

Purpose of form:

To file an answer and/or counterclaim against the plaintiff's statement of claim.

An answer and counterclaim must be FILED with the clerk of court within thirty (30) days of the date the defendant is served. The mailing of an answer and counterclaim is not sufficient unless it is filed with the clerk within the requisite time period. Please mail early to insure timely filing with the clerk of court.

An answer is the defendant's written response to the plaintiff's statement of claim. It should list all the defenses of the defendant and either admit or deny the claims of the plaintiff. A counterclaim is the claim of the defendant against the plaintiff. Some counterclaims are mandatory, while other counterclaims are permissive. A mandatory counterclaim is a claim of the defendant that arose out of the same transaction that the plaintiff is suing upon. Mandatory counterclaims must be immediately filed in response to the claims of the plaintiff or the defendant's counterclaim may be forever barred. A permissive counterclaim is not related to the plaintiff's claim and does not necessarily have to be filed in response to the plaintiff's statement of claim.

The defendant should fill out the address location where defendant wants future court notices to be sent. Also, it is critical that the defendant list a "day-time" phone number. Oftentimes calendar conflicts arise at the last moment, and the court cannot notify the defendant of any rescheduling unless the court has a day-time telephone number to immediately reach the defendant.

**IN THE MAGISTRATE COURT OF GRADY COUNTY
STATE OF GEORGIA**

Plaintiff(s)

VERSES

Civil Action File No. : _____

Defendant(s)

Address

Telephone Number

ANSWER

I deny the allegations of the complaint, _____

I wish to enter the following counterclaim against the Plaintiff, _____

Defendant (or agent)

Sworn and subscribed before me
this _____ day of _____, 20__.

Notary Public (or attesting official)