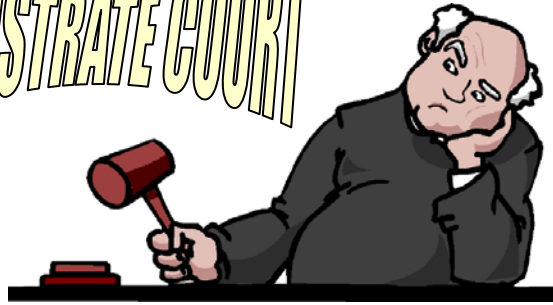


MAGISTRATE COURT



- All efforts have been made to collect money.
- File given to you.
- **Forms submitted in county that client resides.**

FORMS

“Statement of Claim”
John or Taso must sign.
“Statement of Claim”
must be notarized.

Complete “Sheriff’s/Marshall’s
Entry of Service” form.

Court assigns case
number and sent to
Sheriff’s Office.

Check must be enclosed for filing
fee. (Fee varies by county)

Defendant
served papers
by Sheriff.
Plaintiff
notified 2-3
weeks.

Defendant has
30 days to
respond, in
writing, to
court.

Hearing date set 15-30
days later.
Both parties notified.
*This takes about 3
months*

1. Outline events for court case.
2. Collect all documents to help prove the case.
3. Make extra copies for the court.

Court date has arrived

What to expect.....

You arrive at the Court House...on time!

You go through the metal detector; remember... no weapons



If Plaintiff (C & C) only appears:

1. You win case by “default judgment.”
2. Judge dismisses case.
3. Postpone case until a later date.

If Plaintiff (C & C) and Defendant appear:

1. You will be asked if you will meet with a mediator and try to settle without a hearing.

If yes, you meet with a mediator. If you reach an agreement this is called settling your case. Be sure to put in writing and tell the court.

If no or the parties cannot settle, both parties go before the Judge and present arguments.

2. Judgment is given.
(Hopefully in favor of Plaintiff)



Best case scenario:

You win the judgment.

IF DEFENDANT CANNOT PAY IMMEDIATELY ASK THE JUDGE TO ORDER A PAYMENT PLAN. ACT FAST...TIME IN FRONT OF JUDGE IS LIMITED!

You receive a judgment form with amount Plaintiff must pay.

Just because you win the judgment does not mean you will collect your money!! See “How to Collect the Award.”

Worse case scenario:

You lose the judgment. You may appeal. Either the State or Superior Court will hear the appeal.



HOW TO COLLECT

If you receive a judgment and you are not paid voluntarily there are several methods of collection:



Send letter to court requesting the court to issue a Fieri Facias (Fi Fa). There is a fee for this.

Once you receive the Fi Fa, send original to Sheriff's Office. Keep copies...you will need them!

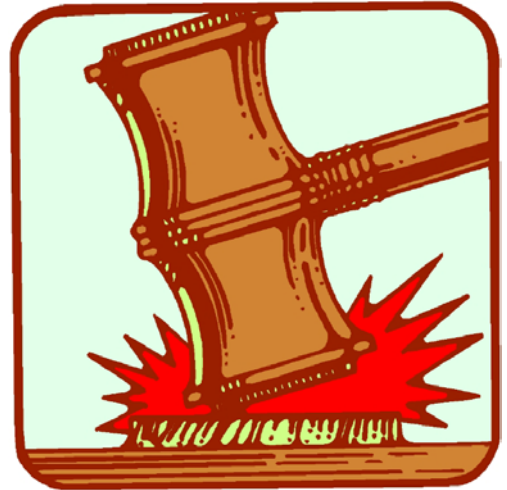
A Fi Fa can cause property belonging to the defendant to be seized, levied on, or sold at a public auction, in order to satisfy the amount on the Fi Fa. The defendant might request to pay the debt at this time to prevent further action.

You may file a garnishment against wages or a bank account. This is filed through the State Court.

You can turn your judgment over to an attorney or a collection agency for collection.

When the judgment is paid in full, you as the judgment creditor have the duty to see that the writ of Fi Fa is cancelled on the appropriate General Execution Docket(s). There is an additional fee for this service and that matter is handled through the Clerk of Superior Court in the respective counties wherein the writ of Fi Fa is filed.

Dismiss Procedures



PAID JUDGMENT

When defendant has paid debt amount specified on Judgment send court letter titled:

SATISFACTION OF JUDGMENT

FI FA SATISFIED

When defendant has paid debt amount specified on Fi Fa, send court letter titled:

SATISFACTION OF FI FA

(There is a fee for this)

SETTLED OUT OF COURT OR DO NOT WANT TO CONTINUE....but case was assigned case number....send court letter titled:

DISMISSAL OF COMPLAINT

If defendant filed an answer in the case both parties must sign a

STIPULATION OF DISMISSAL

in order to cancel lawsuit.