

COLLECTING YOUR JUDGMENT

In many cases, collecting the judgment is harder than proving your case in court. If you receive a judgment and you are not voluntarily paid, here are several methods of collection the law provides. (This is provided that the party is not indigent.) Upon receiving a judgment from the court, you may want to:

a) Fiera Facias. (Fi. Fa.)

- The Fi. Fa. (proof of your judgment), once issued, places a lien against the losing party and any property he may own.
- The cost of issuing and recording the Fi. Fa. on the General Execution Docket is \$4.00.
- You may also take your Fi. Fa. and have it recorded in any county in Georgia.
- If you need to record your Fi. Fa. outside the State of Georgia, you should consult an attorney.

b) Post-Judgment Interrogatories

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

c) 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.

d) 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 contact an attorney for the procedure.

e) Attorney or Collection Agency

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

Collecting Small Claim 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 a 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 said 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 also the Fi. Fa. if entered on the General Execution Docket.