

Law Library Resource Center

CIVIL COMPLAINT in MOHAVE COUNTY SUPERIOR COURT

CHECKLIST

You may use this packet if the following factors apply to your situation:

- ✓ You are the person (plaintiff) that brings a complaint to court to sue a person or entity (defendant) that you believe has done you wrong; **and**
- ✓ The amount involved to remedy your case, exclusive of interest, costs, and awarded attorney fees when authorized by law, is more than \$10,000 **OR**,
- ✓ You are asking for something other than money in damages, or both; **and**
- ✓ You are starting this case in the Mohave County Superior Court because
 - You or the defendant live in Mohave County, or
 - The subject of the case began or happened in Mohave County, or
 - The land or personal property at issue in the case is in Mohave County.

READ ME: Consulting a lawyer before filing papers with the court may help prevent unexpected results. You may find a list of lawyers to consult or hire on the Mohave County Law Library web page.

Civil Complaint

This packet contains court forms and instructions to file a Civil Complaint. The forms should appear in order as listed. Items in **BOLD** are forms that you will file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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The Superior Court of Arizona in Mohave County provides the documents you have received. You have permission to use them for any lawful purpose. Do not use these forms to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only on the day you received them. It is strongly recommended that you regularly confirm you have the most current documents.

INSTRUCTIONS: How to complete forms and File a Civil Complaint

STEP 1: USING BLACK INK ONLY, Fill out the “*Civil Cover Sheet*.”

- Leave the case number blank; the Clerk of Superior Court gives you the number when you file.
- If you have no attorney, leave those lines blank.
- If you are starting the case, you are the Plaintiff. List your name, address, telephone number, and email address. If there is more than one Plaintiff, list the additional Plaintiff's information at the end of the form.
- The Defendant is the party you are suing. List all Defendant(s)' names. If there is more than one Defendant, list the additional Defendant's information at the end of the form.
- If you require an interpreter, please check the “Yes” checkbox next to “Is Interpreter Needed?” and include the language in the lines provided.
- Select the Rule 26.2 Discovery Tier or amount pleaded. Read more about Discovery Tiers under Step 4 below.
- In the section named “NATURE of ACTION,” review the titles of the numbered boxes. These titles represent the various kinds of civil lawsuits. If you need more information, you may research the kinds of civil lawsuits in the books *Civil Trial Practice* and *Black's Law Dictionary*, which you may find at the Law Library Resource Center. Decide what kind of lawsuit applies to the disagreement between you and the other party. When you find the ONE title that most accurately describes your lawsuit, place a mark in the box next to the numbered title.
- Select the Rule 26.2 Discovery Tier or amount pleaded. Read more about Discovery Tiers under Step 4 below.
- If an emergency is sought, select the appropriate box. If you have no emergency, skip this section.

STEP 2: Fill out the “*Summons*” form.

- The “Summons” is a notice to the Defendant that an action against him or her is filed in the Court issuing the summons. The “Summons” also tells the Defendant that a judgment will be taken against him or her if the Defendant does not answer the Complaint within a certain time.

- Make sure you write in Defendant's name both above and below the "warning" box.
- One (1) summons per Defendant. If you have more than one Defendant, you must prepare a separate summons for each Defendant.

STEP 3: Complete the "***Certificate of Compulsory Arbitration***" form.

- This required form asks whether the dollar amount involved in your case is above or below the \$50,000 limit.
- If the largest amount you are seeking is **\$50,000 or less**, (excluding interest, attorneys' fees, and costs) your case **is** subject to compulsory arbitration per Mohave County Superior Court Local Rule CV-6.
- If you (as Plaintiff) are seeking an award above \$50,000, your case **is not** subject to Compulsory Arbitration.
- If you are asking for anything other than monetary relief, your case is **NOT** subject to arbitration.

STEP 4: Fill out the "***Civil Complaint***" form.

- A civil Complaint is a form the Plaintiff files with the court clerk to begin a lawsuit.
- A Complaint contains a clear statement of the important information about the Plaintiff's claims, what the Plaintiff wants the court to order, and identifies each Defendant.
- Be sure to check the statute of limitations. Read A.R.S. § 12-541-550 for more information.
- Jurisdiction and Venue: Explain why the Mohave County Superior Court has authority over your case by marking the box(es) next to the true statements.
- Discovery Tier: Please read Arizona Rules of Civil Procedure, Rule 26.2 about Discovery Tiers. This rule explains how much discovery a party may take in their case. The amount of discovery a party may take is limited by the tier to which their case is assigned. One way the Court assigns the Tier is by the total amount of the relief sought in the Complaint. Mark the box that best describes the amount or type of damages (relief) you will claim in your Complaint.
- Parties: Identify the Plaintiff(s) and Defendant(s) in the case. One way to identify parties is to write their full name and address and other information so that the judge can understand each party's relationship to your claims.

- Statement of Facts: Explain the relevant facts of your case in sequential order from the beginning. In this section, you will write a summary of the facts relevant to your lawsuit. Be sure to include all the relevant facts so that the reader will understand what happened, when (date), and how those incidents were a violation of a law or legal obligation. Stating a conclusion, such as “The Defendant violated my rights,” is not enough. You must explain what the Defendant did that violated your legal rights. It is important for you to be familiar with the elements of each cause of action or legal claim you are raising in your Complaint because you must include facts that satisfy those elements.
- If you refer to a document in your statement of facts, be sure to label the document as an Exhibit (Exhibit 1, Exhibit 2, etc.) and attach that document at the end of your Complaint.
 - Continue numbering Exhibits where you left off. Do NOT repeat the numbers.
- Breach: Continue the numbered sentences or paragraph and explain what the Defendant did that caused you to file this case against the Defendant.
- Applicable Law Supporting Claims: List your allegations. This is the section in which you state laws or legal obligations violated by the Defendant. You must identify the source of that law or legal obligation. For example, if the Defendant violated a statute, cite the statute. If the Defendant violated a contract, explain how there was a violation of a contract. If you have several claims, separate them under different sections, and title them, “Claim I,” “Claim II,” “Claim III” and so on.
- Use the Arizona Statutes at the Law Library Resource Center to find the laws you think were broken.
- Injuries: In numbered sentence form, explain how you were damaged, including damages to you, your property, business, trade, profession, or occupation.
- Demand for Relief: The term “relief” refers to solutions or remedies that the Court is able to order. In this section, you may write what you would like the Court to do about your situation. List each request in a separately numbered sentence or paragraph. Explain in the sentence what you would like the Court to do. If you ask for monetary relief, read A.R.S. § 44-1201 about interest rates.
- Date and Sign: At the bottom of the page, write the date you finish the form, and then sign the form. If your attorney is filing the form for you, your attorney must sign the form.

- **Exhibits:** (Optional) If you refer to any photos, letters, or other documents in your Complaint, you must attach them at the end of your Complaint and label them “Exhibit 1,” “Exhibit 2,” and so on. You can “label” a document “Exhibit 1” by placing a page that says “Exhibit 1” in front of that document.
 - Continue numbering Exhibits where you left off. Do NOT repeat the numbers.

STEP 5: Fill out the **“Plaintiff’s Demand for Jury Trial” form.** (*This form is optional.*)

- If you do not want a Jury Trial, skip this part. If you want a Jury Trial, write in your name, address and other information at the top of the page. Identify yourself as the Plaintiff and write in the Defendant’s name. Then write your name again on the line that begins with the word “Plaintiff.”
- Date and Sign: At the bottom of the page, write the date you finish the form, and then sign the form. If your attorney is filing the form for you, your attorney must sign the form.

STEP 6: PHOTOCOPY

- Remove the completed Civil Coversheet from your Original packet.
- Make enough photocopies of the completed, original forms in your Civil Complaint packet. One packet for your records and one packet for **each** of the defendants:
 - Complaint form
 - Compulsory Arbitration form
 - Summons
 - Plaintiff’s Demand for Jury Trial form (if you want a Jury Trial).
- Place the Civil Coversheet back on top of the Original Civil Complaint form packet.
- When finished, you will have enough photocopied packets for **all** parties, plus one (1) original to file with the Clerk.

STEP 7: TAKE the packets and DELIVER them to the Clerk of Superior Court. The Clerk will give you a case number and stamp each of your Complaint packets.

- Choose one of the following Superior Court locations:

Clerk of Superior Court
415 E. Spring St.
Kingman, AZ 86401
(928) 753-0713
Monday-Friday
8:00a-5:00p

Clerk of Superior Court
2225 Trane Road
Bullhead City, AZ 86442
(928) 758-0730
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

Clerk of Superior Court
2001 College Drive
Lake Havasu City, AZ 86404
(928) 453-0701
Monday-Friday
8:30a-12:00p, 1:30p-4:30p

- OR you can file electronically here: <https://efile.azcourts.gov/>

STEP 8: PAY the FILING FEE to the Clerk of Superior Court while at the Civil Filing Counter.

- You may find a list of current filing fees on the Clerk of Superior Court's website.
- If you cannot afford the filing fee you may request a fee waiver or deferral (payment plan) when you file your papers with the Clerk of Superior Court. If the fee deferral is granted at the conclusion of your case, the Court may issue a judgment against you until the fee is paid in full. Remember to submit a Supplemental Deferral Packet after the final order is issued in your case. The Court will send a Notice reminding you to do this after your case has been closed.
- Fee Waiver/Deferral Applications and Supplemental Applications are available at no charge from the Law Library Resource Center.
- **WAIT** for the Clerk to “**date stamp**” **all** of your civil Complaint packets and **RETURN** the extra copies to you.
- Keep one copy for yourself.
- See Step 9 to serve the other copy to the Defendant.

STEP 9: SERVE the DEFENDANT a copy of the CIVIL COMPLAINT packet.

- Please read through the **Instructions: How to Serve Notice as Required by Law** about how to serve the Defendant. Packet is available on Mohave Superior Court's website and from the Law Library Resource Center.
- A list of Certified Process Servers is available on Mohave Superior Court's website and from the Law Library Resource Center.

Person Filing	
Address (if not protected)	
City, State, Zip Code	
Telephone	
Email Address	
Representing <input type="checkbox"/> Self or <input type="checkbox"/> Attorney for:	
Attorney Bar Number	
Licensed Fiduciary Number (if applicable)	

For Clerk's Use Only

**SUPERIOR COURT OF ARIZONA
IN MOHAVE COUNTY**

--

Case Number:

Name of Plaintiff

-vs-

--

Name of Defendant

(List additional plaintiffs or defendants on page two and/or attach a separate sheet).

Interpreter Needed for Plaintiff(s)? Yes No If Yes, Language:

**CIVIL COVER SHEET- NEW FILING
ONLY**

A. RULE 26.2 DISCOVERY TIER OR MONETARY RELIEF CLAIMED

IMPORTANT: Any case category that has an asterisk (*) MUST have a dollar amount claimed or Tier selected. State the monetary amount in controversy or place an "X" next to the discovery tier to which the pleadings allege the case would belong under Rule 26.2.

Amount Claimed Tier 1 Tier 2 Tier 3

B. NATURE OF ACTION

Place an "X" next to the one case category that most accurately describes your primary case. **Any case category that has an asterisk (*) MUST have a dollar amount claimed or Tier selected as indicated above.**

1. TORT MOTOR VEHICLE:

- a. Non-Death/Personal Injury*
- b. Property Damage*
- c. Wrongful Death*

3. TORT NON-MOTOR VEHICLE:

- a. Negligence*
- b. Product Liability – Asbestos*
- c. Product Liability – Tobacco*
- d. Product Liability – Toxic/Other*
- e. Intentional Tort*
- f. Property Damage*
- g. Legal Malpractice*
- h. Malpractice – Other professional*

2. MEDICAL MALPRACTICE:

- a. Physician M.D.*
- b. Hospital*
- c. Physician D.O.*
- d. Other*

4. CONTRACTS:

- a. Account (Open or Stated)*
- b. Promissory Note*
- c. Foreclosure*
- d. Buyer-Plaintiff*
- e. Fraud*
- f. Other Contract (e.g., Breach of Contract)*
- g. Excess Proceeds – Sale*
- h. Construction Defects (*Residential/ Commercial*)*

- i. Premises Liability*
- j. Slander/Libel/Defamation*
- k. Recovery of Damages under A.R.S. § 12-514
Please provide Plaintiff DOB
- l. Other (Specify)*

5. OTHER CIVIL CASE TYPES:

- a. Eminent Domain/Condemnation*
- b. Eviction Actions (Forcible and Special Detainers)*
- c. Change of Name
- d. Transcript of Judgment
- e. Foreign Judgment
- f. Quiet Title*
- g. Forfeiture*
- h. Election Challenge
- i. NCC – Employer Sanction Action (A.R.S. §23-212)*
- j. Injunction against Workplace Harassment
- k. Injunction against Harassment
- l. Civil Penalty
- m. Water Rights (Not General Stream Adjudication)*
- n. Real Property*
- o. Special Action
(See Lower Court Appeals Cover Sheet in Maricopa)
- p. Immigration Enforcement Challenge (A.R.S. §§ 1-501, 1-502, 11-1051)
- q. Expungement
- r. Out of State Restoration of Civil Rights
- s. Seal Criminal Case Records (A.R.S. § 13-911)
- t. Erroneous Conviction Claim

- (1) Six to Nineteen Structures*
- (2) Twenty or More Structures*
- i. Credit Card Debt
*(Maricopa County Filings Only)**

6. UNCLASSIFIED CIVIL:

- a. Administrative Review (See Lower Court Appeals Cover Sheet in Maricopa)
- b. Tax Appeal (All other tax matters must be filed in the AZ Tax Court)
- c. Declaratory Judgment
- d. Habeas Corpus
- e. Landlord Tenant Dispute – Other*
- f. Declaration of Factual Innocence (A.R.S. §12-771)
- g. Declaration of Factual Improper Party Status
- h. Vulnerable Adult (A.R.S. §46-451)*
- i. Tribal Judgment
- j. Structured Settlement (A.R.S. §12-2901)
- k. Attorney Conservatorships (State Bar)
- l. Unauthorized Practice of Law (State Bar)
- m. Out-of-State Deposition for Foreign Jurisdiction
- n. Secure Attendance of Prisoner
- o. Assurance of Discontinuance
- p. In-State Deposition for Foreign Jurisdiction
- q. Eminent Domain – Light Rail Only*
- r. Interpleader – Automobile Only*
- s. Delayed Birth Certificate (A.R.S. §36-333.03)
- t. Employment Dispute – Discrimination*
- u. Employment Dispute – Other*
- v. Verified Rule 27(a) Petition*
- w. Verified Rule 45.2 Petition
- x. Amendment of Birth Certificate
- y. Amendment of Marriage License
(Maricopa County Filings Only)
- z. Application/Motion Objecting to Foreign Subpoena
- aa. Other (Specify)*

C. EMERGENCY ORDER SOUGHT

- Temporary Restraining Order
- Provisional Remedy
- Election Challenge
- Employer Sanction

 OSC Other (Specify)*

D. COMMERCIAL COURT (Maricopa County Only)

- This case is eligible for the commercial court under Rule 8.1, and plaintiff requests assignment of this case to the commercial court. More information on the commercial court, including the most recent forms, are available on the court's website at <https://superiorcourt.maricopa.gov/departments/superior-court/civil/commercial-court/>.

Additional Plaintiff(s):
Additional Defendant(s):

Name of Person Filing: _____
 Mailing Address (if not protected): _____
 City, State, Zip Code: _____
 Daytime/Evening Phone Number: _____

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

Plaintiff _____

Case Number: _____

AND

SUMMONS

Defendant(s) _____

WARNING: This is an official document from the court. It affects your rights. Read this document carefully. If you do not understand it, contact a lawyer for help.

FROM THE STATE OF ARIZONA TO: _____

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this Summons.
2. If you do not want a judgment or order taken against you without your input, you must file an "Answer" or a "Response" in writing with the Court, and pay the filing fee. If you do not file an "Answer" or "Response" the other party may be given the relief requested in his or her Petition or Complaint. To file your "Answer" or Response" take, or send, the "Answer" or "Response" to the **Office of the Clerk of the Superior Court, 415 East Spring Street, Kingman, AZ 86401 (P.O. Box 7000, Kingman, AZ 86402-7000)** or the **Office of the Clerk of the Superior Court, 2225 Trane Road, Bullhead City, AZ 86442**, or **Office of the Clerk of the Superior Court, 2001 College Drive, Lake Havasu City, AZ 86404**. Mail a copy of your "Answer" or "Response" to the other party at the address listed on the top of this Summons.
3. If you were served within the State of Arizona, your "Response" or "Answer" must be filed within **TWENTY (20) CALENDAR DAYS**, starting the day after you were served. If you were served outside the State of Arizona, your "Response" must be filed within **THIRTY (30) CALENDAR DAYS**, starting the day after you were served. Service by Publication is complete (30) days after the date of the first publication.
4. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least (3) three days before your scheduled court date.

SIGNED AND SEALED this date: _____

**CHRISTINA SPURLOCK,
Clerk of the Superior Court**

By: _____
Deputy Clerk

Person Filing: _____

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Representing Self, without a Lawyer or Attorney for Plaintiff OR Defendant

FOR CLERK'S USE ONLY

**SUPERIOR COURT OF ARIZONA
IN MOHAVE COUNTY**

PLAINTIFF.

Case Number:

vs.

CERTIFICATE OF COMPULSORY ARBITRATION

DEFENDANT.

The undersigned certifies that this case is (Please check ONLY one option below):

Subject to Arbitration – The amount of money in controversy DOES NOT exceed \$50,000, AND no other affirmative relief is sought.

Not Subject to Arbitration – The amount of money in controversy DOES exceed \$50,000, OR other affirmative relief is sought.

SUBMITTED this _____ day of _____, 20____.

SIGNATURE

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Lawyer's Bar Number: _____

For Clerk's Use Only

Representing Self, without a Lawyer or Attorney for Petitioner OR Respondent

SUPERIOR COURT OF ARIZONA IN MOHAVE COUNTY

Name of Plaintiff _____

Case Number: _____

Title: **CIVIL COMPLAINT**

Name of Defendant _____

Plaintiff hereby submits this complaint against Defendant(s) and alleges the following:

JURISDICTION and VENUE

1. Mohave County Superior Court has the legal authority to hear and decide this case because: *(Check all boxes that are true.)*

- The value of this case exceeds \$10,000 dollars.
- Replevin or other nonmonetary remedy will take place in Mohave County.
- The Plaintiff resides in Mohave County.
- The Defendant resides in Mohave County.
- The Defendant does business in Mohave County.
- The events, actions, or debts subject of this Complaint occurred in Mohave County.
- Other reason: _____

DISCOVERY TIER

2. Pursuant to Arizona Rules of Civil Procedure, Rule 26.2 (c) (3), the Court should assign my case to the following tier based on the amount of damages I request.

Tier 1 = Actions claiming \$50,000 or less in damages.

Tier 2 = Actions claiming more than \$50,000 and less than \$300,000 in damages,
OR Actions claiming nonmonetary relief.

Tier 3 = Actions claiming \$300,000 or more in damages.

PARTIES

3. The Plaintiff in this case is _____

4. The Defendant in this case is _____

STATEMENT OF FACTS AND BREACH

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

(If you need more space, add an attachment labeled "Statement of Facts and Breach," and continue consecutive numbering.)

APPLICABLE LAW SUPPORTING CLAIMS

() _____

() _____

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Applicable Laws Supporting Claims," and continue consecutive numbering.)

INJURIES

() _____

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Injuries," and continue consecutive numbering.)

DEMAND FOR RELIEF

WHEREFORE, Plaintiff demands judgment against defendant(s), and each of them (if applicable) for the following dollars, interest, costs and expenses incurred herein, **or** non-monetary remedy, including reasonable attorneys' fees, and for such other and further relief as the Court may deem just and proper.

() _____

() _____

() _____

() _____

(If you need more space, add an attachment labeled "Demand for Relief," and continue consecutive numbering.)

Dated this _____.
(*Date of signature*)

(*Signature of Plaintiff or Plaintiff's Attorney*)

Person Filing: _____

For Clerk's Use Only

Address (if not protected): _____

City, State, Zip Code: _____

Telephone: _____

Email Address: _____

Lawyer's Bar Number: _____

Representing Self, without a Lawyer or Attorney for Plaintiff OR Defendant

SUPERIOR COURT OF ARIZONA IN MOHAVE COUNTY

Name of Plaintiff _____ Case Number: _____

Name of Plaintiff _____

Title: **PLAINTIFF'S DEMAND for
JURY TRIAL**

Name of Defendant _____

Plaintiff, _____, demands a trial by jury in this case. If this
(Name of Plaintiff)

case is sent to compulsory arbitration, Plaintiff demands a trial by jury if there is an appeal
from that compulsory arbitration.

Dated this _____
(Date of signature)

(Signature of Plaintiff or Plaintiff's Attorney)