

# Answer Form to Respond to a Debt Collection Lawsuit in Justice Court

Cause Number: \_\_\_\_\_  
 Print the cause number and other court information exactly as it appears in the papers the court sent you.

\_\_\_\_\_  
 Plaintiff

In the Justice Court

Precinct Number \_\_\_\_\_

v. Place Number (if applicable) \_\_\_\_\_

\_\_\_\_\_  
 Defendant

\_\_\_\_\_ County, Texas

## Defendant’s Answer—Debt Claim Case

### 1. Defendant’s Information.

My name is \_\_\_\_\_ I am the Defendant in this case.  
Defendant’s full name

### 2. General Denial.

I generally deny the Plaintiff’s claims and demand that the plaintiff prove all claims.

### 3. Additional Defenses.

Not every case will have defenses. You can claim any of the defenses that you believe apply to your case.



Check here to claim these defenses.

<input type="checkbox"/>	The Plaintiff is not the original owner of the debt and may not be able to prove ownership of the debt.
<input type="checkbox"/>	I already paid this debt or settled it.
<input type="checkbox"/>	This is not my account. I am not the person who took out this debt or I am not the person who made the charges to the account.
<input type="checkbox"/>	I am a victim of identity theft and I did not create this debt.
<input type="checkbox"/>	After taking my property securing this loan, the creditor or its representative did not give me proper notice of the sale of my property. (You should have received a notice before sale.)
<input type="checkbox"/>	After taking my property, the creditor did not sell the property in a “commercially reasonable” manner. (The creditor is required to sell the property, a car, for example, in a way that raises the most money and lowers your possible debt.)
<input type="checkbox"/>	I filed bankruptcy and this debt was discharged or I am currently in a bankruptcy case. My bankruptcy case number is: _____.
<input type="checkbox"/>	The statute of limitations on the debt has expired. (The statute of limitations is the time limit someone has to sue you for a debt. For most debt, the statute of limitations is four years from the last payment.)
<input type="checkbox"/>	I have already been sued for this debt and a court made a decision about this debt in a judgment or case dismissal.

	I resolved the debt in arbitration.
	I bought a credit protection plan to cancel or make payments on this debt if I became disabled or lost my job. I became disabled, lost my job, or both, and I notified the creditor or collector about my situation.

**List any other defenses here. Also, some income is protected from debt collection. Use this space to let the court know if your income is protected from debt collection.**

Examples of protected income: retirement income like Social Security, a pension, or a 401(k), Railroad Retirement benefits, veterans' benefits, Supplemental Security Income, disability income, spousal and child support, unemployment benefits, workers' compensation, and public benefits like FEMA benefits or TANF.

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Attach additional sheets if you need more space.

**4. Venue. Check this box only if the following statement applies to you:**

I do not live in the county or precinct of the court where I have been sued. I ask to transfer this case to the Justice Court in \_\_\_\_\_ County, Precinct number \_\_\_\_\_.

**5. Jury Request.**

To request a jury trial, you must pay a fee of \$22 at least 14 days before trial. Or, if you cannot pay the fee, you can file with the court a Statement of Inability to Afford Payment of Court Cost form.

- I request a jury trial.
- I do not request a jury trial.



**6. Relief Requested.**

I reserve the right to file an Amended Answer with the court to plead other defenses after further investigation and discovery.

I ask the court to enter judgment for me, to award me my costs, and for any other relief that I am entitled to.

Respectfully submitted,



\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Your Name

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Only fill this out if you have an email that you check every day.

## Certificate Of Service

Certificate of Service lets the court know that you sent a copy of your Answer form to the Plaintiff.

I certify that a copy of this answer was sent to the Plaintiff's attorney (or the Plaintiff if they do not have an attorney) on \_\_\_\_\_ (date) in compliance with Texas Rule of Civil Procedure 501.4 by: Check the option that you will use.

Mail to this address

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Personal delivery to this address

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Fax to this number

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Email

\_\_\_\_\_  
Email service is only allowed if the Plaintiff provided an email address in their Petition and agreed to receive service by email to this email address.

Another method approved by the court: \_\_\_\_\_.



\_\_\_\_\_  
Sign

**ONLY USE THIS PAGE IF YOU CHECKED THE BOX UNDER 3. VENUE**

This page is only required if you ask to move your case to a different court.

**Ask to change venue Option 1: Unsworn Declaration**

Fill out and sign this section if you are comfortable entering your birth date and street address. If you use this section, you do not need to notarize this document.

My name is: \_\_\_\_\_.

My date of birth is: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_.  
Month Day Year

My address is: \_\_\_\_\_.  
Street Address City State ZIP Code Country

I declare under penalty of perjury that the information in this document is true and correct.

\_\_\_\_\_  
Your Signature

Signed in \_\_\_\_\_ County, \_\_\_\_\_ (state),

On this date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_.  
Month Day Year

**Ask to change venue Option 2: Notary**

If you do not want to enter your birth date and street address, you can notarize this document instead of filling out Option 1 above.

I swear under penalty of perjury that the information in this document is true and correct.

\_\_\_\_\_  
Your Signature

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed before me, the undersigned authority, on the \_\_\_\_\_ day

of \_\_\_\_\_, year \_\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public's Signature

[Notary's seal]