

**This form tells you the court's decision (judgment) in this small claims case.** The date the small claims clerk handed or mailed you this form is very important. That date sets the deadline for the parties to take legal steps to protect or enforce their rights.

**If the court ordered you to pay money,** your wages, money, or property can be taken, if you do not pay the judgment within 30 days. You may also have to pay interest. If the court decided that you owe money because of an auto accident, the Department of Motor Vehicles (DMV) can suspend your driver's license.

**If you disagree with the judgment,** you may have the right to appeal or to ask the court to cancel or correct the judgment. To protect these rights, you must file papers with the court within 30 days after this notice was mailed or handed to you.

**Read pages 3 and 4.** They explain your rights and responsibilities, whether you won or lost the case.

① The judgment (decision) in this small claims case was entered on (date): \_\_\_\_\_

② The judgment cannot be enforced until after the 30-day right to appeal or file a motion to vacate (cancel) or correct the judgment has ended. If an appeal or a motion to cancel or correct the judgment is properly filed, the judgment cannot be enforced until the appeal or motion is decided.

### ③ Judgment on the Plaintiff's Claim

Plaintiff's name, if more than one: \_\_\_\_\_

Defendant's name, if more than one: \_\_\_\_\_

a.  The plaintiff's claim against (check one):  all parties  (name): \_\_\_\_\_ is dismissed and  
 (1)  may not be filed again. (The claim is dismissed with prejudice.)  
 (2)  may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)

b.  The defendant (name): \_\_\_\_\_ does not have to pay the plaintiff anything.

c.  The defendant (name): \_\_\_\_\_ must pay the plaintiff (name): \_\_\_\_\_  
 (total amount): \$ \_\_\_\_\_, which includes:

principal: \$ \_\_\_\_\_ + interest: \$ \_\_\_\_\_ + court costs: \$ \_\_\_\_\_ - offset \$ \_\_\_\_\_

Reason for offset, if any: \_\_\_\_\_

d.  More than one person owes money on this claim. The liability of each person is:

(1)  Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.)

(2)  Other (specify): \_\_\_\_\_

e.  The defendant (name): \_\_\_\_\_ must give the plaintiff (name): \_\_\_\_\_  
 (specify property): \_\_\_\_\_ by (date): \_\_\_\_\_

The property is specified on Attachment 3e.

### ④ Judgment on the Defendant's Claim

Defendant's name, if more than one: \_\_\_\_\_

Plaintiff's name, if more than one: \_\_\_\_\_

Fill in the court name and street address:

Superior Court of California, County of \_\_\_\_\_

Fill in your case number and case name:

Case Number: \_\_\_\_\_

Case Name: \_\_\_\_\_

Case name: \_\_\_\_\_

Case Number: \_\_\_\_\_

- a.  The defendant's claim against (*check one*):  all parties  (*name*): \_\_\_\_\_ is dismissed and
  - (1)  may not be filed again. (The claim is dismissed with prejudice.)
  - (2)  may be filed again, if filed by the legal deadline. (The claim is dismissed without prejudice.)
- b.  The plaintiff (*name*): \_\_\_\_\_ does not owe any money on this claim.
- c.  The plaintiff (*name*): \_\_\_\_\_ must pay the defendant (*name*): \_\_\_\_\_  
 (*total amount*): \$ \_\_\_\_\_, which includes:  
 principal: \$ \_\_\_\_\_ + interest: \$ \_\_\_\_\_ + court costs: \$ \_\_\_\_\_ - offset \$ \_\_\_\_\_  
*Reason for offset, if any:* \_\_\_\_\_
- d.  More than one person owes money on this claim. The liability of each person is:
  - (1)  Joint and several. (The judgment creditor may collect the entire judgment from any judgment debtor.)
  - (2)  Other (*specify*): \_\_\_\_\_
- e.  The plaintiff (*name*): \_\_\_\_\_ must give the defendant (*name*): \_\_\_\_\_  
 (*specify property*): \_\_\_\_\_ by (*date*): \_\_\_\_\_  
 The property is specified on Attachment 4e.

⑤  **Payments** (*Name*): \_\_\_\_\_  
 may pay the judgment to (*name*): \_\_\_\_\_ as follows:

- a.  Payments of \$ \_\_\_\_\_ on the \_\_\_\_\_ day of each (*month, week, other*) \_\_\_\_\_,  
 starting (*date*): \_\_\_\_\_ and a final payment of: \$ \_\_\_\_\_ on (*date*): \_\_\_\_\_
- b.  Other payment schedule (*specify*): \_\_\_\_\_
- c.  The total amount of payments is \$ \_\_\_\_\_, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if payments are made late or early.
- d.  The total amount of the payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment and the judgment will have been paid in full.
- e. If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan, and the entire unpaid balance will become due and collectible.

**Other Orders**

- ⑥  Decisions on other claims or parties are stated in Attachment 6.
- ⑦  After offsetting the judgments on the claims, (*name*): \_\_\_\_\_  
 owes (*name*): \_\_\_\_\_ \$ \_\_\_\_\_
- ⑧  This judgment against (*name*): \_\_\_\_\_  
 is for damage or injury because of an automobile vehicle accident on a California highway caused by the judgment debtor or by another party for whose conduct the judgment debtor is liable (other than liability because the party signed a minor's driver's license application).
- ⑨  The court finds that the defendant's rights under the Servicemembers Civil Relief Act were not prejudiced by the entering of a judgment against the defendant because the defendant was not a servicemember or had notice and was available to defend this action.
- ⑩  Form SC-202A, *Decision on Attorney-Client Fee Dispute*, is attached.
- ⑪  Other (*specify*): \_\_\_\_\_  
 *Continued on Attachment 11.*

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

# What to Do After the Court Decides Your Small Claims Case

**First, read the court's decisions on pages 1 and 2.** They will tell you the court's judgment in this case. **Then read this form.** It will help you protect or enforce your rights, whether you won or lost the case.

**Warning!** You may lose important rights if you do not act within 30 days after the court handed or mailed you this *Notice of Entry of Judgment*. If the court mailed the *Notice of Entry of Judgment*, the date of mailing is on the *Clerk's Certificate of Mailing* that came with the notice.

**If the court did not award you any money on a claim that you filed...** The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

## **If the court ordered you to pay money...**

You are the *judgment debtor*. The law requires you to pay the judgment. You **can**:

- Pay the judgment creditor directly.
- Pay the court. (To do this, file Form SC-145, *Request to Pay Judgment to Court*.) Or
- Ask the court to let you make payments. (To do this, file Form SC-220, *Request to Make Payments*.)

If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

**Warning!** If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after the *Notice of Entry of Judgment* was handed or mailed to you, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

**After you pay the judgment in full**, you can ask the judgment creditor to file a form saying the judgment is paid. (See Form SC-290, *Acknowledgment of Satisfaction of Judgment*.) If the judgment creditor does not do this, he or she may have to pay you damages and a penalty.

**If you disagree with the judgment ordering you to pay money and you went to your small claims trial**, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do this, file Form SC-140, *Notice of Appeal*, within 30 days after the *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 4)

## **If the court ordered the other side to pay you...**

You are the *judgment creditor*. **You** must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to [www.courtinfo.ca.gov/selfhelp/smallclaims/collectintro.htm](http://www.courtinfo.ca.gov/selfhelp/smallclaims/collectintro.htm).

**Important!** The judgment debtor has **30 days** after the *Notice of Entry of Judgment* was handed or mailed to him or her to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

**Ask the judgment debtor to pay you the money.** If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

**If the judgment debtor does not pay, you can find out about the debtor's income or property** that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed the *Notice of Entry of Judgment*, the debtor must send you Form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed Form SC-133**, you can file Form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief.
- **If the debtor does send you Form SC-133, you can still have the debtor come to court to answer questions** about income and property. To do this, file Form EJ-125, *Application and Order for Appearance and Examination*.

(Continued on page 4)



## If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to your trial, you can ask the court to vacate (cancel) the judgment. To do this, file Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, within 30 days\* after the *Notice of Entry of Judgment* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

*\*Exception:* If the claim against you was not properly served, you have **180 days** from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

Unless you pay the judgment or file an appeal or a motion as discussed above, you must complete Form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed the *Notice of Entry of Judgment*.

**Warning!** If you do not deliver the completed Form SC-133, the court can order you to pay attorney fees and impose other penalties.

## If the court ordered the other side to pay you...

(continued)

- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out Form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

Once you know about the judgment debtor's income and property, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do this, fill out and ask the court clerk to issue Form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

You can also put a lien on the judgment debtor's house or other real estate. To do this, fill out and ask the court clerk to issue Form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

After the judgment has been paid in full, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If an *Abstract of Judgment* has not been recorded, you may use Form SC-290. If an abstract has been recorded, use Form EJ-100.

**Warning!** If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

You may need to pay fees to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



### Need help?

For free help, contact your county's small claims advisor:

[local info here]

Or go to "County-Specific Court Information" at [www.courtinfo.ca.gov/selfhelp/smallclaims](http://www.courtinfo.ca.gov/selfhelp/smallclaims)