

## Checklist to Respond to a Motion to Declare the Judgment Satisfied

- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative 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.

### (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 a Statement 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 the Stipulation.
- Check the correct box to show whether the court is the District 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 judgment.
- Paragraph (1): Print the name of the motion on the blank line. If you understand and agree with Paragraph (1), check the box.
- 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 box.
- 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) Statement(s) Opposing Motion**

- If the you do not agree with the motion, you must file a Statement Opposing the Motion within 10 days after the motion was served on you. A party may file more than one statement.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent, a witness for the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent. Or add to the form that you are the Purchaser or Assignee of the judgment or witness or attorney for the Purchaser/Assignee.
- Check the correct box to show whether the court is the District 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 judgment. Check the correct box to show that the statement opposes the motion. Print the name of the motion on the blank line.
- 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): State the facts relevant to the motion that are within the first-hand knowledge of the person signing the statement. This means the person must have observed the facts personally, rather than being told about the facts.
- Paragraph (2): List and attach any documents you want to use to support the facts.
- Paragraph (3): 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.
- 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) Memorandum Opposing the Motion**

- The parties have a right to file a memorandum that explains the authority for their legal arguments, but usually there are no legal issues in a Motion to Declare a Judgment Satisfied. The issues usually are fact issues-Who paid for what? And how much? Facts should be claimed in the Statements Supporting or Opposing the Motion.
- If you do file a Memorandum Opposing the Motion:
  - Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent, a witness for the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent. Or add to the form that you are the Purchaser or Assignee of the judgment or witness or attorney for the Purchaser/Assignee.
  - Check the correct box to show whether the court is the District 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 judgment. Check the box to show that the memorandum opposes the motion. Print the name of the motion on the blank line.
  - Paragraph (1): Check the correct box to show that the motion is not supported by the law. State your argument why the motion is not supported by the law.
  - 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.
  - 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.

**(5) Reply Statement (if applicable)**

- If you file a Statement 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 statement. If the opposing statement and its supporting documents merely make statements of fact and legal arguments against the points made in the motion, then the other party cannot file a Reply.

**(6) 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 to the Statement Opposing the Motion has been filed or the time for filing has passed. (5 days after the Statement 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, a witness for the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent. Or add to the form that you are the Purchaser or Assignee of the judgment or witness or attorney for the Purchaser/Assignee.
- Check the correct box to show whether the court is the District 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 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.

**(7) 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 whether you are the Plaintiff/Petitioner or Defendant/Respondent, a witness for the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent. Or add to the form that you are the Purchaser or Assignee of the judgment or witness or attorney for the Purchaser/Assignee.
- Check the correct box to show whether the court is the District 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 judgment.
- Identify Plaintiff/Petitioner and Defendant/Respondent by 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.

**(8) Attend the Hearing**

- If there is a hearing, be sure to attend.

**(9) Findings of Fact, Conclusions of Law and Order 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.
- Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent or Purchaser/Assignee of the judgment. Or whether you are the attorney for the Plaintiff/Petitioner or Defendant/Respondent or Purchaser/Assignee.
- Check the correct box to show whether the court is the District 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 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 15 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 has 5 days in which to object.
- 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.

**(10) Notice of Order**

- If you prepared the order, or if the judge says you have to serve the signed order:
  - Print your name and contact information at the top of the first page. Check whether you are the Plaintiff/Petitioner or Defendant/Respondent, a witness for the Plaintiff/Petitioner or Defendant/Respondent or the attorney for the Plaintiff/Petitioner or Defendant/Respondent. Or add to the form that you are the Purchaser or Assignee of the judgment or witness or attorney for the Purchaser/Assignee.
  - Check the correct box to show whether the court is the District 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 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.