

## **BASIC METHODS OF COLLECTING POST-JUDGMENTS**

If you receive a judgment and are not voluntarily paid, below are methods of collection the law provides. **(This is provided that the party is not indigent.)**

### **Collecting Small Claims Judgments:**

- If you receive a Judgment at the end of a contested trial, you must wait ten days prior to proceeding with collecting your judgment.
- If you receive a Default judgment, you may proceed immediately.
- If you receive a consent judgment, you must adhere to the terms of said Judgment.

### **Collecting Dispossessory Judgments:**

- If you receive a judgment at the end of trial, you must wait seven days prior to proceeding with collecting your judgment.
- If you receive a Default Judgment you may proceed immediately.
- If you receive a Consent Judgment, you must adhere to the terms of the judgment.

**NOTICE: When the judgment is paid in full, it is the responsibility of the party who was awarded the judgment to satisfy the judgment and the FI FA.**

### **COLLECTION OPTIONS:**

#### **Writ of Fiera Facias. (FI FA):**

- The FIFA (Proof of your judgment), once issued, places a lien against the party who owes the judgment and any property he/she may own.
- The cost of issuing and recording the FI FA on the General Execution Docket is set forth by the Georgia State Legislative Body and is subject to change. (\$4.00 made payable to Magistrate Court and \$25.00 made payable to Clerk of Superior Court for recording on GED.)
- You may also take your FIFA and have it recorded in any county in Georgia. If you need to record your FIFA outside the State of Georgia, you should consult an attorney.

#### **Post-Judgment Interrogatories**

- Set of written questions to discover information to help you collect the judgment.

#### **Garnishment (Wage or Bank)**

- Wage Garnishments are filed against the losing party's paycheck and are filed in the county where the employer is located.
- Bank Garnishments are filed against the losing party's bank account and are filed in the county in which the bank is located
- Copy of the Judgment is required if the judgment was rendered outside of Murray County.

#### **Levy against Real and Personal Property**

- This process is started with a FI FA Since the FI FA is your proof of having a judgment, the Sheriff will require the FI FA to levy against any personal property.
- If you want to levy against real property, you should consult an attorney.

#### **Attorney or Collection Agency**

- You may also elect to turn your judgment over to an attorney or collection agency for collection.