

IN THE COURT OF THE STATE OF OREGON FOR CLACKAMAS COUNTY
Small Claims Department

 _____ Plaintiff
 v.

 _____ Defendant

Case No. _____

**MOTION FOR DEFAULT JUDGMENT
 AND
 DEFENDANT STATUS DECLARATION**

***Attach a Completed Small Claims
 Judgment Form***

I, _____, request a default judgment against _____
 (name) (name)

1. A money award	\$
2. Prejudgment interest	\$
3. Costs and service expenses	\$
4. Prevailing party fee (ORS 20.190)	\$

} Total judgment award:
 \$ _____

I request the following terms in addition to or instead of a money award:

- post judgment interest at the statutory rate (or _____ % per year by contract of the parties *(attach copy of contract)*)
- other (describe property requested): _____

I certify that:

1. The above-named defendant was properly served with a copy of the claim and failed to pay or deny the claim within 14 days;

and

2. The person I request judgment against is not a minor, a protected person, a respondent, or incapacitated, as these terms are defined in ORS 125.005;

and

- is in active military service.) **(or)**
- is not in active military service* Certificate of Service or printout from Dept. of Defense website attached *(or) describe facts that support this statement* _____

I am unable to determine whether this person is in military service. *Describe reason* _____

I hereby declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and I am subject to penalty for perjury.

 Date

 Signature

 Name (print)

*Certain members of the military may be protected by the Servicemembers Civil Relief Act (SCRA) (50 U.S.C. App. 501 to 596). You cannot get a default judgment against a member of the military who is protected by this law unless other legal steps are followed or the defendant signs a waiver. Talk to a lawyer if you have concerns.