

A-1

ANSWER TO COUNTERCLAIM

Purpose of this packet:

Used to reply to a counterclaim filed by the Defendant or Respondent. You have 21 days to file an Answer to Counterclaim if you were served a counterclaim by personal service or electronic service. If you were served by mail, you have 24 days from the date of mailing.

Note: If you do not reply to the Counterclaim, a default may be taken against you regarding the counterclaim.

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Note: The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

Instructions:

☐ **Step 1: Sign up for an electronic filing account (if you don't already have one)**

The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. Sign up for a free eFlex account in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

☐ **Step 2: Fill out the following form:**

- Answer to Counterclaim

Provide your information in the upper left corner of the Answer to Counterclaim. Include the case number and department number of the case you are filing into.

☐ **Step 3: File your form**

Electronically file the document yourself or bring your completed document to the Resource Center to get help filing it.

👉 How to file your document using eFlex:

1. Sign in to your eFlex account: <https://wcefex.washoecourts.com/>.
2. Click "Home;" click "Existing Cases."
3. Locate the case you are filing into and click on the blue "eFile" link next to the case number.
4. To file the document, you will select the applicable Document Type, click "Choose File" or "Browse," then locate your document file on your computer, and click "Add."

Follow the prompts to upload the document below:

Note: Leave the eFlex Document Category field blank.

- Answer to Counterclaim
(Document Type: Answer to Counterclaim-Civil)
5. When the document has been uploaded, review it by clicking on the hyperlinked file name in the "View Document" column. When you have confirmed everything is correct, click "Next."
 6. Estimated Fees: there is no filing fee required for this document; select "No Fee Required."
 7. When you are ready to submit your document to the court, click "Submit the Filing."

☐ **Step 4: Service**

You must serve (provide) the other party with a copy of your Answer to Counterclaim.

Service of your Answer to Counterclaim may be done by electronic service (eFlex), mail, or personal service. The court **WILL NOT AND CANNOT** serve the documents for you.

Service by eFlex:

Service will be made electronically by eFlex if the other party has an active eFlex account.

To view which parties in the case will be served electronically, log into eFlex. On the home page, in the provided box, type in your case number, then click the blue “Service List” button. The eFlex system will generate a list of who will receive electronic notice and who will need to be served another way.

If the other party does not have an eFlex account, you can serve them by mail or personal service. You can print file-stamped copies of your documents from your eFlex account or visit the Resource Center to obtain copies for a fee.

Service by mail:

Service may be made by regular mail, certified mail, or registered mail. If you serve by certified mail, keep the white slips and green return cards to attach to your Proof of Service form.

Personal service:

Service may be made by handing a file-stamped copy of your documents to the other party.

☐ **Step 5: File proof of service**

After you have served the other party, you must file proof of service with the court.

A “Notice of Electronic Filing” will be generated by the eFlex system when any documents are filed into the case. A “Notice of Electronic Filing” does not replace the requirement of filing proof of service with the court.

Complete the Proof of Service form with the date you served the documents and how you served the other party.

Electronically file your Proof of Service yourself or bring it to the Resource Center to get help filing it.

👉 How to file your Proof of Service using eFlex:

1. Sign in to your eFlex account: <https://wcefex.washoecourts.com/>.
2. Click "Home;" click "Existing Cases."
3. Locate the case you are filing into, and click on the blue "eFile" link next to the case number.
4. To file the document, you will select the applicable Document Type, click "Choose File" or "Browse," then locate your document file on your computer, and click "Add."

Follow the prompts to upload the following document:

Note: Leave the eFlex Document Category field blank.

- Proof of Service
(Document Type: Proof of Service)

Note: If you are including mailing receipts, your Proof of Service and receipts need to be all together as one PDF document.

□ **Step 6: Attend your hearing**

Your first hearing is called a Case Management Conference Hearing.

A hearing must be scheduled; the court will not automatically set one for you.

If the hearing has not already been set by you or the other party, contact the Judicial Assistant in the department in which your case will be heard to ask to schedule a hearing.

The Judicial Assistant will file a Notice/Order Setting Case Management Conference Hearing into your case. You will receive an eFlex notification when the Notice/Order has been filed. Read the Notice/Order for further instructions on your next steps, and details about the time and location of your hearing.

For procedural questions, or help with electronically filing your documents, visit or contact:

Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731

Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message,
if necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message,
if necessary

<https://nnlegalaid.org>