Guidance on Using the Judgment on Trial by Judge Template

(Form 34 of the District Court Rules 2014)

About the judgment on trial by judge

Use this form if you have had a:

* trial and the judge has issued his or her decision
* formal proof hearing for a judgment by default on a unliquidated demand (please modify the form as required if using it for a judgment by default determined by a formal proof hearing)

For the court’s order to be enforced, you must file a judgment to be signed and sealed by the Registrar.

Once your judgment has been sealed, you must immediately serve a copy of the judgment on every other party to the proceedings who has given an address for service, and any other person who is affected by the judgment. See [rule 11.11 of the District Court Rules 2014](http://www.legislation.govt.nz/regulation/public/2014/0179/latest/DLM4890268.html).

How to use the template

All the required fields are set out in the template on the following two pages.

The sections that you have to fill out are marked with red text. The red text explains what you need to put in. These are fillable form fields, so click on the red text and start typing. The red text will be replaced by the content that you type. If you want to leave the field blank, just enter a space.

The blue text is explanatory notes. Delete these notes before printing the form.

Formatting your form

Before printing the form, check that the pages are numbered. Numbering should start at page 1 on the page after the cover page (i.e. the cover page should not be numbered). The template is set up to automatically number the pages in this matter.

You may print the form either single or double-sided. However, the cover sheet must not be double sided. If you print double sided you must adjust the margins as follows:

* In the “Margins” section in Word, select “Custom Margins”. In the box that pops up, find the field called “Multiple pages”. Select “Mirror Margins” from the dropdown menu, and click OK.
* The wide margin should now be on the left of every front page, and on the right of every reverse page.

Once you have completed the form, print and sign it.

In the District Court

Choose an item. Registry

No: Enter the CIV number (court reference number)

Under the: Enter the Act under which the proceeding is being brought (for example, “Fair Trading Act 1986”). Delete this line if not applicable.

In the matter of Enter in a few words what the dispute is about. For example, “a breach of contract”.

Between: Plaintiff’s full name, address and occupation.

(plaintiff)

And: Defendant’s full name, address and occupation.

(defendant)

Note: if there are more than two parties involved, list their names, addresses and occupations in the format above.

If there is a counterclaim, repeat the fields above for any counterclaim plaintiffs/defendants.

Judgment on trial

Fill out the option that applies and delete the other option. **NOTE: enter enough lines above so this section is at the bottom of the cover page.**

For an individual: Filed by Person’s name, the Your role in proceedings, e.g. “plaintiff” in person.

OR; for an organisation: Filed by Person’s name, an authorised officer for the Your organisation’s role in proceedings, e.g. “plaintiff”, Enter the name of the organisation.

The proceeding was heard on date of hearing at Court location (e.g. “Manukau”) before Judge name of judge, who, having heard from name of counsel for the plaintiff, counsel for the plaintiff, and name of counsel for the defendant,, counsel for the defendant, and having heard the evidence adduced, gives judgment that:

State here the terms of the judgment.

Date on which judgment given: date

This section is completed by a Registrar/Deputy Registrar:

Date:

Signature:

(Registrar/Deputy Registrar)