

Judgement Collection Agency Tips

“How to Collect a Judgement”

Congratulations on winning your judgement in court. You may have thought that when you won the judgment, the debtor was going to start paying you the money that they owe you. Well by now you must have realized that just because you won a judgment doesn't mean you are going to receive any money. The judgment recovery process is totally up to you. The courts are not going to make the debtor pay you. You have to find the money and assets yourself. The collection process is just beginning. There are court forms to fill out, fees to pay to file the forms, fees to pay to find the debtor's assets, fees to pay to serve additional documents, fees to pay the sheriff to seize the assets/property. The good thing is that most of these fees may be recoverable. I will talk about how to recover the fees used to recover your judgment later.

Let me introduce myself. My name is Lance Casey and I am a [Private Investigator Sacramento](#) California and a [Process Server Sacramento](#). One aspect of my business is judgment recovery by tracking down judgment debtors, their assets, employers, real estate, personal property and helping clients collect their judgments. I got into the judgment collection agency business after I won a lawsuit against one of my tenants. I thought at the time that I was going to start receiving money after I won the lawsuit. Boy was I wrong. All I had was a piece of paper that awarded me some money. It was totally up to me to collect the money. I realized that I was on my own.

I had to figure out judgment collectors hard way by trial and error. I spent way too many trips to the court house and sheriffs office. Once I figured out how to collect on the judgment, I decided to start using my [25 years of investigative experience](#) to help others track down judgment debtors and their assets. I am offering Judgment collection agency tips for you to try.

I am not a lawyer. This is not legal advice. Click [“HERE”](#) if you need a lawyer.

Here are the basic judgment collector steps I use to collect from a judgment debtor in Sacramento County.

1. Judgment Debtor Investigation.
2. Complete/File Proper Court Forms
3. File the forms with the Sacramento County Sheriff's Civil Division to seize income/assets/property.
4. Complete/File [SC-290 Acknowledgment of Satisfaction Judgment](#) with Carol Miller Justice Center.

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Judgment Debtor Investigation

The very first step I take in collecting a judgment is to determine if the judgment debtor has anything I can take from like a job, rental income, business assets, business income, bank account, real estate, ect.

The process is called Judgment Debtor Evaluation. I charge \$50 for this evaluation. I utilize my over 25 years of investigative experience conducting thousands of investigations to for this evaluation. Here is a list of the information I will obtain during this evaluation.

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The next step is to [order a Judgment Debtor Investigation](#).

Comprehensive Report	ComprehensivePLUS / Platinum Report
Your Report Includes When Available...	
<ul style="list-style-type: none"> ▶ Name ▶ Alias Names ▶ Date of Birth ▶ SSN (if available) <ul style="list-style-type: none"> ▶ SSN Verification ▶ SSN State Of Issue ▶ Death Records ▶ Current Address ▶ Address History ▶ Demographic Information ▶ Census Information ▶ Counties ▶ Phone Numbers ▶ Phone Carriers 	<ul style="list-style-type: none"> ▶ Common Residency ▶ Neighbors ▶ Relatives ▶ Property - Real Estate ▶ Property - Values ▶ Professional Licenses ▶ Criminal Records ▶ Sexual Offenses ▶ Bankruptcies ▶ Liens and Judgments ▶ Income ▶ Emails ▶ Social Media <ul style="list-style-type: none"> ▶ Facebook ▶ LinkedIn ▶ Google+ ▶ Twitter ▶ Person On The Web ▶ Business On The Web
<ul style="list-style-type: none"> ▶ Name ▶ Alias Names ▶ Imposters ▶ Date Of Birth ▶ Age ▶ SSN (if available) <ul style="list-style-type: none"> ▶ SSN Verification ▶ SSN State Of Issue ▶ Death Records ▶ Current Address ▶ Address History ▶ Demographic Information ▶ Census Information ▶ Counties ▶ Phone Numbers ▶ Phone Carriers ▶ Common Residency* ▶ Neighbors - Current* ▶ Neighbors - Historical* <ul style="list-style-type: none"> ▶ Up to 10 ▶ 6 Neighbors/Address ▶ Neighbors Contact Information ▶ Relatives* <ul style="list-style-type: none"> ▶ 3 Degrees of Separation ▶ Relative Contact Info ▶ Corporate Affiliations 	<ul style="list-style-type: none"> ▶ Property - Real Estate ▶ Property Values ▶ Professional Licenses* ▶ Bankruptcies ▶ Liens and Judgments* ▶ Foreclosures ▶ UCC Filings ▶ Criminal Records* ▶ Sexual Offenses* ▶ Income ▶ Emails ▶ Social Media <ul style="list-style-type: none"> ▶ Facebook ▶ LinkedIn ▶ Google+ ▶ Twitter ▶ Person On The Web ▶ Business On The Web ▶ Watercraft ▶ FAA Aircraft ▶ FAA Certifications ▶ Voter Registration ▶ Federal Firearms & Explosives ▶ Hunting/Fishing ▶ People At Work ▶ Associates ▶ Concealed Weapons Permits
* Indicates Premium Data Sources	

I use the information found in this report to determine if the debtor is still local in the Sacramento area. I also check for local real estate, professional licenses ect. Other information that I may have on the debtor is also helpful. I may have written the debtor a check which was deposited into the debtor’s bank account. Now I have their banking information.

The more information you have on the judgment debtor the better. I will often go the current address of the debtor looking for clues like real estate signs, vehicle make model and license plate number. There might be a work truck parked in the driveway with their company information.

I may visit the business of the judgment debtor walking around looking items that can be seized. I make a mental inventory which I write down shortly after leaving their business. These items may be listed in box 1b on [EJ-105 Notice of Levy Enforcement of Judgment](#). The Sacramento County Sheriff Civil Division will seize the items listed on this form. This form may be served either by the Sacramento County Sheriff Civil Division or by a [Process Server Sacramento](#).

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Finding the Debtor

Locating the debtor is the first step I conduct in collecting judgments. Since I am a Private Investigator, I have access to data that is not available to the public. There are sources on the internet where you can conduct which is called a skip trace. Some of these sources are free and some are for a done for a fee.

[People Finders.com](http://PeopleFinders.com) & [Check People.com](http://CheckPeople.com)

It is my experience that the free web sites are just teasers to get you to spend money for more information. You will run a search of a person's name. The web site will tell that they located the person but If you want the complete record they now charge a fee.

You can also hire a Private Investigator to locate the Debtor's current address. Our firm provides this service and it will be discussed later on in the manual.

Finding the Debtor's Employer

This is one of my favorite collection strategies. To collect from the debtor's employer is called a wage garnishment. I love putting a wage garnishment on a debtor's employer but first you have to locate the debtor's employer.

Locating their employer can be difficult. I will use my Private Investigator database as my first step. If the results identify a possible employer, I will call the employer and ask for the employee. If I discover that the employee works there, I will hang up. I will call back and ask for the company's address. I will then search my databases to determine if the company is a corporation. If the company is a corporation, I will go to the California Secretary of State web site and obtain the agent for service of process. You will need this for service of the wage garnishment.

Each state has an agency that regulates corporations and limited liability companies. You will obtain the agent for service of process from them.

I will call the debtor's neighbors, family members and associates. There are laws that regulate the collection of debts and you have to be careful. If you violate one of their rules, you can be sued. Make sure you read up on these laws before you start calling people looking for the debtor or their employer. I will never say that I am collecting a debt when I call people. I will tell them that I the debtor is applying for a job requiring a security clearance and I am verifying prior and current employment. You will be surprised what people will tell you when you act like you know what you are doing.

Some cases may require following the debtor from home to work. We do it all the time. Once you locate their current employer you will have to complete

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Finding the Debtor’s Assets

Assets that the debtor owns can be seized and sold to satisfy the judgment. These assets include houses, land, apartments, cars, boats, planes, stocks, bonds and many other items. You have to find these items before you can seize them. When I say seize them, I don’t mean you can go over there and take them yourself. The sheriff will be the one to seize and sell property. But first you have to find the property.

Real property is anything that is attached to the land which includes, houses, apartments, condos, commercial buildings ect. The ownership record of real property is maintained by each county. For you to locate the real property that is owned by your debtor you would have to go to each county office and conduct a search. Your judgment could be from let’s say Sacramento County California yet the debtor owns property in Florida. You would not know this unless you went to the county in Florida and conducted a search.

Some counties property ownership records are online but you would have to go through every county in the United States to find all of the real property owned by the debtor. I use my private investigator database to locate the property owned by the debtor. My property ownership database covers the entire United States. Our firm conducts these types of searches and it will be discussed later in this manual.

Find the Debtor’s Bank Account

This is the one thing that could get you in trouble the most. The laws regarding locating another person’s banking information are harsh. Yes you could go to jail. Yes you could pay a hefty fine. Make sure you research these laws. Never....Never.....Never call a bank and use deceit to locate a debtor’s bank account. Never act like you are the debtor when you call the bank..... I mean never.... Don’t do it.....

There are other ways to find their banking information. I will use the debtor’s examination as a starting point to finding their banking information. The debtor’s examination is also used to subpoena records from anyone that has done business with the debtor. The debtor’s examination will be discussed later in this manual.

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What Forms to Use

There are forms that will need to be filed with the court and served on the debtor once you locate the debtor, assets, employer and bank accounts. The following are the forms that I most commonly use in the collection of judgments:

- [EJ-130 Writ of Execution \(Money Judgment\)](#)
- [WG-001 Application for Earnings Withholding Order](#)
- [WG-002 Earnings Withholding Order](#)
- [WG-005 Employer's Return \(Wage Garnishment\)](#)
- [EJ-001 Abstract of Judgment – Civil and Small](#)
- [SC-134 Order to Produce Statement of Assets and to Appear for Examination](#)
- [SC-133 Judgment Debtor's Statement of Assets](#)
- [SC-107 Small Claims Subpoena for Personal Appearance and Production of Documents](#)

How to Recover the Fees I Paid to Collect the Judgment

There are fees that you will have to pay to recover the judgment. The most common fees are paid to file the Writ of Execution, [process server Sacramento](#) and the fees paid to a private investigator for research on the debtor. The Memorandum of Costs After Judgment form is used to recover the fees paid to collect on a judgment. You will have to list the fees on this form and file with the court. You will not be able to recover the fee paid for this manual but you may be able to recover the fee paid to our firm for conducting an asset/employment search of the debtor.

How to Conduct a Debtors Examination

This is one of my favorite **strategies to use pressure on the debtor and get them to pay**. This is the way I get other people and companies involved in the debtor's business. This is how I find the debtor's banking info as I told you about earlier. The short version of the Debtors examination is you are trying to find out as much information on the debtor as possible. You are going to subpoena records from the debtor's landlord, the debtor's lenders, and anyone else who may have knowledge about the debtor's finances. You will file and I will serve [SC-134 Order to Produce Statement of Assets and to Appear for Examination](#). Once the court assigns you a court date, you will have to have a Sacramento Process Server personally serve the judgment debtor. You will also complete [SC-107 Small Claims Subpoena for Personal Appearance and Production of Documents](#). Each creditor, landlord, utility company will be served a SC-107. This will require the creditors to send info on the debtor to the court which will be give to you. Here is the fun part. You are asking the creditor for banking information of the debtor and they have to give it to you. You will see an example of this in the example case. I have several forms that I attach to the Civil Subpoena (Duces Tecum) for Personal Appearance which is included in the example case.

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Secret Tip. *Do you want to know the type of car the judgment debtor drove to court? I can come to the debtor's examination and watch the debtor as they go to their car. I may be able to run a computer search to find the lien holder of the vehicle. Serve the lien holder asking for application and information on all payment received including copies of front and back of all checks written to pay on the vehicle.*

Example Case from Start to Finish

I am titling this an example case but it is an actual case that I am working on. The forms are the same forms that I filed with the court.

Here are the facts of the case:

In 2003, a person filed a small claims lawsuit and was awarded a judgment in the amount of \$3397.61. The person was unable to collect anything so they contacted my office for assistance. I started a Judgment Debtor Investigation and determined that the debtor owned three houses. I drove by the houses and determined that one of the houses was listed for sale. I wrote down the real estate agents contact information.

I filed a Writ of Execution (Money Judgment) with the court. If you are having trouble with the interest amount, take the form to the clerk and they may help you in your figures. I forgot to cover earlier on how interest is calculated. You are entitled interest from the day that you are awarded the judgment. Each jurisdiction may have a different interest rate. The interest is added to the judgment by including it in the Memorandum of Costs After Judgment.

Since the debtor owned property that was actively for sale, I wanted to make sure that the judgment would be paid out of the proceeds of the sale of the house. I completed the Abstract of Civil Judgment –Civil and Small Claim. I took this form with me when I filed the Writ of Execution. The clerk at the court house will stamp the Abstract of Judgment and give it back to you. I took this Abstract of Judgment and filed it with the county recorder in the county where the debtor owned property. I made sure the clerk at the recorders office gave me a copy of the filed Abstract of Judgment.

I then called the real estate agent and determined which title company was handling the sale of the house. Once I had this information, I decided to subpoena the title company records of the debtor. I completed the Civil Subpoena (Duces Tecum) for Personal Appearance and Production of Documents for the Title Company. I took the form to the court clerk and the stamped it. I then had a process server serve the title company. The title company is a corporation so their agent for service of process was located on the California Secretary of State's website. You would use this same website when doing a wage garnishment and the employer was a corporation.

I also completed the [SC-107 Small Claims Subpoena for Personal Appearance and Production of Documents](#) for the lenders of the houses owned by the debtor. These were also taken and stamped by the court clerk and served by a process server. Guess

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what was mailed to me by one of the mortgage companies. Not only did I get all the loan information on the debtor. I got his mortgage applications as well as banking information. The debtor had paid his mortgage payment online and the mortgage company had his banking information which they were required to give me.

With the banking information, I filed the Notice of Levy under the writ of Execution (Money Judgment) with the sheriffs department. Guess what. The debtor had money in this account which was seized by the Sheriff and the Sheriff sent the check to me. I sent the original creditor their share of the judgment.

I have several attachments that can be used with the filing the [SC-134 Order to Produce Statement of Assets and to Appear for Examination](#) & [SC-107 Small Claims Subpoena for Personal Appearance and Production of Documents](#). I will give you copies of these attachments if you hire me to conduct a Judgment Debtor Investigation.

Since this debtor didn't work, I couldn't garnish their wages. The amount currently collected on this judgment didn't satisfy this judgment so my next step is to have the sheriff sell the real estate to satisfy the judgment. I doubt that it will go to that extent so I am hoping by my filing the forms to start the sale the debtor will just pay me off.

Remember that this manual is your guide to assist you in collecting your own judgment.

Other Services

Our firm will conduct a Judgement Collection Agency Private Investigation in the Sacramento County area. I will utilize my 25 years of investigative experience to find the assets and money. There is no guarantee that I will find anything. Sometimes judgment debtors are uncollectable.

First Step

1. Order a [Judgement Collection Agency Debtor Evaluation](#) - \$50. This evaluation will determine if the judgment debtor is local and has any assets, jobs, friends ect. This is also a great search to do before you file your case to determine if the debtor has any assets.
2. Order a [Judgement Collection Agency Private Investigation](#) - \$200. This fee gets you up to 5 hours of Private Investigation in the Sacramento County Area. This may include computer background work, visiting debtors home, work, talking to employer, following the debtor to work, talking to neighbors or the debtor themselves, making a list of creditors located that can be served [SC-107 Small Claims Subpoena for Personal Appearance and Production of Documents](#), attending the debtor's examination, and other appropriate investigative tasks. This does not include document preparation, process service, court document filling. These fees are extra. This price is for if everything is done online. Add \$25 to the price if we have to meet up to exchange documents.

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The Judgment Debtor Investigation fee may be recoverable from the judgment debtor. Order the Judgment Debtor Investigation and I will provide sample form to submit to court to recover the fees allowed.

Here are the instructions on filling out court forms that I obtained from the court.

If the debtor is employed, you can get an *Earnings Withholding Order* to garnish the debtor's wages until you are paid. You have the right to collect up to 25 percent of the amount over the federal minimum wage that the debtor earns (as long as it is not exempt under other rules). This only works if the other person is employed by someone else. A wage garnishment does not work against someone who is self-employed.

1. Ask the court to issue a *Writ of Execution* ([Form EJ-130](#)). Click to learn [how to ask for a Writ of Execution](#).
2. Prepare an *Application for Earnings Withholding Order (Wage Garnishment)* ([Form WG-001](#)).
3. Hire a [process server Sacramento](#) or the [sheriff/marshal](#) to serve the employer with the necessary papers for the wage garnishment.
4. The process server or sheriff/marshal will usually fill out the *Earnings Withholding Order* ([Form WG-002](#)) using the information from the *Writ of Execution*. But you may have to fill it out yourself. This form has instructions on the back for the employer explaining how much money to garnish (take) from the debtor's wages.
5. The process server or sheriff/marshal must also serve the employer with the *Employer's Return (Wage Garnishment)* ([Form WG-005](#)) and *Employee Instructions (Wage Garnishment)* ([Form WG-003](#)). You may have to provide these forms to the process server or sheriff/marshal.

The debtor has 10 days to file a *Claim of Exemption* ([Form WG-006](#)) . If the debtor does file this claim, you have the right to oppose it. Click to learn about a [Claim of Exemption for wage garnishments](#) and [how to oppose it](#).



You can get a levy on the debtor's bank account or safe deposit box. You will need to know the branch where the accounts are kept, and sometimes you also have to know the account number. Check with your [small claims advisor](#) or [sheriff/marshal](#) for more information on the procedures in your county.

1. Ask the court to issue a *Writ of Execution* ([Form EJ-130](#)). Click to learn [how to ask for a Writ of Execution](#).
2. Then prepare instructions for the sheriff/marshal explaining what you want them to levy (take). Check with your levying officers to see if they have a local form or prepare your own. Click to [find your local sheriff](#).
3. In many counties you will need to hire a process server to serve the bank with the *Notice of Levy (Enforcement of Judgment)* ([Form EJ-150](#)) in order to get the money from the account or property from the safe deposit box. If you hire a process server, he or she generally will prepare the instructions as a part of their fee.
4. At the time of levy or promptly after the levy, a process server or sheriff/marshal must also serve (personally or by mail) the judgment debtor with copies of the writ, notice of levy, and the *Exemptions From the Enforcement of Judgments* ([Form EJ-155](#)). Check to see if you are responsible for providing these forms for service.

The judgment debtor has 10 days to oppose the bank levy before the sheriff sends the money to the creditor. The debtor has to file a *Claim of Exemption* ([Form EJ-160](#)). If he or she does, you have the right to oppose it. The court then may have a hearing to decide whether to turn all or some of the money over to you as the creditor or let the judgment debtor keep it.

Click to learn about a [Claim of Exemption for levies or other nonwage garnishments](#) and [how to oppose it](#).

To collect from a debtor who will not pay you, you can file a lien on the debtor's real property (like a house or land). This way when the debtor tries to sell or refinance his or her home, you can get paid your judgment plus accrued interest from the escrow. If you choose not to wait for the debtor to sell or refinance the property, you can look into "foreclosing" on the judgment lien. This means that you force the debtor to sell the property and pay you with that money. This only works when there is enough equity in the property to pay all the liens as well as the costs of foreclosure.

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1. Prepare an *Abstract of Judgment — Civil and Small Claims* ([Form EJ-001](#)). All the required information must be included or the lien will not be valid.
2. Take or mail 2 copies of the completed *Abstract of Judgment* to the court so that the *Abstract* can be certified by the clerk of the court. There is a fee (about \$25) for this. If you use mail, be sure to include an envelope addressed to yourself and with sufficient postage so that the court can return the certified *Abstract of Judgment* to you.
3. Take the certified *Abstract of Judgment* and 1 copy to the county recorder's office in the county where you believe the debtor owns real property. Click to [find a county recorder](#). There will be a recording fee (about \$20).
4. The county recorder will provide notice to the debtor that you have recorded the *Abstract of Judgment*.
5. You will not be paid automatically, but if the debtor refinances or sells the property, you may get paid your money with interest.
6. If you believe the debtor owns property in more than 1 county, you will have to repeat this process for each county. Only 1 *Abstract of Judgment* needs to be recorded per county, even if there are multiple properties within a single county.

Some county assessors will confirm if a debtor owns real property over the phone, or you may be able to find that information online at the county assessor's website. Click to [find your county tax assessor](#).



Having the debtor's house or other real property sold at public auction

You can have the sheriff or marshal take the debtor's real property and have it sold at public auction. For more information, check out [California Code of Civil Procedure sections 700.015, 701.540 through 701.680, and 704.710 through 704.850](#).

This is a relatively complex way to collect a judgment. If you still want to do it, follow these steps:

- Start by getting information about the real property from the [county assessor's office](#) and the [county recorder's office](#). Does a bank or other lender have an interest in the property? Are there other owners of the property?
- Have the court issue a *Writ of Execution* ([Form EJ-130](#)) to the sheriff or marshal in the county where the real property is located. Click to [learn how to ask for a Writ of Execution](#).
- Give the sheriff or marshal written instructions and pay their fees. Click to [find your county sheriff](#). The sheriff will probably have a form of "Real Property Levy Instructions." The fees will probably be about \$1,000.
- An officer will then serve a Notice of Levy on the debtor and you.
- If the real property is a dwelling, you must ask the court for an order of sale. You must do this within 20 days of receiving notice that the levy has been made. You can use a *Request for Court Order and Answer* ([Form SC-105](#)) to do this.
- After 120 days, an officer will then serve a "Notice of Sale" on the debtor. The notice will be posted in a public place and on the property. It is served on the occupant of the property, if there is one. The notice also is published in the local newspaper and mailed to any lienholders.
- Proceeds from the sale must be distributed within 30 days after the sale.

You can have the sheriff take the debtor's personal property and sell it at public auction to pay the debt.

This personal property can include things like:

- Audio equipment, televisions, or musical instruments;
- Computers;
- Coin collections;
- Jewelry;
- Rare books, etc.

But, often, the cost of doing this is more than the value of the property, so make sure that the property you want the sheriff to take and sell will be worth all the effort and money.

If you decide you want to try this collection method, you must:

1. Ask the court to issue a *Writ of Possession* ([Form EJ-130](#)) directed to the sheriff or marshal in the county where the property is located. Click to [learn how to ask for a Writ of Execution](#).

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2. Give the sheriff/marshal or a registered process server written instructions. If you hire a process server, he or she generally will prepare the instructions as a part of their fee.
3. A *Notice of Levy (Enforcement of Judgment)* ([Form EJ-150](#)) is then prepared and served on the debtor, instructing him or her to turn the property over to the levying officer.
4. The sheriff/marshal only makes a demand for the property (and does not forcibly take it) when serving the debtor with the *Notice of Levy* and advises the debtor that he or she may be liable for attorney fees and costs.
5. If the debtor does not deliver the property, the sheriff takes no further action to obtain the property and notifies you that the property was not delivered to the sheriff or marshal. If this occurs, you will need to [get a seizure or turnover order](#) from the court. Talk to your court's [small claims advisor](#) for more information.



Getting the sheriff to take the debtor's car and sell it

One of the items of personal property you can put a lien on is the debtor's car. After you put the lien, the sheriff will seize (take) the car and sell it. This process is fairly expensive. Also, there often is not enough value, if any, left in the car to pay very much of the judgment.

But if you decide you would like to do this, follow these steps:

1. Start by getting information about the car including its identification number (VIN), make, model, color, license number, and physical location. If possible, also find out if a bank or other lender has an interest in the car.
2. Ask the court to issue a *Writ of Sale* or a *Writ of Possession* ([Form EJ-130](#)) directed to the sheriff or marshal in the county where the vehicle is located. Click to [learn how to ask for a Writ of Execution](#).
3. Give the sheriff/marshal written instructions that describe the car as thoroughly as possible and pay their fees and deposit (about \$1,000).
4. An officer will then physically remove the car and store it. Daily storage costs will accumulate until the car is sold.
5. The sheriff/marshal then advertises the public auction of the car and gives notice to the debtor.
6. If the car is sold at auction, before you get paid, the sheriff's fees (like the storage costs) will be paid. Also, the debtor is entitled to around \$2,300 of the proceeds of the sale if this is his or her only car. And any loans against the car will be paid first.

If the debtor has a lawsuit against someone else, you may be able to put a lien on the money the debtor hopes to get (his or her recovery) if he or she wins that lawsuit.

You can place a lien on the debtor's recovery in a pending lawsuit by:

- Having the court issue an *Abstract of Judgment — Civil and Small Claims* ([Form EJ-001](#)). The fee for this is usually about \$25.
- Prepare a *Notice of Lien* ([Form EJ-185](#)).
- File the 2 forms with the court where the debtor's lawsuit is pending.
- Personally serve or mail copies of the documents to all of the parties in the debtor's lawsuit.
- Check out [California Code of Civil Procedure sections 708.410 through 708.480](#).

When a court issues a *Writ of Execution* ([Form EJ-130](#)), the court directs the sheriff or marshal to enforce the judgment in your case in the county where the assets are located.

- Writs of execution are only good for 180 days.
- When you give your *Writ of Execution* to the sheriff's department to enforce your judgment (as most collection methods require), include in your instructions that you want the sheriff to keep the writ open for 180 days (so you can try different collection methods during the life of the writ).

Getting a writ of execution may be a required first step in enforcing your judgment and is the most common method of reaching a judgment debtor's interest in real and personal property.

To ask the court to issue a writ, you will have to prepare the *Writ of Execution* ([Form EJ-130](#)) and sometimes an affidavit supporting the writ of execution, where you explain why you need the writ to collect on your judgment.

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Courts may deal with writs of execution differently:

- You may just have to file the writ and the affidavit and wait for the judge's decision. If the judge agrees with you, the court will issue you a *Writ of Execution*.
- In some cases, you may have to ask for a hearing in front of the judge and maybe even give notice to the debtor that you are going to court to get a *Writ of Execution*.

Talk to the clerk at your local court to find out how your court handles this process.

