



Federal *Pro Se* Clinic

CENTRAL DISTRICT OF CALIFORNIA: WESTERN DIVISION

■ Guide: How to Amend the Complaint ■

An amended complaint is a revised version of the original complaint filed by the plaintiff in a case. Amended complaints are governed by Federal Rule of Civil Procedure 15.

You may have a few reasons to amend the complaint:

- To include additional claims, defendants, or requests for relief.
- To correct facts or clear up inadequate claims.
- The Court has ordered you to amend the complaint. This can happen, for example, if the Court grants a motion to dismiss, but allows you to amend the complaint to comply with the Court's order.

Do You Need the Court's Permission to Amend the Complaint?

Federal Rule of Civil Procedure 15 permits you to amend the complaint once without the Court's permission no later than:

- 21 days after serving the original complaint, or
- If the complaint is one to which a responsive pleading is required, 21 days after service of a responsive pleading, or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier. (An answer is an example of a responsive pleading).

In all other situations, you must seek the Court's permission or obtain the defendant's consent to amend the complaint.

If you need permission to amend the complaint, file a "Motion for Leave to Amend the Complaint." The motion must explain why you need to amend the complaint. Attach a copy of the amended complaint as an exhibit to the motion. See Public Counsel's Guide to "How to Submit a Motion" for more information.

1	John Doe	
2	JDoe@email.com	
3	12345 N. Main Street	
4	Los Angeles, CA 90047	
5	000-000-0000	
6	Plaintiff in Pro Per	
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10		
11		
12	JOHN DOE,	Case No.: 24-CV-0000 (ABC) (DF)
13	Plaintiff,	
14	vs.	FIRST AMENDED COMPLAINT
15	JANE SMITH,	PURSUANT TO 42 U.S.C. §1983
16	Defendant.	DEMAND FOR JURY TRIAL
17		
18		
19		<u>Jurisdiction</u>
20		1. This court has jurisdiction under 28 U.S.C. §1351. Federal question jurisdiction
21		arises pursuant to 42 U.S.C. § 1983.
22		
23		<u>Venue</u>
24		2. Venue is proper pursuant to 28 U.S.C. §1391 because the defendant is a federal
25		government official, and the plaintiff lives in this district.
26		
27		<u>Parties</u>
28		3. Plaintiff John Doe resides at 12345 N. Main St., Los Angeles, CA 90047.
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		FIRST AMENDED COMPLAINT

Review all orders issued by the Court in your case. The judge in your case may impose a specific deadline to amend the complaint or have other requirements related to amending the complaint.

What Does an Amended Complaint Look Like?

An amended complaint looks like any complaint, except that it is called "amended complaint." It must be complete in itself and should not refer back to your previous complaints. In fact, once you file an amended complaint, it completely replaces your previous complaints. Therefore, your amended complaint should include everything: all of your defendants, all of your claims, and all of the facts to support your case. See Public Counsel's guide to "How to Write a Complaint" for more information about preparing a complaint.