

Motion for Relief from Default Judgment (*Debt Collection*)

Instructions for Form MP1: Notice of Motion

(Form MP1: Notice of Motion is part of the Motion for Relief from Default Judgment (*Debt Collection*)). [Review the instructions for the packet of forms.](#))

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

ND Legal Self Help Center forms **aren't** official court 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 serve or file the completed form.

A Notice of Motion document is one of a set of required documents that make up a written Motion for Relief from Default Judgment (*Debt Collection*).

The **MP1: Notice of Motion** form is a written advisory that tells the Plaintiff that the Defendant requests relief from a default debt collection judgment from the Court. The Notice of Motion tells the Plaintiff that the motion will be decided on the documents alone.

You arrange to serve a copy of the Notice of Motion with all the documents listed on Page 2.

You, the Defendant, Complete and Sign This Form.

- Top of Form (Caption):** Fill in the caption with **exactly** the same information as the caption from the Debt Collection Default Judgment.
- Paragraphs 1 through 3:** Read carefully. You don't need to fill anything in for these paragraphs.
- Date and Signature:** Sign and date the Notice of Motion.

What do I do next?

- Set aside the completed Notice of Motion form. (You make copies later.)
- Complete the next form in the set. (The MP2: Motion is the next form.)
- Once you've completed all of the forms listed on Page 2, you arrange to serve a copy of the Notice of Motion with those forms.
- The originals are filed with the court in **Step 6** of the instructions for this form set.

For Motion for Relief from Default Judgment, the following forms are required:

- **MP1: Notice of Motion for Relief from Default Judgment (*Debt Collection*);**
- MP2: Motion for Relief from Default Judgment (*Debt Collection*);
- MP3: Brief in Support of Motion for Relief from Default Judgment (*Debt Collection*);
- MP4: Declaration in Support of Motion for Relief from Default Judgment (*Debt Collection*);
 - Additional Declarations in Support of Motion (*if any*);
 - Any other supporting documents, also called exhibits (*if any*).
- MP5: Confidential Information form (*Debt Collection*); and
- MP6: Declaration of Service by Mail (*Debt Collection*).

3. Please Take Further Notice that a request for oral argument or the taking of testimony must be made not later than seven (7) days after expiration of the time for filing the answer brief. The party requesting oral argument must secure a time for the argument or testimony and must serve notice of the time for oral argument or the taking of testimony on all other parties.

Dated _____

(Signature of Moving Party)

(Moving Party Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email)