

Small Claims Rule 3(h) added eff. Sept. 2013	Civil Rule 9.1 added eff. July 2015
<p>(h) Credit Card Debt Collection Actions. -- Any complaint based on a credit card debt shall contain additional information necessary to provide the court with sufficient information regarding standing and the statute of limitations. At a minimum, the complaint must include the following unless otherwise ordered by the court:</p> <p>(1) The name of the original creditor, as well as the name of the current owner of the debt, if different.</p> <p>(2) The last four digits of the original account number or other identifying information uniquely associated with the account.</p> <p>(3) The date of last payment by the accountholder and the amount due at that time.</p> <p>(4) The date the plaintiff claims the defendant defaulted and the basis for that default.</p> <p>(5) The total amount currently due on the debt, with any amount of interest claimed post-default separately identified.</p> <p>(6) The date and parties to the contract or other source of the original debt.</p> <p>(7) If the debt was assigned, the date and parties to the assignment. If the debt has been assigned more than once, then the date and parties to each assignment must be identified to establish an unbroken chain of ownership. The complaint must allege that each assignment or other writing evidencing transfer of ownership (A) contains at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and (B) shows the debtor's name associated with that account number.</p>	<p>Any complaint based on a credit card debt shall contain additional information necessary to provide the court with sufficient information regarding standing and the statute of limitations. At a minimum, the complaint must include the following, unless otherwise ordered by the court:</p> <p>(a) The name of the original creditor, as well as the name of the current owner of the debt, if different.</p> <p>(b) The last four digits of the original account number or other identifying information uniquely associated with the account.</p> <p>(c) The date of last payment by the accountholder and the amount due at that time.</p> <p>(d) The date the plaintiff claims the defendant defaulted and the basis for that default.</p> <p>(e) The total amount currently due on the debt, with any amount of interest claimed post-default separately identified.</p> <p>(f) The date and parties to the contract or other source of the original debt.</p> <p>(g) If the debt was assigned, the date and parties to the assignment. If the debt has been assigned more than once, then the date and parties to each assignment must be identified to establish an unbroken chain of ownership. The complaint must allege that each assignment or other writing evidencing transfer of ownership contains at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and shows the debtor's name associated with that account number.</p>

Smalls Claims Rule 3(e) added Sept. 2013	Civil Rule 55(b)(7) added eff. July, 2015
<p>(e)(2) In cases based on a credit card debt, the motion for default must include a copy of</p> <p>(A) the contract or other documentary evidence of the original debt, which must contain a signature of the defendant, or, if no such signed writing evidencing the original debt ever existed, then a copy of the last statement generated when the credit card was actually used for purchase or other competent evidence of the existence of the debt; and</p> <p>(B) the assignment or other writing establishing that the plaintiff is the owner of the debt.</p> <p>(3) If a credit card debt has been assigned more than once, then each assignment or other writing evidencing transfer of ownership must be attached to establish an unbroken chain of ownership. Each assignment or other writing evidencing transfer of ownership must contain at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and must show the debtor's name associated with that account number.</p>	<p>(7) Credit Card Debt. -- In actions based on a credit card debt, the motion for default shall include a copy of the contract or other documentary evidence of the original debt, which must contain a signature of the defendant. If no such signed writing evidencing the original debt ever existed, then a copy of the last statement generated when the credit card was actually used for purchase or other competent evidence of the existence of the debt must be included.</p> <p>The motion must also contain a copy of the assignment or other writing establishing that the plaintiff is the owner of the debt.</p> <p>If the debt has been assigned more than once, then each assignment or other writing evidencing transfer of ownership must be attached to establish an unbroken chain of ownership. Each assignment or other writing evidencing transfer of ownership must contain at least the last four digits of the original account number of the debt purchased or other identifying information uniquely associated with the account and must show the debtor's name associated with that account number.</p>