



SUPERIOR COURT OF CALIFORNIA

COUNTY OF TULARE

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SMALL CLAIMS

Part 2: Post-Judgment & Collections

Forms included in this packet:		
JUDGMENT DEBTOR FORMS	SC-220	Request to Make Payments
	EJ-165	Financial Statement
	SC-133	Judgment Debtor's Statement of Assets
	SC-140	Notice of Appeal
	SC-135	Notice of Motion to Vacate Judgment and Declaration
JUDGMENT CREDITOR FORMS	EJ-130	Writ of Execution
	EJ-001	Abstract of Judgment – Civil and Small Claims
	SC-134	Order to Produce Statement of Assets and to Appear for Examination
	SC-107	Small Claims Subpoena and Declaration
	SC-136	Order to Produce Financial Statement or Appear for Examination-Consumer Debt
	EJ-141	Application and Order to Appear for Examination-Consumer Debt
	AT-138 / EJ-125	Application and Order for Appearance and Examination

IMPORTANT NOTICE:

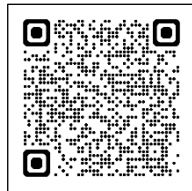
The Self-Help Resource Center (SHRC) is providing this packet as a courtesy, because the SHRC does not assist with *post-judgment collections in Small Claims cases*. If the court ordered the other party to pay you, you must take the necessary steps to collect the money--the court *will not collect the money for you*. This process can be complicated, and may take considerable time, effort, and money. Speak with an attorney if you have specific questions about your case.

*****NOTHING IN THIS GUIDE SHOULD BE CONSIDERED LEGAL ADVICE*****

Small Claims – Part 2: Post-Judgment & Collections

Completing Forms:

- California Court forms: Fillable, printable PDF versions of the forms referenced in this packet are available at the California Court website. For details, visit: <https://courts.ca.gov/rules-forms/find-your-court-forms>
- Legal packets and samples: The Tulare County Superior Court’s website offers many packets and samples. For a current list, scan the QR code below, or visit: <https://www.tulare.courts.ca.gov/forms-filing/local-forms-information-filing-instructions>



Self-Help Resource Center:

If you do not have an attorney representing you, free procedural assistance is available. Contact the Self-Help Resource Center (SHRC), also known as the Office of the Family Law Facilitator. SHRC staff will provide instructions on how to complete forms, how to serve the other party, and can answer procedural questions. However, SHRC staff **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The SHRC can be reached at (559) 737-5500 and selfhelp@tulare.courts.ca.gov, and offices are located at:

County Civic Center

221 S. Mooney Blvd., Room 203
Visalia, CA 93291

South County Justice Center

300 E. Olive Ave.
Porterville, CA 93257

Other Resources:

If you have further questions or concerns, consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct research on your legal issue and find additional information at:

- California Courts’ Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
 - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available at the South County Justice Center in the Self-Help Resource Center lobby.
- Sacramento County Public Law Library: <https://saclaw.org/>

INSTRUCTIONS

This packet, entitled, ***Small Claims – Part 2: Post-Judgment & Collections***, provides information about what to do after the court has entered a judgment in your small claims case. The terms of the judgment will be on Page 1 of form **SC-130, Notice of Entry of Judgment**, and will indicate which party owes money, how much they owe, and whether payments can be paid in monthly installments.

- If you lost the case and owe money, you are the **judgment debtor**.
- If you won the case and can collect money, you are the **judgment creditor**.

Clerk's Certificate of Mailing: The date that the judgment was mailed to the parties will be listed at **Item 14** on form **SC-130**. ***This mailing date is extremely important - it determines deadlines for appeal, collection, and more.***

After you know what the judge decided and when the **Judgment** was mailed, read the following for an overview of post-judgment options:

- Page 2 of the **SC-130, Notice of Entry of Judgment**, and
- **SC-200-INFO, What to Do After the Court Decides Your Small Claims Case**.

Forms referenced but not included in this packet are available on the California Court forms website (see *URL on page 2*).

OPTIONS FOR THE JUDGMENT DEBTOR

If the court ordered you to pay money to the judgment creditor, you have 30 days from the date form **SC-130, Notice of Entry of Judgment** was mailed to pay the judgment, appeal the judgment, or motion to vacate the judgment. There are severe consequences for not paying: you can have your paycheck garnished, your bank account levied, and a lien can be placed on property that you own. The judgment may also show up on your credit report. If the case is about a car accident in California, the DMV could suspend your license.

Pay the Judgment

After you pay, make sure the judgment creditor files form **SC-290, Acknowledgment of Satisfaction of Judgment**. If they don't file this within 14 days, you can ask the court clerk to enter a "*satisfaction of judgment*" if you can prove you paid the full amount with the interest and costs.

If you don't pay, tell the judgment creditor what you earn and own

If you don't pay within 30 days, you must complete form **SC-133, Judgment Debtor's Statement of Assets**, and mail this to the judgment creditor. This form asks for information about where you work, bank, and own property. You should have received this with form **SC-130**.

Request to Pay in Installments

If the judgment ordered you to pay in a single lump sum but you can't pay all at once, you can request to pay in monthly installments. Follow these steps:

- Complete forms **SC-220, Request to Make Payments** and **EJ-165, Financial Statement**, and make two copies of each (*make additional copies if more than one judgment creditor*).
- Bring the original and copies to the Clerk of Court for filing. There is no filing fee.
- The clerk will keep the original and mail a copy to the judgment creditor. The other copy is for you.
- The judgment creditor has 10 days to file a response.
 - If they don't respond, the judge will assume that they agree to a payment plan.
 - If they file a response indicating that they disagree, the court will set a hearing to decide whether an installment plan is appropriate after reviewing your income and expenses.
- Both parties will be mailed the decision allowing payments or a notice with a court date.

Stop the interest: If the judge allows you to make payments, the judge can also decide to stop interest from accruing as long as you're keeping up with the payments. The judge does not have to do this if the other side disagrees, so read the judge's decision carefully to figure out if you will owe interest while paying installments.

Appeal the Judgment

If you attended the trial and you disagree with the court's decision that you owe money, you can appeal. Your appeal must be filed within 30 days from the date the clerk mailed form **SC-130, Notice of Entry of Judgment**. Follow these steps:

- Complete form **SC-140, Notice of Appeal**, and make two copies.
- Bring the original and copies to the Clerk of Court for filing. Pay the filing fee or ask for a fee waiver.
- The clerk will give you a court date and will notify the other party of the hearing date by mail.
- At the appeal hearing, each party will have the opportunity to present evidence again, and parties may have an attorney represent them.

Note: If you were the defendant and countersued (*by filing a **Defendant's Claim***), but lost your counterclaim, you **cannot** appeal. The court's decision on your counterclaim is final.

Motion to Vacate the Judgment

If you did not attend the trial for a good reason (*such as a serious emergency*), you can ask the court to vacate (*cancel*) your judgment and give you a new trial date. Your motion to vacate must be filed within 30 days from the date the clerk mailed form **SC-130, Notice of Entry of Judgment**. Follow these steps:

- Complete form **SC-135, Notice of Motion to Vacate Judgment and Declaration**, and make two copies.
- Bring the original and copies to the Clerk of Court for filing. Pay the filing fee or ask for a fee waiver.
- The clerk will give you a court date and will notify the other party of the hearing date by mail.
- At the new hearing, tell the judicial officer why you didn't go to the court date. The judicial officer will decide if the judgment should be canceled.
 - If the judicial officer agrees to cancel the judgment, you may have a new trial that same day, or it may be set on another day.
 - If the court denies your request to vacate the judgment, you have 10 days from the date of the denial to file an appeal (see above).

Extended deadline for lack of service: If you were not served the *Plaintiff's Claim* the correct way or were never served at all, you have 180 days from when you found out about the judgment (*or should have found out*) to file the motion to vacate the judgment.

OPTIONS FOR THE JUDGMENT CREDITOR

If you won the case and the other party owes you money, ***you must collect your judgment yourself--the court will not collect it for you.*** However, you cannot take legal steps to collect the judgment until 30 days have passed, starting from the date that the clerk mailed the **SC-130, Notice of Entry of Judgment** to the parties. This 30-day window allows the judgment debtor the time to pay, appeal, or vacate the judgment. If the judgment debtor does not pay the full amount within the 30 days, they should have sent you their completed form **SC-133, Judgment Debtor's Statement of Assets**, detailing where they work, bank, and own property. You can use the information provided on this form to collect on the judgment. See details below.

Appeal the Judgment

- If you were the plaintiff and you lost (*the court decided that you are not owed any money*), you **cannot** appeal. The court's decision on your claim is final.
- If the defendant countersued you and the court decided you owe money, you are the judgment debtor and **can** appeal the decision. See above for more information.

After the judgment is paid

If the judgment debtor paid the judgment, you must complete and file a form within 14 days to notify the court that the judgment has been satisfied. Follow these steps:

- Complete an **Acknowledgement of Satisfaction of Judgment**. The appropriate form depends on whether an **Abstract of Judgment** was recorded (*see below for more information on property liens*):
 - If an **Abstract of Judgment** was not recorded, complete form **SC-290**.
 - If an **Abstract of Judgment** was recorded, complete form **EJ-100**.

- Make two copies of whichever form you completed.
- Bring the original and copies to the Clerk of Court for filing. The clerk will keep the original and give you back the copies. One copy is for you, and the other is for the judgment debtor.
- Give the **Acknowledgement of Satisfaction of Judgment** form to the judgment debtor.
 - If you completed form **SC-290**, you can mail a copy to the judgment debtor.
 - If you completed form **EJ-100**, you must have it served by someone 18 or older who is not a party to the case. The server will mail or hand-deliver form **EJ-100** to the judgment debtor, and then complete the appropriate **Proof of Service** form (either form **POS-020, Proof of Personal Service**, or form **POS-030, Proof of Service by First Class Mail**).
 - Make one copy of the **Proof of Service** and file with the Clerk of Court.
- If you put a property lien on the judgment debtor's property, you must remove them. Obtain a certified copy of form **EJ-100** and file it with each County Recorder's office where liens were placed.

Wage Garnishment

If you know where the judgment debtor works, you can collect money directly from their paycheck. There are limits to the amount that can be garnished, and some garnishments have priority over a small claims judgment, such as taxes and child support. In addition, some money may be exempt if the amount garnished will not allow the judgment debtor to pay their basic living expenses. Follow these steps:

- Complete form **EJ-130, Writ of Execution**, and bring to the Clerk of Court for filing. The clerk will file stamp the document to issue the **Writ**, which tells the Sheriff to enforce your judgment. Make one copy of form **EJ-130**.
- Complete form **WG-001, Application for Earnings Withholding Order**, and form **WG-015, Declaration of Address Verification**, and make one copy of each.
- Bring all forms (**EJ-130** and **WG-001, WG-015**) and copies to the Sheriff, who will serve them on the judgment debtor's employer.
- The employer will notify the judgment debtor of the order to garnish their wages.
- If any wages are garnished, the employer will send the payments to the Sheriff, who will then forward to you. The Sheriff will continue to collect funds until the debt is paid off.

Job change: If the judgment debtor changes jobs, repeat the same steps with their new employer.

Bank Levy

If you know where the judgment debtor banks, you can levy money directly from their bank account. Follow these steps:

- Complete form **EJ-130, Writ of Execution** and bring to the Clerk of Court for issuance of the **Writ**. Make one copy.
- Bring the **EJ-130** to the Sheriff.

- You may need to prepare **levy instructions** that give the Sheriff details about how and where to collect the money, for example: names on accounts and account numbers. Ask the Sheriff if they have a form for this purpose.
- The Sheriff will serve both the bank and the judgment debtor with the levy paperwork.
 - The bank will determine if the money can be taken or if any of the monies are exempt. Examples of exempt monies are Social Security, Social Security disability (SSD), Supplemental Security Income (SSI), and Public Pensions. If the bank thinks the money is exempt, it will send the Sheriff a written note saying why, and the Sheriff will forward this to you.
- If the bank takes the money, they will send the money to the Sheriff. However, the Sheriff must wait before releasing it to you to see how the judgment debtor responds.
- The judgment debtor has 15 days (*or 20 days if they received their notice in the mail*) to assert that their money is exempt. If so, they complete **Claim of Exemption** forms, give them to the Sheriff, who will then send to you.
 - If you agree that the money is exempt, you don't need to do anything; the Sheriff will return the money to the bank.
 - If you disagree and want a hearing on the issue, complete the following forms, make two copies, and bring to the Clerk of Court for filing.
 - **Notice of Opposition to Claim of Exemption (form EJ-170)**
 - **Notice of Hearing on Claim of Exemption (form EJ-175)**
- Bring both filed forms (**EJ-170** and **EJ-175**) and copies to the Sheriff to serve on the judgment debtor at least 10 days prior to the hearing.
- Attend the hearing and explain to the court why the money is not exempt.

Bank levies are one-time actions: The bank only takes out money one time for each levy. If you want to try to take money again or at a different bank, repeat the same steps.

Property Lien

If the judgment debtor owns real estate, you can put a lien on their property, which lets the public know that they owe you money. If the property is ever sold or refinanced, you may get paid. Follow these steps:

- Complete form **EJ-001, Abstract of Judgment**, which provides a summary of the small claims judgment.
- Bring form **EJ-001, Abstract of Judgment** to the Clerk of Court for certification, and make one copy.
- Bring the certified **EJ-001, Abstract of Judgment** and copy to the County Recorder's office.
- The County Recorder will inform the judgment debtor that your lien was recorded.

Property outside of Tulare County: If the judgment debtor owns property outside of Tulare County, make more copies. An **Abstract of Judgment** must be recorded in each county.

Debtor's Examination Hearing

A debtor's examination hearing is a legal process where a creditor can question a debtor about their financial situation to collect a judgment. Follow these steps:

If the Judgment debtor did not provide you their SC-133

- Complete form **SC-134, Order to Produce Statement of Assets and to Appear for Examination**, and make two copies.
- If you want the judgment debtor to bring documents to court like bank statements or pay stubs, complete form **SC-107, Small Claims Subpoena and Declaration**. Page 2 has a list of common documents.
- Bring your forms (**SC-134** and **SC-107**, if necessary) and copies to the Clerk of Court to obtain a court date and have the subpoena issued.
 - Make a copy of the issued **SC-107** for your records.
- Print out a blank **SC-133, Judgment Debtor's Statement of Assets**.
- Bring the filed **SC-134**, issued **SC-107**, and blank **SC-133** to the Sheriff for service on the judgment debtor.
 - The Sheriff may require **written instructions** with the judgment debtor's name, address, their description, and the best time of day to attempt service. Ask the Sheriff if they have a form for this purpose.
 - The judgment debtor must be served at least 30 days before the court hearing.
- Check with the Sheriff before your court date to find out whether the forms were served. If so, confirm that the Sheriff will file the **Proof of Service** form with the court.

If the Judgment debtor provided you their SC-133

If the judgment debtor already gave you form **SC-133, Judgment Debtor's Statement of Assets**, but you want to ask them questions at a debtor's examination hearing, follow these steps:

- Review form **SC-130, Notice of Entry of Judgment**, at **Item 10**, to determine whether the judgment concerns a consumer debt. This will determine which forms you'll complete.
 - If **Item 10** is marked, the judgment concerns a consumer debt.
 - If **Item 10** is not marked, the judgment does not concern a consumer debt.

Consumer Debt: Any debt accrued for personal, family, or household purposes.

Examples of consumer debt include: credit card debt, personal loans (*if taken out for personal expenses like medical bills or home improvements*), auto loans (*if the vehicle was purchased primarily for personal use*), student loans, and medical debt (*for medical services not covered by insurance that are primarily for personal health care*).

- If **Item 10** is marked (*the judgment concerns consumer debt*), complete one of the following forms, and make two copies:
 - **SC-136, Application and Order to Produce Financial Statement or Appear for Examination**
 - This form requires the judgment debtor to go to court to answer questions about their money and property, and requires the judgment debtor to bring their completed form **SC-133** to court.
 - Note: The judgment debtor may avoid going to court if they complete and serve you with form **EJ-144, Financial Statement—Consumer Debt**.
 - **EJ-141, Application and Order to Appear for Examination – Consumer Debt**
 - This form requires the judgment debtor to go to court to answer questions about their money and property, but *does not* require the judgment debtor to complete form **SC-133**.
- If **Item 10** is not marked (*the judgment does not concern consumer debt*), complete form **AT-138/EJ-125, Application and Order for Appearance and Examination**.
- If you want the judgment debtor to bring documents to court like bank statements or pay stubs, complete form **SUBP-002, Civil Subpoena**.
- Bring your forms and copies to the Clerk of Court to obtain a court date and have the subpoena issued.
 - Make a copy of the issued **SUBP-002** for your records.
- Print out a blank **SC-133, Judgment Debtor’s Statement of Assets** if you are asking that the judgment debtor provide this to you.
- Bring the filed Order to Appear (**SC-136, EJ-141, or AT-138/EJ-125**), issued **SUBP-002**, and blank **SC-133** to the Sheriff for service on the judgment debtor.
 - The Sheriff may require **written instructions** with the judgment debtor’s name, address, their description, and the best time of day to attempt service. Ask the Sheriff if they have a form for this purpose.
 - The judgment debtor must be served at least 30 days before the court hearing.
- Check with the Sheriff before your court date to find out whether the forms were served. If so, confirm that the Sheriff will file the **Proof of Service** form with the court

At the debtor’s examination hearing

- Ask the judgment debtor about how they get paid, where they bank, and if they own any real property. Once you know this information, follow the steps described above to garnish wages, levy their bank account, or place a lien on their property.
- If the judgment debtor fails to appear at the hearing, the court may issue a bench warrant for their arrest. This doesn’t mean they’ll be arrested right away, but they might be later.

Hearing limitation: You may only request one **Debtor’s Examination Hearing** per year.

Clerk stamps here when form is filed.

Read page 2 before you fill out this form.

① I am asking for permission to pay my **small claims** judgment in payments.

My name is: _____

Mailing address: _____

Phone: _____ Email (optional): _____

② On (date): _____, the court made the decision (judgment) that:

I owe (total amount): \$ _____

To (name of party you must pay): _____

Mailing address: _____

Phone: _____ Email (optional): _____

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:

③ I am asking for permission to make payments, instead of paying the full amount all at once, because (explain):

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-220, Item 3" at the top

④ I ask the court to allow me to make payments on the following terms (check and complete all that apply):

a. Payments of \$ _____, on the _____ day of each (month, week, other): _____
Starting (date): _____, until (date of final payment): _____; amount of final payment: \$ _____

b. Other payment schedule (specify): _____

c. The total amount of payments is \$ _____, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if the payments are made late or early. (Attach a page that shows how you calculated the interest and write "SC-220, Item 4c" at the top.)

d. The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e. Other (specify): _____

Warning! If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name



Sign here

Payments in Small Claims Cases

General Information

If the court ordered you to pay money, you can ask the court for permission to make payments. Here's how:

- Fill out Form SC-220, *Request to Make Payments*. Fill out one form for each plaintiff or defendant (judgment creditor) you want to make payments to.
- Fill out Form EJ-165, *Financial Statement*.
- File your completed forms with the small claims court clerk.

The court will mail all other plaintiffs and defendants in the case copies of your *Request to Make Payments* and *Financial Statement*, and a blank Form SC-221, *Response to Request to Make Payments*.

The other parties will have 10 days to file a Response. Then, the court will mail all plaintiffs and defendants in the case:

- A decision on the *Request to Make Payments* or
- A notice to go to a hearing.

If the court ordered someone to pay you money, and that person has filed a *Request to Make Payments*:

- If, after reading the *Request*, you agree with the *Request*, you do not need to do anything.
- **If you do not agree** with the *Request* or you want to be paid interest, fill out and file form SC-221, *Response to Request to Make Payments*, within 10 days after the court clerk mailed the *Request* to you. (This date is on the *Clerk's Certificate of Mailing*.) If you do not do this, the court may allow the person who owes you money to make payments. And, you may lose your rights to collect interest on the judgment.

To file your Response:

- Have your *Response* served on all other plaintiffs and defendants in your case. (See Form SC-112A, *Proof of Service By Mail*.)
- File your *Response* and *Proof of Service* with the small claims court clerk.

Answers to Common Questions

When is the judgment due?

Unless the court orders otherwise, small claims judgments are due immediately. If the judgment is not paid in full within 30 days, the judgment creditor (person to whom the money is owed) can take legal steps to collect any unpaid amount. (Collection may be postponed if an appeal or a request to vacate (cancel) or correct the judgment is filed.)

When can the judgment debtor make payments?

A party who was ordered to pay a small claims judgment (judgment debtor) can ask the court for permission to make payments. If the court agrees, the party who is owed money (judgment creditor) cannot take any other steps to collect the money as long as the payments are made on time. If payments are not made on time, the judgment creditor can ask the court to order that the remaining balance of the judgment is due and collectible.

Is interest added after the judgment?

Interest is usually added to the unpaid amount of the judgment from the date the judgment is entered until it is paid in full. Interest can only be charged on the unpaid amount of the judgment (the principal); interest cannot be charged on any unpaid interest. If a partial payment is received, the money is applied first to unpaid interest and then to unpaid principal.



Need help?

For free help, contact your county's small claims advisor:
[local info here]

When the court allows payments, the court often does not order any interest, as long as all payments are made in full and on time. Unless the judgment creditor asks for interest to be included in the order allowing payments, the judgment creditor may lose any claims for interest. But if the judgment debtor does not make full payments on time, interest can be ordered on the missed payment or the entire unpaid principal.

How do I calculate interest?

If you are asking for interest or disagreeing with a request for interest, you need to explain your interest calculation. Interest may be added to the full unpaid balance of the judgment or only to payments that were not made on time. To calculate interest, show the unpaid principal balance, the dates and number of days you want the court to allow interest on that amount, and the total interest for that period. If payments were made, you will need to make separate calculations for the reduced principal balance after each payment. For more information on the applicable rate of interest and calculating the amount of interest, see *Information Sheet for Calculating Interest and Amount Owed on a Judgment* (form MC-013-INFO).

Or go to <https://selfhelp.courts.ca.gov/small-claims-advisor>

SHORT TITLE:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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FINANCIAL STATEMENT
(Wage Garnishment - Enforcement of Judgment)

NOTE: If you are married, this form must be signed by your spouse unless you and your spouse are living separate and apart. If this form is not signed by your spouse, check the applicable box on the reverse in item 9.

1. The following persons other than myself depend, in whole or in part, on me or my spouse for support:

**MONTHLY TAKE-HOME
INCOME & SOURCE**

	NAME	AGE	RELATIONSHIP TO ME	
a.			Spouse	
b.				
c.				
d.				
e.				

2. My monthly income

a. My gross monthly pay is: 2a. \$ _____

b. My payroll deductions are (*specify purpose and amount*):

(1) Federal and state withholding, FICA, and SDI..... \$ _____

(2) _____ \$ _____

(3) _____ \$ _____

(4) _____ \$ _____

My TOTAL payroll deduction amount is (*add (1) through (4)*): b. \$ _____

c. My monthly take-home pay is (*a minus b*): c. \$ _____

d. Other money I get each month from (*specify source*):
_____ is d. \$ _____

e. TOTAL MONTHLY INCOME (<i>c plus d</i>)	e. \$ _____
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3. I, my spouse, and my other dependents own the following property:

a. Cash 3a. \$ _____

b. Checking, savings, and credit union accounts (*list banks*):

(1) _____ \$ _____

(2) _____ \$ _____

(3) _____ \$ _____ b. \$ _____

c. Cars, other vehicles, and boat equity (*list make, year of each*):

(1) _____ \$ _____

(2) _____ \$ _____

(3) _____ \$ _____ c. \$ _____

d. Real estate equity d. \$ _____

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.) (*list separately*):

e. \$ _____

SHORT TITLE:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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4. The monthly expenses for me, my spouse, and my other dependants

- a. Rent or house payment and maintenance 4a. \$ _____
- b. Food and household supplies b. \$ _____
- c. Utilities and telephone c. \$ _____
- d. Clothing d. \$ _____
- e. Medical and dental payments e. \$ _____
- f. Insurance (life, health, accident, etc.) f. \$ _____
- g. School, child care g. \$ _____
- h. Child, spousal support (prior marriage) h. \$ _____
- i. Transportation & auto expenses (insurance, gas, repair) (list car payments in item 5) i. \$ _____
- j. Installment payments (insert total and itemize below in item 5) j. \$ _____
- k. Laundry and cleaning k. \$ _____
- l. Entertainment l. \$ _____
- m. Other (specify):

m. \$ _____

n. TOTAL MONTHLY EXPENSES (add a through m):	n. \$ _____
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5. I, my spouse, and my other dependents owe the following debts:

CREDITOR'S NAME	FOR	MO. PAYMENTS	BALANCE OWED	OWED BY <i>(State person's name)</i>
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6. Other facts which support this Claim of Exemption (i.e., unusual medical needs, school tuition, expenses for recent family emergencies, or other unusual expenses to help your creditor and the judge understand your budget) (describe):
(If more space is needed, attach page labeled Attachment 6.)

7. An earnings withholding order is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 (specify each person's name and monthly amount):

8. A wage assignment for support is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 (specify each person's name and monthly amount):

- 9. My spouse has signed below.
- I have no spouse.
- My spouse and I are living separate and apart.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE)
_____ (TYPE OR PRINT NAME OF SPOUSE)	▶	_____ (SIGNATURE OF SPOUSE)

JUDGMENT CREDITOR (the person or business who won the case) (name):

JUDGMENT DEBTOR (the person or business who lost the case and owes money) (name):

SMALL CLAIMS CASE NO.:

<p>NOTICE TO JUDGMENT DEBTOR: You <i>must</i> (1) pay the judgment or (2) appeal or (3) file a motion to vacate. If you fail to pay or take one of the other two actions, you must complete and mail this form to the judgment creditor. If you do not, you may have to go to court to answer questions and may have penalties imposed on you by the court.</p>	<p>AVISO AL DEUDOR POR FALLO JUDICIAL: Usted debe (1) pagar el monto del fallo judicial, o (2) presentar un recurso de apelación o (3) presentar un recurso de nulidad. Si usted no paga el fallo o presenta uno de estos dos recursos, deberá llenar y enviar por correo este formulario a su acreedor por fallo judicial. Si no lo hace, es posible que deba presentarse ante la corte para contestar preguntas y pagar las multas que la corte le pueda imponer.</p>
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INSTRUCTIONS

The small claims court has ruled that you owe money to the judgment creditor.

1. You may appeal a judgment against you only on the other party's claim. You may *not* appeal a judgment against you on *your* claim.
 - a. If you appeared at the trial and you want to appeal, you must file a *Notice of Appeal* (form SC-140) within 30 days after the date the *Notice of Entry of Judgment* (form SC-130 or SC-200) was mailed or handed to you by the clerk.
 - b. If you did not appear at the trial, before you can appeal, you must first file a *Notice of Motion to Vacate Judgment and Declaration* (form SC-135) and pay the required fee within 30 days after the date the *Notice of Entry of Judgment* was mailed or handed to you. The judgment cannot be collected until the motion is decided. If your motion is denied, you then have 10 days after the date the notice of denial was mailed to file your appeal.
2. Unless you **pay the judgment or appeal the judgment or file a motion to vacate, you must fill out this form and mail it to the person who won the case** within **30 days** after the *Notice of Entry of Judgment* was mailed or handed to you by the clerk. Mailing this completed form does not stay enforcement of the judgment.
3. If you lose your appeal or motion to vacate, you must pay the judgment, including postjudgment costs and interest. As soon as the small claims court denies your motion to vacate and the denial is not appealed, or receives the dismissal of your appeal or judgment from the superior court after appeal, the judgment is no longer suspended and may be immediately enforced against you by the judgment creditor.
4. Unless you have paid the judgment, complete and mail this form to the judgment creditor within **30 days** after the date the clerk mails or delivers to you (a) the denial of your motion to vacate, or (b) the dismissal of your appeal, or (c) the judgment against you on your appeal.

If you were sued as an individual, skip this box and begin with item 1 below. Otherwise, check the applicable box, attach the documents indicated, and complete item 15 on the reverse.

- a. (*Corporation or partnership*) Attached to this form is a statement describing the nature, value, and exact location of all assets of the corporation or the partners, and a statement showing that the person signing this form is authorized to submit this form on behalf of the corporation or partnership.
- b. (*Governmental agency*) Attached to this form is the statement of an authorized representative of the agency stating when the agency will pay the judgment and any reasons for its failure to do so.

JUDGMENT DEBTOR'S STATEMENT OF ASSETS

EMPLOYMENT

1. What are your sources of income and occupation? (*Provide job title and name of division or office in which you work.*)
2. a. Name and address of your business or employer (*include address of your payroll or human resources department, if different*):

b. If not employed, names and addresses of all sources of income (*specify*):
3. How often are you paid?

daily every two weeks monthly
 weekly twice a month other (*explain*):
4. What is your gross pay each pay period? \$
5. What is your take-home pay each pay period? \$
6. If your spouse earns any income, give the name of your spouse, the name and address of the business or employer, job title, and division or office (*specify*):

CASH, BANK DEPOSITS

7. How much money do you have in cash? \$
8. How much other money do you have in banks, savings and loans, credit unions, and other financial institutions either in your own name or jointly (*list*):

Name and address of financial institution	Account number	Individual or joint?	Balance
a.			\$
b.			\$
c.			\$

PROPERTY

9. List all automobiles, other vehicles, and boats owned in your name or jointly:

Make and year	License and vehicle identification (VIN) numbers	Value	Legal owner if different from registered owner	Amount owed
a.		\$		\$
b.		\$		\$
c.		\$		\$
d.		\$		\$

10. List all real estate owned in your name or jointly:

Address of real estate	Fair market value	Amount owed
a.	\$	\$
b.	\$	\$

OTHER PERSONAL PROPERTY (Do not list household furniture and furnishings, appliances, or clothing.)

11. List anything of value not listed above owned in your name or jointly (*continue on attached sheet if necessary*):

Description	Value	Address where property is located
a.	\$	
b.	\$	
c.	\$	

12. Is anyone holding assets for you? Yes. No. If yes, describe the assets and give the name and address of the person or entity holding each asset (*specify*):

13. Have you disposed of or transferred any asset within the last 60 days? Yes. No. If yes, give the name and address of each person or entity who received any asset and describe each asset (*specify*):

14. If you are not able to pay the judgment in one lump sum, you may be able to make payment arrangements with the person or business who won the case (the judgment creditor). State the amount that you can pay each month: \$ _____, beginning on (*date*): _____. If you are unable to agree, you may also ask the court for permission to make installment payments by filing a *Request to Make Payments* (form SC-220).

15. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____  _____
 (TYPE OR PRINT NAME) (SIGNATURE)

Mail or deliver this completed form to the judgment creditor at the address shown on the Notice of Entry of Judgment form.

SMALL CLAIMS CASE NO.:

PLAINTIFF/DEMANDANTE (Name, address, and telephone number of each):

DEFENDANT/DEMANDADO (Name, address, and telephone number of each):

Telephone No.:

Telephone No.:

Telephone No.:

Telephone No.:

See attached sheet for additional plaintiffs and defendants.

NOTICE OF FILING NOTICE OF APPEAL

TO: Plaintiff (name):
Defendant (name):

Your small claims case has been APPEALED to the superior court. Do not contact the small claims court about this appeal. The superior court will notify you of the date you should appear in court. The notice of appeal is set forth below.

La decisión hecha por la corte para reclamos judiciales menores en su caso ha sido APELADA ante la corte superior. No se ponga en contacto con la corte para reclamos judiciales menores acerca de esta apelación. La corte superior le notificara la fecha en que usted debe presentarse ante ella. El aviso de la apelación aparece a continuación.

Date: Clerk, by _____, Deputy

NOTICE OF APPEAL

I appeal to the superior court, as provided by law, from the small claims judgment or the denial of the motion to vacate the small claims judgment.

DATE APPEAL FILED (clerk to insert date):

(TYPE OR PRINT NAME) (SIGNATURE OF APPELLANT OR APPELLANT'S ATTORNEY)

I am an insurer of defendant (name) in this case. The judgment against defendant exceeds \$2,500, and the policy of insurance with the defendant covers the matter to which the judgment applies.

(NAME OF INSURER) (SIGNATURE OF DECLARANT)

CLERK'S CERTIFICATE OF MAILING

I certify that

- 1. I am not a party to this action.
2. This Notice of Filing Notice of Appeal and Notice of Appeal were mailed first class, postage prepaid, in a sealed envelope to plaintiff defendant at the address shown above.

3. The mailing and this certification occurred at (place): _____, California, on (date): _____ Clerk, by _____, Deputy

SMALL CLAIMS CASE NO.:

PLAINTIFF/DEMANDANTE (Name, street address, and telephone number of each):

DEFENDANT/DEMANDADO (Name, street address, and telephone number of each):

Telephone No.:

Telephone No.:

Telephone No.:

Telephone No.:

See attached sheet for additional plaintiffs and defendants.

NOTICE TO (Name):

<p>One of the parties has asked the court to CANCEL the small claims judgment in your case. If you disagree with this request, you should appear in this court on the hearing date shown below. If the request is granted, ANOTHER TRIAL may immediately be held. Bring all witnesses, books, receipts, and other papers or things with you to support your case.</p>	<p><i>Una de las partes en el caso le ha solicitado a la corte que DEJE SIN EFECTO la decisión tomada en su caso por la corte para reclamos judiciales menores. Si usted esta en desacuerdo con esta solicitud, debe presentarse en esta corte en la fecha de la audiencia indicada a continuación. Si se concede esta solicitud, es posible que se efectúe otro juicio inmediatamente. Traiga a todos sus testigos, libros, recibos, y otros documentos o cosas para presentarlos en apoyo de su caso.</i></p>
--	---

NOTICE OF MOTION TO VACATE (CANCEL) JUDGMENT

1. A hearing will be held in this court at which I will ask the court to cancel the judgment entered against me in this case. If you wish to oppose the motion you should appear at the court on

HEARING DATE FECHA DEL JUICIO	DATE	DAY	TIME	PLACE	COURT USE
▶	1.				
	2.				
	3.				

2. I am asking the court to cancel the judgment for the reasons stated in item 5 below. My request is based on this notice of motion and declaration, the records on file with the court, and any evidence that may be presented at the hearing.

DECLARATION FOR MOTION TO VACATE (CANCEL) JUDGMENT

- 3. Judgment was entered against me in this case on (date):
- 4. I first learned of the entry of judgment against me on (date):
- 5. I am asking the court to cancel the judgment for the following reason:
 - a. I did not appear at the trial of this claim because (specify facts):
 - b. Other (specify facts):

6. I understand that I must bring with me to the hearing on this motion all witnesses, books, receipts, and other papers or things to support my case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

..... (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE)

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this action. This Notice of Motion to Vacate Judgment and Declaration was mailed first class, postage prepaid, in a sealed envelope to the responding party at the address shown above. The mailing and this certification occurred at (place): _____, California, on (date): _____, Deputy Clerk, by _____, Deputy

- The county provides small claims advisor services free of charge. -

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name): <input type="checkbox"/> ATTORNEY FOR: <input type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
<input type="checkbox"/> EXECUTION (Money Judgment) WRIT OF <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property	<input type="checkbox"/> Limited Civil Case (including Small Claims) <input type="checkbox"/> Unlimited Civil Case (including Family and Probate)

1. To the Sheriff or Marshal of the County of:

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.

3. (Name):

is the original judgment creditor assignee of record whose address is shown on this form above the court's name.

4. **Judgment debtor** (name, type of legal entity if not a natural person, and last known address):

Additional judgment debtors on next page

9. Writ of Possession/Writ of Sale information on next page.

10. This writ is issued on a sister-state judgment.

For items 11–17, see form MC-012 and form MC-013-INFO.

11. Total judgment (as entered or renewed) \$ _____

12. Costs after judgment (CCP 685.090) \$ _____

13. Subtotal (add 11 and 12) \$ _____

14. Credits to principal (after credit to interest) \$ _____

15. Principal remaining due (subtract 14 from 13) \$ _____

5. **Judgment entered on** (date):

(See type of judgment in item 22.)

16. Accrued Interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees) \$ _____

6. Judgment renewed on (dates):

17. Fee for issuance of writ (per GC 70626(a)(l)) \$ _____

18. **Total amount due** (add 15, 16, and 17) \$ _____

7. **Notice of sale** under this writ:

- a. has not been requested.
- b. has been requested (see next page).

19. **Levying officer:**

- a. Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$ _____
- b. Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(j)) \$ _____

8. Joint debtor information on next page.

20. The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

[SEAL]

Date: _____ Clerk, by _____, Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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21. Additional judgment debtor(s) (name, type of legal entity if not a natural person, and last known address):

22. The judgment is for (check one):
- a. wages owed.
 - b. child support or spousal support.
 - c. personal debt, as defined in Code of Civil Procedure section 683.110(d). (If this box is checked, the judgment creditor must complete Declaration of Address Verification (form WG-015/EJ-135) before asking the sheriff to serve this form on the judgment debtor.)
 - d. other (describe):

23. Notice of sale has been requested by (name and address):

24. Joint debtor was declared bound by the judgment (Code Civ. Proc., §§ 989–994)
- | | |
|--|--|
| <p>a. on (date):</p> <p>b. name, type of legal entity if not a natural person, and last known address of joint debtor:</p> | <p>c. on (date):</p> <p>d. name, type of legal entity if not a natural person, and last known address of joint debtor:</p> |
|--|--|
- | | | |
|--|--|--|
| | | |
| | | |
- e. Additional costs against certain joint debtors are itemized: below on Attachment 24e.

25. (Writ of Possession or Writ of Sale) **Judgment** was entered for the following:
- a. Possession of real property: The complaint was filed on (date):
(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)
- (1) The *Prejudgment Claim of Right to Possession* (form CP10.5) was served in compliance with Code of Civil Procedure section 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
 - (2) The *Prejudgment Claim of Right to Possession* was NOT served in compliance with Code of Civil Procedure section 415.46.
 - (3) The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a *Claim of Right to Possession* at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a *Prejudgment Claim of Right to Possession* was served.) (See Code Civ. Proc., §§ 415.46 & 1174.3(a)(2).)
 - (4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the *Prejudgment Claim of Right to Possession* was not served in compliance with Code of Civil Procedure section 415.46 (item 25a(2)), answer the following:
 - (a) The daily rental value on the date the complaint was filed was \$
 - (b) The court will hear objections to enforcement of the judgment under Code of Civil Procedure section 1174.3 on the following dates (specify):



Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:
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25. b. Possession of personal property.
 If delivery cannot be had, then for the value (*itemize in 25e*) specified in the judgment or supplemental order.
- c. Sale of personal property.
- d. Sale of real property.
- e. The property is described below on Attachment 25e.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with Code of Civil Procedure section 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

JUDGMENTS FOR PERSONAL DEBT. If you are the judgment debtor identified in item 4 on this form, and if item 22 on this form says the judgment is for personal debt, the judgment creditor is required to verify your address before asking the levying officer to serve this *Writ of Execution*. The judgment creditor must give the levying officer a completed copy of *Declaration of Address Verification* (form WG-015/EJ-135) and must file completed form WG-015/EJ-135 with the court within 10 business days of giving a copy of the form to the levying officer. If the judgment creditor doesn't take these steps, you can ask the court to stay any wage garnishment order, bank account levy, or other levy related to this *Writ of Execution*. You can use *Application for Stay of Levy or Garnishment* (form WG-017/EJ-137) to ask the court to stay the levy or garnishment until the address verification has been completed.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number):

After recording, return to:

TEL NO.:

FAX NO. (optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR

JUDGMENT CREDITOR

ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

FOR RECORDER'S USE ONLY

PLAINTIFF:
DEFENDANT:

CASE NUMBER:

ABSTRACT OF JUDGMENT - CIVIL AND SMALL CLAIMS

Amended

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

b. Driver's license no. [last 4 digits] and state: _____

c. Social security no. [last 4 digits]: _____

Unknown

Unknown

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

2. Information on additional judgment debtors is shown on page 2.

4. Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

5. Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed: \$

10. An execution lien attachment lien is endorsed on the judgment as follows:

7. All judgment creditors and debtors are listed on this abstract.

a. Amount: \$

b. In favor of (name and address):

8. a. Judgment entered on (date):

b. Renewal entered on (date):

9. This judgment is an installment judgment.

11. A stay of enforcement has

a. not been ordered by the court.

b. been ordered by the court effective until (date):

12. a. I certify that this is a true and correct abstract of the judgment entered in this action.

b. A certified copy of the judgment is attached.

Clerk, by _____, Deputy

[SEAL]

This abstract issued on (date):

PLAINTIFF:	COURT CASE NO:
DEFENDANT:	

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15. Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

17. Name and last known address

 Driver's license no. [last 4 digits] and state:

 Driver's license no. [last 4 digits] and state:

Social security no. [last 4 digits]: Unknown

Social security no. [last 4 digits]: Unknown

Summons was personally served at or mailed to (*address*):

Summons was personally served at or mailed to (*address*):

18. Name and last known address

19. Name and last known address

 Driver's license no. [last 4 digits] and state:

 Driver's license no. [last 4 digits] and state:

Social security no. [last 4 digits]: Unknown

Social security no. [last 4 digits]: Unknown

Summons was personally served at or mailed to (*address*):

Summons was personally served at or mailed to (*address*):

20. Continued on Attachment 20.

FOR COURT USE ONLY

PLAINTIFF/DEMANDANTE (name and street address of each):

Telephone No.:

DEFENDANT/DEMANDADO (name and street address of each):

Telephone No.:

See attached sheet for additional plaintiffs and defendants.

**ORDER TO PRODUCE STATEMENT OF ASSETS
AND TO APPEAR FOR EXAMINATION**

Instructions to the judgment creditor (the party who won the case and is owed money) for completing this form:

- Complete the application on page 2 to ask the court to require the judgment debtor (the person or business who lost the case and owes money) to come to court with a completed *Judgment Debtor's Statement of Assets* (form SC-133) and answer questions about their money and property.
- Do not use this form if *Notice of Entry of Judgment* (form SC-130 or SC-200) says the judgment concerns consumer debt. Use *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136) instead.
- Read *What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO) for help choosing the correct form and for information about steps you must take after the court decides your case.

1. TO JUDGMENT DEBTOR (name):

If the judgment debtor is a corporation, partnership, or other organization, they should read the notice on page 3 of form AT-138/EJ-125.

2. YOU ARE ORDERED

a. to pay the judgment and file proof of payment (a canceled check or money order or cash receipt, and a written declaration that shows full payment of the judgment, including postjudgment costs and interest) with the court before the hearing date shown in the box below, **OR**

b. to

- (1) personally appear in this court on the date and time shown below, and
- (2) bring with you a completed *Judgment Debtor's Statement of Assets* (form SC-133).

At the hearing you will be required to

- answer questions about your income and assets; and
- explain why you did not complete and mail form SC-133 to judgment creditor in a timely manner. (*You should have sent it within 30 days after the Notice of Entry of Judgment (form SC-130) was mailed or handed to you by the clerk.*)

Name and address of court if different from above:

**Hearing
Date** →

Date: _____ Time: _____

Dept.: _____ Room: _____

If you fail to appear and have not paid the judgment, including postjudgment costs and interest, a bench warrant may be issued for your arrest, you may be held in contempt of court, and you may be ordered to pay penalties.

Si no asiste a la audiencia y no ha pagado el monto del fallo judicial, incluyendo los costos e intereses posteriores al fallo, la corte puede emitir una orden de arresto contra usted, declararle en desacato, y ordenar que pague multas.

3. This order may be served by a sheriff, marshal, or registered process server.

Date:



(SIGNATURE OF JUDGE)

This order must be served no less than 30 days before the date set for the examination.

APPLICATION FOR THIS ORDER

4. Judgment creditor (the person who won the case) (*name*): _____ applies for an order requiring judgment debtor (the person or business who lost the case and owes money) (*name*): _____ to (1) pay the judgment or (2) personally appear in this court with a completed *Judgment Debtor's Statement of Assets* (form SC-133), explain why judgment debtor did not pay the judgment or complete and mail form SC-133 to judgment creditor within 30 days after *Notice of Entry of Judgment* (form SC-130 or SC-200) was mailed or handed to judgment debtor, and answer questions about judgment debtor's money and property.
5. I, judgment creditor, state the following:
- a. Judgment debtor has not paid the judgment.
 - b. Judgment debtor either did not file an appeal, or the appeal has been dismissed, or judgment debtor lost the appeal.
 - c. Judgment debtor either did not file a motion to vacate, or the motion to vacate has been denied.
 - d. More than 30 days have passed since the *Notice of Entry of Judgment* was mailed or delivered to judgment debtor.
 - e. I have not received a completed *Judgment Debtor's Statement of Assets* (form SC-133) from judgment debtor.
 - f. Judgment debtor resides or has a place of business in this county or within 150 miles of the place of examination.
6. *Notice of Entry of Judgment* (form SC-130 or SC-200) **does not say** the judgment includes an amount "concerning consumer debt (Code Civ. Proc., § 708.111)."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____  _____
 (TYPE OR PRINT NAME) (DECLARANT)

INSTRUCTIONS FOR APPLICANT

Most counties are required to have a Small Claims Advisor to give free legal information in small claims cases.

1. This form is intended to be an easy tool to enforce your right to receive a completed *Judgment Debtor's Statement of Assets* (form SC-133). If you only want to ask the court to order the judgment debtor to come to court for an examination (answering questions about their money and property) and you do **not** want to enforce your right to receive a completed *Judgment Debtor's Statement of Assets* (form SC-133), use *Application and Order for Appearance and Examination* (form EJ-125). If you have already examined this judgment debtor and want to ask for another examination, use form EJ-125.
2. Complete item 1 on page 1 and items 4 and 5 on page 2 of this form, then contact the court clerk to schedule a hearing date and location. Enter the hearing time, date, and location you received from the clerk in the "Hearing Date" section on page 1. Sign and date the form. Make at least one copy of the completed form for your records.
3. File the completed original form SC-134 with the court and pay the filing fee.
4. If you want to be able to ask the court to enforce the order on the judgment debtor (the person or business who lost the case and owes money), you must have a copy of this form and a blank copy of *Judgment Debtor's Statement of Assets* (form SC-133) served on the judgment debtor in person by a sheriff, marshal, or registered process server at least **30 calendar days** before the date of the hearing, and have the original proof of service filed with the court. If you reset the hearing, you will have to pay a new filing fee.
5. You must attend the hearing unless the judgment has been paid. Bring a copy of your completed form SC-134 with you to the hearing.



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before your hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Disability Accommodation Request* (form **MC-410**). (Civil Code, § 54.8.)

Name and Address of Court:

SMALL CLAIMS CASE NO.

PLAINTIFF/DEMANDANTE (Name, address, and telephone number of each):

DEFENDANT/DEMANDADO (Name, address, and telephone number of each):

Telephone No.:

Telephone No.:

Telephone No.:

Telephone No.:

See attached sheet for additional plaintiffs and defendants.

SMALL CLAIMS SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING AND DECLARATION

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this case at the date, time, and place shown in the box below UNLESS your appearance is excused as indicated in box 4b below or you make an agreement with the person named in item 2 below.

Form box for appearance details: a. Date: Time: Dept.: Div.: Room: b. Address:

2. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name of subpoenaing party: b. Telephone number:

3. Witness Fees: You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 2.

PRODUCTION OF DOCUMENTS AND THINGS

(Complete item 4 only if you want the witness to produce documents and things at the trial or hearing.)

4. YOU ARE (item a or b must be checked):

- a. Ordered to appear in person and to produce the records described in the declaration on page two. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
b. Not required to appear in person if you produce (i) the records described in the declaration on page two and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.

5. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

[SEAL] Date issued:

Clerk, by _____, Deputy

(See reverse for declaration in support of subpoena)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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**DECLARATION IN SUPPORT OF
SMALL CLAIMS SUBPOENA FOR PERSONAL APPEARANCE
AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING
(Code Civil Procedure sections 1985, 1987.5)**

1. I, the undersigned, declare I am the plaintiff defendant judgment creditor
 other (*specify*): _____ in the above entitled action.

2. The witness has possession or control of the following documents or other things and shall produce them at the time and place specified on the *Small Claims Subpoena* on the first page of this form.

a. For trial or hearing (*specify the exact documents or other things to be produced by the witness*):

Continued on Attachment 2a.

b. After trial to enforce a judgment (*specify the exact documents or other things to be produced by the party who is the judgment debtor or other witness possessing records relating to the judgment debtor*):

(1) Payroll receipts, stubs, and other records concerning employment of the party. Receipts, invoices, documents, and other papers or records concerning any and all accounts receivable of the party.

(2) Bank account statements, canceled checks, and check registers from any and all bank accounts in which the party has an interest.

(3) Savings account passbooks and statements, savings and loan account passbooks and statements, and credit union share account passbooks and statements of the party.

(4) Stock certificates, bonds, money market certificates, and any other records, documents, or papers concerning all investments of the party.

(5) California registration certificates and ownership certificates for all vehicles registered to the party.

(6) Deeds to any and all real property owned or being purchased by the party.

(7) Other (*specify*): _____

3. Good cause exists for the production of the documents or other things described in paragraph 2 for the following reasons:

Continued on Attachment 3.

4. These documents are material to the issues involved in this case for the following reasons:

Continued on Attachment 4.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY)

(See proof of service on page three)

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

**PROOF OF SERVICE OF SMALL CLAIMS SUBPOENA FOR PERSONAL APPEARANCE
AND PRODUCTION OF DOCUMENTS AND THINGS AT TRIAL OR HEARING
AND DECLARATION**

1. I served this *Small Claims Subpoena for Personal Appearance and Production of Documents and Things at Trial or Hearing and Declaration* by personally delivering a copy to the person served as follows:
 - a. Person served (*name*) :
 - b. Address where served:
 - c. Date of delivery:
 - d. Time of delivery:
 - e. Witness fees (*check one*) :
 - (1) were offered or demanded and paid. Amount:\$ _____
 - (2) were not demanded or paid.
 - f. Fee for service:\$ _____

2. I received this subpoena for service on (*date*) :

3. Person serving:
 - a. Not a registered California process server.
 - b. California sheriff or marshal.
 - c. Registered California process server.
 - d. Employee or independent contractor of a registered California process server.
 - e. Exempt from registration under Business & Professions Code section 22350(b).
 - f. Registered professional photocopier.
 - g. Exempt from registration under Business & Professions Code section 22451.
 - h. Name, address, and telephone number and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(SIGNATURE)

(For California sheriff or marshal use only)

I certify that the foregoing is true and correct.

Date:



(SIGNATURE)

PLAINTIFF/DEMANDANTE <i>name and street address of each</i>	
Telephone No.:	
DEFENDANT/DEMANDADO <i>name and street address of each</i>	
Telephone No.:	

FOR COURT USE ONLY

See attached sheet for additional plaintiffs and defendants.

**ORDER TO PRODUCE FINANCIAL STATEMENT
OR APPEAR FOR EXAMINATION—CONSUMER DEBT
(Small Claims)**

Instructions to the judgment creditor (the party who won the case and is owed money) for completing this form:

- Use this form if you are a judgment creditor in a small claims case and *Notice of Entry of Judgment* (form SC-130 or SC-200) says the judgment includes an amount concerning consumer debt.
- Complete the application on page 2 to ask the court to require the judgment debtor (the person or business that lost the case and owes money) to come to court with a completed *Judgment Debtor's Statement of Assets* (form SC-133) and answer questions about their money and property.
- Read *What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO) for help choosing the correct form and for information about steps you must take after the court decides your case.

1. TO JUDGMENT DEBTOR (*name*):

2. YOU ARE ORDERED

- a. to pay the judgment and file proof of payment (a canceled check or money order or cash receipt, and a written declaration that shows full payment of the judgment, including postjudgment costs and interest) with the court before the hearing date shown in the box below, **OR**
- b. to provide information about your money and property. You must do so by choosing one of the two options listed below:
 - (1) Serve a completed *Financial Statement—Consumer Debt* (form EJ-144) on the judgment creditor and file a completed *Notice of Financial Statement—Consumer Debt* (form EJ-143) and a proof of service for form EJ-144 with the court; **OR**
 - (2) Personally appear in this court on the date and time shown below and bring with you a completed *Judgment Debtor's Statement of Assets* (form SC-133).

If you personally appear in court, you will be required to answer questions about your money and property and explain why you did not complete and mail form SC-133 to the judgment creditor in a timely manner. (*You should have sent it within 30 days after Notice of Entry of Judgment (form SC-130) was mailed or handed to you by the clerk.*)

Name and address of court if different from above:

Hearing Date	→	Date: _____	Time: _____
		Dept.: _____	Room: _____

3. This order may be served by a sheriff, marshal, or registered process server.

Date: _____
▶

(SIGNATURE OF JUDGE)

This order must be served no less than 30 days before the date set for the examination.

IMPORTANT NOTICE ON PAGE 3

APPLICATION FOR THIS ORDER

- 4. Judgment creditor (the person who won the case) (name): applies for an order requiring judgment debtor (the person or business who lost the case and owes money) (name) : to: a. Pay the judgment, OR b. Provide information about judgment debtor's money and property by either (1) serving a completed Financial Statement—Consumer Debt (form EJ-144) on judgment creditor and filing a completed Notice of Financial Statement—Consumer Debt (form EJ-143) with the court; OR (2) personally appearing in this court with a completed Judgment Debtor's Statement of Assets (form SC-133), explaining why judgment debtor did not pay the judgment or complete and mail form SC-133 to judgment creditor within 30 days after Notice of Entry of Judgment (form SC-130 or SC-200) was mailed or handed to judgment debtor, and answering questions about judgment debtor's money and property. 5. I, judgment creditor, state the following: a. Judgment debtor has not paid the judgment. b. Judgment debtor either did not file an appeal, or the appeal has been dismissed, or judgment debtor lost the appeal. c. Judgment debtor either did not file a motion to vacate, or the motion to vacate has been denied. d. More than 30 days have passed since Notice of Entry of Judgment was mailed or handed to judgment debtor. e. I have not received a completed Judgment Debtor's Statement of Assets (form SC-133) from judgment debtor. f. Judgment debtor resides or has a place of business in this county or within 150 miles of the place of examination. 6. [] Notice of Entry of Judgment (form SC-130 or SC-200) says the judgment includes an amount "concerning consumer debt (Code Civ. Proc., § 708.111)."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) (DECLARANT)

INSTRUCTIONS FOR APPLICANT

Most counties are required to have a Small Claims Advisor to give free legal information in small claims cases

- 1. Use this form if you are a judgment creditor (the court ordered the other side to pay you money) in a small claims case, Notice of Entry of Judgment (form SC-130 or SC-200) says the judgment includes an amount concerning consumer debt, and the judgment was entered on or after January 1, 2025. • If the judgment does not concern consumer debt, use Application and Order to Produce Statement of Assets and to Appear for Examination (form SC-134) or Application and Order for Appearance and Examination (form EJ-125). • If you only want to ask the court to order the judgment debtor to come to court for an examination (answering questions about their money and property) and you do not want to enforce your right to receive a completed Judgment Debtor's Statement of Assets (form SC-133), use Application and Order to Appear for Examination—Consumer Debt (form EJ-141) • If you want to ask for a second examination of this judgment debtor, use Application and Order to Appear for Examination —Consumer Debt (form EJ-141). Do not use form SC-136 to ask for a second examination. 2. Read Information on Debtor's Examinations Regarding Consumer Debt (form EJ-140-INFO) for help choosing the correct form, instructions on how to complete and file this form, and information on how the judgment debtor can respond. 3. If you want to be able to ask the court to enforce the order on the judgment debtor, you must have a copy of this form and a blank copy of the forms listed below served on the judgment debtor in person by a sheriff, marshal, or registered process server at least 30 calendar days before the date of the hearing, and have a proof of service filed with the court. • Judgment Debtor's Statement of Assets (form SC-133) • Information on Debtor's Examinations Regarding Consumer Debt (form EJ-140-INFO/SC-136-INFO) • Financial Statement—Consumer Debt (form EJ-144) • Notice of Financial Statement—Consumer Debt (form EJ-143) • Exemptions From the Enforcement of Judgments (form EJ-155) • Current Dollar Amounts of Exemptions From Enforcement of Judgments (form EJ-156) 4. You must attend the hearing unless the judgment has been paid. Bring a copy of your completed form SC-136 with you to the hearing.

NOTICE TO JUDGMENT DEBTOR

If you fail to appear at the time and place specified in this order, the court may make an order requiring you to pay the reasonable attorney's fees and costs incurred by the judgment creditor in this proceeding.

Instead of appearing at the examination, you may file a notice of judgment debtor's financial affidavit in a form prescribed by the court (form EJ-143) and signed under penalty of perjury and serve copies of all filed documents and the financial affidavit (form EJ-144) on the judgment creditor no later than 15 days prior to the date set for the examination. (This option is the same as option 2b(1) on page 1.)



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Disability Accommodation Request* (form **MC-410**). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	
APPLICATION AND ORDER TO APPEAR FOR EXAMINATION—CONSUMER DEBT	CASE NUMBER: _____

Instructions to the judgment creditor for completing this form:

- Complete the application on page 2 to ask for an examination of a judgment debtor in a case where the judgment concerns consumer debt and was awarded on or after January 1, 2025. (Code Civ. Proc., § 708.111.)
- To ask for an examination of the judgment debtor in all other cases, or to ask for an examination of a third person in any case, use *Application and Order for Appearance and Examination* (form AT-138/EJ-125).
- Read *Information on Debtor's Examinations Regarding Consumer Debt* (form EJ-140-INFO/SC-136-INFO) for more instructions on using this form.

ORDER TO APPEAR FOR EXAMINATION

1. TO (name):
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to provide information to help enforce a judgment against you.

Name and address of court if different from above:



Date: _____ Time: _____
 Dept.: _____ Room: _____

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: _____

JUDGE

This order must be served no less than 30 days before the date set for the examination.

IMPORTANT NOTICES ON PAGE 3

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. Original judgment creditor Assignee of record
asks the court for an order requiring (*name of judgment debtor*):
to appear in court and give information to help enforce a judgment (final order) for consumer debt.
5. The judgment was awarded on or after January 1, 2025.
6. The judgment concerns consumer debt, meaning any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services that are the subject of the transaction are primarily for personal, family, or household purposes. The judgment does not include rental debt or debts incurred due to, or obtained by, tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. (Code Civ. Proc., § 708.111.)
7. The person to be examined is the judgment debtor.
8. Within the past year, the court has not canceled an examination of the judgment debtor in this case after the judgment debtor filed a notice of financial statement in response to an order to appear for examination. (Code Civ. Proc., § 708.111(d)(7).)
9. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
10. This court is **not** the court in which the judgment is entered. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
11. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____  _____
(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

IMPORTANT NOTICES ON PAGE 3

PLAINTIFF/PETITIONER:
DEFENDANT/RESPONDENT:

CASE NUMBER:

Information for Judgment Creditor Regarding Service

If you want to be able to ask the court to enforce the order on the judgment debtor, you must have a copy of the order personally served on the judgment debtor by a sheriff, marshal, registered process server, or the person appointed in item 3 of the order at least 30 calendar days before the date of the hearing, and have a proof of service filed with the court.

When serving the order on the judgment debtor, you must include blank copies of the following forms:

- *Information on Debtor's Examinations Regarding Consumer Debt* (form EJ-140-INFO/SC-136-INFO)
- *Financial Statement—Consumer Debt* (form EJ-144)
- *Notice of Financial Statement—Consumer Debt* (form EJ-143)
- *Exemptions From the Enforcement of Judgments* (form EJ-155)
- *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156)

NOTICE TO JUDGMENT DEBTOR

If you fail to appear at the time and place specified in this order, the court may make an order requiring you to pay the reasonable attorney's fees and costs incurred by the judgment creditor in this proceeding.

Instead of appearing at the examination, you may file a notice of judgment debtor's financial affidavit in a form prescribed by the court (form EJ-143) and signed under penalty of perjury and serve copies of all filed documents and the financial affidavit (form EJ-144) on the judgment creditor no later than 15 days prior to the date set for the examination.



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before your hearing. Contact the clerk's office or go to courts.ca.gov/forms for *Disability Accommodation Request* (form MC-410). (Civil Code, § 54.8.)

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input type="checkbox"/> Judgment Debtor or <input type="checkbox"/> Third Person	CASE NUMBER: _____
Instructions to the judgment creditor for completing this form: <ul style="list-style-type: none"> Complete the application on page 2 to ask for an examination of a judgment debtor or third person. Do not use this form if you want to ask for an examination of the judgment debtor in a case where the judgment concerns consumer debt and was awarded on or after January 1, 2025. Use <i>Application and Order to Appear for Examination—Consumer Debt</i> (form EJ-141) instead. (Code Civ. Proc., § 708.111.) 	

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): _____
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - a. give information to help enforce a money judgment against you.
 - b. give information about property of the judgment debtor in your possession or control or a debt you owe the judgment debtor.
 - c. give information about property of the defendant in your possession or control or a debt you owe the defendant.

Name and address of court if different from above:

Hearing Date

Date: _____	Time: _____
Dept.: _____	Room: _____

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name): _____

Date: _____

JUDGE

This order must be served no less than 30 days before the date set for the examination, or no less than 10 days before that date if the examination is of someone other than the judgment debtor.

IMPORTANT NOTICES ON PAGES 2, 3 AND 4

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

4. Original judgment creditor Assignee of record Plaintiff who has a right to attach order applies for an order requiring (*name*):
to appear in court and give information to help enforce a money judgment or to give information about property or debt.
5. The person to be examined is
- a. the judgment debtor.
- b. a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. This application is not subject to Code of Civil Procedure section 708.111 because it does not seek an examination of a judgment debtor to enforce a judgment that concerns consumer debt and that was entered on or after January 1, 2025.
7. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
8. This court is **not** the court in which the money judgment is entered or (*attachment only*) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
9. The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Information for Judgment Creditor Regarding Service

If you want to be able to ask the court to enforce the order on the judgment debtor or any third person, you must have a copy of the order personally served on the person to be examined by a sheriff, marshal, registered process server, or the person appointed in item 3 of the order, and have a proof of service filed with the court. You must have the order served at least 30 calendar days before the date of the examination if the examination is of the judgment debtor, or at least 10 calendar days before the date of the examination if the examination is of a third person.

If the examination is of a third person, you must also have a copy of the order served personally or by mail on the judgment debtor at least 10 calendar days before the date of the examination.

IMPORTANT NOTICES ABOUT THE ORDER

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

APPEARANCE OF A THIRD PERSON (ENFORCEMENT OF JUDGMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined under this order has possession or control of property that is yours or owes you a debt. This property or debt is as follows *(describe the property or debt)*:

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, LIMITED LIABILITY COMPANY, OR OTHER ORGANIZATION**

If the order to appear for the examination on page 1 does not require the appearance of a specified individual:

- The organization has a duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with the organization's property and debts.
- Failure to designate such a person familiar with the organization's property and debts to appear for examination will result in the order to appear for the examination to be deemed to have been made to, and require the appearance of, the following:
 - If the organization is a corporation registered with the Secretary of State, a natural person named as the chief financial officer in the corporation's most recent filing with the Secretary of State. If no one is so named, a natural person named as the chief executive officer in the corporation's most recent filing with the Secretary of State. If no one is so named, a natural person named as the secretary in the corporation's most recent filing with the Secretary of State.
 - If the organization is a limited liability company registered with the Secretary of State, the first natural person named as a manager or member in the limited liability company's most recent filing with the Secretary of State.
 - If the organization is a limited partnership registered with the Secretary of State, the first natural person named as a general partner in the limited partnership's most recent filing with the Secretary of State.
 - If the organization is not registered with the Secretary of State or the organization's filings with the Secretary of State do not identify a natural person as described above, a natural person identified by the judgment creditor as being familiar with the property and debts of the organization, together with an affidavit or declaration signed by the judgment creditor that sets forth the factual basis for the identification of the individual. The affidavit or declaration shall be served on the organization together with the order.
- Service of an order to appear for an examination upon an organization by any method permitted under the Code of Civil Procedure or the Corporations Code, including service on the agent of the organization for service of process, shall be deemed effective service of the order to appear upon the individuals identified above.



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to courts.ca.gov/forms *Disability Accommodation Request* (form **MC-410**). (Civil Code, § 54.8.)