

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
http://www.courts.state.nh.us

Court Name:
Case Name:
Case Number: (if known)

RESPONSE TO SMALL CLAIM

Instructions:

The defendant must file a response to the small claim complaint on or before the return date indicated on the small claim complaint. Failure of the defendant to file a response on or before the return date may result in the court issuing a default judgment in favor of the plaintiff.

NOTE: The return date is not a hearing date.

Defendant name: Date of birth: Provide on Confidential Information Sheet
Residence address: Mailing address: (if different):
Street: Street:
City: City:
State: Zip code: State: Zip code:
Telephone: (cell) E-mail:
(home)

Section A is required in all cases.

Section A - Select one option below.

Request for Court Hearing - The defendant disputes some or all of this claim and requests that a hearing be scheduled. The defendant understands that the Court will schedule a hearing and that the parties will be notified of the hearing date and time.

The defendant agrees s/he owes the plaintiff \$

Include a brief explanation for the amount in dispute:

Claim Not Disputed/Payment of Claim - The defendant confesses judgment, which means that the defendant admits that the plaintiff is owed the money in the small claim complaint. The defendant understands that a judgment will be entered in favor of the plaintiff and will include court costs and statutory interest. A payment hearing will be scheduled. This hearing may be cancelled upon notification by the plaintiff in writing that payment has been made in full or that the parties have reached a satisfactory payment arrangement. All payments must be made directly to the plaintiff or to the plaintiff's attorney.

Request for Jury Trial in Superior Court - This option is available for claims over \$1,500. The defendant requests that the small claim action be transferred to the Superior Court for a trial by jury. The defendant must include the small claim transfer fee with this response or this case will not be transferred.

Bankruptcy Filed - The defendant has filed a petition with the United States Bankruptcy Court and the debt sought in this small claim has been included. Attached is the defendant's list of creditors and the bankruptcy case number.

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Section B and C are required in some cases but not in all cases.

Section B – For cases in which the defendant wishes to file a Counterclaim. (Filing fee required)

Counterclaim - In addition to responding to the small claim complaint filed by the plaintiff, the defendant makes the following counterclaim against the plaintiff:

Amount claimed: \$ _____ (Amount cannot exceed \$10,000)

Section C – For cases in which the person filing is not the named defendant.

Filing on Behalf of Another Person or Entity –This is required if the person filing this response is filing on behalf of another person or entity. This does not apply to attorneys licensed to practice in the State of New Hampshire.

Type of Business/ 3rd Party: (If applicable)

<input type="checkbox"/> Corporation	<input type="checkbox"/> Trust
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Partnership
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other

Type of Authorization if Filing on Behalf of Individual or Business:

<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Authorization signed by General Partner:
<input type="checkbox"/> Corporate Resolution (corporation)	<input type="checkbox"/> Authorization signed by Trustee
<input type="checkbox"/> Authorization signed by Member with Management Authority	<input type="checkbox"/> Other

District Division Rule 1.3D Statement Attached (This is required when filing on behalf of an individual or business in addition to the applicable authorization above.)

I state that on this date I am sending a copy of this document as required by the rules of the Circuit Court. I am electronically sending this document through the court's electronic filing system to all attorneys and to all other parties who have entered electronic service contacts (email addresses) in this case. I am mailing or hand-delivering copies to all other interested parties.

Name of Filer

/s/ _____
Signature of Filer Date

Law Firm, if applicable Bar ID # of attorney

Telephone

Address

E-mail

City State Zip code