

RULE 7
DEFAULT HEARING

- 7.1 A party seeking a default judgment under Civ. R. 55 shall file a written motion with the Clerk of Courts.
- 7.2 (A) Attorneys seeking default must be present at hearings on motions for default in which the damages sought by plaintiff are unliquidated. The hearing judge may consider the following:
- (1) Perfection of service of the complaint by plaintiff or counsel;
 - (2) Defendant's failure to answer or appear within 28 days of service;
 - (3) Evidence of damages either by verified pleadings by plaintiff, or testimony of plaintiff, together with any exhibits properly appended to pleadings or affidavit, or introduced and accepted at hearing;
 - (4) Report from expert stating opinion as to proximate cause of injury.
- (B) No hearing is required on a motion for default in which damages sought by plaintiff are liquidated. The assigned judge shall consider the following upon the filing of a motion for default:
- (1) Perfection of service as above;
 - (2) Failure of defendant to answer as above;
 - (3) Affidavit as to amount due and owing.