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| Next steps to ask the court to remove the default judgement in your consumer default case |

Congratulations {{ users }}! You have finished all the forms you need to file to ask the court to remove the default judgement in your consumer default case. The rest of the pages in this packet are your motion.

## Next steps

1. **Print 3 copies of this motion. Keep a copy for yourself.**
2. Call the{% if not use\_court\_result %}{{ trial\_court }} {{ showifdef('trial\_court.phone\_number') }} {% else %} trial court {% endif %}
   * Ask to schedule a new court date
   * Ask how to file your motion
   * Ask what the "proper method of service" should be to deliver your motion to the other party.
   * If you do not know the other party's name, ask the clerk for the name of the other party and their address.
3. Fill out the certificate of service
4. File this motion with the court.
5. Deliver a copy to the other party, {{ showifdef('other\_parties') }} or their attorney.
6. The clerk will tell you how to go to the hearing.
7. Prepare for your new court date.

## To schedule a new court date

1. Call the {% if not use\_court\_result %}{{ trial\_court }} {{ showifdef('trial\_court.phone\_number') }} {% else %} trial court {% endif %} to get a Hearing date on “Motion Day.” Your court and ask to speak with the civil clerk. Ask what day motions are hearing. The court will have a day and time they hear motions every week.
2. Pick a date 2 weeks away and write it into the “Notice of Hearing” section.

## To file your motion

1. Look over the forms below, one more time. Make sure everything is correct.
2. Call the {% if not use\_court\_result %}{{ trial\_court }} {{ showifdef('trial\_court.phone\_number') }} {% else %} trial court {% endif %}to find out how they want you to send your forms to them.
3. {%p if not use\_court\_result %} {{showifdef('trial\_court.address.address')}} The address of your court, if you need it, is:   
   {{ trial\_court.address.on\_one\_line() }}.
4. {%p endif %}

## To deliver a copy of this motion to the other party

1. A copy of this motion and answer needs to be delivered to the {{ showifdef('other\_parties') }} plaintiff (the debt owner).
2. If you do not know the other party call the trial court and ask for the other party's name and address.
3. it is suggested that the copies be hand delivered but given the pandemic the best option is to **call the clerk at the courthouse and ask what the proper method of service should be.**

## What happens in the hearing?

1. Bring any documents that prove your case. Any documents and evidence to back up or prove why your reason for missing the original trial is legitimate.
2. Write what you want to say in your own words about the collection of debt.
3. The judge reads the complaint and the evidence. They may ask you questions.
4. Tell the judge why you need the Court to vacate the default judgement. Talk about the facts that you wrote in your motion. Tell the judge about any evidence that you have.

## Important

It can be very difficult or impossible to set aside a default judgment. Do not assume you will be able to get the court to set aside a default judgment. Respond to all deadlines and appear at all hearings.