

Answering A Lawsuit

1

Why isn't there a court date listed?

In a debt collection lawsuit, the summons and complaint usually do not include an in-person court date. Instead, you have a certain amount of time to file a written answer.

2

How long do I have to file an answer?

Your time limit depends on how you were given the court papers and which court the lawsuit was filed in. If you were personally handed the court papers, you have 10 days (city court) or 20 days (county Supreme court). If you were served another way, you have 30 days to answer.

3

How do I file an answer?

If you do not have a lawyer, you can use a pro se answer form from the court or online at <https://www.nycourts.gov/LegacyPDFS/rules/CCR/forms/Consumer-Credit-Answer.pdf>. You should fill it out, then sign and notarize it. Give the original to the court where the lawsuit is filed and have another person mail a copy to the creditor's attorney.

4

What if I don't file an answer in time?

If you do not file an answer, the creditor can ask for a default judgment and have a money judgment against you.

