

Instructions For Notice Of Hearing – Civil Action, or Civil Case

ND Legal Self Help Center Staff and Court employees **can't** help you fill out forms, or create documents for you. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Forms **aren't** official forms. Judges and courts **aren't** required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include these instruction sheets when you file the completed Notice of Hearing form.

The "District Court Civil" Section of the [ND Legal Self Help Center webpage](#) has additional information and resources.

When you schedule a hearing in your civil action, or civil case, with the Clerk of Court's office, you may be required to give written notice of the reason for the hearing, and the hearing date, time and location. *(Sometimes, the Clerk of Court's office gives notice of hearing for you.)*

If you're required by the Clerk of Court's office to give written notice of the hearing, you **must** arrange to have a Notice of Hearing document served on all other parties in your civil case.

Important!

This is a generic Notice of Hearing form. Depending on your civil case, or the type of hearing, your Notice of Hearing may need to meet specific requirements that **aren't** included on this generic form.

Carefully review the laws or rules that specifically apply to your civil case and the type of hearing. As a self-represented individual, you're entirely responsible for including the correct information on your Notice of Hearing.

For motions see the Notice of Hearing form on the [Answering a Motion](#) webpage.

For establishing a guardianship of an adult see the Notice of Hearing forms on the [Guardianship of Adults](#) webpage.

Contact the Clerk of Court Office to Schedule the Hearing:

To schedule the hearing, contact the Clerk of Court's office in the North Dakota county where your civil action is filed. Contact information for Clerks of Court by county is available at ndcourts.gov/court-locations.

Complete the Notice of Hearing Form:

Caption (Top of Form):

- ☐ Fill in the Caption exactly as it appears in the Plaintiff's/Petitioner's Complaint/Petition.

To:

- ☐ Fill in the names of all other parties in the civil case.

Paragraph 1:

- ☐ Fill in the name of the Complaint, Petition, or other matter for which the hearing will be held. This is the subject matter of the hearing.
 - **Important!** If you're giving notice of a hearing on a Motion, **Don't** use this form. See the Notice of Hearing form on the [Answering a Motion](#) webpage.
 - **Important!** If you're giving notice of a hearing to establish a guardianship of an adult, **Don't** use this form. See the Notice of Hearing forms on the [Guardianship of Adults](#) webpage.

Paragraph 2:

- ☐ Fill in the name of the Judge or Judicial Referee who is presiding at the hearing. Checkmark (✓) the appropriate box.
- ☐ Fill in the date and time of the hearing.
- ☐ Checkmark (✓) the appropriate box and fill in the information.
 - If the hearing will be held by Zoom Video Conference, fill in the information about how to attend the Zoom Video Conference.
 - If the hearing will be held in-person at a courthouse, fill in the name and physical address of the courthouse.

Date and Signature:

- ☐ Date and sign this form
- ☐ Complete the lines following the signature line.

Service on All Other Parties:

Important!

You have a deadline to serve the Notice of Hearing on all other parties in your civil case.

Carefully review the laws or rules that specifically apply to your civil case and the type of hearing for the deadline.

You **must** arrange to have a copy of the Notice of Hearing document served on all other parties in your civil case.

For information about service and proof of service in a civil Case, go to the “District Court Civil” section of the ND Legal Self Help Center webpage and click on the [Service](#) link.

- Review the information and instructions in the “[Service After a Civil Action Has Been Started](#)” section.

There are specific requirements for serving documents.

- [Rule 5](#) of the North Dakota Rules of Civil Procedure gives the requirements for service after a civil case has been started.

Proof of service **must** be filed with the Clerk of Court. If proof of service **isn't** filed, the Judge or Judicial Referee may decide to cancel the hearing.

- An Affidavit of Service or Declaration of Service completed by the individual who served the copies of documents on the other parties is proof that service occurred.
 - Make sure to keep a copy for your records.

File the Original Notice of Hearing & Proof of Service with the Clerk of Court:

You **must** file the **original** Notice of Hearing and **original** of all Affidavit of Service or Declaration of Service documents with the Clerk of Court in the North Dakota county where your civil case is filed.

If proof of service **isn't** filed, the Judge or Judicial Referee may decide to cancel the hearing.

****Disclaimer: The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota state courts. The information provided by the Center isn't intended for legal advice but only a general guide to the civil court process. The Center can't guarantee that all judges and courts will accept forms available through the Legal Self Help Center. The Center isn't responsible for any consequences that may result from the information provided. The information can't replace the advice of competent legal counsel licensed in the state. Use at your own risk.****

State Of North Dakota

In District Court

County Of _____

_____ Judicial District

Plaintiff/Petitioner,
vs

Defendant/Respondent.

)
)
)
)
)
)
)

Case No. _____

Notice Of Hearing

To: _____
(List names of parties to receive notice of hearing)

1. **You Are Hereby Given Notice** that a hearing to present evidence will be held on the

_____ before the Court.
(name of complaint/petition/other)

2. The hearing will be held before the Honorable _____,
District Court ☐ Judge/ ☐ Judicial Referee at Date: _____ Time: _____.

☐ The hearing will be held by **Zoom Video Conference**, not at the courthouse. To attend the
hearing (explain): _____

☐ The hearing will be held in-person at the _____ County Courthouse
at _____

Dated _____.

(Signature) / (Printed Name)

(Address) (City, State, Zip Code)

(Telephone Number) (Email Address)