



Pima County Justice Courts, Arizona

INSTRUCTIONS FOR OBTAINING A DEFAULT JUDGMENT

Default Judgment Defined.

A default judgment can be entered against any party who was served a complaint, counterclaim, cross-claim, or third-party complaint if that party either did not file an answer or response with the Court within 20 days after service or 30 days if served out of state. Obtaining a default judgment is a two step process.

Step One: Application for Entry of Default

Complete the Application For Entry of Default and mail a copy by regular U.S. mail to each defendant / respondent who you are seeking to default, and the defendant's attorney, if any. File the original document with the court and pay the filing fee.

The defendant / respondent has ten (10) business days to file an answer or response. If filed, the case will proceed as if the answer had been timely filed. If no answer / response is filed, proceed to step two below.

Step Two: Request a Default Judgment

Complete the Request and Affidavit For Entry of Default Judgment along with a proposed judgment form and supporting documentation. Mail a copy by regular U.S. mail to each defendant who you are seeking a default judgment, and the defendant's attorney, if any. File the original documents with the court along with self-addressed, stamped envelopes for each party (no additional filing fees are required).

Default Hearings

Most default judgments are granted without a hearing. However, if the other side was served by publication, then a default hearing will be held. A default hearing may also be held if the judge has some additional questions about the case or if it is requested by a party.

Note: This information is only a summary. It is not intended to be a complete explanation of the requirements of the Arizona Revised Statutes or of the Arizona Rules of Civil Procedure.



Pima County Justice Courts, Arizona

240 N. Stone Ave., Tucson, AZ 85701 (520) 724-3171

CASE NUMBER: _____

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

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

APPLICATION FOR ENTRY OF DEFAULT

I am the Plaintiff Counterclaimant 3rd Party Plaintiff Attorney

THE FOLLOWING DEFENDANT(S) / RESPONDENT(S) WERE SERVED THE SUMMONS AND COMPLAINT:

I am applying for an Entry of Default against the above named party who has failed to timely file a response to the lawsuit.

The Defendant was served the Summons and Complaint by:

- Process Server
- Alternative Service
- Publication
- Certified Mail (*Small Claims*)

The Defendant is is not on active duty in the United States Military.

Date: _____ Signature _____

Plaintiff Counterclaimant 3rd Party Plaintiff Attorney

NOTICE to Defendant(s) / Respondent(s):

If you do not answer or file a responsive pleading with this court within ten (10) days of the filing of this application, the application for default will be effective and a default judgment may be entered against you. The ten (10) day period begins the day after the application is filed with the court; the ten (10) day period does not include Saturdays, Sundays, or holidays, and no additional time is added for service by mail.

I CERTIFY that a copy of this document has been or will be mailed on _____ to:

- Plaintiff at the above address
- Plaintiff's attorney
- Defendant at the above address
- Defendant's attorney

Date: _____ By _____
Signature

Docketed On: _____ Clerk: _____



Pima County Justice Courts, Arizona

240 N. Stone Ave., Tucson, AZ 85701 (520) 724-3171

CASE NUMBER: _____

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

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

REQUEST and AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT

I request that the Court enter a default judgment.

I certify that I am the Plaintiff and that the Summons, Complaint and the Notice to Defendant were served.

No response has been received within the time allowed by law and at least ten (10) business days have passed since the Entry of Default.

- The Defendant is not on active duty in the United States Military.
- I am unable to determine if the Defendant is on active duty in the United States Military.

The following amount is due and owing on plaintiff's claim as of this date:

Principal \$ _____
 Costs \$ _____
 Attorney fees \$ _____
 Interest \$ _____
Total \$ _____

- Attached are the: Proposed Judgment
 Supporting documents / proof of debt
 Statement of cost

I state under penalty of perjury that the forgoing is true and correct.

Date: _____ Signature _____
 Plaintiff Counterclaimant 3rd Party Plaintiff Attorney

Note: A party who files a proposed default judgment must also provide the court with stamped envelopes addressed to each party.

I CERTIFY that a copy of this document has been or will be mailed on _____ to:

Plaintiff at the above address Plaintiff's attorney Defendant at the above address Defendant's attorney

Date: _____ By _____
 Signature



Pima County Justice Courts, Arizona

240 N. Stone Ave., Tucson, AZ 85701 (520) 724-3171

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: _____