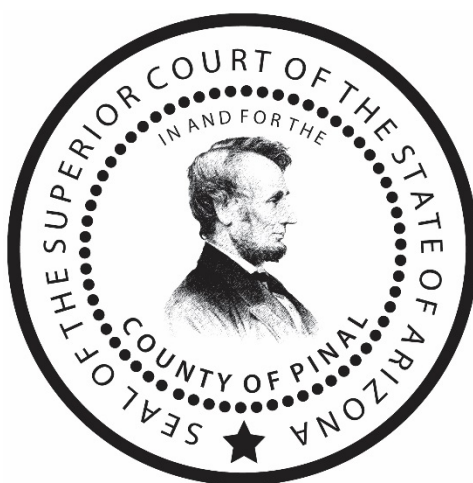


FOREIGN JUDGMENT

(Civil Case Types)



PINAL COUNTY

INSTRUCTIONS AND FORMS

**Provided as a Public Service by
Amanda Stanford
Clerk of the Superior Court**

INSTRUCTIONS

“Filing a Foreign Judgment”

In Order To File A Foreign Judgment In The Superior Court Of Arizona, The Following Is Required:

1. All forms must be completed with **BLACK INK ONLY**.
2. A certified or authenticated copy of the filed-in judgment from the foreign court in which it was rendered.
3. An Affidavit Substantiating a Foreign Judgment, setting forth the name and last known address for both the Petitioner and Respondent.
4. A Notice of Filing Foreign Judgment.
5. A Civil Cover Sheet.
6. When Filing a Foreign Judgment, fees will apply and are due at the time of filing (for a list of current fees visit <http://www.coscpinalcountyaz.gov/fees.html>). Payment may be made by Cash, Money Order, Visa or MasterCard, Debit or Credit or a Personal In-State Check made payable to the “**Clerk of Superior Court.**”

If you cannot pay these fees and if you qualify, you may request the fee(s) be deferred or waived. The Clerk of the Superior Court has the necessary forms to ask for a deferral or waiver.

NOTE: There is a fee associated with the Application for Deferral and you must provide proof of income (copy of your last 2 most recent paystubs).

PROCEDURES

How to File a Foreign Judgment with the Court

STEP 1: Complete the “Civil Cover Sheet.”
(Do not copy this document)

Make 2 Copies of the following documents after you have filled them out:

- “Affidavit of Filing Foreign Judgment”
- “Notice of Filing Foreign Judgment”

STEP 2: Separate your documents into three (3) sets:

<u>SET 1 - ORIGINALS FOR CLERK OF COURT:</u>	
<ul style="list-style-type: none">• “Civil Cover Sheet”• “Affidavit of Filing Foreign Judgment”• “Notice of Filing Foreign Judgment”	
<u>SET 2 - COPIES FOR THE OTHER PARTY:</u>	<u>SET 3 – COPIES FOR YOU:</u>
<ul style="list-style-type: none">• “Affidavit of Filing Foreign Judgment”• “Notice of Filing Foreign Judgment”	<ul style="list-style-type: none">• “Affidavit of Filing Foreign Judgment”• “Notice of Filing Foreign Judgment”

STEP 3: File The Papers With The Clerk Of The Superior Court:

Visit our website for office locations or feel free to give us a call.

Contact Information for all Offices

Toll Free: 888.431.1311 • Local: 520.509.3555 or 311 • Fax: 520.866.5320

www.coscpinalcountyaz.gov/office.html

FEES: There is a filing fee and there may be other charges associated with this case. Inquire with the Clerk’s office regarding the filing fee amount or go online to for a list of current fees.

If you cannot pay these fees, you may request the fee(s) www.coscpinalcountyaz.gov/fees.html be deferred or waived if you qualify. The Clerk of the Superior Court has the necessary forms to ask for a deferral or waiver.

NOTE: There is a fee associated with the Application for Deferral and you must provide proof of income (copy of your last 2 most recent paystubs).

PAPERS:

MAKE SURE YOU GET THE FOLLOWING BACK FROM THE CLERK:

- Your Set of Copies – Conformed stamped
- The Other Party’s Set of Copies – Conformed stamped

STEP 4: Read the packet called “Service of Court Papers” that applies to your situation. This will explain how to serve the other party. Remember to file your Affidavit, Waiver or Acceptance of Service as soon as the other Party is served.

**In the Superior Court of the State of Arizona
In and For the County of _____**

Case Number _____

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney _____

Attorney Bar Number _____

Plaintiff's Name(s): (List all)

Plaintiff's Address:

(List additional plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All) _____

(List additional defendants on page two and/or attach a separate sheet)

EMERGENCY ORDER SOUGHT: Temporary Restraining Order Provisional Remedy OSC
 Election Challenge Employer Sanction Other _____
(Specify)

RULE 8(h) COMPLEX LITIGATION APPLIES. Rule 8(i) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties.
(Mark appropriate box on page two as to complexity, **in addition** to the Nature of Action case category).

THIS CASE IS ELIGIBLE FOR THE COMMERCIAL COURT UNDER EXPERIMENTAL RULE 8.1. (Maricopa County only.) Rule 8.1 defines a commercial case and establishes eligibility criteria for the commercial court. Generally, a commercial case primarily involves issues arising from a business contract or business transaction. However, consumer transactions are not eligible. A consumer transaction is one that is primarily for personal, family or household purposes. **Please review Rule 8.1 for a complete list of the criteria.** See <http://www.superiorcourt.maricopa.gov/commercial-court/>. You must check this box if this is an eligible commercial case. **In addition, mark the appropriate box below in the "Nature of Action" case category.** The words "eligible for commercial court" must appear in the caption of the original complaint.

NATURE OF ACTION

(Place an "X" next to the **one** case category that most accurately describes your primary case.)

TORT MOTOR VEHICLE:

- Non-Death/Personal Injury
- Property Damage
- Wrongful Death

TORT NON-MOTOR VEHICLE:

- Negligence
- Product Liability – Asbestos
- Product Liability – Tobacco
- Product Liability – Toxic/Other
- Intentional Tort

- Property Damage
- Legal Malpractice
- Malpractice – Other professional
- Premises Liability
- Slander/Libel/Defamation
- Other (Specify) _____

MEDICAL MALPRACTICE:

- Physician M.D. Hospital
- Physician D.O. Other

CONTRACTS:

- Account (Open or Stated)
- Promissory Note
- Foreclosure
- Buyer-Plaintiff
- Fraud
- Other Contract (i.e. Breach of Contract)
- Excess Proceeds-Sale
- Construction Defects (Residential/Commercial)
 - Six to Nineteen Structures
 - Twenty or More Structures

OTHER CIVIL CASE TYPES:

- Eminent Domain/Condemnation
- Eviction Actions (Forcible and Special Detainers)
- Change of Name
- Transcript of Judgment
- Foreign Judgment
- Quiet Title
- Forfeiture
- Election Challenge
- NCC- Employer Sanction Action (A.R.S. §23-212)
- Injunction against Workplace Harassment
- Injunction against Harassment
- Civil Penalty
- Water Rights (Not General Stream Adjudication)
- Real Property
- Sexually Violent Person (A.R.S. §36-3704)
(Except Maricopa County)
- Minor Abortion (See Juvenile in Maricopa County)
- Special Action against Lower Courts
(See lower court appeal cover sheet in Maricopa)
- Immigration Enforcement Challenge (§§1-501, 1-502, 11-1051)

UNCLASSIFIED CIVIL:

- Administrative Review
(See lower court appeal cover sheet in Maricopa)
- Tax Appeal
(All other tax matters must be filed in the AZ Tax Court)
- Declaratory Judgment
- Habeas Corpus
- Landlord Tenant Dispute- Other
- Restoration of Civil Rights (Federal)
- Clearance of Records (A.R.S. §13-4051)
- Declaration of Factual Innocence (A.R.S. §12-771)
- Declaration of Factual Improper Party Status
- Vulnerable Adult (A.R.S. §46-451)
- Tribal Judgment
- Structured Settlement (A.R.S. §12-2901)
- Attorney Conservatorships (State Bar)
- Unauthorized Practice of Law (State Bar)
- Out-of-State Deposition for Foreign Jurisdiction
- Secure Attendance of Prisoner
- Assurance of Discontinuance
- In-State Deposition for Foreign Jurisdiction
- Eminent Domain– Light Rail Only
- Interpleader– Automobile Only
- Delayed Birth Certificate (A.R.S. §36-333.03)
- Employment Dispute- Discrimination
- Employment Dispute-Other
- Other (Specify) _____

COMPLEXITY OF THE CASE

If you marked the box on page one indicating that Complex Litigation applies, place an “X” in the box of no less than one of the following:

- Antitrust/Trade Regulation
- Construction Defect with many parties or structures
- Mass Tort
- Securities Litigation with many parties
- Environmental Toxic Tort with many parties
- Class Action Claims
- Insurance Coverage Claims arising from the above-listed case types
- A Complex Case as defined by Rule 8(i) ARCP

Additional Plaintiff(s)

Additional Defendant(s)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

_____ CASE NUMBER: CV2
Name of Petitioner

AFFIDAVIT OF FILING FOREIGN JUDGMENT

_____ HONORABLE: _____
Name of Respondent

I AFFIRM THAT I AM OVER THE AGE OF 18 AND OTHERWISE COMPETENT TO TESTIFY IN A COURT OF LAW OF THE UNITED STATES OR SEVERAL STATES AND MAKE THIS AFFIDAVIT WITHOUT BEING UNDER FRAUD, DURESS OR UNDUE INFLUENCE FROM ANY PERSON AS TO THE FOLLOWING FACTS:

1. Pursuant to A.R.S. §12-1702 et seq., I am filing this affidavit with the Clerk of the Superior Court along with a certified copy of the foreign judgment.
2. The name and last known mailing address of the Petitioner is as follows:

3. The name and last known mailing address of the Respondent is as follows:

4. The name and last known mailing address of the Petitioner's Attorney is as follows:

WITNESSED I have read the foregoing affidavit and know of my own knowledge that the facts stated herein are true and correct as of the date this affidavit was sworn.

Date

Signature

State of Arizona)
)
County of _____)
 (Arizona County)

Subscribed and sworn (or affirmed) before me this _____ day _____, 20 _____
 (Day) (Month) (Year)
by _____
 (Name of Signer)

Seal (Affix notary seal here)

Notary Public (Notary's Signature)

CERTIFICATE OF MAILING / DELIVERY

A copy of the accompanying document(s) was Mailed or Hand Delivered (Check One)

To: _____

Address: _____

Date: _____

By: _____

(Signature of Person Making Mailing or Delivery)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
Email Address: _____
ATLAS Number (if applicable) _____
 Representing Self (No Attorney) or Represented by Attorney
If Attorney, Bar Number: _____

**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

Name of Petitioner

CASE NUMBER: CV2

NOTICE OF FILING FOREIGN JUDGMENT

Name of Respondent

HONORABLE: _____

You are hereby notified, pursuant to A.R.S. §12-1703(B), that a (certified and authenticated) copy of foreign judgment described below has been filed in the office of the Clerk of the Superior Court for Pinal County.

COURT IN WHICH JUDGMENT WAS ENTERED: _____

CASE NUMBER: _____

DATE OF JUDGMENT: _____

NAME AND ADDRESS OF INITIATING PARTY'S ATTORNEY (if applicable):

RESPECTFULLY SUBMITTED THIS _____ day of _____ 20 _____

(Initiating Party's Signature)