

INSTRUCTIONS AND FORM FOR MOTION

Please note that court staff cannot provide you with legal advice or assist you in completing these forms. The use of these forms does not guarantee you will be successful in court. It is highly encouraged that you speak with an attorney if you are needing assistance. For specific questions on the forms, you may contact the legal form helpline at 1-855-784-0004 or email UJS staff at ujssrlhelp@ajs.state.sd.us. Additionally, for more information on South Dakota laws, you can also visit the South Dakota Legislature website.

IMPORTANT NOTICE

If a hearing is set on your Motion, the Notice of Hearing must be mailed to the opposing party at least twenty days before the hearing is held.

Complete this form by:

- Complete the caption by filling in the county name, judicial circuit number, Plaintiff and Defendant name, and file number. All of this can be found on any previous filing completed in your case.
 - You can also contact the Clerk of Court, legal help line, or email UJS staff for this information.
- Complete the caption by filling in the line provided with a brief statement of what you are asking the Court to do.
- In the first paragraph you will list in more detail what you are asking the court to do.
- Mark if you are filing an Affidavit in Support of Motion (UJS-337), any supporting attachments/exhibits, and if you are requesting a hearing.
 - These are optional and can be checked if any apply.
- Date and sign in front of a notary or Clerk.
- File the original copy of your Motion, along with any accompanying documents, such as the Affidavit in Support (UJS-337) if you prepared one, and the Notice of Hearing (UJS-336) if you are requesting one, to the Clerk of Court. Remember to retain copies for your records.
- Mail a copy of everything you filed with the Clerk of Court to the opposing party at least twenty days before the hearing.
- Complete an Affidavit of Mailing (UJS-338) and file with the Clerk of Court.

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

<p>_____</p> <p>Plaintiff</p> <p>v.</p> <p>_____</p> <p>Defendant</p>	<p>Case No.: _____</p> <p style="text-align: center;">MOTION TO/FOR</p> <p>_____</p> <p style="text-align: center;"><i>(what you are asking the Court to do)</i></p>
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COMES NOW, the above-name **Plaintiff / Defendant** *(circle one)* and motions this court for relief and/or Order for *(describe what you are asking the Court to do.)*

FURTHER, *(mark if any apply)*

I have filed an Affidavit in Support of this Motion.

I have attached the following exhibits in support of this Motion:

I am requesting a hearing as soon as practical to hear the parties' testimony and/or evidence regarding the above stated issue(s).

(Signature Page to Follow)

Dated this _____ day of _____, 20_____.

Plaintiff / Defendant Signature (circle one)

Plaintiff / Defendant Name (circle one)

Address

City, State, Zip Code

Phone Number

Sworn/affirmed before me this _____ day
of _____, 20_____.

Notary/Deputy Clerk/Clerk of Court

My Commission Expires: _____