

CIVIL CASE PROCESS

Cause of Action

- Dispute between (among) parties, **cause of action** arises

Filing

- Case (**complaint**) filed in Superior Court Clerk's office
- Case number assigned by Clerk

Service

- Service of **summons** and **complaint** upon defendant(s) by sheriff, constable, or any individual 18 years of age or older who is not a party to the action

Answer

- Defendant(s) must respond to complaint (file an **answer**) within 20 days of date of service
- If no answer filed within 20 days, plaintiff may obtain default judgment against defendant for amount claimed in complaint

Discovery

- Discovery process between (among) the parties, during the course of which various motions, for example motions to compel production of documents, or motions for more responsive answers, may be filed

Assignment to Trial Pool

- Plaintiff or defendant files motion to assign case to the trial calendar

Motions (these may be filed at any time before entry of judgment and are in addition to those outlined under "Discovery" above)

- Motion for judgment as a matter of law may be deemed appropriate at any point in the proceedings

Pretrial Conference

- A pretrial conference may be conducted on the day before or the day of trial

TRIAL

Entry of Judgment

- Case resolved either by agreement of the parties (stipulation enters) or by court order or by jury verdict
- Order entered by judge disposing of case

Appeal

- Either or both sides may appeal the case to a higher court

Enforcement of Judgment (if necessary)

- If defendant(s) do not comply as ordered, plaintiff may apply to court for
 - Wage attachment
 - Citation compelling defendant(s) to appear in court
 - Body attachment may issue if defendant fails to appear