



Enforcement of Judgments

If the court has ruled against you, and found that you owe another party money, a judgment against you will be entered. The party that made the claim against you will usually try to enforce the judgment (collect the money from you). If the other party does not know where your assets (property and money) are or if you have any assets, you may receive written questions from the other party to help locate your assets. This is called post-judgment discovery. You must respond to these questions.

After the other party has found your assets, there are some ways that the other party can collect on the judgment by taking your assets:

- **Writs of Garnishment** – These are orders from the court that are sent to third parties (usually banks or your employer) which require those third parties to take a part of your money and send that money to the plaintiff to pay the judgment. Some benefits are exempt from garnishment like social security, veteran's benefits, black lung, POWER payments, federal civil service and state retirement, worker's compensation benefits, unemployment compensation, and personal service earnings. A continuing garnishment is when a plaintiff takes money out of your paycheck for consecutive paychecks for up to a 90 day period.
- **Execution** – Once a plaintiff has a judgment against you, they can use a Writ of Execution to take your personal property as a way of paying off the judgment. A Writ of Execution lists certain personal property and the location of that property, and orders the sheriff to collect that property for the plaintiff. The plaintiff can sell the personal property or keep it. Different types of property have different requirements when being sold, including advertising the sale and the property being sold for a fair value. Some of a defendant's property cannot be taken to satisfy a judgment. Exempt property may not be taken to enforce a judgment. See the Exemptions listed below.

Exemptions: Not all property and types of income can be taken to pay off a judgment. Wyoming law exempts the following property, which cannot be taken:

- **Benefits:** social security, Veteran's, black lung, POWER payments, federal civil service and state retirement, worker's compensation, unemployment compensation, personal services earnings
- **Property:** houses that are being lived in up to \$100,000, necessary clothing worth no more than \$2,000, wedding bands (but no other types of jewelry), sentimental family items such as a family bible, pictures and schoolbooks, cemetery lots, household items such as furniture and bedding worth no more than \$4,000, and tools and other items required for keeping a business or trade no more than \$4,000.

Right to a hearing: When a writ of garnishment or execution is delivered to the person, it must contain a notice that that person has a right to a hearing. The notice must inform the person of the types of benefits and property that are exempt, and it also must include instructions on how to request a hearing if he or she believes any of the property is exempt. A defendant may ask for a hearing and attempt to prevent the garnishment or execution by showing that the assets are exempt, or that the judgment is not valid.

Notes

TASK	DUE DATE	DONE