



## **How to Get Financial Information About Someone Who Owes You Money (Motion to Enforce Litigant's Rights)**

**Superior Court of New Jersey - Special Civil Part**

### **Who Should Use This Packet?**

If you win a court judgment against someone, you are entitled to get information about their finances so you can collect the money they owe you. First you must send them an Information Subpoena requesting the information. If the person doesn't give you the information, you can use these forms to make them do so. A Motion to Enforce Litigant's Rights is an application to the court for the purpose of obtaining an Order directing a party to either comply with a previous discovery order or to complete an Information Subpoena.

#### **General Requirements:**

1. You must have obtained a judgment against the other party.
2. You must have sent an Information Subpoena to the other party, which was not answered in 14 days; or the other party failed to comply with a previous court Order for discovery.

The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at [njcourts.gov](http://njcourts.gov).

The New Jersey Judiciary provides court-interpreting services. If you need an interpreter, notify the court as soon as possible. Contact information is available at [njcourts.gov](http://njcourts.gov).

**Note:** These materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The guides, instructions, and forms will be periodically updated as necessary to reflect current New Jersey statutes and court rules. The most recent version of the [forms](#) will be available at the county courthouse or on the Judiciary's Internet site [njcourts.gov](http://njcourts.gov). However, you are ultimately responsible for the content of your court papers.

**Completed forms are to be submitted to the county where you are filing your case. A list of [Special Civil Part Offices](#) is provided at the customer counter and at [njcourts.gov](http://njcourts.gov).**

## Things to Think About Before You Represent Yourself in Court

### Try to Get a Lawyer

The court system can be confusing, and it is a good idea to get a lawyer if you can. The law, the proofs necessary to present your case, and the procedural rules governing cases in the Law Division, Civil Part are complex. Since valuable claims or potentially heavy judgments may be at stake, most litigants appearing in the Law Division, Civil Part have a lawyer. If you are being sued, please contact your insurance company to see if it might provide a lawyer for you. Most likely, your opponent will be represented by a lawyer. It is recommended that you make every effort to obtain the assistance of a lawyer. If you cannot afford a lawyer, you may contact the legal services program in your county to see if you qualify for free legal services. Their telephone number can be found online under “Legal Aid” or “[Legal Services](#).”

If you do not qualify for free legal services and need help in locating an attorney, you can contact the bar association in your county. Most county bar associations have a [Lawyer Referral Service](#). The County Bar Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your particular type of case and will sometimes consult with you at a reduced fee.

There are also a variety of organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask your county court staff for a list of lawyer referral services that include these organizations.

If you decide to proceed without an attorney, these materials explain the procedures that must be followed to have your papers properly filed and considered by the court. These materials do not provide information on the law governing your claims or defenses; information on how to conduct pretrial discovery; information on alternative dispute resolution procedures, such as arbitration or mediation, that may be available or required in your case; information on the kinds of evidence you need to prove your claims or defenses at trial; or information on other procedural and evidentiary rules governing civil lawsuits.

### What You Should Expect If You Represent Yourself

While you have the right to represent yourself in court, you should not expect special treatment, help or attention from the court. The following is a list of some things court staff can and cannot do for you. Please read it carefully before asking court staff for help.

- We *can* explain and answer questions about how the court works.
- We *can* tell you what the requirements are to have your case considered by the court.
- We *can* give you some information from your case file.
- We *can* provide you with samples of court forms that are available.
- We *can* provide you with guidance on how to fill out forms.
- We *can* usually answer questions about court deadlines.

- We *cannot* give you legal advice. Only your lawyer can give you legal advice.
- We *cannot* tell you whether or not you should bring your case to court.
- We *cannot* give you an opinion about what will happen if you bring your case to court.
- We *cannot* recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- We *cannot* talk to the judge for you about what will happen in your case.
- We *cannot* let you talk to the judge outside of court.
- We *cannot* change an order issued by a judge.

### **Keep Copies of All Papers**

Make and keep copies of all completed forms and documents related to your case.

## Definitions of Words Used in This Packet

**Certification** - A *certification* is a written statement made to the court when you file papers with the court, swearing that the information contained in the papers is true to the best of your knowledge.

**Defendant** - The *defendant* is the person (party) against whom the court action (complaint) was filed.

**Discovery** - *Discovery* is the required exchange of information between the parties concerning the case.

**Docket Number** - The number the court assigned to this case when the complaint was filed. The *docket number* is listed on the complaint and answer.

**Information Subpoena** - An *information subpoena* is a questionnaire the judgment creditor sends to the judgment debtor to get information on assets held by the judgment debtor.

**Judgment** - A *judgment* is the official decision of a court in a case.

**Judgment Creditor** - A *judgment creditor* is a person who is owed money and who has obtained a judgment against another party.

**Judgment Debtor** - A *judgment debtor* is a person who owes money and against whom a judgment has been obtained.

**Litigant** - A *litigant* is a party actively involved in the case.

**Motion** - A *motion* is a written request in which you ask the court to issue an order, or to change an order it has already issued.

**Oral Argument** - Personally appearing in court to explain what you want the court to do.

**Order** - An *order* is a signed paper from the judge telling someone they must do something.

**Party** - A *party* is a person, business, governmental agency, etc., involved in a court action.

**Plaintiff** - The *plaintiff* is the person (party) who started the court action by filing the complaint.

**Return Date** - The *return date* is the date the parties are ordered to appear in court.

**Service** - *Service* refers to the mailing or delivering copies of your papers to the lawyer for the other party or to the other party if there is no lawyer.

**Warrant** - A *warrant* is a written order signed by the judge directing a certain act. A warrant for arrest is a court order directing the sheriff or court officer to arrest someone.

The numbered steps listed below tell you what forms you will need to fill out and what to do with them. Each form should be typed or printed clearly on 8.5" x 11" white paper only. Forms may not be filed on a different size or color paper.

## **Steps for Filing a Motion to Enforce Litigant's Rights**

### **STEP 1: Fill out the *Notice of Motion to Enforce Litigant's Rights* (Form A)**

The *Notice of Motion to Enforce Litigant's Rights* tells the court what you want the court to do. Make sure to include the docket number of your case and sign your name where requested. Call your local court to obtain the date you will appear in court. (See Instructions for Form A).

### **STEP 2: Fill out the *Certification in Support of Motion to Enforce Litigant's Rights* (Form B)**

The *Certification in Support of Motion to Enforce Litigant's Rights* tells the court why you think you are entitled to what you are asking for in your Notice of Motion. Attach any additional copies of documents that you have that may help support your Motion to Enforce Litigant's Rights.

### **STEP 3: Fill out the top of the *Order to Enforce Litigant's Rights* (Form C)**

Fill out the top portion of the *Order to Enforce Litigant's Rights*. Do not fill out the bottom portion at this time.

### **STEP 4: Make copies of your completed forms**

Make 3 copies of the completed *Notice of Motion to Enforce Litigant's Rights* (Form A) and *Certification in Support of Motion for Order Enforcing Litigant's Rights* (Form B). Mail one copy of each to the judgment debtor by regular mail and one copy by certified mail return receipt requested. Keep one copy for your records. **DO NOT mail the *Order to Enforce Litigant's Rights* to the Judgment Debtor; only Form A and Form B should be mailed.**

### **STEP 5: Check your completed forms**

Check your forms and make sure they are complete. Remove all instruction sheets. Make sure you have signed the forms where you are asked to sign them.

**To begin, you must file the originals of the following documents** electronically through the Judiciary Electronic Document System (JEDS), by mail or in person with **to the court:**

\_\_\_\_\_ *Notice of Motion to Enforce Litigant's Rights* (Form A)

\_\_\_\_\_ *Certification in Support of Motion to Enforce Litigant's Rights* (Form B)

\_\_\_\_\_ *Order to Enforce Litigant's Rights* (Form C)

### **STEP 6: Pay the Filing Fee**

The fee for filing a motion is \$25. A check or money order must be made payable to *Treasurer, State of New Jersey* or, if filing electronically through JEDS, you may use a credit card. There is no fee to file a motion in the Small Claims Section of the Special Civil Part.

**STEP 7: Date and time of Motion**

You will receive a postcard in the mail from the court stating the date and time your Motion will be considered. If the judgment debtor appears for the Motion, they will be instructed by the court to complete the Information Subpoena or comply with the Order for Discovery. Once the judgment debtor has either completed the Information Subpoena or complied with the Order for Discovery, you will be given the documents. If the judgment debtor fails to appear for the Motion, the judge will consider your Motion and if the judge grants your Motion, you will be sent a copy of the *Order to Enforce Litigant's Rights*. The Order will also be available in the electronic case jacket in eCourts.

**STEP 8: Receiving the *Order to Enforce Litigant's Rights***

Once you receive the *Order to Enforce Litigant's Rights* (Form C) signed by the judge, make 3 copies of the signed Order. You are required by law to serve a copy of the Order on the judgment debtor by either personal service or mailing a copy by regular mail and certified mail, return receipt requested. Before mailing the Order to Enforce Litigant's Rights, complete the *Proof of Service* section located at the bottom of the Order. Keep one copy for your records.

**STEP 9: Wait 10 days**

Wait 10 days after the date the judgment debtor was served with the copy of the *Order to Enforce Litigant's Rights*. If you mailed the Order, you must allow an additional 5 days for service on the debtor.

**STEP 10: Obtaining a Warrant for Arrest**

If the judgment debtor provides you with the completed Information Subpoena or obeys the Order for Discovery within 10 days, there is no longer a need to proceed with this motion. If 10 days have passed and you still have not received the Order for Discovery or Information Subpoena from the judgment debtor, you may then proceed with obtaining a *Warrant for Arrest* (see Step 11).

**STEP 11: Complete the *Certification in Support of Application for Arrest Warrant* (Form D)**

Complete the *Certification in Support of Application for Arrest Warrant*. Make a copy of the completed form and retain it with your records. Mail the original completed *Certification in Support of Application for Arrest Warrant*, and the signed copy of the *Order to Enforce Litigant's Rights* with proof of service information (see Step 8 for information on this) and **blank *Warrant for Arrest*** (Form E) to the court.

**You should contact your local court to obtain filing and service fees for the Warrant for Arrest (Form E). Mail a check or money order for this fee with your completed forms to the court. Do not send cash. If you pay in person, you can pay by check, money order or in cash and obtain a receipt.**

**Instructions for Completing Form A**  
**Notice of Motion for Order Enforcing Litigant's Rights**

- A. Type or print your name, current address and telephone number at the top of the form.
- B. Type or print the county, docket number, plaintiff and defendant where Form A asks you to do so.
- C. On the first line after “*TO:*” type or print the name of the judgment debtor who has failed to provide the required information.
- D. Call your local court to obtain the date to be typed or printed in the space where the form asks for the date you will appear in court.
- E. Type or print the address of the court.
- F. Read the body of the Notice of Motion and check the boxes where appropriate. If you are seeking discovery, check the discovery checkbox; if you are seeking the return of the information subpoena check that box instead.
- G. Sign and date the form.

**Review all steps to make sure the forms are properly filled out and complete before mailing (certified mail, return receipt requested and regular mail - see step 4 on page 5). Keep copies of the completed forms for your records.**

**Form A**

**NOTICE:** This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver’s license number, vehicle plate number, insurance policy number, active financial account number, active credit card number or military status.

**Plaintiff or Filing Attorney Information:**

Name \_\_\_\_\_  
NJ Attorney ID Number \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
Email Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

Superior Court of New Jersey  
Law Division, Special Civil Part  
\_\_\_\_\_ County

Docket Number: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff

v.

\_\_\_\_\_,  
Defendant

**Civil Action  
Notice of Motion for Order  
Enforcing Litigant’s Rights**

**TO:** \_\_\_\_\_, Defendant

**PLEASE TAKE NOTICE** that on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_  am/ pm  
I will apply to the above-named court located at

\_\_\_\_\_, New  
Jersey, for an Order:

1. Adjudicating that you have violated the litigant’s rights of the plaintiff by failure to comply with the (check one)  order for discovery /  information subpoena served upon you;
2. Compelling you to immediately furnish answers as required by the (check one)  order for discovery /  information subpoena;
3. Directing that, if you fail to appear in court on the date written above, you may be arrested by an Officer of the Special Civil Part or the Sheriff and confined in the county jail until you comply with the (check one)  order for discovery /  information subpoena;
4. Directing that, if you fail to appear in court on the date written above, you shall pay the plaintiff’s attorney fees in connection with this motion;



**Form A**

5. Granting such other relief as may be appropriate.

If you have been served with an information subpoena, you may avoid having to appear in court by sending written answers to the questions attached to the information subpoena to me no later than three (3) days before the court date.

I will rely on the certification attached hereto.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

(Check one)  Attorney for Plaintiff /  Plaintiff Pro Se

## **Instructions for Completing Form B**

### **Certification in Support of Motion for Order Enforcing Litigant's Rights**

- A. Type or print your name, current address and telephone number at the top of the form.
- B. Type or print the county, docket number, plaintiff and defendant where Form B asks you to do so.
- C. In section 2, fill in (type or print) the date of the judgment, the name of the defendant and the dollar amount of the judgment.
- D. In section 3, put a checkmark in front of a or b, but not both. Type or print the information requested in the spaces provided.

Also in section 3, c, d, e, and f, put a checkmark in the box of those that apply to the service of the Information Subpoena or Order for Discovery, and type or print the requested information on the blank line for "d" if you select it.

- E. In section 4, type or print the name of the person against whom you are filing this motion and put a checkmark in front of the appropriate item as noted.
- F. In section 6, type or print the date you served copies of the completed Notice of Motion and Certification on the person against whom you are filing this motion. Put a checkmark in front of the appropriate information for the type of service used.
- G. Date and sign the form.

**Review all steps to make sure the forms are properly filled out and complete before mailing (certified mail, return receipt requested and regular mail - see step 4 on page 5). Keep copies of the completed forms for your records.**

**Form B**

**Plaintiff or Filing Attorney Information:**

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Superior Court of New Jersey  
Law Division, Special Civil Part

\_\_\_\_\_ County

Docket Number: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

**Civil Action  
Certification in Support of Motion  
for Order Enforcing Litigant’s  
Rights**

The following certification is made in support of plaintiff’s Motion for an Order Enforcing Litigant’s Rights:

- 1. I am the (check one)  plaintiff /  plaintiff’s attorney in this matter.
- 2. On \_\_\_\_\_, 20\_\_, plaintiff obtained a judgment against the defendant, \_\_\_\_\_, for \$\_\_\_\_\_ damages, plus costs.

**Check all applicable information below:**

3.a  On \_\_\_\_\_, 20\_\_, an Order was entered by this Court ordering defendant, \_\_\_\_\_ to appear at \_\_\_\_\_, on \_\_\_\_\_, 20\_\_, at \_\_\_\_\_  am/ pm and make discovery on oath as to the defendant’s property and on \_\_\_\_\_, 20\_\_, a copy of the Order was served upon defendant (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested to defendant’s last known address, as shown on the Discovery Order referenced above.

b.  On \_\_\_\_\_, 20\_\_, I served an Information Subpoena and attached questions as permitted by Court Rules on the defendant, \_\_\_\_\_, (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested to defendant’s last known address as shown on the accompanying notice of motion.

**Form B**

- c.  The regular mail has not been returned by the U.S. Postal Service.
- d.  The regular mail has been returned by the U.S. Postal Service with the following notation:  
\_\_\_\_\_
- e.  The certified mail return receipt card has been signed for and returned to me.
- f.  Though the certified mailing has been returned by the U.S. Postal Service, it was not returned in a manner that would indicate that the defendant's address is not valid. It was not returned with any of the following markings by the U.S. Postal Service: "Moved, unable to forward," "Addressee not known," "No such number/street," "Insufficient address," "Forwarding time expired," or in any other manner to indicate that service was not effected.

4. Defendant has failed to comply with the (check one)  Order /  Information Subpoena.

5. I request that the Court enter an Order Enforcing Litigant's Rights.

6. On \_\_\_\_\_, 20\_\_, I served copies of this motion and certification on \_\_\_\_\_, (check one)  personally /  by sending them simultaneously by regular and certified mail, return receipt requested to:

Name and Address     Check if new address/phone number

\_\_\_\_\_  
\_\_\_\_\_

I certify that the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

## **Instructions for Completing Form C Order to Enforce Litigant's Rights**

- A. Type or print your name, current address and telephone number at the top of the form.
- B. Type or print the county, docket number, plaintiff and defendant where Form C asks you to do so.
- C. Type or print your name on the first blank line and check either the order for discovery or information subpoena, whichever applies to your case.

**DO NOT FILL IN ANY OTHER INFORMATION ON FORM C until this form is returned to you with the judge's signature. You must then proceed to follow the instructions listed below.**

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**When Form C is returned to you SIGNED BY A JUDGE,  
follow the instructions listed below:**

### **Instructions for Completing Bottom of Form C Proof of Service**

- A. Type or print the date you are sending a copy of the signed Order to Enforce Litigant's Rights to the person against whom you are filing this motion.
- B. Type or print the name of the person against whom you are filing this motion and check the method of service you are using to serve the Order to Enforce Litigant's Rights.
- C. Type or print the current address of the person who will be served with the Order.
- D. Date and sign the form.

**Review all steps to make sure the forms are properly filled out and complete before mailing (certified mail, return receipt requested and regular mail - see step see step 4 on page 5). Keep copies of the completed forms for your records.**

**Form C**

**Failure to Comply with This Order May Result in Your Arrest**

**Plaintiff or Filing Attorney Information:**

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Superior Court of New Jersey  
Law Division, Special Civil Part

\_\_\_\_\_ County

Docket Number: \_\_\_\_\_

\_\_\_\_\_

Plaintiff

v.

\_\_\_\_\_

Defendant

**Civil Action**

**Order to Enforce Litigant's Rights**

This matter being presented to the court by \_\_\_\_\_, on plaintiff's Motion for an Order Enforcing Litigant's Rights, and the defendant having failed to appear on the return date and having failed to comply with the (check one)  Order for Discovery previously entered in this case /  Information Subpoena.

**(Do Not Write Below this line – for Court Use Only)**

It is on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, **ORDERED** and adjudged:

1. Defendant, \_\_\_\_\_, has violated plaintiff's rights as a litigant:
2. Defendant, \_\_\_\_\_, shall immediately furnish answers as required by the  Order for Discovery /  Information Subpoena;
3. If Defendant, \_\_\_\_\_, fails to comply with the  Order for Discovery /  Information Subpoena within ten (10) days of the certified date of personal service or mailing of this order, a warrant for the defendant's arrest may issue out of this Court without further notice.
4. Defendant shall pay plaintiff's attorney fees in connection with this motion in the amount of \$\_\_\_\_\_.

\_\_\_\_\_  
J.S.C.

**Form C**  
**Proof of Service**

On \_\_\_\_\_, 20\_\_\_\_, I served a true copy of this Order on Defendant,  
\_\_\_\_\_, (check one)  personally /  by sending it  
simultaneously by regular and certified mail, return receipt requested to

\_\_\_\_\_,  
**(set forth address)**

\_\_\_\_\_,  
I certify that the foregoing statements made by me are true. I am aware that if any of the  
foregoing statements made by me are willfully false, I am subject to punishment.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

## **Instructions for Completing Form D**

### **Certification in Support of Application for Arrest Warrant**

- A. Type or print your name, current address and telephone number at the top of the form.
- B. Type or print the county, docket number, plaintiff and defendant where Form D asks you to do so.
- C. In section 3, place a checkmark in front of a or b; but not both.
- D. In section 3, c, d, e and f, place a checkmark in front of those that apply to the service of the Information Subpoena or Order for Discovery.
- E. In section 4, type or print the defendant's name and place a checkmark in front of the appropriate information.
- F. In section 5, type or print the date you served copies of the completed Notice of Motion and the supporting Certification on the person against whom you filed the motion (Form A). Place a checkmark in front of the service used.
- G. In section 7, type or print the date the court entered an Order to Enforce Litigant's Rights in your case.
- H. In section 8, type or print the date you served copies of the Order to Enforce Litigant's Rights on the person against whom you filed the motion (Form A). Place a checkmark in front of the service used.
- I. Read the remaining sentences and place a checkmark in front of the appropriate information that applies to your case. Then date and sign the form.

**Review all steps to make sure the forms are properly filled out and complete before mailing (certified mail, return receipt requested and regular mail - see step 4 on page 5). Keep copies of the completed forms for your records.**



**Form D**

**Plaintiff or Filing Attorney Information:**

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Superior Court of New Jersey  
Law Division, Special Civil Part

\_\_\_\_\_ County

Docket Number: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff

v.

\_\_\_\_\_,  
Defendant

**Civil Action  
Certification in Support of  
Application for Arrest Warrant**

The following certification is made in support of plaintiff's application for an arrest warrant:

1. I am the (check one)  plaintiff /  plaintiff's attorney in this matter.
2. On \_\_\_\_\_, 20\_\_, plaintiff obtained a judgment against the defendant, \_\_\_\_\_, for \$\_\_\_\_\_ damages, plus costs.

**Check all applicable information below:**

- 3.a  On \_\_\_\_\_, 20\_\_, an Order was entered by this Court ordering defendant, \_\_\_\_\_ to appear at \_\_\_\_\_, on \_\_\_\_\_, 20\_\_, at \_\_\_\_\_  am/ pm and make discovery on oath as to the defendant's property and on \_\_\_\_\_, 20\_\_, a copy of the Order was served upon \_\_\_\_\_, (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested to \_\_\_\_\_ last known address, as shown on the Discovery Order referenced above.
- b.  On \_\_\_\_\_, 20\_\_, I served an Information Subpoena and attached questions as permitted by Court Rules on the defendant, \_\_\_\_\_, (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested to defendant's last known address as shown on the accompanying notice of motion.

## Form D

- c.  The regular mail has not been returned by the U.S. Postal Service.
- d.  The regular mail has been returned by the U.S. Postal Service with the following notation:
- 
- e.  The certified mail return receipt card has been signed for and returned to me.
- f.  Though the certified mailing has been returned by the U.S. Postal Service, it was not returned in a manner that would indicate that the defendant's address is not valid. It was not returned with any of the following markings by the U.S. Postal Service: "Moved, unable to forward," "Addressee not known," "No such number/street," "Insufficient address," "Forwarding time expired," or in any other manner to indicate that service was not effected.
4. The defendant, \_\_\_\_\_, has failed to comply with the (check one)  Order /  Information Subpoena.
5. On \_\_\_\_\_, 20\_\_\_, I served a true copy of my Notice of Motion for an Order to Enforce Litigant's Rights on defendant (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested, at the address shown on the Proof of Service at the conclusion of the Order to Enforce Litigant's Rights.
6. Neither the regular mail nor the certified mail containing the Notice of Motion has been returned by the U.S. Postal Service in a manner that would indicate that the defendant's address is not valid. Neither the regular nor certified mail was returned marked "Moved, unable to forward," "Addressee not known," "No such number/street," "Insufficient address," "Forwarding time expired," or in any other manner that would indicate that service was not effected.
7. On \_\_\_\_\_, 20\_\_\_, the Court entered an Order to Enforce Litigant's Rights when defendant failed to appear on the return day of my motion for an order enforcing litigant's rights.
8. On \_\_\_\_\_, 20\_\_\_, I served a true copy of the Order to Enforce Litigant's Rights on defendant (check one)  personally /  by sending it simultaneously by regular and certified mail, return receipt requested, at the address shown on the Proof of Service at the conclusion of the Order to Enforce Litigant's Rights.
9. Neither the regular mail nor the certified mail has been returned by the U.S. Postal Service in a manner that would indicate that the defendant's address is not valid. Neither the regular nor certified mail was returned marked "Moved, unable to forward," "Addressee not

**Form D**

known,” “No such number/street,” “Insufficient address,” “Forwarding time expired,” or in any other manner that would indicate that service was not effected.

10. Ten days have passed since I served a copy of the Order to Enforce Litigant’s Rights on defendant, and defendant has not complied with the (check one)  Information Subpoena /  Order for Discovery.

11. I request that the Court issue a Warrant for the arrest of the defendant.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

## **Instructions for Completing Form E Warrant for Arrest**

- A. Type or print your name, address and telephone number at the top of the form.
- B. Type or print the county, docket number, plaintiff and defendant where Form E asks you to do so.
- C. **Do not fill in any other information; THAT INFORMATION WILL BE COMPLETED BY THE JUDGE.**

**Review all steps to make sure the forms are properly filled out and complete before mailing (certified mail, return receipt requested and regular mail - see step 4 on page 5). Keep copies of the completed forms for your records.**

**Form E**

**Plaintiff or Filing Attorney Information:**

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Superior Court of New Jersey  
Law Division, Special Civil Part

\_\_\_\_\_ County

Docket Number: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff

v.

\_\_\_\_\_,  
Defendant

**Civil Action  
Warrant for Arrest**

**(Do Not Write Below this line – for Court Use Only)**

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**To:** A Court Officer of the Special Civil Part or the Sheriff of \_\_\_\_\_ County,

You are hereby commanded to arrest \_\_\_\_\_, at (check one)  
 any location /  the address set forth in the annexed Order to Enforce Litigant’s Rights  
between the hours of 7:30 a.m. and 3:00 p.m. on a day when the court is in session and bring  
him or her forthwith before a Judge of the Superior Court to await the further order of the Court  
in this matter.

Local police departments are authorized and directed to provide assistance to the officer  
executing this warrant.

Date: \_\_\_\_\_

Witness: \_\_\_\_\_  
Judge of the Superior Court

\_\_\_\_\_  
Clerk of the Superior Court