

## **ORDER TO APPEAR**

- Purpose:** This is the form used by the court to order a judgment debtor to appear before the court to determine what property of the judgment debtor is available for execution to satisfy a civil judgment.
- How:** After a petition/motion for a writ of execution has been filed by a judgment creditor, the clerk of court sets a hearing date to determine what property of the judgment debtor is available for execution. The clerk of court then processes the order to appear which is signed by the judge and attested by the clerk of court.
- Copies:** The original is stored in the court case file showing return of service. A copy is given to the judgment debtor and judgment creditor.

FORT PECK TRIBAL COURT  
ASSINIBOINE AND SIOUX TRIBES  
FORT PECK INDIAN RESERVATION  
POPLAR/WOLF POINT, MONTANA

\_\_\_\_\_,  
PLAINTIFF,  
Vs.  
\_\_\_\_\_,  
DEFENDANT.

)  
)  
) ORDER TO APPEAR  
)  
) CASE NO. \_\_\_\_\_  
)  
)  
)

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Based on the Petition to Execute on Judgment filed by plaintiff in the above-entitled matter and on the complete record and file herein, it is hereby:

Ordered that \_\_\_\_\_ (defendant's name) appear before this Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_, at \_\_\_\_\_ o'clock \_\_.m., and be prepared to answer under oath regarding all her or his personal property so that this Court may determine what property of the defendant is available for execution on the above-entitled matter.

Failure of the defendant to appear at the hearing as ordered may be deemed a contempt of Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
TRIBAL COURT JUDGE

ATTEST: \_\_\_\_\_, Clerk of Court