

COLLECTING YOUR JUDGMENT

(forms supplied upon request)

Your JUDGMENT requires the losing party (called "debtor" below) to pay you a sum of money, plus interest and court costs. This Court offers four proceedings to help you collect. Unless you have a default judgment or a consent judgment, you must wait **10 days** from the date of the judgment before you file a proceeding to collect.

POST-JUDGMENT INTERROGATORIES

Collection proceedings require that you have information about the debtor's personal property (cars, furniture, etc), real property (house, land, etc.) or where the debtor works or banks. At your request, the Court can serve the debtor with seven (7) questions, called post judgment interrogatories that the debtor must answer under oath, about the debtor's property, bank, employer, etc. A debtor who willfully refuses to answer, may be tried for contempt and jailed if convicted. The cost for this procedure is **\$10.00** and may be served by certified mail or overnight delivery. You may also have them served by the Sheriff's Office for the service fee of **\$50.00**.

REGULAR GARNISHMENT

In a "regular" garnishment, the Court orders the debtor's bank, credit union, other financial institution or firm to turn over to the Court to pay your judgment, any money, bonds, payments, etc. in the debtor's account or held for the debtor. The filing cost for a regular garnishment is **\$108.00**.

CONTINUING GARNISHMENT OF WAGES

In this type of garnishment, the Court orders the debtor's employer to deduct a certain amount from the debtor's paycheck each pay period and turn it over to the Court every 45 days for up to 6 months. The employer must deduct the amount the debtor earns that exceeds 30 times the minimum wage or 25% of the debtor's disposable income, whichever is less. Certain pensions, welfare and disability payments, however, may not be garnished. A continuing garnishment can be filed every 6 months until the judgment is paid in full. The filing cost for this garnishment is also **\$108.00**.

LEVY AND SALE

This Court can issue a *fifa* or writ of execution ordering the Sheriff to take enough of the debtor's personal and real property to pay your judgment, advertise and sell it, and pay you the sales proceeds left after legal cost and superior claims are deducted. This process can be repeated until your judgment is paid in full. The cost for issuing *fifa* is **\$4.00** (payable to the Magistrate Court) plus cost of recording, **\$25.00** (payable to the Clerk of Court — must be local check, Dougherty County, or money order). The cost of the levy is **\$50.00** (payable to the Dougherty County Sheriff's Office).