

Rule 62-II. Application for Termination of Stay or for Entry of Judgment

(a) APPLICATION.

(1) *In General.* If either entry or execution of the judgment has been stayed on condition that a party make certain periodic payments to another party or perform other acts, and the party at any time fails to make the payments or perform the acts, the other party may apply for termination of the stay or entry of judgment.

(2) *Contents of Application.* The application must state:

(A) the conditions of the stay;

(B) the date(s) when the party made any required payments or performed any required acts;

(C) the date(s) when the party failed to make any required payments or to perform any required acts;

(D) the amount of the judgment and other relief requested;

(E) notice that the clerk may enter judgment against the party if the party fails to oppose the application within 14 days.

(b) ACTION BY THE CLERK.

(1) *When the Party Fails to Respond.* If the party fails to oppose the termination, the clerk may terminate the stay and issue execution or enter judgment in accordance with the notice given by the application, in the manner provided in Rule 55(b) with respect to defaults.

(2) *When the Party Files an Opposition.* If the party files an opposition, the notice must be treated as an opposed motion.

COMMENT TO 2018 AMENDMENTS

This rule is new. It closely conforms to Civil Rule 62-II.