

**WEST VALLEY CITY JUSTICE COURT, STATE OF UTAH
SALT LAKE COUNTY, SMALL CLAIMS DEPARTMENT.
3600 SOUTH CONSTITUTION BLVD. WEST VALLEY CITY, UTAH 84119**

<hr/> <p style="text-align: right;">_____, Plaintiff,</p> <p>Name _____</p> <p>Street Address _____</p> <p>City, State, ZIP _____ Phone _____</p> <p>_____, Defendant</p> <p>Name _____</p> <p>Street Address _____</p> <p>City, State, ZIP _____ Phone _____</p>	<p>REQUEST TO SET ASIDE JUDGMENT</p> <p>Case No. _____</p>
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Plaintiff Defendant requests that the dismissal/default judgment entered against the party be set aside. The dismissal/default judgment was entered by the court on _____, 20____. The party filing this Request to Set Aside Judgment states that the party had good cause for not appearing at the trial scheduled in this case. The good cause for failing to appear at trial is the following:

I certify that I mailed a copy of this Request to Set Aside Judgment to Plaintiff Defendant at the above address on this date.

Dated _____, 20____ _____
 Plaintiff
 Defendant

ORDER OF THE COURT

Dated _____, 20____ _____
JUDGE

READ THE INSTRUCTIONS THAT ACCOMPANY THIS FORM

INSTRUCTIONS TO REQUEST SET ASIDE OF DISMISSAL

Because you did not show up on time for the trial in your small claims case, your claim was dismissed. If you have good cause for not appearing at the trial, you may ask the judge to “set aside” the dismissal. If the judge grants your request, the judge may require you to pay the other party’s costs associated with getting the dismissal (for example, costs of having witnesses appear for the trial at which you did not appear). If the dismissal is set aside, the case will go to trial, and the judge will hear both sides of the case. To ask the judge to set aside the dismissal, you must fill out the Request to Set Aside Judgment form and file it with the court. **The court must receive the Request to Set Aside within 30 calendar days after the judge dismissed your claim. The court may allow a Request to Set Aside to be filed late if the party shows good cause for failing to make a timely request and if the request is made in a reasonable time.**

INSTRUCTIONS TO REQUEST SET ASIDE OF DEFAULT JUDGMENT

Because you did not show up on time for the trial in your small claims case, the other party was given a “default judgment” against you. If you do not agree that the other party was entitled to a judgment against you and you have good cause for not appearing at the trial, you may ask the judge to “set aside” the default judgment. If the judge grants your request, the judge may require you to pay the other party’s costs associated with getting the default judgment (for example, costs associated with having witnesses appear for the trial at which you did not appear). To ask the judge to set aside the default judgment, you must fill out the Request to Set Aside Judgment form and file it with the court. **The court must receive the Request to Set Aside within 30 calendar days after the Notice of Default Judgment was mailed to you. The court may allow a Request to Set Aside to be filed late if the party shows good cause for failing to make a timely request and if the request is made in a reasonable time.**

INSTRUCTIONS TO PARTIES IF JUDGMENT IS SET ASIDE

If the judgment is set aside, the trial will be held on the date indicated on the court’s order. If the court indicated that costs may be assessed against the requesting party, the other party should bring proof (e.g., bills, canceled checks) of the costs associated with getting the set aside judgment.