

<p>_____, [Insert the plaintiff's name], Plaintiff(s),</p> <p>v.</p> <p>_____, [Insert the defendant's name], Defendant(s).</p>	<p style="text-align: center;">Superior Court of New Jersey Division _____ County Part _____</p> <p>Docket No.: _____</p> <p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;">ORDER TO SHOW CAUSE SUMMARY ACTION</p>
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THIS MATTER being brought before the court by _____, attorney for plaintiff, [insert the plaintiff's name], seeking relief by way of summary action pursuant to R. 4:67-1(a), based upon the facts set forth in the verified complaint filed herewith; and the court having determined that this matter may be commenced by order to show cause as a summary proceeding pursuant to [insert the statute or court rule that permits the matter to be brought as a summary action] and for good cause shown.

IT IS on this _____ day of _____, 20____, ORDERED that the defendant(s), [insert defendant's name(s)], appear and show cause on the _____ day of _____, 20____ before the Superior Court at the _____ County Courthouse in _____, New Jersey at _____ o'clock in the _____ noon, or as soon thereafter as counsel can be heard, why judgment should not be entered for:

- A. [Set forth with specificity the return date relief that the plaintiff is seeking.];
- B. _____;
- C. _____;
- D. Granting such other relief as the court deems equitable and just.

And it is further ORDERED that:

1. A copy of this order to show cause, verified complaint and all supporting affidavits or certifications submitted in support of this application be served upon the

defendant(s), [personally or alternate: describe form of substituted service] within ____ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

2. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant(s) no later than three (3) days before the return date.

3. Defendant(s) shall file and serve a written answer, an answering affidavit or a motion returnable on the return date [*Family Part alternate: appearance or response*] to this order to show cause and the relief requested in the verified complaint and proof of service of the same by _____, 20___. The answer, answering affidavit or a motion [*Family Part alternate: appearance, response*], as the case may be, must be filed with the Clerk of the Superior Court in the county listed above and a copy of the papers must be sent directly to the chambers of Judge _____.

4. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by _____, 20___. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge _____.

5. If the defendant(s) do/does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

6. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

7. Defendant(s) take notice that the plaintiff has filed a lawsuit [*Family Part alternate: divorce action*] against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer, an answering affidavit or a motion returnable on the return date to the order to show cause [*Family Part alternate: appearance or response*] and proof of service before the return date of the order to show cause.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at

http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf. Include a \$ _____ filing fee payable to the “Treasurer State of New Jersey.” You must also send a copy of your answer, answering affidavit or motion [*Family Part alternate: appearance or response*] to the plaintiff’s attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your answer, answering affidavit or motion [*Family Part alternate: appearance or response*] with the fee or judgment may be entered against you by default.

8. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

9. The Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than _____ days before the return date.

J.S.C.