

NOTICE TO THE BAR

CORRECTED RULES APPENDIX XII-D – WRIT OF EXECUTION – AS AMENDED BY THE SUPREME COURT’S JULY 9, 2008 ORDER

The amended version of Rules Appendix XII-D – Writ of Execution – promulgated by the Supreme Court’s July 9, 2008 omnibus rule amendment order to be effective September 1, 2008 erroneously included the words “do not” in the fifth line of the “Therefore” paragraph on the first page. Attached is the corrected Appendix XII-D with those two words deleted. This corrected version of Appendix XII-D (Writ of Execution) replaces the previously distributed version effective immediately. The Judiciary apologizes for any inconvenience caused by this error in the promulgated form.

/s/ Glenn A. Grant

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: September 11, 2008

Appendix XII-D
WRIT OF EXECUTION

Attorney for Plaintiff

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION

COUNTY

Plaintiff

DOCKET NO: _____

Vs

WRIT OF EXECUTION

Defendant

THE STATE OF NEW JERSEY

TO THE SHERIFF OF _____

WHEREAS, on the _____ day of _____ judgment was recovered by Plaintiff, _____ in an action in the Superior Court of New Jersey, Law Division, _____ County, against Defendant, for damages of \$ _____ and costs of \$ _____ ; and

WHEREAS, on _____ , the judgment was entered in the civil docket of the Clerk of the Superior Court, and there remains due thereon \$ _____.

THEREFORE, WE COMMAND YOU that you satisfy the said Judgment out of the personal property of the said Judgment debtor within your County; and if sufficient personal property cannot be found then out of the real property in your County belonging to the judgment debtor(s) at the time when the judgment was entered or docketed in the office of the Clerk of this Court or at any time thereafter, in whosoever hands the same may be, and you pay the said monies realized by you from such property to _____, Esq., attorney in this action; and that within twenty-four months after the date of its issuance you return this execution and your proceedings thereon to the Clerk of the Superior Court of New Jersey at Trenton.

WE FURTHER COMMAND YOU, that in case of a sale, you make your return of this Writ with your proceedings thereon before this Court and you pay to the Clerk thereof any surplus in your hands within thirty days after the sale.

WITNESS, HONORABLE _____ a Judge of the Superior Court, at _____ this _____ day of _____, 20__.

_____, CLERK

ENDORSEMENT

Judgment Amount*:	\$ _____
Additional Costs:	\$ _____
Interest thereon:	\$ _____
Credits:	\$ _____
Sheriff's Fees:	\$ _____
Sheriff's Commissions:	\$ _____
 TOTAL	 \$ _____

*"Judgment Amount" includes amount of verdict or settlement, plus pre-judgment court costs, plus any applicable statutory attorney's fee.

Post Judgment Interest applied pursuant to CR 4:42-11 [must be] has been calculated as **simple interest**. As required by CR 4:59-1, [explain in detail] attached is the method by which interest has been calculated, taking into account all partial payments made by the defendant.

Attorney for Plaintiff

Dated: _____, 200__

Note: Form adopted as Appendix XII-D July 27, 2006 to be effective September 1, 2006; amended September 11, 2006 to be effective immediately; amended July 9, 2008 to be effective September 1, 2008.