

FAMILY LAW NO-ANSWER DEFAULT JUDGMENT CHECKLIST		COMPLETED ON
GENERAL		
	Appearance date has passed.	
	No answer or appearance. No letter. Nothing whatsoever filed by R.	
	61 days has passed since the date petition filed if divorce case unless exception for domestic violence proved.	
	Respondent's name is identical and correct on the petition, citation and return	
	Return filed 11 days prior to default judgment date. (TRCP 107)	
	Default judgment warning is on citation.	
SERVICE		
	<b>CITATION</b> - Does the citation contain the information required by Rule 99(b)	
	<b>MAIL SERVICE</b> (most mail service is insufficient)	
	Respondents name on envelope must be EXACTLY the same as appears on the citation and petition.	
	Language of citation generally same as for non-mail citations, but must not leave the impression that personal service was obtained	
	Must be made by registered or certified mail, return receipt requested	
	The CMRR containing the respondent's signature must be affixed to the return. (Green card required)	
	<b>RETURN OF SERVICE</b>	
	Form: "Executed by <b>delivering to</b> _____ on _____ at _____ (time) at _____(place), a true copy of the citation with the date of delivery endorsed thereon with a copy of the petition attached thereto."	
	"Delivered to" not "served on". ("served on" is a legal conclusion)	
	Recites that both the citation and the petition delivered.	
	Signature of person who did the serving; signature and printed name	
	If private process server, signature of person who served:	
	a) verified signature of server; or signed under penalty of perjury	
	b) if certified by Supreme Court, include "SC" number and certification exp date	
DEFAULT JUDGMENT HEARING		
	Make sure you get a record of proceedings and admit all evidence	
	Certificate of last known address filed. TRCP 107	
	Military Service affidavit filed.	
	61 days has passed since filing of petition if divorce case unless exception for domestic violence proved.	
	Compare petition to judgment	
	Was active pleading relied on properly served.	
	Does evidence support requested relief in active pleading	
	Does evidence support the judgment requested	
	Prove each item requested in the judgment	
	Summary of property or inventory	
	BIOC evidence	
	Prove separate property by clear and convincing standard	
	Do not rely on conclusory statements	
	Evidence on spousal maintenance issues	
	Expert testimony required for atty fees	
	Evidence to support child support calculation	
	Evidence to support less access to child if applicable	
	Evidence on just and right division...not just conclusory	
	Statement of Evidence if service was by Posting or Publication	