

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

Instructions for Form MP2: Motion

(Form MP2: 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 Motion document is one of a set of required documents that make up a written Motion for Relief from Default Judgment (*Debt Collection*).

The **MP2: Motion** form is a written request to the Court for relief from a default debt collection judgment. A Motion **can't be used** to start a new case.

You arrange to serve a copy of the 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 **exactly** as you filled in the Notice of Motion form.
- Paragraphs 1 and 3:** Read carefully. You don't need to fill anything in for these paragraphs.
- Paragraph 2:** Fill in the date the default judgment was entered. (You find the **date** on the last page of the default collection judgment. This the date of the Judge's or Clerk of Court's signature.)
- Date and Signature:** Sign and date the Motion.

What do I do next?

- Set aside the completed Motion form. (You make copies later.)
- Complete the next form in the set. (The MP3: Brief is the next form.)
- Once you've completed all of the forms listed on Page 2, you arrange to serve a copy of the Motion with those forms.
- The originals are filed with the court in **Step 6** of the instructions of 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*).

State of North Dakota

In District Court

County of _____

_____ Judicial District

)
 Plaintiff,)
)
 vs)
)
 _____)
 Defendant.)

Case No. _____

Motion for Relief from Default Judgment
(Debt Collection)

1. Plaintiff in the above-captioned case, makes this motion to the Court for an order of the Court under Rule 60 of the North Dakota Rules of Civil Procedure and Rule 3.2 of the North Dakota Rules of Court.

2. Wherefore, Plaintiff respectfully moves the Court for relief from the default judgment entered *(date default judgment entered)* _____ as detailed in the Brief and the Declaration(s) in support of the Motion.

3. This Motion for Relief from Default Judgment is based on the Brief and the Declaration(s) in Support of Motion, which are served and filed with the motion.

Dated _____.

(Signature of Moving Party)

(Moving Party Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Email Address)