

Instructions: Interrogatories

These forms were prepared by the Justice & Diversity Center, a nonprofit organization, and are not official court forms.

Checklist

This packet provides a general form to request that the other side answer questions, known as interrogatories, relevant to your case. **It is also available in a fillable pdf version on the Court's website at www.cand.uscourts.gov/Legal-Help-Center-Templates.** This packet includes the following forms:

- **Interrogatories**
- **Certificate of Service**

General Instructions

- A. An interrogatory is a written question that one party asks another party. The answer must be in writing and is given under oath. Use this form when you want to ask a party for answers to questions that are relevant to your lawsuit. Requesting responses to interrogatories is part of the discovery stage in the lawsuit. Think carefully about the information you are requesting and how to frame your questions so you get the best answers.
- B. You can only use this form to get information from a party to the lawsuit, for example the party that is suing you or that you are suing. If you want information from a third party, you cannot use this form.
- C. You can **ask 25 interrogatories per party**. You can send out multiple requests until the deadline for discovery in your case, as long as the total number does not exceed 25. If necessary, you can ask the judge for permission to ask more interrogatories. You **cannot** send out interrogatories simply to burden or harass the other side and the interrogatories should not be frivolous.
- D. **Fill out the included forms completely.** Suggestions and instructions are provided [*in brackets and italics that look like this*] to help you. **You MUST sign and date the form.**
- E. **Serving the papers.** Make sure that the Interrogatories are served on the other party in one of the ways listed on the Certificate of Service. Include the Certificate of Service with the Interrogatories. **The Interrogatories should not be filed with the court.** Like most discovery, it is just exchanged between the parties. As with any paper in your case, keep a copy for yourself.

More Information

This packet does NOT tell you everything you need to know about asking the other side questions. Drafting interrogatories and getting useful answers can be tricky so you should seek

legal advice before sending your request. For free legal advice, please contact one of the following:

- If your case is in the San Francisco/Oakland federal courthouse, make an appointment with the **Legal Help Center** for free legal information and advice by calling 415-782-8982 OR sign up at 450 Golden Gate Ave., San Francisco, 15th Floor, Room 2796 OR sign up at 1301 Clay Street, Oakland, 4th Floor, Room 470S.
- If your case is in the San Jose federal courthouse, make an appointment with the **Federal Pro Se Program** for free legal information and advice by calling (408) 297-1480 OR sign up at 280 South First Street, San Jose, Room 2070.

You should also read **Chapter 16** of the **Handbook for Pro Se Litigants** for an explanation of discovery and interrogatories. The Handbook is available at the Clerk's Office or on the Court's website at www.cand.uscourts.gov/prosehandbk.

1 Your Name: _____
2 Address: _____
3 Phone Number: _____
4 Fax Number: _____
5 E-mail Address: _____
6 Pro Se [Select one: Plaintiff or Defendant]

8 United States District Court
9 Northern District of California

11 _____
12 _____
13 Plaintiff(s),
14 vs.
15 _____
16 _____
17 _____
18 _____
19 Defendant(s).

Case Number: _____
[your name] _____
INTERROGATORIES TO [name of other party]

SET NO. ____
[FRCP 33]

21 **I. INSTRUCTIONS**

22 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Civil
23 Local Rule 33, [Insert the name of the person or entity who you want to answer the
24 interrogatories.] _____ shall
25 respond to the following interrogatories, within thirty (30) days of the service of this discovery
26 request, at the following address, [insert your mailing address]
27 _____
28

1 **II. DEFINITIONS**

2 *[The words below are defined by you so that the other party knows exactly what you mean when*
3 *you use that particular word. Definitions may also help avoid repetition.]*

4 The following definitions apply to these interrogatories:

5 1. The term “DEFENDANT” refers to defendant *[insert name]* _____
6 _____, its officers, directors, agents, employees, attorneys,
7 predecessors-in-interest, successors, subsidiaries, and all other persons acting or purporting to act
8 on their behalf.

9 2. The term “PLAINTIFF” refers to plaintiff *[insert name]* _____
10 _____, its officers, directors, agents, employees, attorneys,
11 predecessors-in-interest, successors, subsidiaries, and all other persons acting or purporting to act
12 on their behalf.

13 3. The terms “YOU” or “YOUR” mean *[insert name of the party you are asking*
14 *interrogatories]* _____, including its present and former
15 members, officers, agents, employees, and all other persons acting or purporting to act on its
16 behalf, including all present or former members, officers, agents, employees, and all other persons
17 exercising or purporting to exercise discretion, make policy, and/or make decisions.

18 4. When used in connection with a person or entity, the term “IDENTIFY” means to
19 state the full and complete name, address, telephone, and facsimile transmission number, and
20 email address of such person or entity.

21 5. When used in connection with a document, as defined by Federal Rule of Civil
22 Procedure 34(a), the term “IDENTIFY” means to state the full and complete name, address,
23 telephone of the author(s), recipient(s), and the person(s) currently in possession of the document.

24 6. The connectives “AND” and “OR” shall be construed either disjunctively or
25 conjunctively as necessary to bring within the scope of the discovery request all responses that
26 might otherwise be construed to be outside its scope.

1 *[You can also create your own definitions.]*

2 8. _____

3 _____

4 _____

5 9. _____

6 _____

7 _____

8

9 **III. INTERROGATORIES**

10 *[Write out each question clearly. It may be useful to include information such names or dates.*

11 *You can ask up to 25 interrogatories during the case. You do not have to ask them at all once.]*

12 1. _____

13 _____

14 _____

15 2. _____

16 _____

17 _____

18 3. _____

19 _____

20 _____

21 4. _____

22 _____

23 _____

24 5. _____

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27 6. _____

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INTERROGATORIES, CASE NO. _____

PAGE ___ OF ___ [JDC TEMPLATE – rev. 11/2015]

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7. _____

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10. _____

_____.

_____.

[You must sign and date]

Date: _____ Sign Name: _____

Print Name: _____

CERTIFICATE OF SERVICE

1 *Use this form to show that a paper or document (other than a complaint) was served (sent or
2 delivered) to an opposing party in accordance with Federal Rule of Civil Procedure 5.
3 A different form is needed to serve a complaint under Federal Rule of Civil Procedure 4.*

4 **Case name:** _____

5 **Case number:** _____

6 **What document was served?** (Write the full name or title of the document or documents, e.g.,
7 "Plaintiff's Opposition to Defendant's Motion for Summary Judgment.")

8 Title(s): _____

9
10 **How was the document served?** (Check one.)

- 11 Placed in U. S. Mail
12 Sent by fax
13 Hand-delivered
14 Sent by delivery service (e.g., FedEx or UPS)

15 **To whom was the document sent?** (Write the full name, address, and fax number of everyone
16 who was sent the document. Usually, they will be the lawyers for the opposing parties.)

17 _____

18 _____

19 _____

20 _____

21 **When were the documents served?** (When were they mailed, faxed, or delivered?)

22 Date: _____

23 **Who served the documents?** (Whoever puts it into the mail, faxes, hand-deliveres, or sends by
24 delivery service should print his/her name, address and sign. You can also do this yourself.)

25 I declare under penalty of perjury under the laws of the United States of America that the
26 information in this certificate of service is true and correct.

27 Signature: _____

28 Printed name: _____

Address: _____