State of Alabama
Unified Judicial System

Form CS-5.1 Rev. 11/2012

APPLICATION AND AFFIDAVIT FOR ENTRY OF DEFAULT JUDGMENT (PATERNITY/SUPPORT)

Court Case Number

IN THE _____ **COURT OF** _____ **COUNTY, ALABAMA**
(Circuit or District) *(Name of County)*

_____ v. _____
Plaintiff *Defendant*

☐ I, _____ *(Name of Affiant),* request that the ☐ clerk of court, or ☐ judge, pursuant to Rule 55(b), Alabama Rules of Civil Procedure (Ala.R.Civ.P.), enter a default judgment against the above-named Defendant,* in the above case for the Defendant's failing to plead, answer, or otherwise defend.

The Affiant, being duly sworn, states as follows:

1. That the Affiant has personal knowledge of the facts set forth in the Affidavit.
2. That the Defendant was served with a Summons and a copy of the ☐ Petition for Support ☐ Complaint for Paternity ☐ Petition for Contempt ☐ Petition for Modification on _____ *(date)*.
3. That more than _____ days have elapsed since the Defendant was served with a Summons and a copy of the above-checked Petition or Complaint.
4. That the Defendant has failed to answer or otherwise defend against the Plaintiff's Petition or Complaint.
5. That this Affidavit is executed by the Affiant in accordance with Rule 55(b), Ala.R.Civ.P., for the purpose of enabling the Plaintiff to obtain a **default judgment** against the Defendant, for the Defendant's failing to answer or otherwise defend against the Plaintiff's Petition or Complaint.
6. That the Defendant is not an infant or an incompetent person, and there has been no violation of the provisions of Ala. Code 1975, Chapter 19, Title 5.
7. That the Defendant ☐ is ☐ is not in military service.
8. Judgment Conditions: ☐ with ☐ without waiver of exemptions.
9. That the amount of ☐ child support ☐ spousal support claimed by the Defendant to the Plaintiff is
   ☐ THE SUM OF $_____, which is to be determined as follows:
   Principal Balance $_____
   Interest $_____
   Attorney Fee $_____ (if requesting attorney's fees, it must be determined by the judge, not the clerk).
   (If provided by contract, note or law)
10. The Affiant requests entry of judgment: ☐ By the Court ☐ By the Clerk

Name of Affiant: _____
Signature of Affiant: _____):
Affiant's Home or Business Address (if not represented by an attorney
_____
_____
City State Zip Code

Sworn To and Subscribed Before Me This

Date: _____

_____ _____
Officer's Signature Title

Name of Attorney: _____
Signature of Attorney: _____
Business Address of Attorney: _____
_____
City State Zip Code

☐ Default judgment is hereby rendered against the Defendant in the amount of $ _____

_____ _____
Date Judge/Clerk

CERTIFICATE OF SERVICE ON OTHER PARTIES

I hereby certify that a copy of this Application, Affidavit, and Entry of Default Judgment (Paternity/Support) has been sent, by first class mail, postage prepaid, to all parties who a are not in default in this case.

Signed _____

Rule 55, Ala.R.Civ.P.

Original: Court File **Copy**: Plaintiff **Copy**: Defendant