

## **Rule 8. General Rules of Pleading**

(a) Claims for relief. A claim for relief, whether an original claim or a counterclaim, shall contain (1) a short and plain statement of the factual and legal grounds upon which the Court's jurisdiction depends, unless the Court already has jurisdiction and the claim needs no new grounds of jurisdiction to support it, (2) a short and plain statement of the claim, including appropriate facts, showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief or remedy the pleader seeks. Alternative, inconsistent, or multiple relief or remedies, whether legal or equitable, may be demanded.

(b) Defenses; form of denials. A party responding to a claim for relief shall admit or deny each statement or averment in the adverse party's claim for relief and shall state in short and plain terms any defenses to the claim. If a party is without knowledge or information sufficient to form a belief as to the truth of a statement or averment, the party shall so state and this has the effect of a denial. Denials shall fairly meet the substance of the statements or averments denied. If a statement or averment is not admitted in full, the party shall specify so much of it as is true and shall deny only the remainder. Alternative, inconsistent, or multiple defenses, whether legal or equitable, may be raised.

(c) Affirmative defenses. In responding to a pleading, a party shall set forth affirmative defenses, including accord and satisfaction, arbitration and award, discharge in bankruptcy, duress, estoppel, failure of consideration, fraud, illegality, laches, payment, release, res judicata, statute of frauds, statute of limitations, waiver, and any other matter constituting an avoidance or affirmative defense.

(d) Effect of failure to deny. Statements or averments in a pleading to which a response is required are deemed admitted when not denied in the responsive pleading. Statements or averments in a pleading to which no response is required or permitted shall be taken as denied or avoided.

(e) Consistency. A party may set forth 2 or more statements of a claim or defense alternately or hypothetically, either in 1 count or defense or in separate counts or defenses. When 2 or more statements are made in the alternative and 1 of them if made independently would be sufficient, the pleading is not made insufficient by the insufficiency of 1 or more of the alternative statements. A party may also state as many separate claims or defenses as the party has regardless of consistency and whether based on legal or equitable grounds. All statements shall be made subject to the obligations set forth in SCR-Dom Rel 11.

(f) Construction of pleadings. All pleadings shall be so construed as to do substantial justice.