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DISCOVERY

Form Interrogatories

This Guide includes instructions and sample forms. Links to download the fillable forms are at the end of this Guide. Additional copies of this Guide can be accessed at: www.saclaw.org/form-roqs.

BACKGROUND

Interrogatories are written questions sent by one party to another, which the responding party must answer under penalty of perjury. Interrogatories allow the parties to ask who, what, when, where and why questions, making them a good method for obtaining new information in a case.

There are two types of interrogatories: form interrogatories and special interrogatories. This Guide will discuss form interrogatories; for more information on special interrogatories, see the Step-by-Step guide on Special Interrogatories on our website at www.saclaw.org/special-roqs.

Form interrogatories are an easy way for parties to ask common questions by simply checking the boxes for the questions they wish to ask. In a limited civil case (cases less than \$25,000) you may ask each party only 35 questions total, whether they are form interrogatories, special interrogatories, requests for admission, or requests for production of documents. Keep this limit in mind when writing your requests, to ensure that you are able to obtain all the information you'll need for your case. If you ask the other party to answer 35 interrogatories, you will not be able to request any admissions or request any documents.

You may also need....

Step-by-Step Guides on Responding to Discovery

- [Responding to Interrogatories](#)
- [Responding to Requests for Admissions](#)
- [Responding to Requests for Production](#)

Step-by-Step Guides on Making Discovery Requests

- [Request for Production of Documents and Things](#)
- [Requests for Admission](#)
- [Special Interrogatories](#)

Other Guides on Discovery

- [Depositions](#)
- [Exchange of Expert Witness Information](#)
- [Gather Information for your Case](#)

Related Videos

- [Introduction to Discovery](#)

Disclaimer: This Guide is intended as general information only. Your case may have factors requiring different procedures or forms. The information and instructions are provided for use in the Sacramento County Superior Court. Please keep in mind that each court may have different requirements. If you need further assistance consult a lawyer.

STEP-BY-STEP INSTRUCTIONS

Step 1: Select the Proper Form(s)

Form interrogatories have been created for use in both limited and unlimited cases.

Subparts are prohibited in interrogatories in limited cases, to ensure that only 35 questions total are asked. For this reason, a form was created specifically for limited civil cases: [Form Interrogatories - Limited Civil Cases \(DISC-004\)](#). If you have a limited case, you must use this form.

In an Unlimited Civil Case (over \$25,000), parties may ask an unlimited number of form interrogatories. These questions may include subparts as appropriate. Several forms have been created for the most common questions in a variety of case types:

- [Form Interrogatories - General \(DISC-001\)](#)
- [Form Interrogatories - Employment Law \(DISC-002\)](#)
- [Form Interrogatories - Unlawful Detainer \(DISC-003\)](#)
- [Form Interrogatories - Construction Litigation \(DISC-005\)](#)

You may use any of these forms to ask interrogatories in an unlimited case. Most of the questions included in form interrogatories are fairly easy to understand, if you read them carefully.

Step 2: Complete the Form(s)

In this Guide, we will explain the questions included in the general forms (*Form Interrogatories - General* (DISC-001) and *Form Interrogatories - Limited Civil Cases* (DISC-004)), which mirror each other. Instructions for completing the top caption of the form are contained in the sample pages included at the end of this Guide.

Check the box for each question you wish the other party to answer. Read each question carefully, and consider whether the information you will obtain is relevant to the issues in the case. The other party may object to any request you make that does not lead the discovery of relevant, admissible evidence. The following table provides an explanation of the questions on *Form Interrogatories - General* (DISC-001) and *Form Interrogatories - Limited Civil Cases* (DISC-004).

Sections 1-3
Instructions for the parties for asking and answering form interrogatories. Be sure to read these instructions carefully.
Section 4
Read these definitions carefully, so you understand how the terms will be used throughout your requests. For the term "INCIDENT," you may use either the preprinted definition by checking the box at the bottom of the first page, or you may write your own. If you write your own, check instead the box in the upper right of the second page, and

write the definition in the space below it. Limit your definition to a single action, event or moment in time, as many of the interrogatories require "INCIDENT" to be defined in such a way that INCIDENT refers to a single event that can be said to have occurred at a single moment in time. If you need more space, use an additional page and label it Attachment 4(a)(2).

Section 5

The Form Interrogatories in *Form Interrogatories - General* (DISC-001) and *Form Interrogatories - Limited Civil Cases* (DISC-004) are broken into sections that correspond to each other. These sections are identified with a bold heading prefaced by a number with a decimal 0, such as 106.0, followed by interrogatories with decimals starting at .1, such as 106.1, 106.2, etc. The headings are not interrogatories; they merely identify the type of questions in the section.

Section number on DISC-004 (Limited cases)	Section number on DISC-001 (Unlimited cases)	
102	2	Questions to obtain general background information about an individual.
103	3	Questions to obtain general background information about a business entity.
104	4	Questions about insurance coverage that may cover the incident. This question may be asked by either party, but is more commonly asked by the plaintiff.
106	6	Questions to obtain additional information about physical injuries claimed in the complaint. Usually asked by the defendant.
107	7	Questions to obtain additional information about property damage claimed in the complaint. Usually asked by the defendant.
108	8	Questions to obtain additional information about lost wages or earning capacity claimed in complaint. Usually asked by the defendant.
109	9	Catch-all questions to obtain additional information about other damages claimed in the complaint. Usually asked by the defendant.
110	10	Questions to obtain medical information. Used by the defendant

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		to determine if the plaintiff had any preexisting conditions, etc., that may have caused the injuries described in complaint. Used by the plaintiff to determine if the defendant had any medical or physical conditions that may have caused the accident/incident to take place.
111	11	Questions asked by the defendant, to determine if the plaintiff previously filed a lawsuit against another party for these injuries, or if the plaintiff is a serial litigant.
112.1	12.1	Used to uncover information about witnesses to the incident.
112.2	12.2	Used to determine who the other party has interviewed in this case. This question is often objected to under the work-product privilege, because it reveals case strategy.
---	13	Used to determine if any surveillance has been done of witnesses, parties, etc.
115.1	15.1	Used to identify a substantial amount of information about the defendant's case, including evidence and witnesses. This question asks the defendant to state the facts upon which they based any denials or affirmative defenses included in their answer; to identify anyone who has knowledge of these facts; and to identify any physical evidence that supports these facts. This question is usually asked later in the case, after the defendant has had time to investigate.
116	16	Asked by the plaintiff about the defendant's contentions in a personal injury case.
---	17	Used to obtain the facts the responding party relied on when they denied, objected, or otherwise did not admit a fact in your requests for admission.
120	20	Used to obtain information about the events surrounding a motor vehicle accident.
150	50	Used to obtain information about the events surrounding a breach of contract.

Step 2: Make Copies

Make one photocopy of your form interrogatories for each party (other than you) in the case.

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Step 3: Have Your Requests Served

A photocopy of your form interrogatories must be served on the attorney for the responding party or directly to the responding party if he or she is self-represented (*in pro per*). Courtesy copies should be served on all other attorneys or self-represented parties in the case. Service may be completed by mail, by a person over the age of 18 who is not a party to the case. The person serving your requests must then complete a [Proof of Service by First Class Mail \(POS-030\)](#). For more information, see the Step-by-Step guide on Proof of Service by Mail on our website at www.saclaw.org/mail-service.

Step 4: Retain Your Originals

The original form interrogatories and signed proof of service should be retained for your records. If the other party does not respond to your requests, you may use these documents to support a motion to have the court compel responses. For more information, see the Step-by-Step guide on Motions to Compel on our website at www.saclaw.org/motion-compel.

FOR HELP

The Sacramento County Public Law Library's Civil Self Help Center offers assistance with the discovery process:

Introduction to Written Discovery Class

1:30 p.m. to 3:30 p.m., 1st Thursdays of the Month.

Come to understand what discovery is, how to answer questions you received by mail, and how you can use discovery yourself. Bring a USB flash drive to download sample forms. The Law Library sells USB drives at the Circulation Desk. Arrive by 1:20 p.m.

Discovery Lab

1:30 p.m. to 3:30 p.m., 2nd & 4th Thursdays of the Month.

Work on your discovery requests or responses in this drop-in computer lab. Bring your USB flash drive with your requests or responses. No entrance after 3:15 p.m. Lab closes promptly at 3:30 p.m. The Introduction to Written Discovery Class is a prerequisite for the Discovery Lab.

FOR MORE INFORMATION

On the Web

[Introduction to Discovery – Part 4: Propounding Form Interrogatories](#)

www.saclaw.org/pages/selfhelp_video.aspx

Part 4 of this video series from the Sacramento County Public Law Library's Civil Self Help Center will help you understand what Form Interrogatories are, and how to propound these types of requests.

At the Law Library

[California Civil Discovery KFC 1020 .H64](#)

Electronic Access: On the Law Library's computers, using *Lexis Advance*.

[California Civil Discovery Practice KFC 1020 .C35](#)

Electronic Access: On the Law Library's computers, using *OnLaw*.

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California Civil Litigation and Discovery [KFC 995 .G674](#)

California Deposition and Discovery Practice [KFC 1020 .D44](#)

Electronic Access: On the Law Library's computers, using *Lexis Advance*.

California Discovery Citations [KFC 1020 .F56](#)

Electronic Access: On the Law Library's computers, using *WestlawNext*.

California Forms of Pleading and Practice [KFC 1010 .A65 C3](#) (Ready Reference)

Electronic Access: On the Law Library's computers, using the *Matthew Bender CD*.

Electronic Access: On the Law Library's computers, using *Lexis Advance*.

California Practice Guide: Civil Procedure Before Trial [KFC 995 .W4](#)

Electronic Access: On the Law Library's computers, using *WestlawNext*.

Matthew Bender Practice Guide: California Civil Discovery [KFC 1020 .M37](#)

Electronic Access: On the Law Library's computers, using the *Matthew Bender CD*.

Electronic Access: On the Law Library's computers, using *Lexis Advance*.

IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.

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ATTACHMENTS: FORMS AND INSTRUCTIONS

The Judicial Council form used in limited civil cases is:

- [Form Interrogatories - Limited Civil Cases \(DISC-004\)](#)

The Judicial Council forms available in unlimited cases are:

- [Form Interrogatories - General \(DISC-001\)](#)
- [Form Interrogatories - Employment Law \(DISC-002\)](#)
- [Form Interrogatories - Unlawful Detainer \(DISC-003\)](#)
- [Form Interrogatories - Construction Litigation \(DISC-005\)](#)

Download the blank forms from these links or www.courts.ca.gov.

A sample filled-in form with instructions is available at the end of this Guide.

DISC-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
 Paul Sample
 123 Any Street
 Sacramento, CA 95814

TELEPHONE NO.: 916-555-1234
 FAX NO. (Optional):
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): In Pro Per

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
 720 Ninth Street
 Sacramento, CA 95814

SHORT TITLE OF CASE:
 Acme, Inc. vs. Sample

FORM INTERROGATORIES—GENERAL
 Asking Party: Paul Sample
 Answering Party: Acme, Inc.
 Set No.: One

CASE NUMBER:
 34-2012-12345678

Your name, address, and phone number. In Pro Per means you're representing yourself.

Court name and address.

Last names of Plaintiff and Defendant.

Case Number.

Names of the Requesting and Responding parties, and the set number of these requests. Use the name of the party, not the party's attorney.

Sec. 1. Instructions to All Parties

- (a) Interrogatories are written questions prepared for use in an action that are sent to any other party in the action and are answered under oath. The interrogatories below are the interrogatories approved for use in civil cases.
- (b) For time limitations, requirements for service of interrogatories, and other details, see Code of Civil Procedure sections 2030.010–2030.410 and the cases construing those sections.
- (c) These form interrogatories do not change existing law relating to interrogatories nor do they affect an answering party's right to assert any privilege or make any objection.

Sec. 2. Instructions to the Asking Party

- (a) These interrogatories are designed for optional use by parties in unlimited civil cases where the amount demanded exceeds \$25,000. Separate interrogatories, Form Interrogatories—Limited Civil Cases (Economic Litigation) (form DISC-004), which have no subparts, are designed for use in limited civil cases where the amount demanded is \$25,000 or less; however, those interrogatories are not used in unlimited civil cases.
- (b) Check the box next to each interrogatory that you, as the asking party, want the answering party to answer. Use care in checking interrogatories that are applicable to the case.
- (c) You may insert your own definition of **INCIDENT** in Section 4, but only where the action arises from a course of conduct or a series of events occurring over a period of time.
- (d) The interrogatories in section 16.0, Defendant's Contentions—Personal Injury, should not be used until the defendant has had a reasonable opportunity to conduct an investigation or discovery of plaintiff's injuries and damages.
- (e) Additional interrogatories may be attached.

Sec. 3. Instructions to the Answering Party

- (a) An answer or other appropriate response must be given to each interrogatory checked by the asking party.
- (b) As a general rule, the answers to these interrogatories must be verified and signed by the answering party. If this definition of "Incident" is adequate for your case, check this box.

If this definition of "Incident" is adequate for your case, check this box.

Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.

If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.

- (e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.

(a) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or objection in your written response.

Answers to these interrogatories must be verified, sworn to, and signed. You may wish to use the following form at the end of your answers:

Do not sign here. This is part of the instructions, not a space for your signature.

~~I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.~~

(DATE)

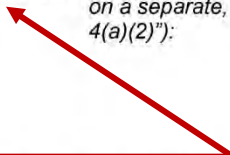
(SIGNATURE)

Sec. 4. Definitions

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

(a) (Check one of the following):

- (1) **INCIDENT** includes the circumstances and events surrounding the alleged accident, injury, or other occurrence or breach of contract giving rise to this action or proceeding.

(2) **INCIDENT** means (insert your definition here or on a separate, attached sheet labeled "Sec. 4(a)(2)"): 

If you need to write your own definition of "Incident," check this box. Write in your definition, or write in "see attachment 4(a)(2)," and attach a separate sheet labeled Attachment 4(a)(2).

... insurance attorneys, your ...
... ing on ...
... ation, organization, partnership, business, trust, limited liability company, corporation, or public entity.

(d) **DOCUMENT** means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostats, photographs, electronically stored information, and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.

(e) **HEALTH CARE PROVIDER** includes any **PERSON** referred to in Code of Civil Procedure section 667.7(e)(3).

(f) **ADDRESS** means the street address, including the city, state, and zip code.

Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.710:

Check the box for each question you want the responding party to answer. If you do not want to ask the question, leave the box blank.

- 1.0 Identity of Persons
- 2.0 General Background
- 3.0 General Background
- 4.0 Insurance
- 5.0 [Reserved]
- 6.0 Physical, Mental, or Emotional Injuries
- 7.0 Property Damage
- 8.0 Loss of Income or Earning Capacity
- 9.0 Other Damages
- 10.0 Medical History
- 11.0 Other Claims and Previous Claims
- 12.0 Investigation—General
- 13.0 Investigation—Surveillance
- 14.0 Statutory or Regulatory Violations
- 15.0 Denials and Special or Affirmative Defenses
- 16.0 Defendant's Contentions Personal Injury
- 17.0 Responses to Request for Admissions
- 18.0 [Reserved]
- 19.0 [Reserved]
- 20.0 How the Incident Occurred—Motor Vehicle
- 25.0 [Reserved]
- 30.0 [Reserved]
- 40.0 [Reserved]
- 50.0 Contract
- 60.0 [Reserved]
- 70.0 Unlawful Detainer [See separate form DISC-003]
- 101.0 Economic Litigation [See separate form DISC-004]
- 200.0 Employment Law [See separate form DISC-002]
- Family Law [See separate form FL-145]

DISC-001

1.0 Identity of Persons Answering These Interrogatories

1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

2.0 General Background Information—individual

2.1 State:
(a) your name;
(b) every name you have used in the past; and
(c) the dates you used each name.

2.2 State the date and place of your birth.

2.3 At the time of the **INCIDENT**, did you have a driver's license? If so state:
(a) the state or other issuing entity;
(b) the license number and type;
(c) the date of issuance; and
(d) all restrictions.

2.4 At the time of the **INCIDENT**, did you have any other permit or license for the operation of a motor vehicle? If so, state:
(a) the state or other issuing entity;
(b) the license number and type;
(c) the date of issuance; and
(d) all restrictions.

2.5 State:
(a) your present residence **ADDRESS**;
(b) your residence **ADDRESSES** for the past five years; and
(c) the dates you lived at each **ADDRESS**.

2.6 State:
(a) the name, **ADDRESS**, and telephone number of your present employer or place of self-employment; and
(b) the name, **ADDRESS**, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the **INCIDENT** until today.

2.7 State:
(a) the name and **ADDRESS** of each school or other academic or vocational institution you have attended, beginning with high school;
(b) the dates you attended;
(c) the highest grade level you have completed; and
(d) the degrees received.

2.8 Have you ever been convicted of a felony? If so, for each conviction state:
(a) the city and state where you were convicted;
(b) the date of conviction;
(c) the offense; and
(d) the court and case number.

2.9 Can you speak English with ease? If not, what language and dialect do you normally use?

2.10 Can you read and write English with ease? If not, what language and dialect do you normally use?