

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA

AT _____
[City or town where court is located]

Plaintiff (person starting the case)

Defendant (person you are filing the case against)

CASE NO: _____
[The court will fill this in]

COMPLAINT TO COLLECT A DEBT

The Alaska Court System's **free** online dispute resolution platform (AK ODR) can help you resolve your debt case through mediation and negotiation. You can try AK ODR before you start a case or at any time during the case. The platform has templates to help guide you to an agreement and mediators to help if needed. With AK ODR, you and the other side can work toward a resolution 24/7, on your own time. See ak-courts.info/akodr for more information.

I, _____ *[your name]*, state that the following facts are true to the best of my knowledge and request the following relief:

1. Filing Location. This is the correct court location to file in, because
[Check all that apply.]

- Defendant is a resident of this judicial district.
- Defendant is doing business in this judicial district.
- The contract was created in this judicial district.
- I am a resident in this judicial district.
- _____

[List of which courts are in each judicial district: ak-courts.info/dir]

2. Filing Court. I am filing this in the

- District Court, because my claim is for \$100,000 or less.
- Superior Court, because my claim is for more than \$100,000.

[If your claim is for \$10,000 or less, you may file your action in Small Claims Court and use informal procedures using the small claims complaint available at ak-courts.info/sc1. For more information on small claims procedure, see form SC-95 at ak-courts.info/sc95 or the self-help webpage at <http://courts.alaska.gov/shc/debt/start-case.htm#file.>]

REQUEST FOR RELIEF

I request that the court:

- 1. Order Defendant to pay me \$_____.
- 2. Order Defendant to pay _____% interest,¹ with interest starting on the following date: _____.
- 3. Order Defendant to pay my legal costs and any attorney fees.
- 4. Schedule the following trial:
 - A bench trial, because I want the judge to hear the evidence and decide this case.
 - A jury trial, because I want a jury to hear the evidence and decide this case.

[If you want a jury trial, you must file a separate written document, either attached to this complaint or within 10 days of filing this complaint, that tells the court you want a jury trial.]
- 5. _____

- 6. Order any other relief the court finds appropriate.

I attached the following documents to this complaint:

- A copy of our contract or agreement.
- Summons* (form CIV-100) – **REQUIRED**
[Choose your location from the list at ak-courts.info/civ100.]
- Case Description Form* – **REQUIRED** if you are filing by mail or in person. This form is **not** required if you are filing through the court’s TrueFiling program.
 - [CIV-125D](#) (for filing in District Court)
 - [CIV-125S](#) (for filing in Superior Court)
- Other documents that support this complaint:

Print or Type Name	Signature	Date	
Mailing Address	City	State	ZIP
Email	Daytime Phone		

I agree that the court and other parties can email me court documents instead of using regular mail.

As required under District Court Civil Rule 10(a), the following person is designated and authorized to discuss the case with Defendant on behalf of Plaintiff:

The same person who signed the complaint and whose contact information is listed above.

Name: _____ Email: _____

Mailing Address: _____ Phone: _____

¹ For help determining interest rates, see form ADM-505, available at ak-courts.info/adm505

Information about Filing and Serving Your Documents & Next Steps

(You do not need to file this page with the court)

File Your Documents with Your Local Court and Serve Defendant

1. Make 2 copies of your forms: 1 copy for your own records and 1 copy for the other party. You can bring the original to your local court or mail it. Or contact your local court to see if they accept email or TrueFile filings (ak-courts.info/dir).
2. There is a fee to file a case. If you cannot afford the fee, you can ask the court to waive it. Use *Request for Exemption from Payment of Fees* (form [TF-920](#)).
3. When you open the case, the court clerk will give you 2 copies of a signed and sealed *Summons*. 1 copy is for you; 1 copy is for Defendant.
4. You must give Defendant a copy of
 - everything you filed with the court,
 - the summons, and
 - if you are asking for less than \$100,000 (filing in District Court), a blank *Answer and Counterclaim to Complaint to Collect a Debt* (form [CIV-481](#)).

This is called "service." When you first start a case, you must serve Defendant **one** of these ways:

- Send the documents by certified mail with restricted delivery and return receipt. Make sure you pay for certified mail, restricted delivery, and return receipt so that only Defendant can sign for the mail and the post office sends the green postcard back to you after Defendant signs it.
- Hire a process server. Fill out *Service Instructions* (form [CIV-615](#)). Give this form to the process server so they will send you the proof of service after they serve the other party.

To learn more, read *How to Serve a Summons* (form [CIV-106](#)).

Future Service

After the case is open, you can serve all other documents by regular first-class mail or hand-delivery. If Defendant files anything in court that says they agree to service by email, you can serve them by email instead. If they have a lawyer, you must email, mail, or hand-deliver the copy to their lawyer. If you use the court's Truefiling System (ak-courts.info/truefile), it will serve any party who also uses TrueFiling.

What to Expect after You Start Your Case and Serve a Copy on Defendant

Defendant has 20 days to respond to your complaint. Day 1 is the day after:

- Defendant signed the green postcard from the certified mail with restricted delivery and return receipt, or
- The process server delivered your documents and the court papers. This date is on the process server's proof of service.

Defendant's response to what you wrote in the complaint is called an "answer." If Defendant includes any counterclaims in their answer, you must file your own answer to those counterclaims within 20 days or Defendant could get a default against you on the counterclaims. You can use *Answer to Counterclaim* (form [CIV-482](#)). The court will then set a hearing and send you a notice with the date, time, and location.

If Defendant does not file and serve an answer, you can ask the judge to decide without hearing from Defendant. Read about filing for default at ak-courts.info/default.

Need help?

See Alaska Court System's Self-Help Services Debt Collection Page at

<http://courts.alaska.gov/shc/debt/start-case.htm>