

1 of 1 DOCUMENT

Deering's California Codes Annotated
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*** This document is current for urgency legislation through Chapter 2 of the 2015 Session. "

CODE OF CIVIL PROCEDURE
Part 2. Of Civil Actions
Title 6. Of the Pleadings in Civil Actions
Chapter 3. Objections to Pleadings; Denials and Defenses
Article 2. Denials and Defenses

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Cal Code Civ Proc § 431.30 (2015)

§ 431.30. Answer to complaint; Affirmative relief; Denials; Defenses

(a) As used in this section:

- (1) "Complaint" includes a cross-complaint.
- (2) "Defendant" includes a person filing an answer to a cross-complaint.

(b) The answer to a complaint shall contain:

- (1) The general or specific denial of the material allegations of the complaint controverted by the defendant.
- (2) A statement of any new matter constituting a defense.

(c) Affirmative relief may not be claimed in the answer.

(d) If the complaint is subject to Article 2 (commencing with Section 90) of Chapter 5.1 of Title 1 of Part 1 or is not verified, a general denial is sufficient but only puts in issue the material allegations of the complaint. If the complaint is verified, unless the complaint is subject to Article 2 (commencing with Section 90) of Chapter 5.1 of Title 1 of Part 1, the denial of the allegations shall be made positively or according to the information and belief of the defendant. However, if the cause of action is a claim assigned to a third party for collection and the complaint is verified, the denial of the allegations shall be made positively or according to the information and belief of the defendant, even if the complaint is subject to Article 2 (commencing with Section 90) of Chapter 5.1 of Title 1 of Part 1.

(e) If the defendant has no information or belief upon the subject sufficient to enable him or her to answer an allegation of the complaint, he or she may so state in his or her answer and place his or her denial on that ground.

(f) The denials of the allegations controverted may be stated by reference to specific paragraphs or parts of the complaint; or by express admission of certain allegations of the complaint with a general denial of all of the allegations not so admitted; or by denial of certain allegations upon information and belief, or for lack of sufficient information or

belief, with a general denial of all allegations not so denied or expressly admitted.

(g) The defenses shall be separately stated, and the several defenses shall refer to the causes of action which they are intended to answer, in a manner by which they may be intelligibly distinguished.

HISTORY:

Added Stats 1971 ch 244 § 29, operative July 1, 1972. Amended Stats 1979 ch 212 § 2; Stats 1985 ch 621 § 1; Stats 1986 ch 281 § 1; Stats 2003 ch 149 § 8 (SB 79).