
VERSUS

CASE NO. _____
JUSTICE OF THE PEACE COURT
WARD _____, DISTRICT _____
PARISH OF _____
STATE OF LOUISIANA

INSTRUCTIONS FOR DEFENDANT'S ANSWER

DO NOT IGNORE THESE PAPERS. If you fail to answer within ten (10) calendar days after service of the claim against you, the court may enter a default judgment against you. The plaintiff may then request to garnish your wages or take your property to satisfy the judgment.

1. **DECIDE IF YOU WISH TO CONTEST THE CLAIM.** You should answer, even if you feel you are the wrong defendant. Your answer should contain every "defense" you have. You may use the form provided by the court for your answer. File your answer in writing to the court within ten (10) days after you received the citation. You must also mail a copy of your answer to the plaintiff. This may be done by regular mail.
2. **DECIDE IF YOU WISH TO HIRE AN ATTORNEY TO REPRESENT YOU.** You are allowed to represent yourself if you desire to do so. **THE JUSTICE OF THE PEACE CANNOT GIVE YOU LEGAL ADVICE OR COMPLETE FORMS.**
3. **POSSIBLE "DEFENSES" INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:**
 - a. Lack of Subject Matter Jurisdiction (the JP court does not have the authority to hear the type of case);
 - b. Improper venue (the JP court where the suit was filed is not the proper court location);
 - c. Contributory negligence (negligence on the part of the plaintiff);
 - d. Debt was discharged in bankruptcy;
 - e. Error or mistake;
 - f. Previous compromises or payment of an obligation;
 - g. Excessive damage claimed.
4. If you believe you have a claim of your own against the party suing you, you may file a reconventional demand. The plaintiff must be served with this "reconventional demand" before the trial. The defendant (plaintiff-in-reconvention) must pay a basic filing fee of \$ _____.
5. You will have the opportunity at trial to present your witnesses and evidence, and the opportunity to pose questions to your opponent(s). You may be asked to answer your opponent's questions. The procedure will be more relaxed and informal than an ordinary trial, with the judge asking questions in an effort to understand the case and ascertain the truth.
6. After all of the testimony is taken, the judge will announce the decision regarding which party has won the case and the amount of any judgment, if a sum of money is awarded.
7. There are times when the judge will not render a decision immediately after the trial but will take the matter "under advisement" in order to conduct research. You will be notified of such a decision by mail.
8. If you and your attorney do not agree with the decision made by the judge, you will have fifteen (15) days from the signing of the judgment, or from receipt of judgment, if the case has been taken under advisement, to appeal your case.