SYNDICATE LEGAL ADVISORY SERVICES

WRIT OF EXECUTION

Syndicate Legal Advisory Services – *Writ of Execution*

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 called the "*Judgment*". You are the "*Judgment Creditor*." The person or entity that owes you the money is the "*Judgment Debtor*." The Judgment Debtor has Thirty (30) days from the mailing of the entry of Judgment to pay you the money ordered by the court, or they must do one of the following:

- File a Request for Time Payments;
- File an Appeal; or
- If they did not appear, file a Motion to Vacate Judgment

How do I Collect My Money?
If the Judgment Debtor does not pay you within 30 days from the mailing of the *Entry of Judgment*, there are ways the Sheriff can help you collect your money. To collect money, you must first get a ***Writ of Execution***. A ***Writ of Execution*** is an order from the court to the Sheriff that allows the Sheriff to collect money owed to you. We can prepare a Writ of Execution to be filed with the County Court Clerk's Office. Once the Write of Execution has been signed by the Clerk of Court, here are some ways the Sheriff can help collect your money:

- If you know where the Judgment Debtor banks, you can ask the Sheriff to collect money from their account (***bank account levy***).
- If you know where the Judgment Debtor works, the Sheriff can collect 25% of the debtor's wages each pay period until your judgment is paid in full (***wage garnishment***).
- If the Judgment Debtor is a business and uses a cash register, you can instruct the Sheriff to do a ***Till Tap***. This lets the Sheriff make a single trip to the business and take all cash and checks from the cash register.
- You can also request a ***Keeper***. This lets the Sheriff stay at the business location for eight hours or more and collect all cash and checks received that day.

Syndicate Legal Advisory Services – *Writ of Execution*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

Once the Write of Execution is signed by the Court, we complete the "Sheriff's Instructions" to let the Sheriff know which of the above you want done. Each County has fees they charge for each of these services.

How Can I Find Out Where the Judgment Debtor Works or Banks?
We can assist you in requesting a Judgment Debtor Hearing.

What Else can I do to Collect?
Here are three (3) other ways you can put pressure on the Judgment Debtor to pay your Judgment.

•**Place a Lien on Property:** If the Judgment Debtor owns real estate, we can assist you in placing a lien on their property. If you do this, the Judgment Debtor will not be able to sell or refinance that property without paying you first. To do this, we assist you in completing an Abstract Judgment Form and filing that with the County Clerk's Office. After the County Clerk stamps it, we record it it at the County Recorder's Office in the County where the property is located.

•**Suspend the Debtor's Driver License:** If your judgment involves an automobile accident, the Department of Motor Vehicles can suspend the Judgment Debtor's Driver License until payment is made.

•**Place a Lien on a Business:** If your judgment is against a business, you can record a lien with the Secretary of State's Office. To do this, we can assist you in preparing a Notice of Judgment Lien, serving a copy of the Notice of Judgment Lien on the Judgment Debtor (personal service), and filing the Notice of Judgment Lien with the Secretary of State.

Syndicate Legal Advisory Services – *Writ of Execution*

SYNDICATE LEGAL ADVISORY SERVICES

Team of:
Attorneys / Lawyers
Law Clerks
Paralegals
Industry Specialists

- **Can I Add Collection Costs and Interest to my Judgment?**
  Yes. You can add your collection costs plus ten (10) percent interest per year onto your judgment. To this, we will assist you in preparing a "Memorandum of Costs After Judgment", "Acknowledgment of Credit", and "Declaration of Accrued Interest" and filing that with the County Clerk's Office. You have two years from the date you paid to add collection costs to your judgment. You can add interest any time prior to collection.

- **How Long do I Have to Collect the Judgment?**
  You have ten (10) years from the date of the Judgment was issued to collect your money. If you cannot collect within ten (10) year, you can renew the Judgment for another ten (10) years by filing an "*Application for Renewal of Judgment*" and "*Notice of Renewal of Judgment*." These forms must be filed with the Clerk's Office before the end of the ten (10) year period. The Judgment Debtor must be served, and Proof of Service must be filed with the Court.

SYNDICATE LEGAL ADVISORY SERVICES

WWW.SYNDICATELEGALADVISORY.COM