



SMALL CLAIMS-HOW TO COLLECT YOUR MONEY AFTER YOU WIN YOUR CASE

You have won your case and have a signed Judgment. You are now the “Judgment Creditor.” The person who owes you money is the “Judgment Debtor.”

The court ordered the debtor to pay you, but collecting your judgment (the money owed to you), may not be easy. This information sheet explains the different ways to collect your money, even if the debtor does not want to pay you.

Do I have to collect the money myself or will the Court do this for me?

The Court will not collect the money for you, but the Court will issue the orders and other documents required to force the debtor to pay you.

When can I collect my money?

You must wait 30 days from the date your Judgment was entered to begin collecting your money. This gives the debtor time to file an appeal if they choose to, pay you voluntarily, ask the court for a payment plan, or send you a [Judgment Debtor's Statement of Assets](#) (Form SC-133).

How much time do I have to Collect my Judgment?

You have 10 years to collect your Judgment. After the 10 years have passed you can ask the Court to renew your Judgment for another 10 years. During this time you can collect Interest on your Judgment. The Court allows 10% simple interest per year.

For example – *If your Judgment is for \$1,000, in two years, you would be owed \$1,000 in principal, plus \$200 in interest. If you have not been paid, you can ask the court to renew your Judgment – to add the interest to the principal – so your new principal would be \$1,200.*

If the debtor does not file an appeal, how can I find out what assets they have?

You have a right to know about the debtor's property and assets so you can collect your Judgment. To find out this information you can ask for a *Debtor's Examination*. This is your chance to ask the debtor about his/her property/assets. (an asset is anything that has value, like a paycheck, bank account, house, etc.) The following steps explain how to do a *Debtor's Examination*:

- Fill out Form SC-134 ([Application and Order to Produce Statement of Assets and Appear for Examination](#)) You will need 3 copies.
- Fill out the top part of the Form SC-133 ([Judgment Debtor's Statement of Assets](#)). If you want the debtor to bring financial records/information to the hearing, fill out Form SC-107 ([Subpoena Duces Tecum](#)) Take the forms to the clerk at “Public Filing” window and you will be given a hearing date.
- A registered process server or sheriff must personally serve the documents on the debtor.
- Finally, attend your hearing date and bring a list of questions to ask about the debtor's property, the debtor's job, the debtor's bank accounts, and any other assets the debtor may have.

What do I do after the Debtor's Examination Hearing or if I already know what the debtor's assets are?

Once you know about the debtor's assets and where they are, fill out a [Writ of Execution](#) (Form EJ-130) and file it with the court clerk. There is a filing fee to process the Writ.

Note: You must have a separate Writ of Execution for each county where your debtor has assets or a job that you want to levy against to collect your Judgment.

What do I do with the Writ of Execution?

Take the Writ to the County Sheriff's Department and pay a fee to have the Sheriff serve the Writ of Execution. You cannot serve the Writ yourself. You must provide the information that you have about the debtor's assets and where they are located to the Sheriff. You must also tell the Sheriff which method to use to collect the Judgment. These include:

- Bank Levy
- Wage Garnishment ([Form WG-001 Application for Earnings Withholding Order](#))

What is a bank Levy?

A bank levy requires a bank to take money out of the Debtor's account and gives it to the levying officer (the Sheriff). The officer then will send you the money.

What is a Wage Garnishment?

A Wage Garnishment requires the debtor's employer to withhold up to 25% of the debtor's gross earnings until the debt is paid in full.

How do I put a lien on the debtor's real property?

A lien means that the debtor will not be able to sell his/her property until your Judgment has been paid. To do this you must: Fill out an [Abstract of Judgment](#) (Form EJ-001) and file it with the court clerk. There is a filing fee to process the Abstract of Judgment. Take or mail the Abstract of Judgment to the County Recorder's office in the county where you believe the debtor owns real property. When the debtor sells the property, you will be paid prior to the sale.

What happens after I get my money?

You must file an [Acknowledgment of Satisfaction of Judgment](#) (Form EJ-100) with the Court after the debtor pays the Judgment. If you put liens on the debtor's property, you must now remove them by taking a certified copy of the Acknowledgement of Satisfaction of Judgment to the County Recorder's Office.

How can I get more help?

The Small Claims Advisor can answer your questions about your case and assist with your forms. For the Small Claims Advisor's Onsite Schedule, please contact your local courthouse or [click here](#).

For the Small Claims Workshop Calendar [click here](#).

You can also reach the Small Claims Legal Advisor by telephone at:
Riverside: (951) 274-4499
Desert Region: (760) 393-2163, or
By E-mail at:
smallclaimsadvisor@riverside.courts.ca.gov