



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SELF-HELP CENTER**

www.occourts.org

**ENFORCEMENT OF JUDGMENT:
LEVY ON PERSONAL PROPERTY (BANK ACCOUNT)**

All documents must be typed or printed neatly.

Please use black ink.

Self-Help Center Locations:

Lamoreaux Justice Center

1st Floor

341 The City Drive

Orange, CA



Central Justice Center

Room G-100

700 Civic Center Drive

Santa Ana, CA



Superior Court Service
Center

27573 Puerta Real

Mission Viejo, California,
92691

Harbor Justice Center

Room 150

4601 Jamboree Rd

Newport Beach, CA

North Justice Center

Room 360

1275 N. Berkeley Ave.

Fullerton, CA

PLAINTIFF:	CASE NUMBER:
DEFENDANT:	

— Items continued from page 1—

21. **Additional judgment debtor** (name, type of legal entity stated in judgment if not a natural person, and last known address):
- _____
- _____
- _____
22. **Notice of sale** has been requested by (name and address):
- _____
- _____
- _____
23. **Joint debtor** was declared bound by the judgment (CCP 989–994)
- a. on (date): _____ a. on (date): _____
- b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor: _____ b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor: _____
- _____
- c. additional costs against certain joint debtors (itemize):
- _____
24. (Writ of Possession or Writ of Sale) **Judgment** was entered for the following:
- a. Possession of real property: The complaint was filed on (date): _____
- (Check (1) or (2)):**
- (1) The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
- (2) The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
- (a) \$ _____ was the daily rental value on the date the complaint was filed.
- (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify): _____
- b. Possession of personal property.
- If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.
- c. Sale of personal property.
- d. Sale of real property.
- e. Description of property: _____

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
MEMORANDUM OF COSTS AFTER JUDGMENT, ACKNOWLEDGMENT OF CREDIT, AND DECLARATION OF ACCRUED INTEREST	CASE NUMBER: _____

1. I claim the following costs after judgment incurred within the last two years (*indicate if there are multiple items in any category*):

		Dates Incurred	Amount
a	Preparing and issuing abstract of judgment		\$
b	Recording and indexing abstract of judgment		\$
c	Filing notice of judgment lien on personal property		\$
d	Issuing writ of execution, to extent not satisfied by Code Civ. Proc., § 685.050 (<i>specify county</i>):		\$
e	Levying officers fees, to extent not satisfied by Code Civ. Proc., § 685.050 or wage garnishment		\$
f	Approved fee on application for order for appearance of judgment debtor, or other approved costs under Code Civ. Proc., § 708.110 et seq.		\$
g	Attorney fees, if allowed by Code Civ. Proc., § 685.040		\$
h	Other: _____ (<i>Statute authorizing cost</i>):		\$
i	Total of claimed costs for current memorandum of costs (<i>add items a-h</i>)		\$

2. All previously allowed postjudgment costs: \$ _____

3. **Total** of all postjudgment costs (add items 1 and 2): **TOTAL** \$ _____

4. **Acknowledgment of Credit.** I acknowledge total credit to date (including returns on levy process and direct payments) in the amount of: \$ _____

5. **Declaration of Accrued Interest.** Interest on the judgment accruing at the legal rate from the date of entry on balances due after partial satisfactions and other credits in the amount of: \$ _____

6. I am the judgment creditor agent for the judgment creditor attorney for the judgment creditor.
 I have knowledge of the facts concerning the costs claimed above. To the best of my knowledge and belief, the costs claimed are correct, reasonable, and necessary, and have not been satisfied.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

..... _____
 (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

NOTICE TO THE JUDGMENT DEBTOR

If this memorandum of costs is filed at the same time as an application for a writ of execution, any statutory costs, *not exceeding \$100 in aggregate* and not already allowed by the court, may be included in the writ of execution. *The fees sought under this memorandum may be disallowed by the court upon a motion to tax filed by the debtor, notwithstanding the fees having been included in the writ of execution.* (Code Civ. Proc., § 685.070(e).) A motion to tax costs claimed in this memorandum must be filed within 10 days after service of the memorandum. (Code Civ. Proc., § 685.070(c).)

(Proof of service on reverse)

SHORT TITLE:	CASE NUMBER:
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PROOF OF SERVICE

Mail **Personal Service**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (*specify*):

3. I mailed or personally delivered a copy of the *Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest* as follows (*complete either a or b*):
 - a. **Mail.** I am a resident of or employed in the county where the mailing occurred.
 - (1) I enclosed a copy in an envelope AND
 - (a) **deposited** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - (b) **placed** the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
 - (2) The envelope was addressed and mailed as follows:
 - (a) Name of person served:
 - (b) Address on envelope:

 - (c) Date of mailing:
 - (d) Place of mailing (*city and state*):
 - b. **Personal delivery.** I personally delivered a copy as follows:
 - (1) Name of person served:
 - (2) Address where delivered:

 - (3) Date delivered:
 - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
 (TYPE OR PRINT NAME)

▶ _____
 (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):
After recording, return to:

TEL NO.: _____ FAX NO. (optional): _____

E-MAIL ADDRESS (Optional): _____

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____

STREET ADDRESS: _____

MAILING ADDRESS: _____

CITY AND ZIP CODE: _____

BRANCH NAME: _____

FOR RECORDER'S USE ONLY

PLAINTIFF: DEFENDANT:	LEVYING OFFICER (Name and Address):
NOTICE OF LEVY under Writ of <input type="checkbox"/> Execution (Money Judgment) <input type="checkbox"/> Sale	LEVYING OFFICER FILE NO.: _____ COURT CASE NO.: _____

TO THE PERSON NOTIFIED (name):

- The judgment creditor seeks to levy upon property in which the judgment debtor has an interest and apply it to the satisfaction of a judgment as follows:
 - Judgment debtor (name): _____
 - The property to be levied upon is described
 - in the accompanying writ of possession or writ of sale.
 - as follows: _____
- The amount necessary to satisfy the judgment creditor's judgment is:

a. Total amount due (less partial satisfactions)	\$ _____
b. Levy fee	\$ _____
c. Sheriff's disbursement fee	\$ _____
d. Recoverable costs	\$ _____
e. Total (a through d)	\$ _____
f. Daily interest	\$ _____
- You are notified as
 - a judgment debtor.
 - a person other than the judgment debtor (state capacity in which person is notified): _____

(Read Information for Judgment Debtor or Information for Person Other Than Judgment Debtor on page two.)

- Notice of Levy was
- mailed on (date): _____
 - delivered on (date): _____
 - posted on (date): _____
 - filed on (date): _____
 - recorded on (date): _____

Date: _____

(TYPE OR PRINT NAME)

▶

(SIGNATURE)

Levying officer Registered process server

–INFORMATION FOR JUDGMENT DEBTOR–

1. The levying officer is required to take custody of the property described in item 1 in your possession or under your control.
2. You may claim any available exemption for your property. A list of exemptions is attached. **If you wish to claim an exemption for personal property, you must do so within 10 days after this notice was delivered to you or 15 days after this notice was mailed to you** by filing a claim of exemption and one copy with the levying officer as provided in section 703.520 of the Code of Civil Procedure. **If you do not claim an exemption, you may lose it and the property is subject to enforcement of a money judgment. If you wish to seek the advice of an attorney, you should do so immediately so that a claim of exemption can be filed on time.**
3. You are not entitled to claim an exemption for property that is levied upon under a judgment for sale of property. This property is described in the accompanying writ of sale. You may, however, claim available exemptions for property levied upon to satisfy damages or costs awarded in such a judgment.
4. You may obtain the release of your property by paying the amount of a money judgment with interest and costs remaining unpaid.
5. If your property is levied upon under a writ of execution or to satisfy damages and costs under a writ of possession or sale, the property may be sold at an execution sale, perhaps at a price substantially below its value. Notice of sale will be given to you. Notice of sale of real property (other than a leasehold estate with an unexpired term of less than two years) may not be given until at least 120 days after this notice is served on you. This grace period is intended to give you an opportunity to settle with the judgment creditor, to obtain a satisfactory buyer for the property, or to encourage other potential buyers to attend the execution sale.
6. All sales at an execution sale are final; there is no right of redemption.

– INFORMATION FOR PERSON OTHER THAN JUDGMENT DEBTOR –

1. If the property levied upon is in your possession or under your control and you do not claim the right to possession or a security interest, you must deliver the property to the levying officer. If you do not deny an obligation levied upon or do not claim a priority over the judgment creditor's lien, you must pay to the levying officer the amount that is due and payable and that becomes due and payable during the period of the execution lien, which lasts two years from the date of issuance of the writ of execution. You must execute and deliver any documents needed to transfer the property.
2. You must complete the accompanying Memorandum of Garnishee.
3. If you claim ownership or the right to possession of real or personal property levied upon or if you claim a security interest in or lien on personal property levied upon, you may make a third-party claim and obtain the release of the property pursuant to sections 720.010–720.800 of the Code of Civil Procedure.
4. **Make checks payable to the levying officer.**

EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

The following is a list of assets that may be exempt from levy on a judgment.

Exemptions are found in the United States Code (**USC**) and in the California codes, primarily the Code of Civil Procedure (**CCP**).

Because of periodic changes in the law, the list may not include all exemptions that apply in your case. The exemptions may not apply in full or under all circumstances. Some are not available after a certain period of time. You or your attorney should read the statutes.

If you believe the assets that are being levied on are exempt, file a claim of exemption form, which you can get from the levying officer.

AMOUNT OF EXEMPTIONS: A list of the amounts of exemptions from a judgment under CCP § 703.150 starting on April 1, 2004, is available from the clerk of the court and on the California Courts Web site at www.courtinfo.ca.gov. Except as otherwise provided, the dollar amounts of the exemptions will be adjusted thereafter at three-year intervals on April 1, and the adjusted amounts will become effective immediately on that date.

<u>Type of Property</u>	<u>Code and Section</u>	<u>Type of Property</u>	<u>Code and Section</u>
Accounts (<i>See Deposit Accounts</i>)		Benefit Payments (<i>cont.</i>)	
Appliances	CCP § 704.020	Relocation Benefits	CCP § 704.180
Art and Heirlooms	CCP § 704.040	Retirement Benefits and Contributions:	
Automobiles	CCP § 704.010	Private	CCP § 704.115
BART District Benefits	CCP § 704.110	Public	CCP § 704.110
	Pub Util C § 28896	Segregated Benefit Funds . . .	Ins C § 10498.5
Benefit Payments:		Social Security Benefits	42 USC § 407
BART District Benefits	CCP § 704.110	Strike Benefits	CCP § 704.120
	Pub Util C § 28896	Transit District Retirement Benefits (Alameda and Contra Costa Counties)	CCP § 704.110
Charity	CCP § 704.170	Unemployment Benefits and Contributions	CCP § 704.120
Civil Service Retirement Benefits (Federal)	5 USC § 8346	Veterans Benefits	38 USC § 3101
County Employees Retirement Benefits	CCP § 704.110	Veterans Medal of Honor Benefits	38 USC § 562
	Govt C § 31452	Welfare Payments	CCP § 704.170
Disability Insurance Benefits	CCP § 704.130		Welf & I C § 17409
Fire Service Retirement Benefits	CCP § 704.110	Workers Compensation	CCP § 704.160
	Govt C § 32210	Boats	CCP § 704.060
Fraternal Organization Funds Benefits	CCP § 704.130	Books	CCP § 704.710
	CCP § 704.170	Building Materials (Residential)	CCP § 704.030
Health Insurance Benefits	CCP § 704.130	Business:	
Irrigation System Retirement Benefits	CCP § 704.110	Licenses	CCP § 695.060
Judges Survivors Benefits (Federal)	28 USC § 376(n)	Tools of Trade	CCP § 699.720(a)(1)
Legislators Retirement Benefits	CCP § 704.110	Cars and Trucks (including proceeds)	CCP § 704.010
	Govt C § 9359.3	Cash	CCP § 704.070
Life Insurance Benefits:		Cemeteries:	
Group	CCP § 704.100	Land Proceeds	Health & SC § 7925
Individual	CCP § 704.100	Plots	CCP § 704.200
Lighthouse Keepers Widows Benefits	33 USC § 775	Charity	CCP § 704.170
Longshore & Harbor Workers Compensation or Benefits	33 USC § 916	Claims, Actions and Awards:	
Military Benefits:		Personal Injury	CCP § 704.140
Retirement	10 USC § 1440	Worker's Compensation	CCP § 704.160
Survivors	10 USC § 1450	Wrongful Death	CCP § 704.150
Municipal Utility District Retirement Benefits	CCP § 704.110	Clothing	CCP § 704.020
	Pub Util C § 12337	Condemnation Proceeds	CCP § 704.720(b)
Peace Officers Retirement Benefits	CCP § 704.110	County Employees Retirement Benefits	CCP § 704.110
	Govt C § 31913		Govt C § 31452
Pension Plans (and Death Benefits):		Damages (<i>See Personal Injury and Wrongful Death</i>)	
Private	CCP § 704.115	Deposit Accounts:	
Public	CCP § 704.110	Escrow or Trust Funds	Fin C § 17410
Public Assistance	CCP § 704.170	Social Security Direct Deposits	CCP § 704.080
	Welf & I C § 17409		

EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

(Continued)

<u>Type of Property</u>	<u>Code and Section</u>	<u>Type of Property</u>	<u>Code and Section</u>
Direct Deposit Account:		Municipal Utility District	
Social Security	CCP § 704.080	Retirement Benefits	CCP § 704.110
Disability Insurance Benefits	CCP § 704.130	Pub Util C § 12337	
Dwelling House	CCP § 704.740	Peace Officers Retirement	
Earnings	CCP § 704.070	Benefits	CCP § 704.110
	CCP § 706.050	Pension Plans:	Govt C § 31913
	15 USC § 1673(a)	Private	CCP § 704.115
Educational Grant	Ed C § 21116	Public	CCP § 704.110
Employment Bonds	Lab C § 404	Personal Effects	CCP § 704.020
Financial Assistance:		Personal Injury Actions	
Charity	CCP § 704.170	or Damages	CCP § 704.140
Public Assistance	CCP § 704.170	Prisoner's Funds	CCP § 704.090
	Welf & I C § 17409	Property Not Subject to	
Student Aid	CCP § 704.190	Enforcement of Money	
Welfare (See Public		Judgments	CCP § 704.210
Assistance)		Prosthetic and Orthopedic	
Fire Service Retirement	CCP § 704.110	Devices	CCP § 704.050
	Govt C § 32210	Provisions (for Residence)	CCP § 704.020
Fraternal Organizations		Public Assistance	CCP § 704.170
Funds and Benefits	CCP § 704.130		Welf & I C § 17409
	CCP § 704.170	Public Employees:	
Fuel for Residence	CCP § 704.020	Death Benefits	CCP § 704.110
Furniture	CCP § 704.020	Pension	CCP § 704.110
General Assignment for		Retirement Benefits	CCP § 704.110
Benefit of Creditors	CCP § 1801	Vacation Credits	CCP § 704.113
Health Aids	CCP § 704.050	Railroad Retirement Benefits	45 USC § 2281
Health Insurance Benefits	CCP § 704.130	Railroad Unemployment	
Home:		Insurance	45 USC § 352(e)
Building Materials	CCP § 704.030	Relocation Benefits	CCP § 704.180
Dwelling House	CCP § 704.740	Retirement Benefits and	
Homestead	CCP § 704.720	Contributions:	
	CCP § 704.730	Private	CCP § 704.115
Housetrailer	CCP § 704.710	Public	CCP § 704.110
Mobilehome	CCP § 704.710		Ins C § 10498.5
Homestead	CCP § 704.720	Segregated Benefit Funds	Ins C § 10498.6
	CCP § 704.730	Servicemembers Property	50 USC § 523(b)
Household Furnishings	CCP § 704.020	Social Security	42 USC § 407
Insurance:		Social Security Direct Deposit	
Disability Insurance	CCP § 704.130	Account	CCP § 704.080
Fraternal Benefit Society	CCP § 704.110	Strike Benefits	CCP § 704.120
Group Life	CCP § 704.100	Student Aid	CCP § 704.190
Health Insurance Benefits	CCP § 704.130	Tools of Trade	CCP § 704.060
Individual	CCP § 704.100	Transit District Retirement	
Insurance Proceeds—		Benefits (Alameda and Contra	
Motor Vehicle	CCP § 704.010	Costa Counties)	CCP § 704.110
Irrigation System	CCP § 704.040		Pub Util C § 25337
Retirement Benefits	CCP § 704.110	Travelers Check Sales Proceeds	Fin C § 1875
Jewelry		Unemployment Benefits and	
Judges Survivors Benefits		Contributions	CCP § 704.120
(Federal)	28 USC § 376(n)	Uniforms	CCP § 704.060
Legislators Retirement		Vacation Credits (Public	
Benefits	CCP § 704.110	Employees)	CCP § 704.113
	Govt C § 9359.3	Veterans Benefits	38 USC § 3101
Licenses	CCP § 695.060	Veterans Medal of Honor	
	CCP § 720(a)(1)	Benefits	38 USC § 562
Lighthouse Keepers Widows		Wages	CCP § 704.070
Benefits	33 USC § 775		CCP § 706.050
Longshore and Harbor Workers			CCP § 706.051
Compensation or Benefits	33 USC § 916	Welfare Payments	CCP § 704.170
Military Benefits:			Welf & I C § 17409
Retirement	10 USC § 1440	Workers Compensation	
Survivors	10 USC § 1450	Claims or Awards	CCP § 704.160
Military Personnel—Property	50 USC § 523(b)	Wrongful Death Actions or	
Motor Vehicle (Including		Damages	CCP § 704.150
Proceeds)	CCP § 704.010		
	CCP § 704.060		



**ORANGE COUNTY SHERIFF'S DEPARTMENT
LEVY/GARNISHMENT INSTRUCTIONS**

DO NOT USE FOR EVICTIONS

<p>COURT CASE NO.: _____</p> <p>SHERIFF FILE NO.: _____</p> <p>JUDGMENT CREDITOR(S): _____</p> <p>_____</p> <p>JUDGMENT DEBTOR(S)(If the judgment debtor is other than a natural person, the type of legal entity must be stated: _____</p> <p>_____</p> <p>Issue Date of Writ _____</p> <p>Total Amount of Judgment \$ _____</p> <p><input type="checkbox"/> Sheriff to Serve</p> <p><input type="checkbox"/> Registered Process Server to Serve</p>	<p>The Writ Accompanying These Instructions is:</p> <p><input type="checkbox"/> An Original Writ, or a Copy of the Original Writ Issued by the Court as an Electronic Writ, Not Already in Possession of the Levying Officer</p> <p><input type="checkbox"/> A Copy of the Original Writ Already in Possession of the Levying Officer</p> <p><input type="checkbox"/> An Original Writ (Non Electronic)</p> <p><input type="checkbox"/> (Registered Process Servers Only) A copy of the Original Writ for the sole purpose of opening a Levying Officer file prior to the levy.</p> <p>Property is a Dwelling YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><input type="checkbox"/> Property is Real Property (Ex. House or Apt)</p> <p><input type="checkbox"/> Property is Personal Property (Ex. Mobile Home or Boat)</p>
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YOU ARE HEREBY INSTRUCTED TO: (Check Appropriate Column)

- LEVY ON BANK ACCOUNT OF JUDGMENT DEBTOR
- PLACE KEEPER IN JUDGMENT DEBTOR'S BUSINESS 8 HOURS Open End
- TILL TAP
- VEHICLE LEVY
- PERSONAL PROPERTY LEVY
- GARNISHMENT
- EARNINGS (WAGE) LEVY (Application for Earnings Withholding Order must be Included)
- OTHER LEVY: _____

ENTER COMPLETE INSTRUCTIONS BELOW: (Name and address of bank; Judgment Debtor's place of business; license number of vehicle and address where vehicle is located, description of property to be levied—whichever applies per box(es) marked above.)

BANK LEVIES ONLY: Account Number (if known): _____

ACCEPTING AMOUNT: To instruct us to accept LESS THAN the amount shown on the writ, plus interest and costs, indicate the lesser amount here: \$ _____

SEE PAGE 2 OF THIS FORM FOR ADDITIONAL REQUIRED INFORMATION



**ORANGE COUNTY SHERIFF'S DEPARTMENT
LEVY/GARNISHMENT INSTRUCTIONS**

X _____
Type or print name of Attorney / Litigant

X _____
Signature of Attorney/Litigant

Daytime Telephone Number: () _____

Email : _____

ALL COMMUNICATION, REFUNDS DUE AND COLLECTIONS WILL BE DIRECTED TO THE NAME
AND ADDRESS LISTED BELOW: (Print clearly and carefully)

***NOTE: PLEASE DO NOT TELEPHONE THE OFFICE FOR A STATUS ON YOUR CASE. WE WILL
NOTIFY YOU BY MAIL ON THE OUTCOME OF THE SERVICE**