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

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

## Next steps

1. **Print additional copies of this motion. Keep a copy for yourself.**
2. **Schedule a new court date.**
3. Deliver a copy to {{ other\_party }} or their attorney.
4. File this motion with the court.
5. Tell the court about your notice of removal.
6. The clerk will tell you how to go to the hearing.
7. If the judge decides to grant your [application/petition/complaint]:.
8. Check the order when you get it to make sure it is correct.

## To schedule a new court date

1. It is important that you first contact the court and find out when they will allow you to schedule this motion hearing. Some courts only allow motion hearings at certain times. Some courts also require that you give at least 7 day's notice of when the hearing will take place.
2. Once you have determined when you can schedule your motion hearing you need to **fill out Section 6** **on all additional copies of the document.** Remember, to fill in Section 6 on both hard copies and electronic copies.

## To deliver a copy of this motion to {{ other\_party }}

1. **Fill in Section 5.**
2. A copy of this motion and answer needs to be delivered to the plaintiff (your landlord).
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.**

## To file your motion

1. Look over the forms below, one more time. Make sure everything is correct.
2. Call the {{ trial\_court }} {{ showifdef('trial\_court.phone\_number') }} to find out how they want you to send your forms to them.
3. if defined('trial\_court.address.address') The address of your court, if you need it, is:   
   {{ trial\_court.address.on\_one\_line() }}.
4. endif

## What happens in the hearing?

Bring any documents that prove your case. **Any documents and evidence to back up or prove why your reason for missing the original eviction trial is legitimate.**

Write what you want to say in your own words about how the Landlord violated the law and why you should not be evicted.

The judge reads the complaint and the evidence. They may ask you questions.

**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.

if sheriff\_notice

## Tell the court about your notice of removal

1. Make sure that the court has received the page which says “**Emergency Motion for Temporary Stay of Execution Pending Further Hearing**” on it.
2. Request that the judge issue a “stay of execution” to the sheriff or constable that is threatening to evict you

p endif if answer\_help

## File your answer

1. If you filed an answer to the court along with this motion, make sure that you also bring additional copies of your answer with you.

endif

## What can the judge do?

At the hearing the judge can do 3 things:

1. .
2. .
3. .

## What happens if the judge makes the order?

If the judge decides to grant your order, they:

1. .
2. .
3. **Read** the order as soon as you get it. Call the court to fix any mistakes. You may need to go back in front of the judge to get the order corrected.