

# EXECUTION INSTRUCTION SHEET

IT IS NOT THE DUTY OF THE SHERIFF'S OFFICE TO LOCATE THE ASSETS OF THE JUDGEMENT DEBTOR. THIS IS YOUR RESPONSIBILITY AS THE JUDGEMENT CREDITOR OR THE ATTORNEY.

AN EXECUTION IS ACTIVE FOR A TOTAL OF ONE HUNDRED EIGHTY DAYS, THEN A NEW ONE MUST BE OBTAINED IF YOU WISH FURTHER ACTION.

The following information is required before the Todd County Sheriff's Office Civil Unit will accept any executions. List the name(s) of the judgment debtor(s) you are asking us to collect from, be specific.

NAME OF JUDGEMENT DEBTOR: \_\_\_\_\_

DEBTOR'S HOME ADDRESS: \_\_\_\_\_

NAME OF JUDGEMENT DEBTOR: \_\_\_\_\_

DEBTOR'S HOME ADDRESS: \_\_\_\_\_

## LEVYING ON A BANK ACCOUNT

To levy on a bank account, you must:

1. **ENDORSE** the original execution.
2. Enclose a \$60.00 deposit made payable to the Todd County Sheriff's Office.
3. Enclose a \$15.00 legal fee made payable to the financial institution.
4. Provide us with the name and address of the financial institution.

BANK NAME: \_\_\_\_\_

BANK ADDRESS: \_\_\_\_\_

## LEVYING ON WAGES

To levy on wages, you must:

1. Mail an Execution Exemption Notice to the debtor's last known address 10 days before delivering the Writ of Execution to the Sheriff's Office. **Date Mailed:** \_\_\_\_\_
2. **ENDORSE** the original execution.
3. Enclose a \$50.00 deposit made payable to the Todd County Sheriff's Office.
4. Enclose a \$15.00 legal fee made payable to the employer.
5. Provide name and address of employer.

EMPLOYER NAME: \_\_\_\_\_

EMPLOYER ADDRESS: \_\_\_\_\_

Upon completion of the above, you can present this form, with the appropriate documents, deposit and legal fee, in person or by mail to: Todd County Sheriff's OFFICE, 115 3rd Street South, Long Prairie, MN 56347. If you have any questions call (320) 732-7701.

**\*SHERIFF'S FEES AND LEGAL FEES ARE ADDED TO THE JUDGEMENT AMOUNT TO BE COLLECTED.**

**PLEASE PRINT:**

NAME (JUDGEMENT CREDITOR/ATTORNEY): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DAYTIME PHONE NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

**THIRD PARTY LEVIES INVOLVING THE COLLECTION OF MONIES ARE PROCESSED IN THE FOLLOWING MANNER:**

**BANK ACCOUNTS:** (Natural persons and Corporations)

The Civil Division serves A third party levy on a bank account (s) within two or three business days upon receipt of the Writ of Execution. Funds on deposit in the account are frozen as of the date of service. Financial institutions respond by mail to the Civil Division approximately 30 days (14-21 days for corporate accounts) after date of service. At that time, if a check is received from the bank, it is deposited and within two weeks funds are remitted to you (Judgment Creditor/Attorney), by mail in the form of a Sheriff's OFFICE check.

Total time involved: Approximately 30 to 45 days.

**GARNISHMENT:** (Wages)

The Civil Division serves A Third Party Levy on wages within two to three business days upon the receipt of the Writ of Execution. This one service will garnish the wages for 70 days at which time the employer will remit the funds to us. Then the papers will be served again to garnish for another 70 days. The Writ of Execution expires 180 days from the date it is issued by the court. When we stop levying, we will mail you the funds collected plus your deposit approximately two to three weeks after the last check received. If the judgment is not fully satisfied, and the judgment debtor is still employed, you must obtain a new Writ of Execution from the Clerk of Court and deliver it to the Sheriff's OFFICE Civil Unit with a deposit, \$15.00 legal fee and instructions to re-levy. (name and address of employer).

Total time involved: Approximately 180 days.

In the event no monies are collected pursuant to the Sheriff's levy (due to i.e. no funds in account, employment is terminated, does not earn more than minimum wage, on leave of absence; etc.) notice will be mailed to you giving the reason and the Writ of Execution is returned to the Clerk of Court. You must then locate other assets, obtain a new Writ of Execution from the Clerk of Court and deliver it to the Civil Division with a deposit, \$15.00 legal fee, and new instructions. If no other assets can be found, contact District Court regarding the procedure of ordering the judgment debtor to divulge his/her assets.

**SPECIAL REQUEST**

Please note total time approximations indicated above. To help us expedite the collection of your judgment your cooperation in respecting these time elements would greatly be appreciated.

**SECURING AND SAFELY KEEPING PROPERTY ON EXECUTION OR WRIT OF ATTACHMENT AND REPLEVIN ORDER PRIOR TO ANY LEVYING ON PROPERTY A \$500.00 DEPOSIT IS REQUIRED IN ADVANCE.**