



# Judicial Council of California

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## INVITATION TO COMMENT

### SP24-08

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**Title**

Civil Practice and Procedure:  
Implementation of Assembly Bill 1119 in  
Small Claims Cases

**Action Requested**

Review and submit comments by July 31,  
2024

**Proposed Effective Date**

January 1, 2025

**Proposed Rules, Forms, Standards, or Statutes**

Approve forms EJ-140-INFO and SC-136;  
revise forms JUD-100, SC-130, SC-134,  
SC-200, and SC-200-INFO

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**Proposed by**

Civil and Small Claims Advisory Committee  
Hon. Tamara L. Wood, Chair

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### Executive Summary and Origin

Assembly Bill 1119 (Stats. 2023, ch. 562), enacted October 8, 2023, requires the Judicial Council to adopt and revise forms as necessary to implement a new procedure for debtor's examinations used to enforce judgments concerning consumer debts. To implement AB 1119 in small claims cases, the Civil and Small Claims Advisory Committee proposes adopting two mandatory Small Claims forms and revising four forms. The committee also proposes revisions to the general civil judgment form to reflect the new law. Another proposal revising Judicial Council Enforcement of Judgment forms to implement AB 1119 has already circulated for public comment.

### Background

**Debtor's examinations in small claims cases**

Existing law allows a court to order someone who has not paid a civil judgment entered against them (a judgment debtor) to come to court and answer questions about their income, assets, and expenses. The person or persons owed money under the judgment (judgment creditor) can use this financial information to collect what is owed to them. This procedure is called a debtor's examination. Judgment creditors in small claims cases can use either *Application and Order for*

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

*Appearance and Examination* (form AT-138/EJ-125<sup>1</sup>) or *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134) to seek an examination of the judgment debtor.

### **Assembly Bill 1119**

AB 1119<sup>2</sup> creates new procedures for debtor’s examinations when the judgment concerns consumer debt and was awarded on or after January 1, 2025.<sup>3</sup> AB 1119 allows a judgment debtor in a consumer debt case to respond to an order to appear for examination by submitting a financial affidavit, signed under penalty of perjury, that provides information about their assets, expenses, and debts. If the judgment debtor provides a financial affidavit to the judgment creditor and files a notice informing the court that a financial affidavit has been provided, the judgment debtor does not need to appear at the examination. If the financial affidavit states that all of the judgment debtor’s assets are exempt from enforcement of judgment, the court must cancel the examination.<sup>4</sup>

If the examination is canceled because the judgment debtor has claimed complete exemption, the judgment creditor can object by filing a notice of motion for an order requiring the judgment debtor to appear for examination even though a financial affidavit has been provided.<sup>5</sup> The motion must include a declaration executed under penalty of perjury and a statement of facts showing good cause why an examination is necessary.<sup>6</sup> If the court rules that an examination must occur, the judgment creditor must file a new application for an examination.<sup>7</sup>

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<sup>1</sup> Hereafter referred to as form EJ-125.

<sup>2</sup> See Link A.

<sup>3</sup> For purposes of AB 1119, “consumer debt” means “any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes. Consumer debt does not include debts incurred due to, or obtained by tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. Consumer debt does not include rental debt, which means unpaid rent or other unpaid financial obligation of a tenant under the tenancy that has come due.” Code Civ. Proc., § 708.111(b).

<sup>4</sup> *Id.*, § 708.111(d). Although AB 1119 allows the judgment debtor to submit a financial affidavit in lieu of appearance even if the judgment debtor does not claim complete (or any) exemption from enforcement of judgment (*id.*, § 708.111(c)), AB 1119 does not require the court to cancel the examination in those circumstances even though the judgment debtor is not required to attend. AB 1119 also does not create a procedure for the judgment creditor to object to the financial affidavit unless the judgment debtor has claimed complete exemption (*id.*, § 708.111(d)).

<sup>5</sup> *Id.*, § 708.111(d)(1).

<sup>6</sup> *Id.*, § 708.111(d)(2). AB 1119 does not define “good cause” except for consumer debts secured by real property or personal property, where good cause is established when the plaintiff demonstrates that the debtor has not provided the plaintiff with accurate information regarding the location or condition of the security, the status of insurance on the security, or the status of the taxes due on the security. *Ibid.*

<sup>7</sup> *Id.*, § 708.111(d)(6).

If the examination is canceled because the judgment creditor does not object or for another reason, the judgment creditor must wait at least one year from the date of the prior application to file another application and order for appearance and examination.<sup>8</sup>

Additionally, AB 1119 imposes less severe penalties for failure to appear for examination in a consumer debt case. In other cases, the potential penalties for failure to appear for examination are arrest, punishment for contempt of court, or an order requiring payment of reasonable attorney's fees incurred by the judgment creditor.<sup>9</sup> Under AB 1119, when the judgment concerns consumer debt, the potential penalty for failure to appear for examination or provide a financial affidavit is an order to show cause to determine whether to issue a warrant to compel the judgment debtor's attendance.<sup>10</sup>

### **Existing proposal to implement AB 1119**

The Civil and Small Claims Advisory Committee is working on another proposal to implement AB 1119, which was circulated for public comment from April 2 to May 3, 2024.<sup>11</sup> The committee plans to ask the Judicial Council to approve the recommendations made in that proposal at the council's September 2024 meeting. Those recommendations include a new rule and new Enforcement of Judgment forms for the judgment creditor to request a debtor's examination in a consumer debt case, for the judgment debtor to provide a written financial statement in response to the order for examination, and for the judgment creditor to ask the court to require an examination even though a financial statement has been provided.

As part of the previously circulated proposal, the committee drafted *Information on Debtor's Examinations Regarding Consumer Debt* (form EJ-140-INFO), an information sheet that explains how a judgment creditor can ask for a debtor's examination in a consumer debt case and how a judgment debtor can respond to that request. That information sheet has been moved to the current proposal because it has been modified to include information about the forms in this proposal. Those modifications are described below.

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<sup>8</sup> *Id.*, § 708.111(d)(7).

<sup>9</sup> *Id.*, § 708.110(e).

<sup>10</sup> *Id.*, § 708.111(i).

<sup>11</sup> Judicial Council of Cal., Invitation to Comment, *Civil Practice and Procedure: Implementation of Assembly Bill 1119* (SPR24-08), [www.courts.ca.gov/documents/spr24-08.pdf](http://www.courts.ca.gov/documents/spr24-08.pdf). The committee changed the form numbers in that proposal after it circulated for public comment. References in the current proposal to the previous proposal use the new form numbers.

## The Proposal

The proposed rule and Enforcement of Judgment forms in the previously circulated proposal may be used in small claims cases as well as in all other civil cases.<sup>12</sup> However, as commenters on that proposal noted, additional form revisions are needed to implement AB 1119 when specific Small Claims forms are used to enforce a small claims judgment. To address this, the Civil and Small Claims Advisory Committee proposes revising four existing forms and adopting two new mandatory forms. Additionally, the committee proposes revisions to the general civil judgment form to reflect AB 1119.

### **Information on Debtor's Examinations Regarding Consumer Debt (form EJ-140-INFO)**

The committee proposes new form EJ-140-INFO, making several modifications to the information sheet included in the previously circulated AB 1119 proposal:

- Modifying question 2 to include information about the consumer debt finding on forms JUD-100, SC-130, and SC-200 (described below);
- Adding question 3 to explain whether to use *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141)<sup>13</sup> or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136) to ask for a debtor's examination in a small claims case concerning consumer debt;
- Adding question 4 to explain how to complete forms EJ-141 and SC-136;
- Adding question 10 to explain how to request a second examination of the same judgment debtor; and
- Modifying all other questions that refer to form EJ-141 to include form SC-136 as well.

The committee has made other modifications to form EJ-140-INFO in response to the public comments on the previous AB 1119 proposal. All the modifications made to proposed form EJ-140-INFO since it was previously circulated for comment are highlighted in yellow in the attached draft.

### **Notice of Entry of Judgment (forms SC-130 and SC-200) and Judgment (form JUD-100)**

The committee proposes revisions to the two small claims notice of entry of judgment forms (forms SC-130 and SC-200) to include a judicial determination of whether the judgment “concerns consumer debt.” Without this item, it will likely be difficult for self-represented

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<sup>12</sup> Small claims judgments may be enforced under the laws for enforcement of judgment in civil cases generally. Code Civ. Proc., § 116.820(a).

<sup>13</sup> Form EJ-141 is one of the forms proposed in the previously circulated proposal. It can be used by a judgment creditor to ask for an examination of the judgment debtor when the judgment concerns consumer debt.

litigants to know whether to use the consumer debt forms to ask for and respond to an order to appear for examination.

Item 10 on form SC-130 and item 9 on form SC-200 currently require the court to determine whether the judgment is on a claim related to medical expenses or personal debt, and if so, to state the dollar amount of the judgment that relates to those claims.<sup>14</sup> The committee proposes revising these items to include a blank in which the court can enter the dollar amount of the part of the judgment that concerns consumer debt. The consumer debt amount is listed as a subset of the personal debt amount because the statutory definitions of personal and consumer debt are mostly identical, except that personal debt includes rental debt and consumer debt does not.<sup>15</sup>

The committee considered making the consumer debt finding a separate check box without a dollar amount but decided that a dollar amount should be included because AB 1119 is unclear about how to apply its procedures when only part of the judgment is for consumer debt. Including a dollar amount in the consumer debt finding is the most accurate way to explain whether and to what extent the judgment “concerns consumer debt.” A simple check box would obscure the partial-judgment issue.

In addition to the proposed revisions to item 10 on form SC-130 and item 9 on form SC-200, the committee proposes revisions to the instructions on page 2 of SC-130 and pages 3 and 4 of SC-200 consistent with the proposed revisions to *What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO) (described below).

Although *Judgment* (form JUD-100) is not a small claims form, the committee proposes revising it to contain the same consumer debt finding as on forms SC-130 and SC-200. The committee believes that having this finding on form JUD-100 will be beneficial for all the reasons explained above. It also believes that making all three judgment forms match will be helpful to parties and the courts.

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<sup>14</sup> These items were added to the forms effective January 1, 2024, to implement Senate Bill 1200 (Stats. 2022, ch. 883), which affects the renewal of judgments on claims related to medical or personal debt, as well as the postjudgment interest rates on those judgments.

<sup>15</sup> “‘Personal debt’ means money due or owing or alleged to be due or owing from a natural person arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for the debtor’s personal, family, or household purposes.” Code Civ. Proc., § 683.110(d)(3). “‘Due or owing’ [in section 683.110(d)(3)] does not include debts incurred due to or obtained by tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee.” *Id.*, § 683.110(d)(2).

“‘Consumer debt’ as used in [section 708.111] means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes. Consumer debt does not include debts incurred due to, or obtained by tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. Consumer debt does not include rental debt, which means unpaid rent or other unpaid financial obligation of a tenant under the tenancy that has come due.” *Id.*, § 708.111(b).

***Application and Order to Produce Statement of Assets and to Appear for Examination (form SC-134)***

*Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134) is used by small claims judgment creditors to enforce their right to receive a completed *Judgment Debtor's Statement of Assets* (form SC-133), which the judgment debtor must provide if they have not satisfied the judgment within 30 days after the clerk mails or hands them the notice of entry of judgment.<sup>16</sup> If the court grants the judgment creditor's application in form SC-134, the judgment debtor is ordered to come to court with a completed form SC-133 and sit for a debtor's examination.<sup>17</sup> Small claims judgment creditors who only want a debtor's examination and do not need or want to enforce the requirement to provide form SC-133 are instructed to use *Application and Order for Appearance and Examination* (form EJ-125) instead of form SC-134.

The committee proposes several revisions to form SC-134 to implement AB 1119:

- Adding instructions at the top of the form directing users to new form SC-136 to ask for an examination of the judgment debtor if the judgment concerns consumer debt; and
- Adding item 6 to the application section of the form, which asks the judgment creditor to confirm that the judgment does not concern consumer debt. This item will help courts and litigants confirm that the correct form has been used.

Additionally, the committee proposes several revisions to the form to make it easier to read:

- Reorganizing the form by moving the entire application section to page 2 to make the form less confusing for judgment debtors who receive a completed copy;
- Revising items 2b and 4 to change "income and assets" to the plain-language "money and property";
- Rewriting the Spanish notice on page 1 to correct translation errors;
- Revising item 5f to say "judgment debtor" instead of "the person to be examined" because the judgment debtor is the only person who can be examined using this form; and
- Reorganizing and revising the "Instructions for Applicant" on page 2 to make them more complete and easier to understand.

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<sup>16</sup> *Id.*, § 116.830(b).

<sup>17</sup> Small claims debtor's examinations are governed by the same statute as civil debtor's examinations (*id.*, § 116.820(a)), which means that AB 1119 applies to an examination ordered by form SC-134.

***Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt (form SC-136)***

The committee proposes adoption of *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136), a new form to be used in small claims consumer debt cases instead of the current *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134). Like form SC-134, form SC-136 can be used by a small claims judgment creditor to ask the court to order the judgment debtor to come to court with a completed *Judgment Debtor’s Statement of Assets* (form SC-133) and sit for a debtor’s examination. Unlike form SC-134, however, form SC-136 gives the judgment debtor two choices:

- Come to court with a completed form SC-133 and sit for a debtor’s examination; or
- Provide *Financial Statement—Consumer Debt* (form EJ-144) to the judgment creditor and file *Notice of Financial Statement—Consumer Debt* (form EJ-143) with the court instead of appearing for examination.<sup>18</sup>

This choice is offered because AB 1119 allows the judgment debtor to choose between appearing for examination and providing a financial statement. However, a judgment debtor cannot respond to form SC-136 by appearing for examination without completing form SC-133 due to the statutory requirement for small claims judgment debtors to complete “a form containing questions regarding the nature and location of any assets of the judgment debtor” if they have not satisfied the judgment within 30 days of the notice of entry of judgment.<sup>19</sup>

The other differences between forms SC-134 and SC-136 are as follows:

- Item 6 on form SC-136 asks the judgment creditor to confirm that the *Notice of Entry of Judgment* (form SC-130 or SC-200) says the judgment includes an amount concerning consumer debt;
- The “Instructions for Applicant” on page 2 of form SC-136 are different; and
- Form SC-136 includes, on page 3, the statutorily mandated notice to judgment debtors in consumer debt cases.<sup>20</sup> This notice appears on page 1 of form SC-134.

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<sup>18</sup> Forms EJ-143 and EJ-144 are two of the forms proposed in the previously circulated proposal.

<sup>19</sup> Code Civ. Proc., § 116.830.

<sup>20</sup> *Id.*, § 708.111(c).

### **What to Do After the Court Decides Your Small Claims Case (form SC-200-INFO)**

*What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO) provides instructions for various postjudgment steps in small claims cases.

In the section for judgment creditors, form SC-200-INFO explains how to use form SC-134 if the judgment debtor has not completed form SC-133. The committee proposes adding a sentence to this section that reads: “If the *Notice of Entry of Judgment* says the judgment includes an amount ‘concerning consumer debt,’ file form SC-136, *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt*, instead of form SC-134.”

Form SC-200-INFO also instructs judgment creditors to use *Application and Order for Appearance and Examination* (form EJ-125) to ask for a debtor’s examination. The committee recommends adding a sentence to this section that reads: “If the *Notice of Entry of Judgment* says the judgment includes an amount ‘concerning consumer debt,’ file form EJ-141, *Application and Order to Appear for Examination—Consumer Debt*, instead of form EJ-125.”

### **Alternatives Considered**

The committee did not consider taking no action because the council is required by law to adopt and revise forms to the extent necessary to implement AB 1119. As discussed in the explanation of the proposal, the committee considered several alternatives when drafting the proposed forms and concluded that the current proposal best satisfies the statutory mandate. To the extent the proposed revisions to existing forms were not required by the terms of AB 1119, the committee considered taking no action but ultimately determined that revision was warranted in light of the benefits the revisions would provide to the parties.

### **Fiscal and Operational Impacts**

The statutory changes will require education of court staff and judicial officers. The new forms are intended to facilitate courts’ and parties’ implementation of the changes in statute and will require education and possibly some changes to computerized case management systems as well.



### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Forms EJ-140-INFO, JUD-100, SC-130, SC-134, SC-136, SC-200, and SC-200-INFO, at pages 10–31
2. Link A: Assem. Bill 1119,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB1119](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1119)

## GENERAL INFORMATION

This information sheet tells the judgment creditor (the person who won the case and is owed money) how to ask for a debtor's examination in a case where the judgment concerns consumer debt. It also tells the judgment debtor (the party who owes the money) how they can respond to that request by providing written information instead of going to court. ([Code Civ. Proc., § 708.111.](#))

- If you are the **judgment creditor**, read the Information for the Judgment Creditor section, starting on this page.
- If you are the **judgment debtor**, read the Information for the Judgment Debtor section, starting on page 4.

### 1 What is a debtor's examination?

When the final court order at the end of a lawsuit (the judgment) orders one party to pay money to another party, sometimes the judgment creditor wants information to help them collect it (enforce the judgment). The judgment creditor can ask the court to order the judgment debtor to come to court and give information under oath about what they earn (income) or own (assets). This is called a "debtor's examination."

### 2 How can I tell if this process applies to my case?

The forms and procedures described in this information sheet may be used only if the judgment concerns consumer debt and the judgment was awarded on or after January 1, 2025. Consumer debt means debt for money, property, insurance, or services that are primarily for personal, family, or household purposes. Consumer debt **does not include** rental debt; judgments for unpaid wages, damages, or penalties owed to an employee; or debts incurred due to, or obtained by, tortious or fraudulent conduct.

If you received a *Notice of Entry of Judgment* (form SC-130 or SC-200) or *Judgment* (form JUD-100), the form will say the judgment includes an amount "concerning consumer debt ([Code Civ. Proc., § 708.111.](#))"

**If the judgment is not for consumer debt or was not awarded on or after January 1, 2025, do not use the forms or procedures that are described in this information sheet.**

## INFORMATION FOR THE JUDGMENT CREDITOR

This part of the information sheet is for the judgment creditor (the person who won the case and is owed money) in a case concerning consumer debt. It tells them how to ask for a debtor's examination. Information about how the judgment debtor can respond starts on page 4.

### 3 Which form should I use to ask for a debtor's examination in my case?

If your case is **not** a small claims case and you want to ask the court to order a debtor's examination, complete *Application and Order to Appear for Examination—Consumer Debt* (form [EJ-141](#)).

If your case is a **small claims case**, you can use either form EJ-141 or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form [SC-136](#)):

- Use form SC-136 if the judgment debtor has not sent you a completed *Judgment Debtor's Statement of Assets* (form SC-133) and you want the court to require them to do so. The judgment debtor must send you form SC-133 if they do not pay within 30 days after the court clerk mailed or handed them the *Notice of Entry of Judgment* (form SC-130 or SC-200). Form SC-136 requires the judgment debtor to personally appear in court with a completed form SC-133 and answer questions about their money and property.
- Use form EJ-141 if you want the judgment debtor to come to court for a debtor's examination and you received form SC-133 or do not wish to enforce your right to receive it.

If the court has previously ordered the judgment debtor to appear for examination and you want to ask for another examination date, read item [10](#).

Use *Application and Order for Appearance and Examination* (form AT-138/EJ-125), and do **not** use form EJ-141 or SC-136, if:

- You want to ask for a debtor's examination and the judgment is **not** for consumer debt, **or**
- You want to ask for an examination of someone who is not the judgment debtor, even if the judgment is for consumer debt.



#### 4 How do I complete and file form EJ-141 or form SC-136?

To complete *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136), follow these steps:

- Fill out item 1 (the judgment debtor's name) on page 1 and all the items in the "Application for This Order" section on page 2 of the form.
- Contact the court clerk about setting a hearing date, time, and location. When setting the hearing date, make sure you will have enough time to serve the form, as explained in item 5. Enter the hearing date, time, 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. You will need to bring a copy with you to the hearing.

After you complete form EJ-141 or form SC-136, file the completed original form with the court and pay the filing fee.

#### 5 How do I serve form EJ-141 or form SC-136?

Serve (give) a copy of completed form EJ-141 or SC-136 on the judgment debtor by following the steps below. The order for the judgment debtor to come to court for an examination cannot be enforced unless you complete all these steps:

- Have a copy of the form personally served by a sheriff, marshal, or registered process server. If you are using form EJ-141, the form can also be served by the person appointed in item 3 of that form.
- The form must be served at least **30 days** before the date of the examination.
- You must have a proof of service filed with the court no later than the time of the hearing. You can get more information about serving and proof of service at <https://selfhelp.courts.ca.gov/>.

When serving form EJ-141 or form SC-136 on the judgment debtor, you must include blank copies of all the following forms:

- *Information on Debtor's Examinations Regarding Consumer Debt* (form [EJ-140-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](#)), and
- *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form [EJ-156](#)).

#### 6 What do I do if I receive Notice of Financial Statement—Consumer Debt (form EJ-143)?

If the judgment debtor responds to your request by filing a *Notice of Financial Statement—Consumer Debt* (form EJ-143) with the court, and serves you with a copy of that form and a completed *Financial Statement—Consumer Debt* (form EJ-144), the judgment debtor does not have to appear at the scheduled debtor's examination.

If the judgment debtor checked item 2 on the *Notice of Financial Statement—Consumer Debt* (claiming that all of their money and property are exempt from enforcement of judgment), the court will cancel the scheduled debtor's examination. If after reading the *Financial Statement—Consumer Debt*, you still want to hold a debtor's examination, you can complete, serve, and file a *Notice of Motion and Motion to Require Examination—Consumer Debt* (form [EJ-146](#)).

#### 7 How do I complete Notice of Motion and Motion to Require Examination—Consumer Debt (form EJ-146)?

*Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146) asks the court to order the judgment debtor to come to court for an examination even though they provided a *Financial Statement—Consumer Debt* (form EJ-144).



You will need to complete your *Notice of Motion and Motion to Require Examination—Consumer Debt* in time to file it with the court no more than **15 days** after the judgment debtor filed the *Notice of Financial Statement—Consumer Debt* (form EJ-143).

To complete the *Notice of Motion and Motion to Require Examination—Consumer Debt*, follow these steps:

- Contact the clerk of the court about setting a hearing date, time, and place. When setting the hearing date, make sure you will have enough time to serve form EJ-146, as explained in item **(8)**.
- Complete items 1–7 on the *Notice of Motion and Motion to Require Examination—Consumer Debt*. In item 7, explain why you think an examination of the judgment debtor is needed even though they provided a financial statement.
- If the judgment you are trying to enforce concerns debt secured by real property or personal property, complete items 8 and 9.
- If you do not wish to appear at the hearing on your motion, check the box in item 10. If you do not appear, the court will decide based on your *Notice of Motion and Motion to Require Examination—Consumer Debt*, the judgment debtor's *Financial Statement—Consumer Debt*, and the arguments the judgment debtor makes at the hearing.
- Sign and date the form. If you have an attorney, they must also sign and date the form.
- Make a copy of the completed form to serve on the judgment debtor.
- Make at least one copy of the completed form for your records. If you appear at the hearing, you will need to bring a copy of the completed form with you.

### **(8) How do I serve and file form EJ-146?**

After you complete *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146), serve (give) a copy of the completed form on the judgment debtor by following these steps:

- Someone who is not a party to the action must serve the papers on the judgment debtor.

- The *Notice of Motion and Motion to Require Examination—Consumer Debt* must be served at least **16 court days** before the hearing if it is personally served. If the notice is sent by fax, express mail, or other method of overnight delivery, the 16-court-day period is increased by 2 calendar days. If the notice is served by mail from and to an address within California, the 16-court-day period is increased by 5 calendar days. For more information on the time to serve the notice, read Code of Civil Procedure sections [708.111\(d\)\(3\)](#) and [1005](#). (You can get a copy of these Code of Civil Procedure sections at [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov).)
- Have the server fill out and sign a proof of service. Proof of service forms are available at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).

After you serve the *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146), file the completed original form with the court by following these steps:

- You must file the completed original *Notice of Motion and Motion to Require Examination—Consumer Debt* with your original signature.
- Include a copy of the judgment debtor's completed *Financial Statement—Consumer Debt* (form EJ-144) with your filing.
- The *Notice of Motion and Motion to Require Examination—Consumer Debt* and the copy of the judgment debtor's *Financial Statement—Consumer Debt* must be filed with the court no more than **15 days** after the judgment debtor filed the *Notice of Financial Statement—Consumer Debt* (form EJ-143).
- You must have a proof of service filed with the court no later than the time of the hearing.

If you go to the hearing on your motion for examination, bring a completed copy of form EJ-146 and a copy of the judgment debtor's *Financial Statement—Consumer Debt* (form EJ-144). You should also bring a copy of *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form [EJ-147](#)). Complete all of form EJ-147 except for the hearing date and time on page 1. If the judge grants your motion for an examination, the judge may want to sign form EJ-147 at the hearing to schedule the examination.





### 9 What do I do after the hearing on my motion to require examination?

If the court has heard your motion to require examination and ruled that the judgment debtor must appear for an examination, you must complete and file *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form [EJ-147](#)) to schedule the examination ordered by the court. There is no fee to file form EJ-147.

You must serve form EJ-147 on the judgment debtor at least **30 days** before the date of the hearing. You can serve form EJ-147 by mail or electronic service. Personal service is not required.

### 10 What if I want to ask for another examination of the judgment debtor?

If the court ordered the judgment debtor to come to court for an examination after you filed *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136) and then canceled the examination for any reason, you cannot file another application to examine that judgment debtor until one year from the date you filed your previous application.

To ask for a second examination of the judgment debtor, use form EJ-141. Do not use form SC-136.

### 11 What if I need help to understand English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use *Request for Interpreter* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

### 12 What if I have a disability?

If you have a disability and need accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)).

## INFORMATION FOR THE JUDGMENT DEBTOR

This part of the information sheet is for the judgment debtor (the party who lost the case and owes money) in a case concerning consumer debt. It tells them how they can respond to an order to appear in court to answer questions about their income and assets.

### 13 What do I do if I receive form EJ-141 or form SC-136?

If you receive an *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or an *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136), you must either appear in court for the examination at the time and place listed in item 2 on that form or provide your financial information in writing (see steps below) to the judgment creditor. If you provide your financial information in writing to the judgment creditor, and file a notice with the court, you do not have to appear in court for the examination.

If you do not appear in court for the examination or provide your financial information in writing, the judge may make you pay the judgment creditor's reasonable attorney's fees and costs.

### 14 How do I provide my financial information in writing?

To provide your financial information in writing to the judgment creditor, follow these steps:

- Complete and serve a *Financial Statement—Consumer Debt* (form [EJ-144](#)) as explained in (15) and (16). A copy of this form should have been included with the form EJ-141 or form SC-136 you received from the judgment creditor.
- Complete, serve, and file a *Notice of Financial Statement—Consumer Debt* (form [EJ-143](#)) and a proof of service for form EJ-144, as explained in (17). A copy of form EJ-143 should have been included with the form EJ-141 or form SC-136 you received from the judgment creditor.

You can also get copies of forms EJ-143 and EJ-144 from [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) or the self-help center at your local court.



**15 How do I complete *Financial Statement—Consumer Debt* (form EJ-144)?**

To complete *Financial Statement—Consumer Debt* (form EJ-144), follow these steps:

- Read the entire form to see the information it asks for.
- Do not include bank account numbers or other account numbers on the form.
- To fill out items 1 and 2, decide if any of your income or assets are exempt (cannot be collected by a judgment creditor). (Read 16, “How do I figure out if my income or assets are exempt?”)
- Fill out the other items on the form. If you checked the box in item 2 (indicating that some or all of your money or property is exempt because it is needed to support you, your spouse, or persons who depend on you and your spouse for support), you will need to provide information about your spouse or dependents in some items on the form. The instructions for each item will tell you if you need to do so.
- Sign and date the form.
- If you checked the box in item 2, your spouse must also sign and date the form, unless you and your spouse live separate and apart.
- Make at least one copy of the completed form to keep for your records. You will need to bring a completed copy of the form with you if you are ordered to appear in court. (Read 18, “What happens after I provide my financial information in writing?”)

After you complete form EJ-144, you must serve (give) the original signed form EJ-144 on the judgment creditor no later than **15 days** before the examination (the date and time listed in item 2 on the form EJ-141 or form SC-136 you received from the judgment creditor). Someone who is not a party to the action must serve the judgment creditor. Have the server fill out and sign a proof of service. Proof of service forms are available at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).

Do *not* file form EJ-144 with the court.

**16 How do I figure out if my income or assets are exempt?**

Some types of money you earn (income) and money and property you own (assets) are exempt, meaning they cannot be collected by a judgment creditor.

To figure out if any of your income or assets are exempt, read *Exemptions From the Enforcement of Judgments* (form EJ-155). A copy of this form should be included with the form EJ-141 or form SC-136 you received from the judgment creditor. You can also get a copy of this form from [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) or from the self-help center at your local court.

Form EJ-155 lists different kinds of money and property that are exempt. You will need to look for each type of money and property you have in the list. Not all types of money and property are exempt, so some of the money or property you have might not be listed on form EJ-155.

If any of your money or property is listed on form EJ-155, you will need to figure out how much of it is exempt. For some types of money and property, only a specific dollar amount is exempt. For other types, the entire amount or value is exempt. And for other types, the exempt amount depends on your situation.

To figure out the exempt amount of each type of money and property you have, read *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156). A copy of this form should be included with the form EJ-141 or form SC-136 you received from the judgment creditor. You can also get a copy of this form from [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) or from the self-help center at your local court.

Form EJ-156 lists the exempt amounts for some types of money and property. If the money or property you have is not listed on form EJ-156, then you will need to read the specific law (the code and section number) listed for that type of money or property on form EJ-155. For example, form EJ-155 lists Code of Civil Procedure (CCP) section 704.070 as the code and section number for “cash.”



You can get a copy of the California laws listed on form EJ-155 at [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov). The sections of the United States Code that provide exemptions (shown as “USC” on form EJ-155) can be found at [uscode.house.gov/](http://uscode.house.gov/).

Some types of money and property are exempt if they are needed to support the basic needs of you and your family. The law for these types will say they are “exempt to the extent necessary for the support of the judgment debtor and the spouse and dependents of the judgment debtor.” Under those laws, the exempt amount is the amount needed to support your basic needs and the basic needs of your spouse or anyone who depends on you or your spouse for support.

After you have figured out if any of your money or property is exempt, complete items 1 and 2 on the *Financial Statement—Consumer Debt* (form EJ-144):

- If none of your income or assets are exempt, check box 1a.
- If all of your income or assets are exempt, check box 1b.
- If some, but not all, of your income or assets are exempt, check box 1c.
- If any of your money or property is exempt because it is needed to support the basic needs of you and your family, check the box in item 2.

### **17** How do I complete *Notice of Financial Statement—Consumer Debt* (form EJ-143)?

Do not fill out *Notice of Financial Statement—Consumer Debt* (form EJ-143) until after you complete *Financial Statement—Consumer Debt* (form EJ-144).

To complete *Notice of Financial Statement—Consumer Debt*, follow these steps:

- Enter the name and address of the judgment creditor. You can use the address the judgment creditor provided on form EJ-141 or form SC-136.
- In item 1, enter the date, time, and location of the examination scheduled by the court. This is the information listed in item 2 on the form EJ-141 or SC-136 that you received from the judgment creditor.

- Check the box in item 2 if you also checked box 1b on your *Financial Statement—Consumer Debt* (form EJ-144), which says that all of your income and assets are exempt.
- Make a copy of the completed form to serve on (give to) the judgment creditor.
- Make at least one copy of the completed form for your records. You will need to bring a completed copy of the form with you if you are ordered to appear in court. (Read 18, “What happens after I provide my financial information in writing?”)
- Serve (give) a copy of the completed *Notice of Financial Statement—Consumer Debt* (form EJ-143) on the judgment creditor. Someone who is not a party to the action must serve the papers on the judgment creditor. Form EJ-143 can be served by mail. Have the server fill out and sign a proof of service. Proof of service forms are available at [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm).
- File the completed form EJ-143 with the court. You must file the completed original form EJ-143 with your original signature. When you file EJ-143, you must also file the completed proof of service for form EJ-144, showing that form EJ-144 was served on the judgment creditor.
- You must also file a proof of service for form EJ-143 no later than the date scheduled for the examination.

You must file form EJ-143 and a proof of service for form EJ-144 no later than **15 days** before the date of the examination (shown in item 2 of the form EJ-141 or form SC-136 you received from the judgment creditor). If you do not file form EJ-143 and a proof of service for form EJ-144 by this deadline, you must attend the examination at the time and place listed in item 2 on *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136).



**18 What happens after I provide my financial information in writing?**

If you served and filed *Notice of Financial Statement—Consumer Debt* (form EJ-143) and a proof of service for *Financial Statement—Consumer Debt* (form EJ-144) before the deadline, you do not have to appear for the examination at the time and place listed in item 2 on *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136).

If you checked item 2 on form EJ-143, the court will cancel the examination. If the court cancels the examination, the judgment creditor can object by filing a *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146).

**19 What do I do if I receive a Notice of Motion and Motion to Require Examination—Consumer Debt (form EJ-146)?**

The *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146) asks the court to order you to come to court for an examination even though you have provided your financial information in writing. On that form, the judgment creditor will explain why they think an examination is needed.

The court will hold a hearing at the date and time listed in item 2 on form EJ-146 to decide if an examination is needed. You must appear at the hearing.

The hearing is your opportunity to explain why you think the information on your *Financial Statement—Consumer Debt* (form EJ-144) is enough and why the judgment creditor does not need to ask you questions at an examination. Take a copy of your completed *Notice of Financial Statement—Consumer Debt* (form EJ-143) and *Financial Statement—Consumer Debt* (form EJ-144) with you to the hearing.

**20 What do I do if I receive an Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt (form EJ-147)?**

If the court decides that an examination is needed after hearing the judgment creditor's *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146), you will receive an *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form EJ-147) from the judgment creditor. Form EJ-147 schedules your examination, which is when you appear in court to provide information about your money and property. You must appear on the date and time listed in item 2 on form EJ-147.

At court on the day of the examination, the court will call the case. You will be administered an oath as if you were testifying in court. Then, typically, the court will tell you and the judgment creditor to go to the hall or another room. The judgment creditor will ask you questions about your money and property.

If you do not appear at the time and place listed in item 2 on form EJ-147, the judge may make you pay the judgment creditor's attorney's fees and costs.

**21 What if I need help to understand English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use *Request for Interpreter* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

**22 What if I have a disability?**

If you have a disability and need accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)).



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): _____	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> <b>06/20/2024</b> <b>NOT APPROVED</b> <b>BY COUNCIL</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
<div style="text-align: center;"><b>JUDGMENT</b></div> <input type="checkbox"/> <b>By Clerk</b> <input type="checkbox"/> <b>By Default</b> <input type="checkbox"/> <b>After Court Trial</b> <input type="checkbox"/> <b>By Court</b> <input type="checkbox"/> <b>On Stipulation</b> <input type="checkbox"/> <b>Defendant Did Not Appear at Trial</b>	CASE NUMBER:

**JUDGMENT**

1.  **BY DEFAULT**
  - a. Defendant was properly served with a copy of the summons and complaint.
  - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
  - c. Defendant's default was entered by the clerk upon plaintiff's application.
  - d.  **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
  - e.  **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
    - (1)  plaintiff's testimony and other evidence.
    - (2)  plaintiff's written declaration (Code Civ. Proc., § 585(d)).
2.  **ON STIPULATION**
  - a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
  - b.  the signed written stipulation was filed in the case.
  - c.  the stipulation was stated in open court       the stipulation was stated on the record.
3.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
  - a. The case was tried on (date and time):  
before (name of judicial officer):
  - b. Appearances by
 

<input type="checkbox"/> plaintiff (name each):	<input type="checkbox"/> plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> defendant (name each):	<input type="checkbox"/> defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
  - c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
  - d.  A statement of decision (Code Civ. Proc., § 632)       was not       was requested.

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

**JUDGMENT IS ENTERED BY  THE COURT  THE CLERK AS FOLLOWS:**

4.  **Stipulated Judgment.** Judgment is entered according to the stipulation of the parties.

5. **Parties.** Judgment is

a.  for plaintiff (*name each*):

c.  for cross-complainant (*name each*):

and against defendant (*names*):

and against cross-defendant (*name each*):

Continued on Attachment 5a.

Continued on Attachment 5c.

b.  for defendant (*name each*):

d.  for cross-defendant (*name each*):

6. **Amount.**

a.  Defendant named in item 5a above must pay plaintiff on the complaint

c.  Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint

(1) <input type="checkbox"/> Damages	\$
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of _____ %	\$
(3) <input type="checkbox"/> Attorney fees	\$
(4) <input type="checkbox"/> Costs	\$
(5) <input type="checkbox"/> Other ( <i>specify</i> ):	\$
<b>(6) TOTAL</b>	<b>\$</b>

(1) <input type="checkbox"/> Damages	\$
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of _____ %	\$
(3) <input type="checkbox"/> Attorney fees	\$
(4) <input type="checkbox"/> Costs	\$
(5) <input type="checkbox"/> Other ( <i>specify</i> ):	\$
<b>(6) TOTAL</b>	<b>\$</b>

b.  Plaintiff to receive nothing from defendant named in item 5b.

d.  Cross-complainant to receive nothing from cross-defendant named in item 5d.

Defendant named in item 5b to recover costs: \$ \_\_\_\_\_ and attorney fees: \$ \_\_\_\_\_

Cross-defendant named in item 5d to recover costs: \$ \_\_\_\_\_ and attorney fees: \$ \_\_\_\_\_

7.  Judgment debtor is a natural person, and as provided in the relevant statute, \$ \_\_\_\_\_ of this judgment is on a claim related to medical expenses (Code Civ. Proc., §§ 683.110, 685.010); and \$ \_\_\_\_\_ of this judgment is on a claim related to personal debt (Code Civ. Proc., §§ 683.110, 685.010), which includes: \$ \_\_\_\_\_ concerning consumer debt (Code Civ. Proc., § 708.111).

8.  Other (*specify*):

Date:  \_\_\_\_\_ JUDICIAL OFFICER

Date:  Clerk, by \_\_\_\_\_, Deputy

(SEAL)

**CLERK'S CERTIFICATE (Optional)**

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

NOT APPROVED BY COUNCIL

SMALL CLAIMS CASE NO.:

NOTICE TO ALL PLAINTIFFS AND DEFENDANTS: Your small claims case has been decided. If you lost the case, and the court ordered you to pay money, your wages, money, and property may be taken without further warning from the court. Read the back of this sheet for important information about your rights. AVISO A TODOS LOS DEMANDANTES Y DEMANDADOS: Su caso ha sido resuelto por la corte para reclarnos judiciales menores. Si la corte ha decidido en su contra y ha ordenado que usted pague dinero, le pueden quitar su salario, su dinero, y otras cosas de su propiedad, sin aviso adicional por parte de esta corte. Lea el reverso de este formulario para obtener informacion de importancia acerca de sus derechos.

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

Telephone No.: Telephone No.:

Telephone No.: Telephone No.: See attached sheet for additional plaintiffs and defendants.

NOTICE OF ENTRY OF JUDGMENT

- Judgment was entered as checked below on (date): 1. Defendant (name, if more than one): shall pay plaintiff (name, if more than one): \$ principal and: \$ costs on plaintiffs claim. 2. Defendant does not owe plaintiff any money on plaintiff's claim. 3. Plaintiff (name, if more than one): shall pay defendant (name, if more than one): \$ principal and: \$ costs on defendant's claim. 4. Plaintiff does not owe defendant any money on defendant's claim. 5. Possession of the following property is awarded to plaintiff (describe property): 6. Payments are to be made at the rate of: \$ per (specify period): , beginning on (date): and on the (specify day): day of each month thereafter until paid in full. If any payment is missed, the entire balance may become due immediately. 7. Dismissed in court with prejudice without prejudice. 8. Attorney-Client Fee Dispute (Attachment to Notice of Entry of Judgment) (form SC-132) is attached. 9. Other (specify): 10. Judgment debtor is a natural person, and as provided in the relevant statute, \$ of this judgment is on a claim related to medical expenses (Code Civ. Proc., §§ 683.110, 685.010); and \$ of this judgment is on a claim related to personal debt (Code Civ. Proc., §§ 683.110, 685.010), which includes: \$ concerning consumer debt (Code Civ. Proc., § 708.111). 11. This judgment results from a motor vehicle accident on a California highway and was caused by the judgment debtor's operation of a motor vehicle. If the judgment is not paid, the judgment creditor may apply to have the judgment debtor's drivers license suspended. 12. Enforcement of the judgment is automatically postponed for 30 days or, if an appeal is filed, until the appeal is decided. 13. This notice was personally delivered to (insert name and date): 14. CLERK'S CERTIFICATE OF MAILING I certify that I am not a party to this action. This Notice of Entry of Judgment was mailed first class, postage prepaid, in a sealed envelope to the parties at the addresses shown above. The mailing and this certification occurred at the place and on the date shown below.

Place of mailing: , California Date of mailing: Clerk, by \_\_\_\_\_, Deputy

The county provides small claims advisor services free of charge. Read the information sheet on the reverse. Page 1 of 2

INFORMATION AFTER JUDGMENT	INFORMACION DESPUES DEL FALLO DE LA CORTE
<p>Your small claims case has been decided. The <b>judgment</b> or decision of the court appears on the front of this sheet. The court may have ordered one party to pay money to the other party. The person (or business) who won the case and who can collect the money is called the <b>judgment creditor</b>. The person (or business) who lost the case and who owes the money is called the <b>judgment debtor</b>.</p> <p>Enforcement of the judgment is postponed until the time for appeal ends or until the appeal is decided. This means that the judgment creditor cannot collect any money or take any action until this period is over. Generally, both parties may be represented by lawyers after judgment.</p>	

**IF YOU LOST THE CASE . . .**

1. If you lost the case on your own claim and the court did not award you any money, the court's decision on your claim is **FINAL**. You may not appeal your own claim.
2. If you lost the case and the court ordered you to pay money, your money and property may be taken to pay the claim unless you do one of the following things:
  - a. **PAY THE JUDGMENT**  
The law requires you to pay the amount of the judgment. You may pay the judgment creditor directly, or pay the judgment to the court for an additional fee. You may also ask the court to order monthly payments you can afford.  
Ask the clerk for information about these procedures.
  - b. **APPEAL**  
If you disagree with the court's decision, you may appeal the decision on *the other party's claim*. You may not appeal the decision on your own claim. However, if any party appeals, there will be a new trial on *all* the claims. If you appeared at the trial, you *must* begin your appeal by filing a form called a *Notice of Appeal* (form SC-140) and pay the required fees within 30 days after the date this *Notice of Entry of Judgment* was mailed or handed to you. Your appeal will be in the superior court. You will have a **new trial** and you must present your evidence again. You may be represented by a lawyer.
  - c. **VACATE OR CANCEL THE JUDGMENT**  
If you did not go to the trial, you may ask the court to vacate or cancel the judgment. To make this request, you must file a *Motion to Vacate the Judgment* (form SC-135) and pay the required fee *within 30 days* after the date this *Notice of Entry of Judgment* was mailed. If your request is denied, you then have 10 days from the date the notice of denial was mailed to file an appeal. The period to file the *Motion to Vacate the Judgment is 180 days* if you were *not properly served* with the claim. The 180-day period begins on the date you found out or should have found out about the judgment against you.

- b. **VOLUNTARY PAYMENT**  
Ask the judgment debtor to pay the money. If your claim was for possession of property, ask the judgment debtor to return the property to you. **THE COURT WILL NOT COLLECT THE MONEY OR ENFORCE THE JUDGMENT FOR YOU.**
- c. **STATEMENT OF ASSETS**  
If the judgment debtor does not pay the money, the law requires the debtor to fill out a form called the *Judgment Debtor's Statement of Assets* (form SC-133). This form will tell you what property the judgment debtor has that may be available to pay your claim. If the judgment debtor willfully fails to send you the completed form, you may ask the court to give you your attorney's fees and expenses and other appropriate relief, after proper notice, under Code of Civil Procedure section 708.170. You can do this by filing *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134). If item 10 on page 1 of this form says the judgment includes an amount "concerning consumer debt," file *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136) instead of form SC-134.
- d. **ORDER OF EXAMINATION**  
You may also make the debtor come to court to answer questions about income and property. To do this, ask the clerk for form EJ-125 (ask for form EJ-141 if item 10 on page 1 of this form says the judgment includes an amount "concerning consumer debt") and pay the required fee. There is a fee if a law officer serves the order on the judgment debtor. You may also obtain the judgment debtor's financial records. Ask the clerk for the *Small Claims Subpoena and Declaration* (form SC-107) or *Civil Subpoena Duces Tecum* (form SUBP-002).
- e. **WRIT OF EXECUTION**  
After you find out about the judgment debtor's property, you may ask the court for a *Writ of Execution* (form EJ-130) and pay the required fee. A writ of execution is a court paper that tells a law officer to take property of the judgment debtor to pay your claim. Here are some examples of the kinds of property the officer may be able to take: **wages, bank account, automobile, business property, or rental income.** For some kinds of property, you may need to file other forms. See the law officer for information.
- f. **ABSTRACT OF JUDGMENT**  
The judgment debtor may own land or a house or other buildings. You may want to put a lien on the property so that you will be paid if the property is sold. You can get a lien by filing an *Abstract of Judgment* (form EJ-001) with the county recorder in the county where the property is located. The recorder will charge a fee for the *Abstract of Judgment*.

**IF YOU WON THE CASE . . .**

1. If you were sued by the other party and you won the case, then the other party may not appeal the court's decision.  
If you won the case and the court awarded you money, here are some steps you may take to collect your money or get possession of your property:
  - a. **COLLECTING FEES AND INTEREST**  
Sometimes fees are charged for filing court papers or for serving the judgment debtor. These extra costs can become part of your original judgment. To claim these fees, ask the clerk for a *Memorandum of Costs*.

**NOTICE TO THE PARTY WHO WON:** As soon as you have been paid in full, you *must* fill out the form below and mail it to the court *immediately* or you may be fined. If an *Abstract of Judgment* has been recorded, you must use another form; see the clerk for the proper form.

SMALL CLAIMS CASE NO.:

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT (*Do not use this form if an Abstract of Judgment has been recorded.*)

**To the Clerk of the Court:**

I am the  judgment creditor  assignee of record.

I agree that the judgment in this action has been paid in full or otherwise satisfied.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

FOR COURT USE ONLY  
  
DRAFT  
06/25/2024  
NOT APPROVED  
BY COUNCIL

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 the *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.

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
  - (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 money and property; 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.)

<b>Hearing Date</b>	→ Date: _____ Time: _____
	Dept.: _____ Room: _____

Name and address of court if different from above:

**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)

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 the *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.  The *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

– The county provides small claims advisor services free of charge –

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) personally served on the judgment debtor 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. 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.
6. If the judgment is paid, including all postjudgment costs and interest, you must immediately complete the *Acknowledgment of Satisfaction of Judgment* on page 2 of the *Notice of Entry of Judgment* (form SC-130) and file a copy with the court.



**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](http://www.courts.ca.gov/forms) for *Disability Accommodation Request* (form MC-410). (Civil Code, § 54.8.)



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.

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06/20/2024
NOT APPROVED
BY COUNCIL

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

Use this form if you are a judgment creditor (the party who won the case and is owed money) in a small claims case and the Notice of Entry of Judgment (form SC-130 or SC-200) says the judgment includes an amount concerning consumer debt. Read the instructions on page 2 for more information.

1. TO JUDGMENT DEBTOR (name):

2. YOU ARE ORDERED

- a. to pay the judgment and file proof of payment... 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... OR
(2) Personally appear in this court on the date and time shown below...

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.

Hearing Date box with fields for Date, Time, Dept., and Room.

Name and address of court, if different from above:

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

Date: [Signature line] (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

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 the *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 the *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.  The *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**

**– The county provides small claims advisor services free of charge –**

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, the *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 personally served on the judgment debtor 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)
  - *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 with you to the hearing.
5. If the judgment is paid, including all postjudgment costs and interest, you must immediately complete the *Acknowledgment of Satisfaction of Judgment* on page 2 of the *Notice of Entry of Judgment* (form SC-130) and file a copy with the court.



## 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 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](http://www.courts.ca.gov/forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civil Code, § 54.8.)

Clerk stamps here when form is filed.

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06/20/2024
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BY COUNCIL

This form tells you the court's decision (judgment) in this small claims case. The date the small claims clerk handed or mailed you this form is very important. That date sets the deadline for the parties to take legal steps to protect or enforce their rights.

If the court ordered you to pay money, your wages, money, or property can be taken, if you do not pay the judgment within 30 days. You may also have to pay interest. If the court decided that you owe money because of an auto accident, the Department of Motor Vehicles (DMV) can suspend your driver's license.

If you disagree with the judgment, you may have the right to appeal or to ask the court to cancel or correct the judgment. To protect these rights, you must file papers with the court within 30 days after this notice was mailed or handed to you.

Read pages 3 and 4. They explain your rights and responsibilities, whether you won or lost the case.

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:

1 The judgment (decision) in this small claims case was entered on (date):

2 The judgment cannot be enforced until after the 30-day right to appeal or file a motion to vacate (cancel) or correct the judgment has ended. If an appeal or a motion to cancel or correct the judgment is properly filed, the judgment cannot be enforced until the appeal or motion is decided.

3 Judgment on the Plaintiff's Claim

Plaintiff's name, if more than one:

Defendant's name, if more than one:

- a. The plaintiff's claim against (check one): all parties (name) is dismissed and (1) may not be filed again. (The claim is dismissed with prejudice.) (2) may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)

b. The defendant (name) does not have to pay the plaintiff anything.

c. The defendant (name) must pay the plaintiff (name) (total amount): \$, which includes: principal: \$ + interest: \$ + court costs: \$ - offset: \$ Reason for offset, if any:

- d. More than one person owes money on this claim. The liability of each person is: (1) Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.) (2) Other (specify):

e. The defendant (name) must give the plaintiff (name) (specify property): by (date): The property is specified on Attachment 3e.

4 Judgment on the Defendant's Claim

Defendant's name, if more than one:

Plaintiff's name, if more than one:

Case Number: \_\_\_\_\_

Case Name: \_\_\_\_\_

- 4 a.  The defendant's claim against (check one):  all parties  (name): \_\_\_\_\_ is dismissed and
  - (1)  may not be filed again. (The claim is dismissed with prejudice.)
  - (2)  may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)
- b.  The plaintiff (name): \_\_\_\_\_ does not owe any money on this claim.
- c.  The plaintiff (name): \_\_\_\_\_ must pay the defendant (name): \_\_\_\_\_
 

(total amount): \$ \_\_\_\_\_, which includes:

principal: \$ \_\_\_\_\_ + interest: \$ \_\_\_\_\_ + court costs: \$ \_\_\_\_\_ - offset: \$ \_\_\_\_\_

Reason for offset, if any: \_\_\_\_\_
- d.  More than one person owes money on this claim. The liability of each person is:
  - (1)  Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.)
  - (2)  Other (specify): \_\_\_\_\_
- e.  The plaintiff (name): \_\_\_\_\_ must give the defendant (name): \_\_\_\_\_
 

(specify property): \_\_\_\_\_ by (date): \_\_\_\_\_

The property is specified on Attachment 4e.

- 5  Payments (Name): \_\_\_\_\_
 

may pay the judgment to (name): \_\_\_\_\_ as follows:

  - a.  Payments of: \$ \_\_\_\_\_ on the \_\_\_\_\_ day of each (month, week, other) \_\_\_\_\_
 

starting (date): \_\_\_\_\_ and a final payment of: \$ \_\_\_\_\_ on (date): \_\_\_\_\_
  - 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 payments are made late or early.
  - d.  The total amount of the 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 have been paid in full.
  - e. 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.

**Other Orders**

- 6  Decisions on other claims or parties are stated in Attachment 6.
- 7  After offsetting the judgments on the claims, (name): \_\_\_\_\_
 

owes (name): \_\_\_\_\_ \$ \_\_\_\_\_
- 8  This judgment against (name): \_\_\_\_\_
 

is for damage or injury because of an automobile vehicle accident on a California highway caused by the judgment debtor or by another party for whose conduct the judgment debtor is liable (other than liability because the party signed a minor's driver's license application).
- 9  Judgment debtor is a natural person, and as provided in the relevant statute,
 

\$ \_\_\_\_\_ of this judgment is on a claim related to medical expenses (Code Civ. Proc., §§ 683.110, 685.010)

\$ \_\_\_\_\_ of this judgment is on a claim related to personal debt (Code Civ. Proc., §§ 683.110, 685.010),

which includes \$ \_\_\_\_\_ concerning consumer debt (Code Civ. Proc., § 708.111).
- 10  The court finds that the defendant's rights under the Servicemembers Civil Relief Act were not prejudiced by the entering of a judgment against the defendant because the defendant was not a servicemember or had notice and was available to defend this action.
- 11  Form SC-202A, Decision on Attorney-Client Fee Dispute, is attached.
- 12  Other (specify): \_\_\_\_\_
 

Continued on Attachment 11.

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy



# What to Do After the Court Decides Your Small Claims Case

**First, read the court's decisions on pages 1 and 2.** They will tell you the court's judgment in this case. **Then read this form.** It will help you protect or enforce your rights, whether you won or lost the case.

**Warning!** You may lose important rights if you do not act within 30 days after the court handed or mailed you this *Notice of Entry of Judgment*. If the court mailed the *Notice of Entry of Judgment*, the date of mailing is on the *Clerk's Certificate of Mailing* that came with the notice.

**If the court did not award you any money on a claim that you filed...** The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

## If the court ordered you to pay money...

You are the *judgment debtor*. The law requires you to pay the judgment. You **can**:

- Pay the judgment creditor directly;
- Pay the court (to do this, file form SC-145, *Request to Pay Judgment to Court*); or
- Ask the court to let you make payments (to do this, file form SC-220, *Request to Make Payments*).

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.

**Warning!** If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after the *Notice of Entry of Judgment* was handed or mailed to you, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

**After you pay the judgment in full**, you can ask the judgment creditor to file a form saying the judgment is paid. (See form SC-290, *Acknowledgment of Satisfaction of Judgment*.) If the judgment creditor does not do this, they may have to pay you damages and a penalty.

**If you disagree with the judgment ordering you to pay money and you went to your small claims trial**, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do this, file form SC-140, *Notice of Appeal*, within 30 days after the *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 4)

## If the court ordered the other side to pay you...

You are the *judgment creditor*. **You** must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to <https://selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win>.

**Important!** The judgment debtor has **30 days** after being mailed or handed the *Notice of Entry of Judgment* to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

**Ask the judgment debtor to pay you the money.** If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

**If the judgment debtor does not pay, you can find out about the debtor's income or property** that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed the *Notice of Entry of Judgment*, the debtor must send you form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed form SC-133**, you can file form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief. **If item 9 on page 2 of this form says the judgment includes an amount "concerning consumer debt," file form SC-136, *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt*, instead of form SC-134.**

(Continued on page 4)



## If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to your trial, you can ask the court to vacate (cancel) the judgment. To do this, file form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, within 30 days\* after the *Notice of Entry of Judgment* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

\**Exception:* If the claim against you was not properly served, you have **180 days** from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

**Unless you pay the judgment or file an appeal or a motion** as discussed above, you must complete form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed the *Notice of Entry of Judgment*.

**Warning!** If you do not deliver the completed form SC-133, the court can order you to pay attorney fees and impose other penalties.

## If the court ordered the other side to pay you...

(continued)

- If the debtor **does** send you form SC-133, you can still have the debtor come to court to answer questions about income and property. To do this, file form EJ-125, *Application and Order for Appearance and Examination*. If item 9 on page 2 of this form says the judgment includes an amount "concerning consumer debt," file *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) instead of form EJ-125.
- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

**Once you know about the judgment debtor's income and property**, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do this, fill out and ask the court clerk to issue form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

**You can also put a lien on the judgment debtor's house or other real estate.** To do this, fill out and ask the court clerk to issue form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

**After the judgment has been paid in full**, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If an *Abstract of Judgment* has not been recorded, you may use form SC-290. If an abstract has been recorded, use form EJ-100.

**Warning!** If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

**You may need to pay fees** to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



### Need help?

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

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



First, read the court's decisions on the **Notice of Entry of Judgment** (either form SC-130 or form SC-200). It will tell you the court's judgment in this case. **Then read this form.** It will help you protect or enforce your rights, whether you won or lost the case.

**Warning!** You may lose important rights if you do not act within 30 days after the court handed or mailed you a **Notice of Entry of Judgment**. If the court mailed the **Notice of Entry of Judgment**, the date of mailing is on the **Clerk's Certificate of Mailing** that came with the notice.

**DRAFT 06/20/2024**  
**NOT APPROVED BY COUNCIL**

**If the court did not award you any money on a claim that you filed...** The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

### **If the court ordered you to pay money...**

You are the *judgment debtor*. The law requires you to pay the judgment. You **can**:

- Pay the judgment creditor directly;
- Pay the court (to do this, file form SC-145, *Request to Pay Judgment to Court*); or
- Ask the court to let you make payments (to do this, file form SC-220, *Request to Make Payments*).

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.

**Warning!** If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after the *Notice of Entry of Judgment* was handed or mailed to you, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

**After you pay the judgment in full**, you can ask the judgment creditor to file a form saying the judgment is paid. (See form SC-290, *Acknowledgment of Satisfaction of Judgment*.) If the judgment creditor does not do this, they may have to pay you damages and a penalty.

**If you disagree with the judgment ordering you to pay money and you went to the small claims trial**, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do this, file form SC-140, *Notice of Appeal*, within 30 days after the *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 2)

### **If the court ordered the other side to pay you...**

You are the *judgment creditor*. **You** must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to <https://selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win>.

**Important!** The judgment debtor has **30 days** after being handed or mailed the *Notice of Entry of Judgment* to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

**Ask the judgment debtor to pay you the money.** If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

**If the judgment debtor does not pay, you can find out about the debtor's income or property** that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed the *Notice of Entry of Judgment*, the debtor must send you form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what money and property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed form SC-133**, you can file form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief. If the *Notice of Entry of Judgment* says the judgment includes an amount "concerning consumer debt," file form SC-136, *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt*, instead of form SC-134.

(Continued on page 2)



## If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to the trial, you can ask the court to vacate (cancel) the judgment. To do this, file form SC-135, *Notice of Motion to Vacate Judgment*, **within 30 days\*** after the *Notice of Entry of Judgment and Declaration* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

*\*Exception:* If the claim against you was not properly served, you have **180 days** from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

**Unless you pay the judgment or file an appeal or a motion** as discussed above, you must complete form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed the *Notice of Entry of Judgment*.

**Warning!** If you do not deliver the completed form SC-133, the court can order you to pay attorney fees and impose other penalties.

**You may need to pay fees** to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



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

## If the court ordered the other side to pay

**you...** (continued)

- If the debtor **does** send you form SC-133, you can still have the debtor come to court to answer questions about income and property. To do this, file form EJ-125, *Application and Order for Appearance and Examination*. If the *Notice of Entry of Judgment* says the judgment includes an amount "concerning consumer debt," file form EJ-141, *Application and Order to Appear for Examination—Consumer Debt*, instead of form EJ-125.
- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

**Once you know about the judgment debtor's income and property**, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do this, fill out and ask the court clerk to issue form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

**You can also put a lien on the judgment debtor's house or other real estate.** To do this, fill out and ask the court clerk to issue form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

**After the judgment has been paid in full**, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If an *Abstract of Judgment* has not been recorded, you may use form SC-290. If an abstract has been recorded, use form EJ-100.

**Warning!** If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

Or go to "County-Specific Court Information" at <https://selfhelp.courts.ca.gov/small-claims-advisor>.