

Procedures: How to file an Application and Affidavit for Default and schedule a default hearing

When to file the application for default:

- after the other party has been served with the court papers, and
- the time to respond has passed, and
- the other party has not filed a response or answer with the court, and
- you completed the Application and Affidavit for Default and other papers and made two photocopies of the papers.

Step 1: File the original Application and Affidavit for Default and other required papers, plus at least two (2) copies with the Clerk of Superior Court at any of these locations:

- Central Court Building, 201 West Jefferson Street, Phoenix, AZ 85003 (1st Floor);
- Northwest Court Facility, 14264 West Tierra Buena Lane, Surprise, AZ 85374;
- Southeast Court Facility, 222 East Javelina Avenue, Mesa AZ 85210;
- Northeast Court Facility, 18380 North 40th Street, Phoenix, AZ 85032.

Hand the original & copies of the Application and Affidavit for Default to the Clerk of Superior Court at the filing counter. The Clerk of Superior Court will keep the original, date-stamp the copies and return the copies to you. Make sure the copies are stamped. Note: If the defaulting party has an attorney, make one more copy since you must file and mail an entire set to both the party and the attorney.

Step 2: Mail one of the date-stamped copies of the Application and Affidavit for Default (and attachments) to the other party on the same day you file the papers with the Clerk of Superior Court. Keep the other copy for your records.

- (The Application and Affidavit for Default must be mailed; hand delivery is not acceptable.)
- Note: If the defaulting party has an attorney, make one more copy since you must mail an entire set to both the party and the attorney.

Step 3: Wait. After you 1) filed the Application and Affidavit of Default with the Clerk of Superior Court, and 2) mailed it to the other party and their attorney, you must wait 10 Court business days before proceeding to next step.

- Count. Starting the day after the Application and Affidavit for Default was filed, count 10 court business days before proceeding to next step. (In this case do not count Saturdays, Sundays, and Court holidays.)
- Fill out the Default Decree Checklist to determine if you are ready to request a default hearing or proceed without a hearing.