

# Post-Judgment: Basic Steps in Collecting on a Judgment for Money

**Use this packet if you have already won a judgment in small claims court. The court cannot do anything to automatically collect a judgment on your behalf and has no funds to pay your judgment for you. It is your responsibility to collect on your own judgment.**

Any forms mentioned in this basic guide may be obtained from the Clerk of Court or online at <http://www.wicourts.gov/forms1/circuit.htm>.

1. The debtor may voluntarily agree to pay the judgment. The reason a debtor may do this is to avoid having a judgment lien on the debtor's real estate. If a judgment is "docketed" in this manner, it could significantly affect the debtor's credit rating.

If the debtor pays the judgment voluntarily, it is not necessary to formally file a judgment or docket it. After payment, the court may vacate the judgment and dismiss the case.

2. If the debtor does not voluntarily agree to pay the judgment, you must then have the judgment filed and docketed (See Post-Judgment: Basic Steps for Docketing a Judgment for Collection, SC-6060V):
- a. If the Clerk of Court has not already completed the judgment form, you must complete the Judgment – Small Claims form (SC-502) and file it with the Clerk of Court.
  - b. Pay the docketing fee to the Clerk of Court. (When you are seeking to collect the amount of the judgment later, you can also seek recovery of the docketing fee.)
3. The following are additional options that you may consider to collect the judgment:
- a. Do nothing and wait. The debtor may end up paying you voluntarily because a docketed judgment is a lien for ten years. If the debtor wants to remove the judgment from the record or attempts to get a loan in the future, the debtor may be required to satisfy the judgment before such a loan will be approved.
  - b. Turn the matter over to a collection agency for help in collecting a judgment. Collection agencies are generally listed in the telephone book.

The agency will likely charge a fee or a percentage of what they recover for their services.

- c. Garnish the wages of the debtor. See Post-Judgment: Basic Steps for Handling a Small Claims Earnings Garnishment (SC-6070V).
- d. Garnish checking and savings accounts and other money owed to or held on behalf of the debtor. This is a “non-earnings garnishment” and you cannot use the earnings garnishment forms. See Non-Earnings Garnishment Summons and Complaint (SC-503).
- e. Have the sheriff seize property of the debtor and sell it on your behalf (called an “Execution”). See Post-Judgment: Basic Steps for Handling an Execution Against Property (SC-6080V) and Execution Against Property form (GF-115).