

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT
www.courts.state.nh.us

INFORMATION ABOUT THE SMALL CLAIMS COLLECTION PROCESS

You have filed a *Motion for Periodic Payments*
or a *Motion for Contempt for Noncompliance with a Payment Order*.

What happens next?

If the defendant has previously signed-up with the electronic filing system, the court will send a notice to the defendant inviting the defendant to accept an electronic notice of the hearing. If the defendant chooses to accept service of this notice electronically, you will not need to formally serve the defendant. The court will schedule a hearing and will electronically notify you of the hearing.

If the defendant does not accept the electronic notice, the court will electronically send you paperwork to serve on the defendant. The court will send you instructions along with the paperwork.

What happens after I serve the defendant?

After completing service on the defendant, you must file (upload) the Return of Service to your case.

What happens if I don't serve the defendant?

If you were unable complete service on the defendant you may file a Notice of Incomplete Service. The hearing will be cancelled. You may choose to request new paperwork for service on the defendant by filing a Request for New Orders of Notice form with the required fee.

What happens at the hearing?

At the payment or contempt hearing, the defendant will complete a Statement of Assets and Liabilities which the plaintiff may review. After reviewing the Statement of Assets and Liabilities and hearing from the parties, the judge will issue an order. The parties will receive an electronic copy of the court order.

What happens if the defendant does not appear at the hearing?

If the defendant fails to appear after either waiving formal service or having been served with the hearing notice, the court may issue an Order of Arrest for the defendant. The Order of Arrest is then forwarded to the sheriff for service on the defendant. When the sheriff locates a defendant, s/he is required to post bail and a hearing will be scheduled. The plaintiff will be electronically notified of the hearing date.

Collection Process

