

## Collecting on a Final Judgment

Summary Claims judgments entered in County Courts are enforceable in the manner provided by law. Judgments that are obtained in Florida are enforceable as follows:

**Recording the judgment:** You may obtain a certified copy of your judgment in any county or counties of Florida where the debtor's real estate in that county for 7 years from the date of recording provided that the judgment contains the address of the person who has a lien as a result of such judgment or a separate affidavit is recorded simultaneously with the judgment stating the address of the person who has a lien as a result of such judgment. A judgment does not become a lien on real estate unless the address of the person, who has a lien as a result of such judgment, is contained in the judgment. The lien may be extended for an additional period of 10 years, by re-recording a certified copy of the judgment prior to the expiration of the lien previously recorded. The one additional period of 10 years shall be effective from the date the judgment is re-recorded. Contact the Clerk of the County Court, Civil Division to obtain the cost for the certified copy and contact Official records of the county where you want to record the judgment to obtain their costs.

**Locating Property:** There are various ways of finding property your debtor owns. You may inquire at the Division of Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, FL 32399-0500, (850) 488-3881, to see if the debtor owns any vehicles in Florida. Further, the Official Records of the county will show any real property a debtor owns in each county.

**HEARING IN AID OF EXECUTION:** The purpose of this hearing is to allow a judge, at the request of the judgment creditor, to order a judgment debtor to appear for a hearing in aid of execution, 45 or more days from the date of entry of a judgment. At the hearing the judgment debtor will be required to answer inquires under oath regarding his earnings, financial status, and any assets available, in excess of exemptions, to be applied towards satisfying the judgment. This procedure is only available to a judgment creditor who is a natural person and was not represented by an attorney prior to judgment. Contact the Clerk of County Court, Civil Division to obtain information on this procedure.

**OBTAINING A WRIT OF EXECUTION:** You may obtain a Writ of Execution from the Clerk of the County Court and enforce your judgment as provided by law at any time during the 20 year life of the judgment. You can visit [www.sunbiz.org](http://www.sunbiz.org) for information on enforcing a Writ of Execution.

**Writ of Garnishment:** A judgment debtor may be owed money by a third person, such as an employer, a bank, or somebody for whom he has agreed to perform work. In such case, you may wish to file for a Writ of Garnishment. A continuing Writ of Garnishment against the wages of a judgment debtor enables an employer to make periodic payments to the creditor from a portion of the debtor's salary, as it becomes due. This procedure continues until the judgment is satisfied or until otherwise provided by court order. You must first file a Motion and pay a fee to the Clerk of the County Court before a Writ can be issued. You may motion for a Writ 10 days after the filing of the judgment.

**Judgment from an Automobile Accident:** If your judgment is the result of an automobile accident, you may forward a certified copy of your judgment and a copy of the accident report to Department of Highway Safety and Motor Vehicles, Bureau of Financial Responsibility, Tallahassee, FL 32304. Pursuant to Section 324 of the Florida Statutes, the judgment debtor's driving privileges and registration could be revoked.

**Exemptions:** A judgment debtor may be entitled to certain exemptions. These exemptions may include certain real estate, such as the residence of a debtor, head of a household or family, as well as \$1,000.00 of personal property.

For purposes of the above-stated information, the Clerk of the Court's offices are located at the following locations:

Apopka Office  
1111 North Rock Springs Road  
Apopka, FL 32703  
(407) 836-2007  
**Free parking**

Ocoee Office  
475 West Story Road  
Ocoee, FL 34761  
(407) 836-2007  
**Free parking**

Orlando Office  
425 North Orange Avenue, Room 310  
Orlando, FL 32801  
(407) 836-2000  
**Garage parking with hourly rate**

Winter Park Office  
450 North Lakemont Avenue  
Winter Park, FL 32792  
(407) 836-2007  
**Free parking**

**[www.myorangeclerk.com](http://www.myorangeclerk.com)**