

#### IV. RESPONSE TO THE CLAIM

The defendant may appear and sign a Confession of Defendant judgment form if he/she agrees with the complaint filed (*see page 11 to view form*). At that time, the defendant should make arrangements with the plaintiff to vacate the property and pay the money owed to the plaintiff.

If the defendant appears and denies the claim, an answer fee must be paid at the time of the appearance (*see page 17*). An answer fee of \$75.00 is required if rent due is under \$15,000; \$100.00 if rent due is over \$15,000. The case will now be set for trial. (If the defendant cannot afford to pay the answer fee, he/she must file an “Application to Sue or Defend as an Indigent Person.” The application will be presented to the court. If the application is approved by the judge, the answer fee is waived. *See page 15 for Affidavit and Application to Sue or Defend as an Indigent Person.*)

Either party to the suit may demand a trial by jury. The party demanding a jury must pay \$120.00 filing fee.

A default judgment may be entered against any defendant who fails to appear on or before the date set forth in the summons. The clerk will then mail copies of the default judgment to both parties (*see page 12 for Default Judgment Order*). After the default judgment is entered, the plaintiff must obtain a certified copy from the clerk of the court and have the Sheriff serve the defendant with the judgment to evict him/her. The plaintiff must wait 30 days after the date the judgment is entered before initiating any post-judgment procedures to collect money owed.