

File a Notice of Appearance

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If you're served with a lawsuit, file a Notice of Appearance (NOA) to tell the other party and the court that you want to defend yourself in the case, and you want to get notice if anything else happens in the case. (Form and instructions)

Form attached:

Notice of Appearance (general civil) (NJP General 005)

Important! If you've never lived in Washington or done business here, a Washington court may not have authority (jurisdiction) over you. Try to talk to a lawyer before doing anything else if you think the court doesn't have jurisdiction. If you want to argue about jurisdiction, you must do that **before** filing anything else.

What is a Notice of Appearance (NOA)?

The NOA simply tells the court and the person who sued you that you want to defend yourself in the case and you want to get notice if anything else happens in the case.

The court papers you received should give you a **deadline** to respond. This is usually on a paper called a "Summons." If you're not sure how to respond to a lawsuit, you can at least file a NOA by the deadline. If you don't file anything by the deadline, the person who sued you may win by default.

You can use this NOA form for all types of civil and family law cases. **Examples:** eviction, debt collection, divorce, parenting plan, child support. You can use this form in District or Superior Court.

I filed my NOA. Do I still have to respond?

Yes! After you file your NOA, you must still answer or respond to the specific claims in the Complaint or Petition. Try to talk to a lawyer right away.

Step-by-step

1. Check your deadline! It should be on the Summons you received.

You must file and serve a Notice of Appearance or some kind of written response by the deadline to avoid being defaulted.

2. Fill out the NOA form online or print it to fill out by hand.

Caption: Fill in the top area with the name of the court, the parties' names, and the case number if there is one on the papers you received.

Form section 1: You must put an address where you agree to accept legal papers for this case. If you're afraid to give your home address, use an address where you'll know immediately if papers arrive about your case. This could be a post office box or "in care of" a friend's address.

If you agree to accept legal papers by email, put an email address you check often.

Caution! Email may be convenient and reliable, but also makes it easier for the person suing you. Especially in an **eviction** case, you may be giving up certain protections if you accept papers by email. You can always agree to email service later.

Form section 2: Put when and how you plan to serve the other party, or wait to fill this out until after you've served them.

Date and sign. Put the city and state where you signed.

3. Make at least 3 copies.

- One for the person or company that sued you (or their lawyer)
- One for the court
- One for yourself

4. **Serve a copy on the person or company who sued you.** If they have a lawyer, serve the lawyer instead of the party themselves. You can do this yourself or have someone else do it for you.

You can serve by **hand delivery** or **first class mail**. Sometimes you can serve by **email** or **fax**, but only if the other party has put in writing that they agree to accept legal papers for this case in that way.

For hand delivery, the other party (or lawyer) must receive their copy by the deadline. Ask them or their office staff to date-stamp your copy. Hand delivery means one of these:

- Handing it to the other party (or their lawyer)
- Leaving it at their office with their clerk or other person in charge of the office
- If no one is in charge, leaving it in a place in the office where someone can easily find it (example: on top of the front desk)
- If the office is closed or the person has no office, leaving it at their home with an adult who lives there

If you mail, you must mail your papers **more than 3 days before** your deadline.

- When counting, don't count the day of mailing, weekends, or court holidays (example: if you mail something on a Monday, it counts as served on Thursday)
- If the third day is on a weekend or holiday, it isn't "served" until the next court day

If you send your papers by regular first-class mail, you can have an extra copy sent by certified mail, return receipt requested, for extra proof of mailing. Attach a copy of the tracking information or signed return receipt card to your proof of service.

If you email, keep a copy of the email you sent and any reply from the other party that shows they received it.

If you fax, keep the transmission confirmation page that shows it was delivered.

5. **File your NOA with the court clerk.** (If the case hasn't yet been filed, skip this step.)

You can be served with a lawsuit before the case is filed in court. Look for a case number on the papers you received. It should be on the top right of the first page. **If there's a case number, the case has been filed.** If you **don't** see a case number, it may not be filed yet. You can call the court clerk to check.

To file in person: Take your completed papers to the court clerk and file the originals. Have your copies date-stamped to prove when they were filed. Keep your copies.

To file by mail: mail the court clerk 2 copies with a postage-paid return envelope addressed to you. Mail early so the court receives it by the deadline!

Some courts let you file papers online (e-file). Check your court clerk's website for instructions.

6. **Try to talk to a lawyer.**

Even if you can't afford a lawyer to represent you, try to talk to a lawyer for advice, if you have time.

7. **File an answer or response to the specific claims in the Complaint or Petition.**

8. **If you get an "Order to Show Cause" or other Notice of Hearing, go to your court hearing!**

Your court hearing may be by phone or online. The court papers should list the location or call-in information. Call the court if you're unsure.

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Superior Court of Washington, County of _____

Petitioner / Plaintiff:

And Respondent / Defendant:

No. _____

Notice of Appearance

(No mandatory form)

Notice of Appearance

To: Petitioner / Plaintiff or their Attorney (*name*): _____

And to the Superior Court Clerk

1. **Appearance.** My name is: _____. I am filing this notice to appear in this case. I must be notified of any court hearings and receive copies of any papers filed in this case.

I agree to accept legal papers for this case at the following address/es:

Street or mailing address *city* *state* *zip*

☐ Email (*optional*): _____

2. **Proof of service.** I declare: on (*date*): _____, I served or will serve a copy of this Notice of Appearance to the Petitioner / Plaintiff or their Attorney named above by (*check all that apply*):

☐ **hand delivery** ☐ **first class mail** ☐ **certified mail** to (*address*):

Street or mailing address *city* *state* *zip*

☐ **fax to:** _____ ☐ **email to:** _____
(*only if allowed by agreement, order, or your county's Local Court Rule*)

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____

▶ _____

Respondent / Defendant signs here

Print name