SYNDICATE LEGAL ADVISORY SERVICES

COLLECTIONS / JUDGMENT DEBTOR EXAM

Syndicate Legal Advisory Services – *Judgment Debtor Exam*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

If you win your case, the money the court awards you is the *Judgment*. You are the *Judgment Creditor*. The person or entity that owes you money is the *Judgment Debtor*. If you do not know what assets the Debtor has, you can ask for a *Judgment Debtor Hearing*. At the Judgment Debtor Hearing, you can ask questions about the Debtor's job, bank account, home, car, and other assets. This information helps you decide where to send the Sheriff to collect your Money (see "*Writ of Execution*").

During the Judgment Debtor Hearing, you can also examine a third-party that has specific financial information about the Judgment Debtor's Finances. For example, a real estate broker would have information on commissions owed to a real estate agent working under his license.

What Information the Debtor May be Required to bring to the Hearing:

- Driver License
- Social Security Card
- Marriage Certificate
- Name & Address of Employer
- Most Recent Paycheck Receipts or Stubs
- All Bank Account Statements
- All Real Estate Deeds for Property Owned by the Debtor

Note: to order the Judgment Debtor to bring this information, it must be detailed in the *Subpoena.*

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Getting a Subpoena:
We will prepare a Subpoena Duces Tecum that orders the Judgment Debtor to bring financial information to the Judgment Debtor Hearing.

What if the Judgment Debtor Lives Far Away:
If the Judgment Debtor lives more than 150 Miles away from the Court where the Judgment was entered, it is a requirement to request a hearing at a Court in the County where the Judgment Debtor lives.

The Judgment Debtor Hearing:
At the hearing, you can question the Debtor about his/her job, bank account, home, car, and other assets. The hearing is not recorded, so be prepared to write down the information you get. *You can also ask the Judge to have the Judgment Debtor empty their pockets and you can take any cash they brought with them to the hearing!!*

After the Hearing:
The information gained at the Judgment Debtor Hearing can be used to have the Sheriff collect your judgment. If you did not get information that will help you collect your money, you can try again. You are allowed to ask for a Judgment Debtor hearing every 120 days.

If the Judgment Debtor Fails to Appear for the Judgment Debtor Hearing:
If the Judgment Debtor fails to appear, you can ask the Judge to issue a bench warrant. A bench warrant orders the Judgment Debtor to contact the court to schedule a new hearing or the bench warrant will not be recalled by the court. You must pay the Sheriff a fee to issue the bench warrant.

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