

NOTICE OF ENTRY OF JUDGMENT

STATE OF NORTH DAKOTA

IN SMALL CLAIMS COURT

COUNTY OF _____

CASE No. _____

_____,

V.

_____.

Plaintiff,

Defendant.

TO: _____

(Name(s) of losing party or parties)

1. Please take notice that on _____, a Small Claims Court judgment was entered against you, **the Plaintiff / Defendant** (*circle the losing party*). The Docket (Index) Number is _____. A copy of the Small Claims Court judgment is attached.
2. You may pay the winning party directly. If you pay the winning party directly, they will prepare a written satisfaction of judgment and file the same with this court.
3. If you do not pay the judgment to the winning party within 30 days of service of the Notice of Entry of Judgment, the winning party may begin using the judgment collection processes allowed by North Dakota law.

Dated: _____.

(Signature of winning party)

(Typed or printed name)

(Address)

(City, State, Zip Code)

(Telephone number)

(Email Address)

Instructions for Notice of Entry of Judgment Form and Declaration of Service by Mail Form

When a judgment is entered in a Small Claims Court case, [Rule 58 of the North Dakota Rules of Civil Procedure](#) requires the winning party to serve a Notice of Entry of Judgment on the losing party or parties.

The winning party must serve a Notice of Entry of Judgment on the losing party or parties within 30 days after the judgment is entered. A copy of the signed and dated judgment must be served with the Notice of Entry of Judgment.

STEP 1: Fill Out the Notice of Entry of Judgment Form

Top of Form (Caption): Fill in the county, small claims court case number, and names of the parties exactly as they appear on your Form 2: Claim Affidavit.

To: Fill in the full, legal name of the losing party or parties who will be served Notice of Entry of Judgment.

Paragraph 1: Fill in the date the Judicial Officer or the Clerk of Court signed the Small Claims Court judgment. Circle either Plaintiff or Defendant for the losing party. Fill in the Docket (Index) Number of the judgment.

To find the Docket (Index) Number of the Small Claims Court judgment:

- Go to ndcourts.gov.
- Click on the "Search Records & Pay Fines" link.
- Read the information, then click on the "Click Here to Proceed" link.
- Select the county where your Small Claims Court case was decided, or select State of North Dakota from the drop down menu.
- Click on the "Civil, Family & Probate Case Records" link.
- Select "Case" in the "Search By:" field.
- Enter your Small Claims Court case number in the "Case Number" field.
- Click on the "Search" box.
- Click on the link for your case number.
- Scroll through the list of documents until you find the judgment.
- The Docket (Index) Number will be shown as "Index # ____"

You may also call the Clerk of Court for the Docket (Index) Number of the judgment.

Date and Signature: Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Fill in the address, telephone number, and email address lines. If you have a physical address and a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.

STEP 2: Serve Copies of the Notice of Entry of Judgment & the Judgment

Make at least two copies of the completed Notice of Entry of Judgment form. Keep one copy for your records. You serve the other copy or copies on the losing party or parties. You file the originals with the Clerk of Court in Step 3.

Make copies of the Judgment with the date and signature of the Judicial Officer or the Clerk of Court. Make one copy for each losing party you serve. Keep one copy for your records. You serve the other copy or copies on the losing party or parties in the case.

Serve the following on each losing party by mail:

- A copy of the completed Notice of Entry of Judgment form; and
- A copy of the Small Claims Court Judgment signed and dated by the Judicial Officer or the Clerk of Court.

*****Serve each losing party. You don't need to serve a copy on yourself.*****

The person who mailed the envelope(s) fills out the Declaration of Service by Mail Form:

- **Top of Form (Caption):** Fill in exactly as it appears in the completed Notice of Entry of Judgment form.
- **Name & Mailing Date:** Fill in the full, legal name of the person who mailed the documents. The person may be the winning party, as long as they're at least 18 years old. Fill in the date copies of the documents were mailed.
- **Address Block:** Fill in the full, legal name of the losing party or parties. Fill in the address where the copies of the documents were mailed.
- **City/State:** Fill in the city and state from which you mailed the copies of the documents.
- **Date and Signature:** Fill in the date the declaration was signed and the city, county, and state where the declaration was signed. The person who mailed copies of the documents signs the form and completes the lines below their signature.

Service is complete upon mailing.

STEP 3: File the Notice of Entry of Judgment and Declarations of Service with the Clerk of Court

The winning party must file proof of service with the Clerk of Court of a copy the Notice of Entry of Judgment and a copy of the judgment on each losing party in the Small Claims Court case. You don't need to provide proof of service on yourself.

A completed and signed declaration of service showing service on each party is your proof of service.

File the following with the Clerk of Court:

- The original, completed Notice of Entry of Judgment form; and
- A completed and signed declaration of service by mail that shows each losing party was served a copy of the completed Notice of Entry of Judgment form and a copy of the signed and dated Judgment.

STEP 4: Collect the Judgment

Wait 30 days from the date of service of the Notice of Entry of Judgment:

You must wait 30 days from the date of service of the Notice of Entry of Judgment before you can begin using the judgment collection options allowed by North Dakota law. This allows time for the losing party to pay the judgment voluntarily.

If the judgment isn't paid voluntarily:

You may need to take additional steps to get your money. If the losing party doesn't pay the judgment voluntarily, North Dakota law provides a number of judgment collection options.

Following are some of the judgment collection options allowed by North Dakota law:

- Writ of Execution: A court order to a sheriff to seize non-exempt property of the losing party in order to satisfy the judgment.
- Judgment Lien Against Real Property: the judgment is a lien against all North Dakota real property (real estate), except the homestead, of the losing party.
- Garnishment: The act of taking the wages of the losing party in order to satisfy the judgment.

For information on judgment collection, go to ndcourts.gov/legal-self-help/small-claims.

*****The Small Claims Court can't collect the judgment for you.*****