Guidance on Using the Certificate of Judgment/Order Template

(Form 35 of the District Court Rules 2014)

About the Certificate of Judgment/Order

A certificate of judgment/order is either:

* Used for evidential purposes, usually for bankruptcy proceedings
* Used for the purpose of removing a District Court judgment/order into the High Court.

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.

Please ensure that the certificate (excluding the coversheet) fits on one page if possible.

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.

Certificate of judgment/order

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.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Registrar/Deputy Registrar of the District Court at Court location (e.g. “Manukau”) certify that the document attached to this certificate (issued for the purposes of section 120 of the District Court Act 2016) is a true copy of the judgment/order in the above case, and that the amount of $amount as set out below is now due on the judgment/order.

Note: Omit the words in brackets if the certificate is issued for evidential purposes only.

|  |  |
| --- | --- |
|  | Amount ($) |
| Amount of judgment/order\*, including costs |  |
| Subsequent costs |  |
| Costs of this certificate |  |
| Amount paid into court |  |

*Omit the following paragraph if the certificate is issued for the purposes of section 120 of the District Court Act 2016.*

This certificate is issued under rule 11.6 of the District Court Rules 2014 for evidential purposes only.

Date:

Signature:

(Registrar/Deputy Registrar)

Sealed: [*date*]