



E-FILED
CNMI SUPREME COURT
E-filed: Dec 23 2016 03:03PM
Clerk Review: Dec 23 2016 03:05PM
Filing ID: 59991021
Case No.: ADM-2016
Hyun Jae Lee

IN THE
SUPREME COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN RE SMALL CLAIMS FORMS

SUPREME COURT NO. 2016-ADM-0025-RUL

ORDER

On December 22, 2014, the revised Rule 83 of the Commonwealth Rules of Civil Procedure and small claims forms became effective. On March 3, 2015, Rule 83 was adopted as permanent pursuant to Article 4, Section 9 of the NMI Constitution. The Court now finds it necessary to adopt the small claims forms pursuant to Rule 84 of the Commonwealth Rule of Civil Procedure. The attached small claims forms are hereby adopted and shall be mandatory for small claims proceedings.

SO ORDERED this 23rd day of December, 2016.

_____/s/
ALEXANDRO C. CASTRO
Chief Justice

_____/s/
JOHN A. MANGLONA
Associate Justice

_____/s/
PERRY B. INOS
Associate Justice

Plaintiff's Address: _____

Telephone Number: _____

**IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

SMALL CLAIMS NO.

Plaintiff(s),

SUMMONS AND COMPLAINT

vs.

Defendant(s).

**Res.
Address:** _____

NOTICE TO DEFENDANT: The Plaintiff named above seeks judgment in this Court against you for

\$ _____ for _____ plus interest and costs. This Court will hold a hearing in this matter at the Courthouse in **Saipan/Tinian/Rota** on _____, **20**__ at _____ **.m.**, at which time you may appear personally, or by counsel, to present any defense you may have. If you dispute or disagree with Plaintiff's claim, you should bring with you all documents and witnesses needed to establish your defense. Should you fail to appear, a judgment may be entered against you by default.

Dated: _____

Clerk of Court

**IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

SMALL CLAIMS NO.

DOCKET

Plaintiff(s),

vs.

Defendant(s).

Res.

Address: _____

The Defendant is indebted to the Plaintiff in the sum of \$_____ for _____.
I declare, under penalty of perjury, that the above statements are true and correct, and that this declaration was signed at Saipan, CNMI, on the _____ day of _____.

Plaintiff or Attorney

COURT PROCEEDINGS

- I. Called case for trial on _____, 20____. Defendant was () present () absent.
The Court () received evidence which established the validity of Plaintiff's claim or () Defendant admitted the validity of Plaintiff's claim.
- II. **NOW THEREFORE, IT IS ORDERED** that Plaintiff(s) have judgment against ____ Defendant(s) in the sum of \$_____ principal, \$_____ prejudgment interest, \$_____ attorney's fees, \$_____ costs, \$_____ others, for total judgment of \$_____ plus 9% interest accruing from the date of this judgment.
- III. () Judgment for Defendant and Plaintiff takes nothing.

Dated: _____

Superior Court Judge

- IV. **Payment Order:** Defendant(s) is/are ordered to pay the Plaintiff the sum of \$_____ every _____, the first of such payment to be made on _____. Such payments to continue until the entire balance of the said judgment including accrued interest is paid in full.

Dated: _____

Superior Court Judge

FOR INTERNAL COURT USE ONLY

	Date	Initials
* Claim filed and summons issued.	_____	_____
* Plaintiff informed of date of hearing	_____	_____
* Plaintiff was informed that proof of service must be filed with the Court at least 3 days prior to hearing	_____	_____
* Date return of service filed.	_____	_____

**IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

SMALL CLAIMS NO.

**MOTION FOR AN ORDER TO SHOW
CAUSE AND DECLARATION**

Plaintiff(s),

vs.

Defendant(s).

Res.

Address: _____

Judgment in the amount of \$_____ having been rendered against the Defendant(s) in favor of the Plaintiff(s); the Court having ordered Defendant(s) to: _____

_____ and Defendant(s) having willfully failed to comply with said Order;

NOW THEREFORE, Plaintiff prays for an Order of Court directing the Defendant(s) to appear and show cause why he/she/they should not be adjudged guilty of and punished for contempt of Court.

I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge and that this Declaration was executed at Saipan, CNMI, on this _____ day of _____.

Dated: _____

Plaintiff or Attorney

ORDER

Upon reading the Declaration, it appears Defendant(s) has/have willfully failed to comply with this Court's Order dated _____.

IT IS ORDERED that _____, Defendant(s) appear before this Court on _____, 20_____, at _____ .m., at Saipan/Tinian/Rota to show cause why he/she/they should not be adjudged guilty of and punished for contempt of Court because of the failure to comply with said Order of this Court.

IF YOU DO NOT APPEAR FOR THE HEARING AS ORDERED, A BENCH WARRANT MAY BE ISSUED FOR YOUR ARREST.

IT IS FURTHER ORDERED that a copy of this Order be served on the Defendant(s) at least five (5) days before the time fixed for the hearing of this matter.

Dated: _____

Superior Court (Deputy) Clerk of Court

**IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

SMALL CLAIMS NO.

**MOTION FOR AN ORDER
IN AID OF JUDGMENT**

Plaintiff(s),

vs.

Defendant(s).

Res.

Address: _____

1. Plaintiff certifies that the Court entered final judgment on _____, against the Defendant for \$ _____ and as of the date of this Motion the unpaid balance of the judgment is \$ _____ plus interest.
2. Plaintiff requests a hearing to examine Defendant's ability to pay or to determine the fastest practical manner in which Defendant can pay the unpaid balance of the judgment, and to establish a payment schedule.

Dated: _____

Plaintiff or Attorney

TO: _____, Defendant/Judgment debtor.

Please take notice that a hearing has been set on _____, 20____, at _____ m., at the Commonwealth Superior Court, on **Saipan/Tinian/Rota**.

IT IS ORDERED that you appear before the Honorable Judge _____ at the said date, time and place to answer questions about your assets and your ability to pay the judgment. You are further ordered to bring with you any documents which will assist you in answering questions about your income or assets and your monthly expenses.

IF YOU DO NOT APPEAR FOR THE HEARING AS ORDERED, A BENCH WARRANT MAY BE ISSUED FOR YOUR ARREST.

Dated: _____

Superior Court (Deputy) Clerk of Court

ORDER

From the evidence presented to the Court on _____, 20____, the court finds that the Defendant has sufficient income or assets to pay the outstanding judgment. Accordingly;

IT IS ORDERED, that the Defendant(s) shall pay \$ _____ every _____ beginning on _____, 20____ and thereafter until the judgment and accumulated interest are paid in full.

Dated: _____

Judge

PLEASE NOTE: IF YOU STOP MAKING THE PAYMENTS ORDERED ABOVE, THE PLAINTIFF CAN ASK THE COURT TO HOLD YOU IN CONTEMPT AND PUNISH YOU FOR WILLFULLY DISOBEYING THIS ORDER. PLEASE, NOTIFY THE PLAINTIFF'S ATTORNEY OR THE PLAINTIFF (IF NOT REPRESENTED BY AN ATTORNEY). IF YOU ARE NOT ABLE TO MAKE AN ORDERED PAYMENT, IT MAY BE POSSIBLE TO REACH AN AGREEMENT AND AVOID ADDITIONAL HEARINGS.

**IN THE SUPERIOR COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

SMALL CLAIMS NO.

Plaintiff(s),

DECLARATION OF SERVICE

vs.

Defendant(s).

Res.

Address: _____

I hereby declare under penalty of perjury, that I am over the age of 18 years and not a party to this case and that on the _____ day of _____ 20__ at _____ AM PM. I personally served upon _____ a true and correct copy of the:

- Summons and complaint
- Order dated _____
- Other (specify) _____ in the above captioned matter

Service was made as follows:

- By delivering it to the aforesaid person
- By delivering it at eh aforesaid person's usual residence with _____ who is over the age of 18 years and who also resides there.
- By delivering it to _____ who is an officer or managing agent of the above named corporation.
- Other: _____

The place where said service was made is _____

The charge for service is \$ _____

Hearing date _____

Name and Signature of
Process Server