NEXT STEPS — VTCourtForms  
Answering a small claims complaint

You have filled out the form(s) to respond to a small claims complaint. Now learn what to do next.

## Next step – “file” your form(s)

1. **Important 30-day deadline:** The court sets a deadline to send your answer in within 30 days of receiving the complaint. It’s important to meet this deadline. If you are late, the plaintiff can ask for a default judgment against you any time after the 30-day deadline. Then you may lose your case.

You said you got the complaint on {{ sued\_when\_served }}. **That means you need to deliver or postmark your answer to the court by this date: {{ answer\_deadline }}.**

1. Did you say you have counterclaims? If so, when you file your answer with the court you must either pay the counterclaim fee or submit a fee waiver form.

* $25 fee if your counterclaims are for $500 or less.
* $35 fee if your counterclaims are between $501 and $10,000.

You can pay the court with cash, check or money order.

If you get public assistance or have a low income, you can ask the court to waive the fees. You can use our VTCourtForms tool for the fee waiver form at <https://vtlawhelp.org/vtcourtforms/fee-waiver> .

The Vermont Judiciary says the court can waive your filing fee and service costs if:

* you get any kind of public assistance, or
* your gross income is at or below [150% of the federal poverty](https://www.vtlawhelp.org/150-federal-poverty-level-fpl) guidelines, or
* the court finds you can't pay the fee without expending resources needed to support you and your dependents.

1. Gather your completed forms and make two copies. You can keep one copy.

* Everyone files the **Small Claims Answer form**.
* Depending on your situation, the tool may have also created the **Disclosure of Exempt Income form**, too.
* Depending on your situation, you may also have filled out a **Financial Disclosure Affidavit** **form** showing your income and expenses.
* If you have counterclaims and a low income, you may also have filled out the **fee waiver form** (called an Application to Waive Filing Fees and Service Costs).

1. Get the form(s) to the court.
   * Bring the form to your local courthouse, or
   * Mail the form to a court, or
   * Email the form to a court in Vermont, or
   * E-file the form through the Vermont Judiciary’s Odyssey e-filing system.

{%p if trial\_court\_division != "Unknown" %}

Details for the court where you said your case is:

**{{ address\_county }} Civil Division**

**Small Claims Court**

{{ address\_address }} {{ address\_unit }}  
{{ address\_city }}, {{ address\_state }} {{ address\_zip }}

{% if arbitrary\_attribute %}

Mailing address:  
{{ arbitrary\_attribute }}

{% endif %}  
{{ email }}  
Phone: {{ phone }}

{%p endif %}

{%p if trial\_court\_division == "Unknown" %}

Follow this link to [find the phone number and location of your local courthouse.](https://www.vermontjudiciary.org/court-locations)

{%p endif %}

If you email the form(s), be sure to call the courthouse to be sure they got them.

You can e-file, but only lawyers are required to do that. It may not be worth your time to e-file.

See the Vermont Judiciary website at [www.vermontjudiciary.org/self-help/filing-procedures](http://www.vermontjudiciary.org/self-help/filing-procedures) for more details on the ways you can file the form(s).

## Serve the other party

In addition to the court, you need to also send a copy of your **Small Claims Answer form** to the other party (the plaintiff). You should also send the **Disclosure of Exempt Income form** if that is part of your packet of forms.

When you mail these copies to the other party, fill out the **Certificate of Service form** and sign it. Give a copy of that to the court to show that you “served” the other party.

Keep a copy of all your forms in a folder to keep track of them. Write down the dates you sent the forms to the court and the plaintiff.

The Vermont Judiciary has instructions about what you do when answering a small claims complaint. Find it here: <https://www.vermontjudiciary.org/media/37> . They also have a Guide to Small Claims Proceedings in Vermont: <https://www.vermontjudiciary.org/media/11532> .

## The court will set a hearing

Be sure to notify the court of any changes to your phone number or address so you get notified of the hearing in small claims court.

Small claims hearings are designed to be as informal as possible. Many people do not have a lawyer. However, you do have a right to bring a lawyer if you wish.

At the hearing, you should come prepared to present your side of the case. You should bring any people, papers or anything else that might help your case. If you bring papers, you should bring a copy for the judge and for the plaintiff.

## Get help

* If you have questions about forms or the court process, contact the Vermont Judiciary Access and Resource Center (ARC) at [selfhelp@vtcourts.gov](mailto:selfhelp@vtcourts.gov) or   
  802-879-1185. The ARC does **not** give legal advice.
* You can also ask the court clerk at the courthouse. Find them on the Vermont Judiciary website: [www.vermontjudiciary.org/court-locations](http://www.vermontjudiciary.org/court-locations).
* To hire a lawyer, or get a reduced-fee consultation, contact the Vermont Bar Association’s Lawyer Referral Service at 1-800-639-7036 or www.vtbar.org/find-a-lawyer/.
* Look for information on the VTLawHelp.org website: <https://vtlawhelp.org>
* Contact us at Legal Services Vermont and Vermont Legal Aid at   
  1-800-889-2047 if you need quick advice or a referral.

