

## Checklist for Responding to Motion to Renew Judgment

- You must complete a form before you file it. These instructions will help you complete the forms.
- Court staff cannot complete a form for you.
- Attach a copy of any document referred to in the form.
- Keep a copy of all documents for your records.
- Attend all court hearings.
- Some forms may not apply in your case.
- Contact the Self Help Center if you need more help:  
<http://www.utcourts.gov/selfhelp/contact/>.

### (1) Stipulation or Opposition?

- Decide whether you agree with the motion filed by the other party.
- If you agree with the motion, work with the other party to complete and file a Stipulation.
- If you decide that you oppose the motion (or some part of it) complete and file an Affidavit Opposing the Motion and its supporting documents.

### (2) Stipulation

- If you and the other party agree about the motion, work with the other party to complete and file a Stipulation.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.
- Complete the heading exactly as it appears in the judgment.
- Paragraph (1): If you understand and agree with Paragraph (1), check the box. Print the agreed-upon amount of the renewed judgment in the blank line.
- Paragraph (2): If you understand and agree with Paragraph (2), check the box.
- Paragraph (3): If you understand and agree with Paragraph (3), check the boxes.
- Attach any required documents and forms.
- Date and sign the form.

- Send the original form and attachments to the other party to attach to and file with the motion.

### **(3) Affidavit Opposing the Motion**

- If you do not agree with the motion, you must file an Affidavit Opposing the Motion within 14 days after the motion was served on you.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.
- Complete the heading exactly as it appears in the judgment.
- If you want to ask for a hearing, check the box next to “hearing requested.” If there is no hearing, the judge will decide the motion based on the papers that have been filed. If one party requests a hearing and the other party does not, both parties are still allowed an opportunity to present oral arguments, if a hearing is held.
- Paragraph (1): Check the correct box to show whether you agree or disagree with Paragraph (1) of the Affidavit Supporting the Motion.
- Paragraph (2): Check the correct box to show whether you agree or disagree with Paragraph (2) of the Affidavit Supporting the Motion.
- Paragraph (3): Check the correct box to show whether you agree or disagree with Paragraph (3) of the Affidavit Supporting the Motion.
  - Use the table to show the amount of the judgment, the additional costs and fees that are permitted and the amount paid by the debtor. Calculate the post-judgment interest amount.
  - If there is a contract establishing the post-judgment interest rate, use that rate to calculate the amount. If there is no contract, the post-judgment interest rate is determined by the year in which the judgment was entered. For the post-judgment interest rates for judgments entered since 1993, see our webpage on [Post-Judgment Interest Rates](#).
- Paragraph (4): Check the correct box to show whether you agree or disagree with Paragraph (4) of the Affidavit Supporting the Motion.
- Paragraph (5): Check the correct box to show whether you agree or disagree with Paragraph (5) of the Affidavit Supporting the Motion.
- Paragraph (6): Check the correct box to show whether you agree or disagree with Paragraph (6) of the Affidavit Supporting the Motion.
- Paragraph (7): If you have any other reasons that you disagree with the motion, print them here.

- Paragraph (8): Check the correct box to show whether you request a hearing. If there is no hearing, the judge will decide the motion based on the papers that have been filed. If one party requests a hearing and the other party does not, both parties are still allowed an opportunity to present oral arguments, if a hearing is held.
- Do not include any private or protected information on this form. When filed, this form is a public record. Rule 4-202.09(9) requires that you omit from a public record any information that is not itself public information. For a list of records, data and information classified as public, private, and protected, see Rule 4-202.02.
- Attach any required documents and forms.
- Date and sign the form before a court clerk or notary public.
- Complete the Certificate of Service.
- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- File the original form, attachments and certificate of service with the judicial services representative.

**(4) Reply Affidavit (if applicable)**

- If you file an Affidavit Opposing the Motion, the other party may file a Reply, but only to respond to something being raised for the first time in your opposing affidavit. If the opposing affidavit and its supporting documents merely make statements of fact against the points made in the motion, then the other party cannot file a Reply.

**(5) Request to Submit for Decision**

- The motion and other documents will not be given to the judge to decide until one of the parties completes and files a Request to Submit for Decision. Either party may file a Request, but someone must do so.
- Do not file the Request to Submit for Decision until after the Reply Affidavit has been filed or the time for filing has passed. (7 days after the Affidavit Opposing the Motion was served.)
- If the parties stipulate to the motion, file the Request to Submit for Decision with the Motion, Stipulation and proposed Findings of Fact, Conclusions of Law and Order.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.

- Complete the heading exactly as it appears in the judgment.
- If you want to ask for a hearing, check the box next to “hearing requested.” If there is no hearing, the judge will decide the motion based on the papers that have been filed. If one party requests a hearing and the other party does not, both parties are still allowed an opportunity to present oral arguments, if a hearing is held.
- Paragraph (1): Print the name of the motion to be submitted for decision and the date the motion was served on the other party.
- Paragraphs (2) - (4): Check the correct boxes and print the dates to show which documents have been filed and served.
- Paragraph (5): Check the correct box to show whether you request a hearing.
- Date and sign the form.
- Attach the required documents.
- Complete the Certificate of Service.
- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- File the original form and certificate of service with the judicial services representative.

**(6) Notice of Hearing**

- If you have requested a hearing, call the judge’s judicial assistant to find out whether your request has been granted. Schedule the hearing with the assistant and complete this form. Select a date that is convenient for you, the other party and the court. Otherwise, do not file this form.
- Print your name and contact information at the top of the first page.
- Check the correct box to show whether the case is in the district, juvenile or justice court. Print the judicial district number, the county name and the court address on the blank lines. Complete the heading exactly as it appears in the complaint/petition.
- Identify Plaintiff/Petitioner and Defendant/Respondent by name and address. Or add the Assignee/Purchaser’s name and address.
- Print the name of the motion on the blank line. Print the date and time of the hearing. Print also the judge’s name and courtroom number for the hearing.
- Date and sign the form.
- Complete the Certificate of Service.

- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- File the original form with the judicial services representative.

**(7) Notice of Amount Due on Renewed Judgment**

- Post-judgment interest will accumulate on the judgment after the Motion to Renew Judgment is filed. And there might be transactions after the motion is filed, such as costs by the creditor or payments by the debtor. If the Motion to Renew Judgment is granted, use this form to notify the judge of the amount due on the date the renewed judgment is effective.
- This form should be completed after the judge has granted the motion and before signing the renewed judgment. Unless the renewed judgment is granted by default, both parties should agree to the amount based on the judge's decision and sign the form. This form should be filed with the Findings of Fact, Conclusions of Law and Order (Judgment) on Motion.
- The renewed judgment will be effective on the date the judge signs it or the date on which the statute of limitations on the former judgment expires, whichever date is earlier.
- If you complete and file the Findings of Fact, Conclusions of Law and Order (Judgment) on Motion:
  - Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.
  - Complete the heading exactly as it appears in the judgment.
  - Paragraph (1): Print the date on which the Motion to Renew Judgment was filed.
  - Paragraph (2): This is a necessary condition. Make sure that it is true before signing the form.
  - Paragraph (3): Estimate the dates on which the renewed judgment might be effective and calculate the amount due on those dates.
    - If the statute of limitations on the former judgment expired after the Motion to Renew Judgment was filed, the renewed judgment will be effective on that date.
    - If the renewed judgment will be effective on the date the judge signs it, estimate the dates on which the judge might sign it. Provide the information for several dates because it will take some time for the court to process the filing.

- File this document with the Findings of Fact, Conclusions of Law, and Order (Judgment) on the Motion.
- Date and sign the form. Unless the renewed judgment is granted by default, both parties should agree to the amount based on the judge's decision.
- Complete the Certificate of Service.
- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- File the original form and attachments with the judicial services representative. File this document with the Findings of Fact, Conclusions of Law and Order (Judgment) on the Motion.

**(8) Findings of Fact, Conclusions of Law and Order (Judgment) on the Motion**

- The Findings of Fact, Conclusions of Law and Order might be completed at different times, depending on how the case is decided. There are two documents: the Findings of Fact and Conclusions of Law; and the Order, and they are usually prepared together.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.
- Complete the heading exactly as it appears in the judgment.
- If the parties stipulate to the motion, or if the other party defaults on the motion, complete the rest of the Findings of Fact, Conclusions of Law and Order so that they agree with the motion.
- If the motion is not stipulated and not granted by default, do not complete the rest of the documents unless you are told to do so. Either the judge will complete the rest of the documents or tell one of the parties to do so.
- Attach any required documents or forms.
- If there is a hearing, the judge will decide the issues and will tell one of the parties to prepare the Findings of Fact, Conclusions of Law and Order. Listen carefully to the judge's decision. The documents must agree with that decision, and you may have to prepare them.
- If you are told to prepare the Findings of Fact, Conclusions of Law and Order, complete all of them except the judge's signature. What you write in the documents must agree with what the judge decided.
- Date and sign the proposed Findings of Fact, Conclusions of Law and Order under the phrase: "approved as to form."

- Within 14 days after being told to prepare the documents, serve them on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- The other party may object to the form of the proposed order by filing an objection within 7 days after the order is served.
- File the original Findings of Fact, Conclusions of Law and Order and the Certificate of Service with the judicial services representative after the time to object has ended.

**(9) Notice of Judgment**

- If you prepared the judgment, or if the judge says you have to serve the signed judgment:
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent.
- Complete the heading exactly as it appears in the judgment.
- Attach any required documents and forms.
- Date and sign the form.
- Complete the Certificate of Service.
- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- File the original form and attachments with the judicial services representative.