the plaintiff) may enter against me. I need more time to pay for the following reason:

Part 3 – Expert Witness

An expert witness is a person with knowledge or experience in a particular field or with a special skill. In some cases, you may need an expert witness to support your case. Not sure? Talk to a lawyer.

Do you plan to use an expert witness? If yes, bring your expert witness to the trial.
 Yes No

Part 4 – Counterclaim

A counterclaim is a claim that you have against the plaintiff for money you believe is owed to you from the plaintiff in this case only. Fill out this section if the plaintiff owes you \$5,000 or less.

- The plaintiff(s) owes me \$_____ because:



There may be more than one (1) plaintiff in this case. Only fill this out if you have more than one (1) plaintiff.

| Plaintiff's Name | Address | Telephone | Email |
|------------------|---------|-----------|-------|
| | | | |
| | | | |
| | | | |
| | | | |

Part 5 – No Appeal of the Counterclaim

I understand that I must give up my right to an appeal on my counterclaim. An appeal is when another court reviews your case. By law, you must agree that even if you do not like the outcome of the case, you cannot challenge the decision made by the judge.

Part 6 – Signature

Your Signature

Print Your Name

Date

Part 7 – Certificate of Service

A certificate of service lets the court know that you electronically filed, mailed, or hand delivered a copy of this packet to the plaintiff or the plaintiff's lawyer. **The person who electronically filed, mailed, or hand delivered a copy of the packet should complete the box below.**

Certificate of Service

I hereby certify that, on the _____ day of _____, 20____:

I filed and served this document through the electronic filing system on the following: _____.
The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary’s Electronic Filing System.

I served this document through the electronic filing system on the following: _____.
The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary’s Electronic Filing System.

I mailed or hand-delivered this document to the plaintiff’s attorney, if listed in the Smalls Claims Notice of Lawsuit, or the plaintiff whose name is _____ at the following address _____.

Name



What to do Next?

You must file this Answer with the court and provide a copy of your Answer to the plaintiff. Here are the steps:

Step 1: Make copies of this form, pages 3 to 6.

Step 2: Mail one copy of this form, pages 3 to 6, to the plaintiff or the plaintiff's lawyer (see Part 7).

Step 3: File your Answer, pages 3 to 6, with the court listed below. You may electronically file, mail, or drop off the packet in person to the Clerk of the District Court - Small Claims Division at the address checked below.

| | |
|--|---|
| <input type="checkbox"/> Murray Judicial Complex 2nd Division District Court 45 Washington Square Newport, Rhode Island 02840-2913 (401) 841-8350 Cities and towns: Jamestown, Little Compton, Middletown, Newport, Portsmouth, and Tiverton. | <input type="checkbox"/> Noel Judicial Complex 3rd Division District Court 222 Quaker Lane Warwick, Rhode Island 02886-0107 (401) 822-6750 Cities and towns: Coventry, Cranston, East Greenwich, Foster, Johnston, Glocester, Lincoln, North Kingstown, North Providence, North Smithfield, Scituate, Smithfield, Warwick, West Greenwich, and West Warwick. |
| <input type="checkbox"/> McGrath Judicial Complex 4th Division District Court 4800 Tower Hill Road Wakefield, Rhode Island 02879-2239 (401) 782-4131 Cities and towns: Charlestown, Exeter, Hopkinton, Narragansett, New Shoreham, Richmond, South Kingstown, and Westerly. | <input type="checkbox"/> Garrahy Judicial Complex 6th Division District Court One Dorrance Plaza Providence, Rhode Island 02903-2719 (401) 458-5400 Cities and towns: Barrington, Bristol, Burrillville, Central Falls, Cumberland, East Providence, Pawtucket, Providence, Warren, and Woonsocket. |

Step 4: Keep a copy of your Answer for your records.

Step 5: **The court will refer the case to mediation** when you timely file an Answer (see Step 3 on page 2). You must contact the mediator by the date in the notice that the court will send to you.

Step 5: **Prepare for trial.** If the mediation was not successful, the court will send you a hearing notice with a trial date. Gather evidence, witnesses, and plan what you are going to say.

Step 6: **Go to the trial.** If you do not go to the trial, the court can enter a judgment by default. This means the court can order you to pay the money the plaintiff claims that you owe without you being there.

Need Other Services?



Request for Language Access Services: If you need language assistance, please contact the Office of Court Interpreters (OCI) at (401) 222-8710 or by email at oci@courts.ri.gov as soon as you receive this form.



Request for Accommodations: Sign language interpreters, assistive listening systems or devices, or Communication Access Realtime Translation (CART) services are available upon advanced request. For these and other accommodations, contact the clerk's office or complete the [Request Form for Sign Language Interpreters, Assistive Listening Equipment, or Other Americans with Disabilities Act Accommodation](#) and submit to the clerk as soon as you receive this form. TTY users can contact the District Court through Rhode Island Relay at 7-1-1 or 1-800-745-5555 (TTY).



Information: See a manual on [Instructions on How to File a Small Claims Case](#) for further instructions or use the QR (quick response) code below.

How to scan a QR code with the Camera app

1. Open the camera app from the Home Screen, Control Center, or Lock Screen.
2. Select the rear-facing camera. Hold your device so that the QR code appears in the viewfinder in the Camera app.
3. Tap the notification to open the link associated with the QR code.

