

MOTION TO COLLECT A SMALL CLAIMS JUDGMENT

(Proceedings Supplemental)

Monroe County Circuit Court
301 North College Avenue
Bloomington, IN 47404
(812) 349-2600 (Clerk's Office)

Case No 53C _____

JUDGMENT DEBTOR(S) NAME(S):

PLAINTIFF(S)

DEFENDANT(S)

(NAME, ADDRESS, PHONE, EMAIL)

(NAME, ADDRESS, PHONE, EMAIL)

INSTRUCTIONS

To the Judgment Debtor(s): The Court previously ordered that you owe money to the Plaintiff (issued a judgment). When a Judgment does not get paid, the creditor is allowed to ask the Court to require you to come to a ***Proceeding Supplemental*** hearing so the creditor can find out if you have any income or property which the Court can require you to use to pay towards the Judgment. Your income or property may be exempt from collections. For example, some government benefits, income below a certain amount, or the value of a home and basic household property (and home) are below a certain level. Please tell the Judge if you believe you may be exempt.

- **Appearance.** You may appear at the hearing either yourself or by an attorney of your choosing.
 - **Exhibits & Witnesses.** You should bring three (3) copies of all documents in your possession or control concerning any payments on the Judgment. The Judge cannot review anything on your phone. You should also bring or subpoena any necessary witnesses.
 - **Unable to Appear.** If you are unable to appear, file a *Motion to Continue* and serve on all parties at least three days prior to the Hearing.
 - **Small Claims Rules.** The *Indiana Small Claims Rules* are available online at https://www.in.gov/judiciary/rules/small_claims/. The *Indiana Small Claims Manual* is available in Office of the Clerk, Room 201 of the Justice Building at 301 N. College Ave, Bloomington, IN 47404.
- GUARANTEED FUNDS ONLY—NO PERSONAL CHECKS WILL BE ACCEPTED**

AFFIDAVIT AND REQUEST FOR A HEARING

The creditor affirms that the following representations are true, under the penalties of perjury:

1. That the creditor recovered and owns a Judgment against the above-named Judgment Debtor(s) and that Judgment is still unpaid.
2. That the creditor has cause to believe that levy of execution against the Judgment Debtor(s) will not satisfy the Judgment.
3. That if any person is named as garnishee, that garnishee has or will have specified or unspecified nonexempt property of, or an obligation owing to the judgment debtor subject to execution or proceedings supplemental to execution, and that the garnishee be ordered to appear and answer concerning the same or answer interrogatories submitted with the motion.

- That this is the first Request for a Proceeding Supplemental on this Judgment, OR
- That this is a second or subsequent Request for a Proceeding Supplemental, and that there are new facts which have come to the creditor's knowledge that indicate the Judgment Debtor may have property or income to satisfy the Judgment, namely:

Please pick one →

Plaintiff Signature /s/ _____

Attorney Signature /s/ _____

Attorney Number _____

ORDER TO APPEAR

The Court, having examined the above Verified Motion, now ORDERS the Judgment Debtor(s) to APPEAR in open Court to answer as to any of the Judgment Debtor(s)' non-exempt property subject to execution or proceedings supplemental to execution, or to apply any such property towards satisfaction of the Judgment at Monroe County Circuit Court on the _____ at ____:____ a.m./p.m.

FAILURE TO APPEAR CAN BE PUNISHABLE AS CONTEMPT OF COURT BY FINE OR IMPRISONMENT.

SO ORDERED this _____.

Judge, Monroe Circuit Court