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Debt Collection Lawsuit Response Checklist

Many debt collection lawsuits end in default judgments simply because the person sued never responded. This checklist helps you respond on time.

Name: _____ Date: _____ Case/claim no.: _____

Immediately

- [ ] Find the response deadline on the summons and mark it
- [ ] Confirm the court name and case number
- [ ] Do not ignore the papers, even if you think the debt is not yours

Check the debt

- [ ] Is it your debt, and is the amount correct?
- [ ] Who is suing: the original creditor or a debt buyer?
- [ ] Does the plaintiff have documents proving it owns the debt?
- [ ] When was your last payment? The debt may be past the statute of limitations
- [ ] Did you get a validation notice, and did you dispute it?

Respond

- [ ] Prepare a written answer, admitting or denying each claim
- [ ] Raise defenses, such as the statute of limitations or lack of proof
- [ ] File the answer with the court and pay or request a waiver of any fee
- [ ] Send a copy to the plaintiff's lawyer and keep proof
- [ ] Keep copies of everything you file

Court and after

- [ ] Attend every hearing and mediation
- [ ] Bring your documents and a short written summary
- [ ] Consider a settlement in writing if you owe the debt
- [ ] If you lose, ask about payment plans and exemptions that protect income
- [ ] Look into legal aid or a consumer lawyer for help

Tips

- Debt collectors who break federal collection rules can be liable to you; report them to the CFPB.
- Bankruptcy may be an option if many debts are in collection.

Official resources

Consumer Financial Protection Bureau: Debt collection
https://www.consumerfinance.gov/consumer-tools/debt-collection/

Federal Trade Commission: Debt collection FAQs
https://consumer.ftc.gov/articles/debt-collection-faqs

Notes