

CIVIL CASE MANAGEMENT PLAN

LOCAL RULE 10

DEFAULT JUDGMENT

- 10.1** Motions for a Judgment by Default shall be heard by the Judge.
- 10.2** All Motions for Default Judgment shall list defendant(s), date service was perfected and how defendant(s) were served.
- 10.3** A party seeking Default Judgment shall file an “Affidavit of Account”. The affiant shall be the party seeking judgment or an employee of the plaintiff familiar with the debtor’s account. All relevant information required pursuant to 50 App. U.S.C. § 521(b)(1) [Service members Civil Relief Act] may be included within the Affidavit of Account, or by separate affidavit. The amount claimed due and owing in the Affidavit of Account must match the amount listed on the proposed Judgment or Decree in Foreclosure.
- 10.4** Pursuant to Civ. R. 55(A), parties seeking Default Judgment shall deliver to the Common Pleas Civil Assignment Commissioner a file-stamped copy of the Motion for Default, file-stamped copies of all relevant affidavits and the proposed Judgment or Decree in Foreclosure.
- 10.5** The Court shall schedule a hearing on all motions seeking damages that are unliquidated.
- 10.6** No hearing is required on a motion for default in which damages sought by plaintiff are liquidated. The Court shall consider the following upon the filing of a motion for default:
1. Perfection of service as above;
 2. Failure of defendant to answer as above;
 3. Affidavits in support of the motion;
 4. Copies of notes, statements of account or other documents relating thereto; and
 5. Standing of the plaintiff to bring the action.