

# Court Service Center

## New Hampshire Superior Court

### HOW DO I COLLECT ON A CIVIL JUDGMENT?

#### I have my judgment in my case How do I get paid?

- You have gone through the civil process and have been awarded your judgment.
- If payment is not made in full you can collect by filing a Motion for Periodic Payments. This allows the Court to order a payment schedule for the defendant(s).
- There are other options to collect on a judgment if a payment plan is not what you are requesting. Please contact the court at 1-855-212-1234.

#### What will I need to file?

- You will need to complete the Motion for Periodic Payments form (**NHJB-4001-Se**)
- Please fill in the court name, the case name and the case number. Please complete the Motion with the information regarding the total amount of the judgment, the total paid to date (if any) and the balance due.
- An original plus two copies per defendant should be delivered or mailed to the court.
- This is a new action within your case and the defendant must be given official notice, so please indicate whether you want the defendant(s) to be served by certified mail, restricted delivery, return receipt requested **OR** by the Sheriff's Department.
- Either method will have a court filing fee attached. Depending on which method of service you have requested, there will also be a cost for you to serve the defendant(s). Be sure to keep the documents that show the amount you paid to serve the defendant(s). The filing fee and cost of service will be added to the judgment but must be paid up front.

#### What happens next?

- You will receive a Summons from the Court. Please review the Summons carefully-it will have the hearing date along with important deadlines regarding service. You will not receive a separate hearing notice. One will be marked "Service", one will be marked "Return." If there is more than one defendant, you will receive a "Service" copy and "Return" copy for each defendant.
- If you have requested **service by the Sheriff's Department** you must mail or deliver in hand the entire packet received from the Court to the Sheriff's Department. Service is when the Sheriff gives the papers to the other person. Upon service, the Sheriff's Department will mail the "Return" copy to you with their certification. This Return and certification should be filed with the Court.
- If you have requested **service by certified mail, restricted delivery, return receipt requested**, you will mail **only** the "Service" copy to the defendant via certified mail, restricted delivery, return receipt requested. Once you receive the green return receipt card back, you will attach it to the "Return" copy and file with the Court.

#### Will I need to attend the hearing?

- You will need to attend the hearing as scheduled. If you fail to appear the motion may be denied and you may have to wait a year before filing another motion. See Superior Court Rules 51 (j).

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- The defendant(s) will be asked to complete a Financial Affidavit. You will receive a copy of the completed Financial Affidavit. At the hearing, you and the defendant will have a chance to address the Court.
- If the defendant does not come to the hearing, the Court may decide on a payment schedule with only your input. The Court could also decide to issue a warrant for the defendant's arrest.

### **What happens if I am unable to make service?**

- If you have been unable to make service, either through the Sheriff's Department or via certified mail, restricted delivery, return receipt requested, by the date indicated on the original summons, you will need to have a new Summons prepared.
- You will need to complete a Request for Documents (**NHJB-4008-Se**) requesting new Summons. If you want to change the original method of service requested please include this information.
- An additional filing fee will be assessed.
- You will receive a new Summons indicating the new hearing date. Again, please note the date and time as you will not receive a separate hearing notice.
- You will need to make service on the defendant(s) in the requested manner.

**Forms and Instructions are available from any NH Superior Court  
Additional Information can be found at:  
[www.courts.state.nh.us/superior](http://www.courts.state.nh.us/superior)**