

INSTRUCTIONS FOR OBTAINING A SMALL CLAIMS DEFAULT JUDGMENT

1. You may apply for a default judgment if:
 - Proof of service has been filed with the court, AND
 - The defendant has not filed an answer within 20 days of service.
2. If you have brought your claim against multiple defendants, the default applies only to those defendants who have been properly served and who have failed to file an answer within 20 days of service.
3. To proceed with a default, you must complete and file the *Application for Entry of Default*.
4. You must mail a copy of the *Application for Entry of Default* to all parties in the case.
5. If the defendant files an answer within 10 business days of the filing date of the *Application for Entry of Default*, the default will not become effective and the case will proceed as if an answer had been timely filed.
6. If the defendant does not file an answer within 10 business days of the *Application for Entry of Default* filing date, the default becomes effective. You must then file a *Request and Affidavit for Entry of Default Judgment* form to ask the court to enter a default judgment. You must mail a copy to all parties in the case.
7. The court will expect you to be able to prove your claim before it will enter a judgment in your favor. A default judgment can be entered by request or by hearing. You must attach to the *Request and Affidavit for Entry of Default Judgment* form any documents that support or prove the amount of your claim and court costs.
8. The court may either enter judgment based on the documents that you have filed, or it may set the matter for a default hearing.
9. If your *Request and Affidavit for Entry of Default Judgment* form indicates that the defendant you want to default is in military service, or if it cannot be determined whether the defendant is in military service, this may impact whether the court will enter a default judgment. See the Servicemembers Civil Relief Act, 50 United States Code § 521 and related sections.
10. The court will mail a copy of any judgment or notice of hearing to all parties.

NOTE: The information in this checklist is only a summary. It is not intended to be a complete list of the requirements of the Arizona Revised Statutes or the Arizona Rules of Small Claims Procedure.



Pima County Justice Courts, Arizona

601 N. La Cañada Dr., Green Valley, AZ 85614 (520) 222-0200

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

SMALL CLAIMS APPLICATION FOR ENTRY OF DEFAULT

NOTICE

If you do not answer or file a responsive pleading with this court within ten (10) business days of the filing of this application, the default will become effective and the other party may request that a judgment be entered against you.

I am the Plaintiff. The above-named defendant, was served with the summons, complaint, and Notice to Plaintiff and Defendant by registered or certified mail, or constable, sheriff, or process server. The above-named defendant has failed to file an answer or otherwise respond within the time allowed by the Arizona Rules of Court. I am applying for an entry of default against the above-named defendant.

Date: _____

Signature: _____

Plaintiff

Notice to Plaintiff: After ten (10) business days have passed since the filing of this application, it is your responsibility to file a *Request for Entry of Default Judgment* or request a hearing.

I CERTIFY that a copy of this document will be provided by (circle one) hand-delivery/ first-class mail/ electronic means on _____ Date	
to: <input type="checkbox"/> the above-named defendant	<input type="checkbox"/> any other parties to the lawsuit
By: _____ Plaintiff Signature	Date: _____



Pima County Justice Courts, Arizona

601 N. La Cañada Dr., Green Valley, AZ 85614 (520) 222-0200

CASE NUMBER: _____

Plaintiff(s) Name / Address / Email / Phone

Defendant(s) Name / Address / Email / Phone

SMALL CLAIMS REQUEST AND AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT

I am the Plaintiff. I request that the court enter a default judgment against the above-name defendant who was served with the summons, complaint, and Notice to Plaintiff and Defendant by registered or certified mail, or constable, sheriff, or process server. The defendant has failed to file an answer or otherwise respond within the time allowed by the Arizona Rule of Court. At least 10 court business days have passed since the Application for Entry of Default was filed.

The above-named defendant is in military service is not in military service.

Supporting facts are:

I am unable to determine whether the above-named defendant is in military service.

The total amount is due and owing on my claim as of today's date:

Principal \$ _____

Costs \$ _____

Interest \$ _____

Total \$ _____

If I am requesting a default judgment without a hearing, (1) my claim is for a specific amount or can be determined by a mathematical calculation, AND (2) I have attached documents that prove my claim amount.

If I am requesting an award of courts costs, I have attached a verified statement of costs.

If I have included a proposed default judgment form, I have provided the court with stamped envelopes addressed to each party who has appeared in the lawsuit and to each party in default.

I declare under penalty of perjury that the foregoing is true and correct. Signed on the _____ day of _____, 20____.

Signature: _____

I CERTIFY that a copy of this document will be provided by (circle one) hand-delivery/ first-class mail/ electronic means on _____	
to: <input type="checkbox"/> the above-named defendant	<input type="checkbox"/> any other parties to the lawsuit Date
By: _____	Date: _____
Plaintiff Signature	



Pima County Justice Courts, Arizona

601 N. La Cañada Dr., Green Valley, AZ 85614 (520) 222-0200

CASE NUMBER: _____

Plaintiff(s) / Attorney Name / Address / Email / Phone

Defendant(s) / Attorney Name / Address / Email / Phone

DEFAULT JUDGMENT ORDER

TO THE JUSTICE OF THE PEACE: (Please Enter Default Judgment)

Principal \$ _____

Costs \$ _____

Attorney fees \$ _____

Interest \$ _____

Total \$ _____

*Interest rate of _____% plus accruing costs.

IT IS SO ORDERED this date: _____

Justice of the Peace Pro Tem

**** Interest rate shall be at the lesser of ten per cent per annum or at a rate per annum that is equal to one per cent plus the prime rate as published by the Board of Governors of the Federal Reserve System.***

FOR COURT USE ONLY

Copy of the foregoing mailed this date: _____

to: Plaintiff Defendant Runner Service _____

Docketed On: _____ Clerk: _____