

**CIVIL INSTRUCTIONS**  
**MAKE SURE THAT YOU READ THESE CAREFULLY**  
**CLERKS CANNOT HELP YOU FILL OUT THE PAPERS!!!**

- A. The Defendant must appear and either agree that he/she does owe the amount and make arrangements to pay it or the Defendant may deny the amount requested, either way, the Defendant must file an Answer. Any and all payments should be made directly to the Plaintiff. No payments are to come through the Court
- B. **To file an Answer, the Defendant must state, on a provided form the reasons why he/she feels that they do not owe the amount and must deliver a copy to the Plaintiff.** The cost for filing an answer is thirty (\$30.00) dollars per Defendant. If the Defendant admits that they owe the amount, they must still pay the \$30.00 fee. The Defendant is also responsible to pay all costs by the Plaintiff if they are admitting that they owe the money.
- C. The Certificate of Service, on the bottom of the Answer form, **MUST** be filled out, and a copy **MUST** be mailed to the Plaintiff.
- D. If the Defendant denies owing the claim, the matter is set for a Pre-trial Conference. Both parties will be notified of the date and time and both **MUST** appear. The parties will meet together and try to settle the matter at that time. If the parties are unable to settle the matter it will be set for trial at a later date. Notice of trial will be given at the Pre-trial Conference. If the Plaintiff fails to appear the suit will be dismissed with prejudice. If the Defendant fails to appear, judgment will be given against he/she.
- E. In the event that you are counterclaiming against the Plaintiff. Use the same sheet as the answer form and briefly state that you are counterclaiming, and for what amount. You must mail a copy to the other party. Ask the clerk for a Counterclaim Summons so you can fill this out to go along with the Answer and Counterclaim. If you counterclaim for an amount above the jurisdiction of the court (\$15,000) the counterclaim will be dismissed without prejudice.
- F. In the event that the Defendant does not answer the summons and complaint after the twenty (20) days, or ten (10) business days in a Landlord/Tenant, he/she is in default. The Plaintiff must appear and certify, under oath and in writing that the defendant is responsible for the amount owed.
- G. After the party receives judgment, the amount is due and payable upon demand. If the party cannot collect the debt he may request the court to issue an order of execution. The Sheriff may be directed to seize bank accounts, attach wages, or anything the debtor owns free of liens. Items seized will be subject to sale by the Sheriff. Judgments are good for a period of Ten (10) years.

IN THE JUSTICE COURT, CITY OF LIVINGSTON  
COUNTY OF PARK, STATE OF MONTANA  
BEFORE JUDGE LINDA CANTIN

\_\_\_\_\_

Plaintiff(s)

**ANSWER & COUNTERCLAIM**

Case No: CV-\_\_\_\_\_

vs

\_\_\_\_\_

Defendant(s)

COME(S) NOW, the Defendant(s), \_\_\_\_\_  
in the complaint does answer as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, Defendant(s) is counterclaiming for relief against the Plaintiff and requests  
judgment against Plaintiff(s) on their Counterclaim as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Counterclaim for a total of \$ \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's Signature(s)

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Email Address

**CERTIFICATE OF SERVICE**

I Hereby Certify that a true and correct copy of the Answer was served upon the Plaintiff(s) or Plaintiff(s) Attorney by  
placing the same in the U. S. mail, postage fully paid thereon, addressed as follows:

\_\_\_\_\_  
\_\_\_\_\_

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

IN THE JUSTICE COURT  
CITY OF LIVINGSTON, PARK COUNTY, STATE OF MONTANA  
BEFORE LINDA BUDESKI, JUSTICE OF THE PEACE

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s)  
-vs-  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s)

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Civil Case CV-\_\_\_\_\_

**SUMMONS**

**THE STATE OF MONTANA TO THE ABOVE NAMED DEFENDANT(S), GREETINGS:**

**YOU ARE HEREBY SUMMONED** to answer the Counterclaim/Complaint in this action which is filed in the above-entitled Court, a copy of which is herewith served upon you. In the event that you deny any or all of the material facts stated in the complaint, you must file your written answer for each Plaintiff with the above-entitled Court, and serve a copy of your answer by mail upon the Defendant or his attorney at the address as shown on the Complaint.

The answer must contain a denial of any or all of the material facts stated in the Complaint that the Plaintiff believes to be untrue, and also a statement, in plain or direct manner, of any other facts constituting a defense. Any matter not denied shall be deemed admitted. If you fail to answer within twenty (20) days after receiving the Counterclaim/Complaint and Summons the Defendant may request entry of default judgment against you for the relief demanded in the Counterclaim/Complaint.

GIVEN under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE / CLERK OF COURT