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MOTION TO PAY JUDGMENT IN INSTALLMENTS

Requesting Installment Payments

This Guide includes instructions and sample forms. The Guide and related forms may be downloaded from: ***www.saclaw.org/motion-installments***.

You may also need…

Related Guides on Judgments

- Claim of Exemption for a Bank Levy
- Claim of Exemption for Wage Garnishment
- Exemptions from Enforcement of Judgment

BACKGROUND

California Code of Civil Procedure (CCP) § 582.5 allows a judgment debtor in a **limited** civil case (amount demanded is $25,000 or less) to ask the court for an order allowing the judgment to be paid in installments. This request is made by a formal noticed motion, and may be granted for good cause at any time after the judgment; even if the judgment was entered by default because the debtor never answered the complaint.

In determining the amount of the installment payments, the court may consider any of the factors that would be considered in reviewing a request for a claim of exemption, so the amount and source of the judgment debtor's income are directly relevant to the court in reviewing this request. If the requested installment payment is less than 25% of your wages after taxes, you will need to justify why you need the money for the necessities of life, or show that it is somehow exempt from collection. For more information on funds that are exempt from collection, see the Legal Resource Guide on Exemptions from Enforcement of Judgment on our website at www.saclaw.org/exemptions-enforce-judgment.

STEP-BY-STEP INSTRUCTIONS

Step 1: Prepare the Motion

A request to pay a judgment in installments is made through a motion. A "motion" is a request made in a case asking the court to issue an order of some sort.

Step 1.1: Modify the Template

There are no pre-printed Judicial Council forms for motions to compel responses. Instead, you must draft them yourself. Motions must be typed on 28-line pleading paper and follow a specific format. This motion consists of five parts:

Disclaimer: This Guide is intended as general information only. Your case may have factors requiring different procedures or forms. The information and instructions are provided for use in the Sacramento County Superior Court. Please keep in mind that each court may have different requirements. If you need further assistance consult a lawyer.

- Notice of Motion;
- Motion;
- Points and Authorities;
- Declaration; and
- [Proposed] Order

The Notice of Motion lets the opposing party know when and where the motion is scheduled to be heard, while the Motion lets the court and the opposing party know what is being requested. The Points and Authorities explains to the court and the opposing party the legal basis of the motion, while the Declaration provides evidence, sworn under penalty of perjury, supporting the motion. These four parts may be combined into a single document. A [Proposed] Order is prepared for the Judge to sign, and must always remain a separate document. California Rule of Court Rule 3.1112.

There is no Judicial Council form for this procedure. Instead, the relevant documents must be typed on 28-line pleading paper. Customizable templates may be downloaded from these links:

- Motion to Pay in Installments
- Proposed Order

The template, and the sample included at the end of this Guide, are designed to be used in simple two-party cases in which a judgment was entered against the defendant. It may be modified to fit your situation, if necessary.

In Sacramento, the Notice of Motion and Motion **must** include the paragraph from Local Rule 1.06 (D) informing the parties of the tentative ruling system. That language is included in the motion template.

1.2: Setting the Date of the Motion

In Sacramento, the party requesting to make installment payments is responsible for setting the date for hearing the motion. There are two very important deadlines you must consider when setting the date of a motion: the **filing deadline** and the **service deadline**.

Filing Deadline: The motion must be filed with the court at least sixteen court days prior to the motion date (CCP § 1005). Court days are Monday through Friday, excluding court holidays. To determine whether a particular filing date will meet this deadline, start with your desired hearing date and count backward (CCP § 12c) sixteen court days. Day one is the court day prior to the hearing. The sixteenth court day prior to the hearing is the last possible date that the motion can be filed with the court.

For example, suppose you wanted to have your motion heard on June 18, 2012. You would start counting backward using June 15, 2012 as day one. Do not count weekends or court holidays (there is only one court holiday in this example, which is Memorial Day, May 28). Your sixteenth court day before the hearing would be May 24, 2012, which would be the latest that the motion could be filed.

Service Deadline: Prior to filing the motion with the court, all other attorneys, or self-represented parties in a case must be served with a copy of the motion. This means that someone over the age of 18 who is not a party in the case must either personally deliver a copy of the motion and related documents to the attorney or self-represented party or mail a copy of the motion and related documents to the party by first class mail.

If the motion is personally served, the service must be at least sixteen court days prior to the date of the motion, the same as the minimum filing deadline.

If the motion is served by first-class mail, additional time is added to the calculation, depending on where the mail originates and where it is sent (CCP § 1005). For example, if the documents are mailed from California to an address in California, five calendar days are added before the sixteen court days. Calendar days include weekends and holidays, but if the final day lands on a weekend or holiday, it is rolled over to the previous court day. So, if June 18, 2012 was the hearing date, the sixteenth court day before would be May 24, 2012, but counting back five more calendar days results in Saturday, May 19, 2012. Because the fifth day fell on a weekend (or holiday), the deadline for service rolls back to May 18, 2012, the last court day before the deadline.

When choosing the date of your motion, be sure that you have left enough time for the motion to be both served and filed in a timely fashion.

Step 1.3: Determining the Department to Hear and the Time of the Motion

Motions to pay a judgment in installments are heard in Department 53 at 2:00 p.m. or Department 54 at 9:00 a.m., depending on your case number, Monday through Friday except for holidays. To determine whether your motion is in department 53 or 54:

- For NEW CASES filed after January 1, 2013: If your case number is ends in an odd number, then your law and motion department is 53 at 2:00 p.m. If it ends in an even number, it is department 54 at 9:00 a.m.
- All Law and Motion matters for CASES filed prior to January 1, 2013 shall be heard by the Law and Motion department previously assigned.

Step 2: Make Copies

Make four (4) copies each of your Motion (including the Points and Authorities, Declaration, and any attachments) and your Proposed Order to Pay Judgment in Installments.

Staple each photocopy, but **leave the original documents unstapled**. The originals will be scanned into the court's filing system, and the staple will damage the scanner.

One of these copies is to be served on the other attorney or self-represented party; the original and the other three copies are to be filed with the court.

Step 3: Have the Motion Served

Your motion must be served by someone over the age of 18 who is not a party to the case. Service may be made either in person or by mail. Each type of service has different timing requirements; see Step 1.2 above for more information. In some situations, these timing requirements will help you decide which type of service will best fit your situation.

Step 3.1: Fill out the Proof of Service form

Prior to service, the proof of service form should be completely filled out, but not signed.

- If personally serving, use Proof of Personal Service (POS-020)
- If serving by mail, use Proof of Service by First Class Mail (POS-030)

Instructions for completing these forms are available from the Step-by-Step guides on Proofs of Service on our website at www.saclaw.org/personal-service and www.saclaw.org/mail-service, respectively.

Make a copy of the unsigned proof of service before proceeding.

Step 3.2: Serve the Motion

The server must personally deliver or mail photocopies of the motion, proposed order, and unsigned proof of service form to the opposing attorney or self-represented litigant. The unsigned proof of service form can be attached as the last page of the motion.

Step 3.3: Sign the Proof of Service form

After mailing or delivering the documents, the server signs the original Proof of Service form, and gives the signed Proof of Service to you.

Step 3.4: Copy the signed Proof of Service
Make three (3) copies of the signed Proof of Service. It is not necessary to copy the instruction page.

Step 4: Assemble Your Documents for Filing

Attach a signed proof of service form to each of the Motions.

- Attach your original signed proof of service to you original motion. Use a clip, NOT a staple!
- Staple a photocopy of the signed proof of service to each of your remaining photocopied Motions.

Assemble your documents for filing as follows:

- Original Motion with all pages, plus three (3) copies. The original should be unstapled in Sacramento, while each copy is stapled.
- Original [Proposed] Order to Pay Judgment in Installments, plus three (3) copies.

Step 5: File Your Documents

File the original and three photocopies of your motion at the filing counter at 720 Ninth Street, Room 102. Oppositions and replies are also filed at the counter. **Do not use the drop box for filing motions, oppositions, or replies**, as the delay in processing will prevent the court from timely receiving your document.

At this time there is a $60 filing fee for the motion, unless your fees were waived. Current fees are available on the Sacramento County Superior Court's website at www.saccourt.ca.gov/fees/docs/fee-schedule.pdf. If you newly qualify for a fee waiver, you may file a request with the court. For more information, see the Step-by-Step guide on Fee Waivers on our website at www.saclaw.org/fee-waiver-guide.

If the judgment was entered by default because you did not respond to the lawsuit, you will need to pay the first appearance fee to file this motion. The first appearance fee is currently $225 if you were sued for less than $10,000; the fee is $370 if you were sued for an amount between $10,000 and $25,000. Current fees are available on the Sacramento County Superior Court's website at www.saccourt.ca.gov/fees/docs/fee-schedule.pdf. If you are paying the first appearance fee, you will not need to pay the $60 motion fee. If you cannot afford to pay the filing fee, you may submit a request to waive your court fees at the time you file. For more information, see the Step-by-Step guide on Fee Waivers on our website at www.saclaw.org/fee-waiver-guide.

Step 7: Opposition and Reply

If opposing counsel or self-represented party opposes your request, he or she may serve and file an opposition at least nine court days prior to your motion date. Be sure to check your mail, and read any documents you receive carefully.

If the opposing attorney or party opposes your motion, you may serve and file a reply to the opposition (also written on pleading paper), at least five court days prior to the motion. CCP § 1005. This reply should carefully address any points made by the opposition, especially if that point was not

originally addressed in your motion. See the Step-by-Step guide on Writing, Scheduling, and Opposing Motions on our website at www.saclaw.org/motions-general for a sample reply to an opposition to a motion.

Step 8: Check the Tentative Ruling

Pursuant to Local Rule 1.06, the court will make a tentative ruling on the merits of your matter by 2:00 p.m. the court day **before the hearing**. You may read the tentative ruling online, or may call the Presiding Judge's department at 874-8142 to hear it. For more information, see the Sacramento Superior Court's website at www.saccourt.ca.gov/civil/motions-hearings-tentative.aspx.

Closely review the tentative ruling. Since you are asking the court for an order allowing you to pay in installments, you are looking for your motion to be "GRANTED." Your motion may also be "DENIED" or "GRANTED IN PART" and "DENIED IN PART." In any event, be sure to read the tentative ruling very carefully to make sure you understand it.

If you are happy with the tentative ruling, you do not need to do anything. You won't have to go to court unless ordered to appear in the tentative ruling or unless the other side calls you and the court between 2:00 p.m. and 4:00 p.m. the court day before your hearing date to request an oral argument in front of the judge. If that happens, you should go to the court hearing and be prepared to argue your case.

If you are not happy with the tentative ruling, and wish to present arguments in front of the judge, you must call all opposing counsel and/or self-represented parties, and the clerk for Department 53 ((916) 874-7858) or Department 54 ((916) 874-7848) no later than 4:00 p.m. the court day before your hearing and state that you are requesting oral argument on the motion. If neither you nor the opposing counsel or self-represented party requests oral argument, the court will simply make the tentative ruling the order of the court, and no oral argument will be permitted.

FOR HELP

Sacramento County Public Law Library Civil Self Help Center
609 9th Street, Sacramento 95814
www.saclaw.org/self-help/civil-self-help-center/
Services Provided: The Sacramento County Public Law Library Civil Self Help Center provides general information and basic assistance to self-represented litigants on a variety of civil legal issues. Appointments will be made beginning at 8:30 a.m. Patrons who are present at 8:30 a.m. will be entered into a random drawing to determine the order their case will be evaluated. If an appointment is appropriate, it will be made for later in the day. You are encouraged to arrive by 8:25 a.m. to participate in the appointment setting drawing.
Eligibility: Must be a Sacramento County resident or have a qualifying case in the Sacramento County Superior Court.

FOR MORE INFORMATION

On the Web:

For information about the Sacramento County Superior Court's motion requirements, visit www.saccourt.ca.gov/civil/motions-hearings-general.aspx.

At the Law Library:

You can get information about motions from books such as *California Law & Motion Authorities* (KFC 1012 .P37), *California Law & Motion Model Forms* (KFC 1012 .A65 P37), and *Younger on California Motions* (KFC 1012 .C35).

IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.

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ATTACHMENTS: FORMS AND INSTRUCTIONS

There is no Judicial Council form for this procedure. Instead, the relevant documents must be typed on 28-line pleading paper. Customizable templates may be downloaded from these links:

- Motion to Pay in Installments
- Proposed Order

Sample filled-in forms with instructions are available at the end of this Guide.

PAUL SAMPLE
2036 Donner Drive
Sacramento, CA 95826
916-123-4567

Your name, address and telephone number. In Pro Per means you are representing yourself.

Defendant, In Pro Per

SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO

PETER PLAINTIFF, Plaintiff, vs. PAUL SAMPLE, Defendant	Case No.: 34-2011-00012345 NOTICE OF MOTION AND MOTION TO PAY JUDGMENT IN INSTALLMENTS PURSUANT TO CODE OF CIVIL PROCEDURE 582.5; POINTS AND AUTHO DECLARATION Date: June 18, 2012 Dept/Time: Dept. 54, 9:00 a.m. Date Action Filed: November 12, 2011 Date Judgment Entered: February 16, 2012

Case number.

The parties' names, exactly as they appeared on the complaint.

Enter the relevant dates, time and department. See Step 1.2 for information on selecting your hearing date.

TO EACH PARTY AND TO THE COUNSEL OF RECORD FOR EACH PARTY:

YOU ARE HEREBY NOTIFIED THAT at the above-captioned date and time and department in the courthouse located at 800 Ninth Street, Sacramento, California, that the Defendant, PAUL SAMPLE, will move the court for an order that he/she be permitted to pay the judgment entered against him/her in monthly installments.

Your name.

Pursuant to Local Rule 1.06 (A) the court will make a tentative ruling on the merits of this matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for the department may be downloaded off the court's website. If the party does not have online access, they may call the dedicated phone number for the department as referenced in the local telephone directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the hearing and

receive the tentative ruling. If you do not call the court and the opposing party by 4:00 p.m. the court day before the hearing, no hearing will be held.

Dated: May 20, 2012

Your name, date, and signature

PAUL SAMPLE
Defendant, In Pro Per

Memorandum of Points and Authorities in Support of Motion for Set Aside

Date of judgment.

I. Background

On February 16, 2012 this court entered a judgment against the Defendant, requiring him/her to pay to the opposing party $5,430. The moving party is requesting that the Court allow this judgment to be paid in monthly installments.

Amount of judgment.

II. LEGAL ARGUMENT

A. Pursuant to California Code of Civil Procedure Section 582.5, the Court May Allow Any Judgment to be Paid in Installments

California Code of Civil Procedure §582.5 reads:

> In a limited civil case in which the defendant has appeared, if the judgment or order is for the payment of money by the defendant, the defendant shall pay the judgment immediately or at any time and upon terms and conditions, including installment payments, that the court may prescribe. The court may amend the terms and conditions for payment of the judgment or order at any time to provide for installment payments for good cause upon motion by a party and notice to all affected parties, regardless of the nature of the underlying debt and regardless of whether the moving party appeared before entry of the judgment or order. In any determination regarding the imposition of terms and conditions upon the payment of the judgment, the court shall consider any factors that would be relevant to the determination of a claim for exemption pursuant to Chapter 4 (commencing with Section 703.010) of Division 2 of Title 9 of part 2 or the examination of a debtor pursuant to Article 2 (commencing with Section 708.110) of Chapter 6 of Division 2 of Title 9.

The Court May Order Judgment Paid in Installments Whether the Judgment Was After Appearance or By Default

Although the court's ability to modify a judgment to be paid in installments is available in any "civil case in which the defendant has appeared," CCP § 582.5 explicitly states that upon noticed motion such relief is available "regardless of the nature of the underlying debt and *regardless of whether the moving party appeared before entry of the judgment or order*," (emphasis added). This statutory language unambiguously makes available the ability to order installment payments after a default judgment.

A general appearance is "a voluntary appearance for any purpose other than to question the jurisdiction of the court" (*See Horney v. Superior Court In and For Santa Clara County*

(1948) 83 Cal.App.2d 262). If this motion seeks installments on a default judgment, the present motion to pay in installments does not contest jurisdiction of the court and constitutes a general appearance after entry of the judgment, a circumstance explicitly anticipated by CCP § 582.5.

The Requirement of an Appearance is Intended to Protect the Defendant and is Consistent with the Limits Placed on Default.

The requirement of an appearance before a judgment may be modified to be paid in installments may seem odd, especially as modification after default is clearly anticipated by the language of the statute, but the logic of the statute is easily understood.

Although the legislative history is silent on the issue, CCP § 582.5 is consistent with the statutes controlling limiting default judgments. Relief not demanded in the complaint cannot be granted by default judgment, even though that relief otherwise would have been proper (CCP § 580(a)- "The relief granted to the plaintiff, if there is no answer, cannot exceed that demanded in the complaint, in the statement required by Section 425.11, or in the statement required for by Section 425.115"). This limitation is rooted in the fundamental concept of fairness that a person must be notified of the judgment sought before a judgment may be entered.

CCP § 582.5 is explicitly for a modification of the judgment. Ordering installment payments would fundamentally alter the nature of the judgment, and would be inconsistent with the limitation placed on default judgments in cases where the defendant has not appeared, as it seeks relief not stated in the Complaint. Specifically, an installment order potentially increases the liability of the defendant beyond what was stated in the Complaint. If the court finds that the judgment debtor has exhibited a continuing pattern of failing to make the payments as specified by the court in the order, the judgment debtor could be held in contempt of court and, in addition to the periodic payments, be ordered to pay the judgment creditor all damages caused by the failure to make the payments, including court costs and attorney's fees (CCP § 667.7(b)(2)). Once an appearance is made, even if it is after entry of judgment, the defendant accepts the risk of such additional penalty since in "a limited civil case in which the defendant has appeared, if the judgment or order is for the payment of money by the defendant, the defendant shall pay the

judgment immediately or at any time and upon terms and conditions, including installment payments, that the court may prescribe." (CCP § 582.5)

For the reasons explained in the attached Declaration, the moving party asks that the Court issue an order permitting him or her to pay the Judgment in monthly installments.

Dated: May 20, 2012

Your name, date, and signature.

PAUL SAMPLE
Defendant, In Pro Per

DECLARATION

Your name.

I, PAUL SAMPLE, am the Defendant in this matter, and I declare the following in support of my motion to allow payments in monthly installments:

1. This lawsuit is a limited civil case.
2. On February 16, 2012 the Court entered a judgment against me in the total amount of $5,430.

Date of judgment.

Amount of judgment.

3. I am asking that the court allow me to make monthly payments, and request that these monthly payments be $200, payable on the 10th day of each month.

Amount and day you want to make your monthly payment.

FINANCIAL INFORMATION

4. The following persons other than myself depend, in whole or in part, on me or my spouse for support: *(If you have no spouse, please indicate "None" on line 4(a))*

NAME	AGE	RELATIONSHIP TO ME	MONTHLY TAKE HOME INCOME & SOURCE
a. Sandra	53	Spouse	$700, wages from Ace Mart
b. Myrtle	85	Mother	none
c. Sally	11	Daughter	none
d.			
e.			

❑ Additional persons are listed on Attachment 4.

List the name, age, relationship, and income of everyone you support. If you need more room, check the box and attach a piece of paper labeled "Attachment 4."

5. My monthly income is:
   a. My gross *(before taxes and deductions)* monthly pay is: 2448.75.
   b. My payroll deductions are:

Enter your gross pay and list all deductions.

Purpose	Amount
1) FICA and SDI	$289.75
2) Medical/Dental/Vision	$200
3)	$
4)	$
TOTAL payroll deductions *(add lines (1) to (4))*	$489.75

Enter your monthly take-home pay.

List any additional money you receive each month. This includes child and spousal support. If you receive no other money, write "none."

c. My monthly take-home pay is *(subtract 5(b) from 5(a))*: $1959.

d. In addition, I receive $0 each month from: none. *(If you receive no other money, write "none.")*

e. My TOTAL monthly income is (add 5(c) and 5(d)): $1959.

Enter your total monthly income.

6. I, my spouse, and my dependants own the following property:

a. Cash *(this is cash, bank accounts are the next item)*: $0.

Enter the amount of cash you have.

b. Checking, savings, and credit union accounts (list banks):

List all accounts and current balances.

Bank	Amount
1) Chase Bank	$35
2)	$
3)	$
4)	$
TOTAL of accounts:	$

c. Cars, boats, or other vehicles:

List all vehicles and amounts of equity.

Year and make of vehicle	Equity *(value minus amount owed. If negative, enter $0.)*
1) 2005 Ford Fusion	$0
2) 1997 Toyota Corolla	$1275
3)	$

d. Real estate equity (real property you own):

List all real property you own, and amounts of equity.

Address	Equity *(fair market value minus amount owed on the mortgage. If negative, enter $0.)*
1) none	$
2)	$
3)	$

e. Other personal property of value (jewelry, furs, stocks, bonds, etc.):

List all other valuable personal property you own, and the value.

Property description	Value
1) none	$
2)	$
3)	$

7. The monthly household expenses for me, my spouse, and my other dependants is:

Enter the amounts you spend each month in each category.

a. Rent or house payments and maintenance $950

b. Food and household supplies $250

c. Utilities and telephone $225

d. Clothing $0

e. Medical and dental payments $0

f. Insurance other than car (life, health, accident, etc.) $0

g. School and/or child care $0

h. Child or spousal support (prior marriage) $0

i. Transportation & Auto expenses (gas, insurance, repairs, etc. Do not include car loan payments): $405

j. Monthly installment payments to other creditors:

Enter your creditors' names, description of the debt, your monthly payment, balance owed, and which family member owes the money.

Creditor's Name	For	Monthly Payment	Balance Owed	Owed By
Ford Motor Company	Car payment	$399	$9852	Paul
Discover Card	Credit card	$75	$789	Sandra
		$	$	
		$	$	
TOTAL		$474	$10,641	

k. Laundry and cleaning $30

l. Entertainment $0

m. Other (specify) $0

n. **TOTAL monthly expenses (add 7a to 7m)** $2334

Describe any special circumstances or expenses. If you have no unusual expenses, enter "none."

8. Other facts which support my request for monthly payments (i.e. unusual med school tuition, expenses for recent family emergencies, or other unusual expenses to allow the creditor and court understand your budget): My wife Sandra has cut back to part-time work so she can be home to care for my ailing mother, who lives with us.

9. The following earnings withholding order(s) or wage garnishment(s) are now in effect as to my earnings or those of my spouse or dependents:

Person subject to withholding order	Creditor's Name	Purpose	Monthly amount
None			$
			$
			$
			$

If your wages, or the wages of your spouse or other dependent, are currently being garnished, list the name, creditor, purpose and amount being withheld each month. If no garnishments are in place, enter "none."

10. I have attached 0 pages to this declaration.

List the number of attached pages

11. ☒ My spouse has signed below.

❑ I am not married.

❑ My spouse and I are living separate and apart.

If you are married, and you live with your spouse, your spouse must sign this declaration. Check the appropriate box. You must check the box by hand.

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

Dated: May 20, 2012

Your name, date, and signature

PAUL SAMPLE
Defendant, In Pro Per

I have read the foregoing declaration signed by my spouse, and I declare under penalty of perjury under the laws of the State of California that the information contained therein is true and correct as to my knowledge.

Dated: May 20, 2012

Your spouse's name, date, and signature

SANDRA SAMPLE
Spouse of Defendant

PAUL SAMPLE
2036 Donner Drive
Sacramento, CA 95826
916-123-4567

Your name, address and telephone number. In Pro Per means you are representing yourself.

Defendant, In Pro Per

SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO

PETER PLAINTIFF, Plaintiff, vs. PAUL SAMPLE, Defendant	Case No.: 34-2011-00012345 [PROPOSED] ORDER TO PAY JUDGMENT IN INSTALLMENTS Date: June 18, 2012 Dept/Time: Dept. 54, 9:00 a.m. Date Action Filed: November 12, 2011 Date Judgment Entered

Case number.

The parties' names, exactly as they appeared on the complaint.

Enter the relevant dates, time and department.

Enter the relevant dates and department.

This mater came before this Court by noticed motion on June 18, 2012 in Department 54, of this Court. Having reviewed the pleadings and evidence of the parties, and finding good cause, the Court orders that the judgment in this case, entered on February 16, 2012 be payable by the Defendant(s), PAUL SAMPLE in monthly installments of $200, until paid in full. Payment shall be made by the Defendant to the Plaintiff on or before the 10th of each month, beginning with March 10, 2012 and continuing until 30 monthly payments are made, with one final monthly payment of $182. The total amount of these payments is $6182, and shall constitute full satisfaction of the judgment if paid on time.

Your name.

Payment amount and day.

Date of first payment.

You must indicate how many months you will be making payments, and the total amount you will be paying. This amount includes interest, which accrues at 10% per year. The final month's payment will likely be different than your previous monthly payments. You can use an online loan payoff calculator to determine the number of payments and the amount of the final payment. Be sure to use a calculator that uses simple interest and allows you to enter the interest rate of 10%, such as www.miniwebtool.com/loan-payoff-calculator.

Interest on the judgment shall accrue at the rate

are made as scheduled, and the judgment shall b

payments are not made as ordered, the judgment creditor may elect to continue the terms of this order, or may petition the court to vacate this order.

IT IS SO ORDERED

Dated:_____

_____

_____
Judge of the Superior Court