

JUSTICE COURT, LAS VEGAS TOWNSHIP Clark County, Nevada	
Name and Address of Defendant(s)/Counterclaimant(s)	
Defendant's(s) Email Address)	
Defendant's(s') Telephone Number)	
VERSUS	
Name and Address of Plaintiff(s)/Counterdefendant(s)	

Case No. _____
Department No. _____
COUNTERCLAIM (Small Claims)

STATE OF NEVADA)
COUNTY OF CLARK)

I, _____, STATE THAT Plaintiff(s)/Counterdefendant(s) owes Defendant(s)/Counterclaimant(s) the sum of \$ _____ for _____

and that Plaintiff(s)/Counterdefendant(s) either currently resides, works or does business in the Las Vegas Township, County of Clark, State of Nevada.

* * * * *

(Defendant's(s')/Counterclaimant's(s') Signature): _____ (Date): _____

SUBSCRIBED AND SWORN to before me this _____ day _____, 20_____.

NOTARY PUBLIC in and for the County of _____, State of _____.

OR: UNSWORN DECLARATION: Per NRS 53.045

"I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

(Date): _____

(Signature): _____

(Typed or printed name): _____

The Defendant(s) must serve the three (3) documents: (Counterclaim-Small Claims, Instructions to Plaintiff/Counterdefendant or Defendant/Counterclaimant, and Small Claims Counterclaim Reply), on each Plaintiff.

To the above-named PLAINTIFF(S)/COUNTERDEFENDANT(S):

A Small Claims Counterclaim Action Has Been Commenced Against You!

YOU ARE DIRECTED TO E-FILE (electronically file), with the Las Vegas Justice Court Clerk's Office, A REPLY WITHIN TWENTY (20) CALENDAR DAYS from the date of service of the Counterclaim. Use the attached REPLY form. **You must mail a copy of your Reply to Defendant(s)/ Counterclaimant(s) immediately after E-Filing your Reply with the Las Vegas Justice Court.** Your failure to Reply (respond to) the Counterclaim within 20 calendar days may result in the Defendant(s)/Counterclaimant(s) filing a Motion for Default Judgment against you. This means the Referee or Judge may grant a Judgment for the Defendant(s)/Counterclaimant(s) based on the claims/allegations in the Counterclaim and without considering your possible defense(s) or explanation(s).

LVJCVL Form -76 Revised 10/15

Pursuant to JCRCP 12(a)(3), the State of Nevada or any political subdivision thereof, and any officer, employee, board or commission member of the State of Nevada or political subdivision, and any state legislator shall file an answer or other responsive pleading within 45 days after their respective dates of service.

INSTRUCTIONS TO DEFENDANT(S)/COUNTERCLAIMANT(S) OR PLAINTIFF(S)/COUNTERDEFENDANT(S) -- *Read Carefully*

1. The **Defendant/Counterclaimant** must file a Small Claims action in the township where the **Plaintiff/Counterdefendant** currently resides, works, or does business.

2. The **Defendant/Counterclaimant** cannot sue in Small Claims court for more than \$10,000.00, excluding interest and costs. Payment by the losing party of the attorney's fees of the winning party is not allowed except in cases involving shoplifting.

3. The **Defendant/Counterclaimant** must show the complete name and address of the **Plaintiff/Counterdefendant** in the caption (*Name and Address of Plaintiff(s)/Counterdefendant(s)*) to ensure service on the **Plaintiff/Counterdefendant**. If there are two **Plaintiff(s) Counterdefendant(s)** and they reside at different addresses, the **Defendant/Counterclaimant** must include both addresses.

4. The **Defendant/Counterclaimant** may serve the **Plaintiff/Counterdefendant** by licensed private process server, a disinterested third party, or the Constable. A **Defendant/Counterclaimant**, himself or herself, may not serve the Small Claims Counterclaim on the **Plaintiff/Counterdefendant**. The fully completed Affidavit of Service Form must be filed immediately after the Counterclaim is served.

5. If a Small Claims Counterclaim is not served for one year after it is filed, the Judge or Clerk may dismiss the Counterclaim without prejudice (this means the Counterclaim may be refiled within the statute of limitations for such Counterclaims, but a new filing fee would be required).

6. The **PLAINTIFF/COUNTERDEFENDANT** must file a written Reply, no later than 20 calendar days from the date of service of the Counterclaim, making any defense to the claim. **Plaintiff/Counterdefendant** may electronically file the Reply, (\$2.50 charge using credit or debit card) at: <http://efilenv.com>, or **Plaintiff/Counterdefendant** may come to the Court and electronically file, for free, the original copy of the Reply. A copy of this Reply **must be mailed by U.S. Mail, first-class postage, to Defendant/Counter-claimant immediately after E-Filing the Reply with the Las Vegas Justice Court.**

7. Even if a Reply is filed, the Court will schedule the Counterclaim for mandatory mediation and will notify all parties of the date, time, and location by mail.

8. All parties, not otherwise exempted from mediation, must appear for the mandatory mediation. If the **Plaintiff/Counterdefendant** fails to appear, a judgment may be entered against the **Plaintiff/Counterdefendant**.

9. Standard forms are supplied in order to expedite the handling of Small Claims. Forms are designed to cover the most common claims but are not specifically designed for any individual Counterclaim.

10. If **Plaintiff/Counterdefendant** believes the Counterclaim should be dismissed, **Plaintiff/Counterdefendant** may petition the Court to dismiss the Counterclaim and must explain the reasons for the request. A Motion to Dismiss form is available for use. It is designed to cover the most common reasons for dismissal but is not specifically designed for any individual Counterclaim.

11. Hearings in Small Claims Counterclaims are informal and are designed to promote fair and speedy justice. The **Defendant/Counterclaimant** and **Plaintiff/Counterdefendant** may offer evidence, including witnesses, to support their arguments.

12. If English is not your first language and you would like someone to interpret for you during your court appearance, you are encouraged to use a volunteer language interpreter. You may ask a friend, relative, or coworker to come to court to interpret for you. Bringing your own interpreter with you is both effective and efficient and will allow you to better understand the proceedings.

13. If a court-appointed interpreter is needed for a party who does not speak English, or for a party with a communications disability, that party must file a written motion to request an interpreter, and the compensation for that interpreter shall be paid as provided by law.

14. The Las Vegas Justice Court Clerks can neither give legal advice nor assist in completing Court forms. The staff of the Self-Help Center, located on the 1st floor of the Regional Justice Center, can assist in providing information and forms for people who are representing themselves in Court. If you need more detailed assistance, you should consult an attorney.