

# Motion to Pay Judgment in Installments: Requesting Installment Payments

## [California Code of Civil Procedure \(CCP\) § 582.5](#)

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=CCP&sectionNum=582.5](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=582.5)) allows a judgment debtor in a **limited** civil case (amount demanded is under \$25,000, or under \$35,000 if filed after Jan. 1, 2024) 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.

For a complete list of our guides and videos on enforcement of judgments, visit our [Enforcing Judgments topic page](https://saclaw.org/legal_topic/enforcing-a-courts-judgment/).

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 our article on [Exemptions from Enforcement of Judgment](https://www.saclaw.org/resource_library/exemption-from-the-enforcement-of-judgments/).

## Step-by-Step Instructions

### 1. Reserve Your Hearing Date and Determine Filing and Service Deadlines

**This information is for Sacramento. If your case is in a different county, do not follow these instructions. Instead, call the clerk or visit the court website in your county to find the correct information.**

#### Determine the department and time of the motion

This is considered a "Law and Motion" matter, which are heard in Department 53 at 1:30 p.m. or Department 54 at 9:00 a.m., Tuesday-Thursday. To determine which department your hearing will be in, check your case number. Odd numbered cases are heard in Dept. 53, even numbered cases in Dept. 54. (There are occasional exceptions, so if you've been assigned to one or the other in the past, use that one.)

## Reserve the date for the hearing

In Sacramento's Departments 53 and 54, you must reserve a court date through the court's online reservation system.

To use the online system, go to [prod-portal-sacramento-ca.journaltech.com/public-portal/](https://prod-portal-sacramento-ca.journaltech.com/public-portal/) (<https://prod-portal-sacramento-ca.journaltech.com/public-portal/>) and choose "Reservation System (CRS)." You must have a free account on the system to use it.

Before you log on or call, figure out if there are any days you will *not* be available during the next couple of months. For instance, you don't want to pick a date when you know you will be out of town.

You must choose a date far enough in the future that you can both **file** and **serve** your motion on time. Scheduling it four weeks in advance generally gives a comfortable margin for most types of motions. Usually, the first available date will be further away than that.

## Determine the legal deadline to file the motion in court

Tip: File the motion as soon as possible. Your reservation is not final until the motion has been filed and any fees paid.

The last legal day to file with the court is at least sixteen *court* (business) days prior to the motion date ([CCP § 1005](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.) ([http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=CCP&sectionNum=1005.](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005.))). "Court days" are Monday through Friday, excluding court holidays. To determine whether a particular filing date will meet this deadline, start counting backwards on the day before your hearing until you reach the sixteenth court day. ([CCP § 12c](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12c.&lawCode=CCP) ([https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=12c.&lawCode=CCP](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12c.&lawCode=CCP)))

For example, suppose your reservation is for Monday, June 18. You would start counting backward using the previous court day, Friday, June 15, as day one, as shown in the calendar below. Skip weekends and court holidays (there is one court holiday in this example, which is Memorial Day, May 28). The sixteenth court day before the hearing would be May 24, which would be the last day that the motion could be filed.

MAY							JUNE						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5						1 Day 11	<del>2</del>
6	7	8	Day 5 falls on a weekend, so the last day for service by mail rolls over to the previous court day.			12	<del>3</del>	4 Day 10	5 Day 9	6 Day 8	7 Day 7	8 Day 6	<del>9</del>
13	14	15	16	17	18 Last day to serve by mail	19 Day 5	<del>10</del>	11 Day 5	12 Day 4	13 Day 3	14 Day 2	15 Day 1	<del>16</del>
20 Day 4	21 Day 3	22 Day 2	23 Day 1	24 Day 16 Last day to file	25 Day 15	<del>26</del>	<del>17</del>	18 Hearing Date	19	20	21	22	23
<del>27</del>	<del>28</del> Holiday	29 Day 14	30 Day 13	31 Day 12			24	25	26	27	28	29	30

Make a note on your calendar to file the motion by this date. Do not miss this deadline. The court will cancel the hearing and you will have to start over.

### Determine the legal deadline to serve the motion on the other parties or their attorneys

You must have all other attorneys (or self-represented parties) served with a copy of the motion, then have the server fill out a Proof of Service which you file along with the motion. This means that someone over the age of 18 who is not a party in the case must either mail or personally deliver a copy of the motion and related documents to them. There is a strict deadline to do this (earlier is always fine).

*Personal service:* 16 **court** days before the hearing, the same as the minimum filing deadline. The server can fill out [Proof of Personal Service—Civil \(POS-020\)](https://www.courts.ca.gov/documents/pos020.pdf) (<https://www.courts.ca.gov/documents/pos020.pdf>).

*Service by mail:* 16 court days before hearing PLUS five **calendar** days before the hearing (more if the mailing address is outside California). ([CCP § 1005](http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005)

([http://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=CCP&sectionNum=1005](http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005))). The server can fill out [Proof of Service by First-Class Mail—Civil](https://www.courts.ca.gov/documents/pos030.pdf). (<https://www.courts.ca.gov/documents/pos030.pdf>)

“Calendar days” include weekends and holidays, but if the final day lands on a weekend or holiday, it is pushed back to the previous court day.

Make a note on your calendar to have the motion served by mail before the deadline. If you miss the mail deadline, you can still have the motion served by personal service up until 16 court days before the hearing. If you miss that deadline, you will have to cancel your court date and start over.

## 2. Prepare the Motion

**There is no pre-printed form for this motion. You will need to customize a motion on “pleading paper.” Instructions and a sample motion are at the end of this guide.**

### Parts of a Motion

A request to deem an opposing party’s admissions true is made through a **motion**. A motion is a request made in a case asking the court to issue an order of some sort.

A written motion consists of four parts:

1. Notice of Motion;
2. Motion;
3. Points and Authorities; and
4. Declaration

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](https://www.saclaw.org/glossary/perjury/) (<https://www.saclaw.org/glossary/perjury/>), supporting the motion.

The parts can be filed as separate documents or combined into one document, as in our template motion.

### Modify the Template Motion

There is no Judicial Council form for this procedure. Instead, the relevant documents must be typed on 28-line pleading paper. A customizable template may be downloaded from this link:

- [Motion to Pay Judgment in Installments](https://www.saclaw.org/wp-content/uploads/2023/04/sbs-motion-to-pay-judgment-in-installments-motion.rtf) (<https://www.saclaw.org/wp-content/uploads/2023/04/sbs-motion-to-pay-judgment-in-installments-motion.rtf>)

More information about how to fill the forms out is included on the sample at the end of this guide.

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### 3. Copy and Assemble Your Documents

Make four (4) copies of your Motion. One of these copies is to be served on the other party's attorney (or the other party, if they do not have an attorney); the original and the other three copies are to be filed with the court. Staple each of the copies, but leave the original unstapled so the court can scan it.

#### Attaching Exhibits

For each exhibit attached to your motion, you must place a page in front of the exhibit identifying it as Exhibit A, B, and so forth in alphabetical order.

### 4. Have the Motion Served and Attach the Proof of Service to Remaining Copies

Your motion must be served on the opposing party or their attorney, if any, by a person over the age of 18 who is not a party to the case. Your server must complete a proof of service form, either [Proof of Service by First Class Mail \(POS-030\)](http://www.courts.ca.gov/documents/pos030.pdf) (<http://www.courts.ca.gov/documents/pos030.pdf>) or [Proof of Personal Service \(POS-020\)](http://www.courts.ca.gov/documents/pos020.pdf) (<http://www.courts.ca.gov/documents/pos020.pdf>). For more information on these Proofs of Service, see our guides for [Serving Documents by Mail](https://www.saclaw.org/resource_library/serving-documents-by-mail/) ([https://www.saclaw.org/resource\\_library/serving-documents-by-mail/](https://www.saclaw.org/resource_library/serving-documents-by-mail/)) and [Service by Personal Delivery](https://www.saclaw.org/resource_library/personal-service/) ([https://www.saclaw.org/resource\\_library/personal-service/](https://www.saclaw.org/resource_library/personal-service/)).

The proof of service form should be completely filled out, but not signed. **Make a copy of the unsigned proof of service before proceeding and staple after the last page of the copy you will serve.**

The server must then personally deliver or mail the service copy on the other party's attorney (or the other party, if they do not have an attorney).

The server then signs the Proof of Service form, and gives the signed Proof of Service to you.

Make copies of the signed proof of service. It is not necessary to copy the instruction page. Attach the signed original to the original motion packet, and the copies to the copy packets, after the last page.

### 5. File Your Motion in the Law and Motion Department

File the original (with original signed proof of service) and two copies (with copied proof of service) of your motion at the Law & Motion Civil Filing Window in Room 212 on the second floor of the Hall of Justice building, located at 813 6th Street in downtown Sacramento.

**Filing Fee:** There is a \$60 fee to file a motion.

**First Appearance Fee:** If this is the first document that you have filed in this case (for instance, if the judgment was by default), the court will assess a first appearance fee when you file your motion. This fee depends on the amount the plaintiff claimed. (At the time of this article, \$225 for a complaint for up to \$10,000; \$370 for a complaint for \$10,000-\$35,000; \$435 for a complaint for over \$35,000). Check the [Sacramento Fee Schedule](https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf) (<https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf>).

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for current fees. are available on the Sacramento County Superior Court's website.

**Fee Waiver:** If you are receiving government benefits such as Medi-Cal or are otherwise qualified because of low income, you can apply for a fee waiver. Turn the fee waiver request forms in with the motion instead of a fee payment. For more information, see our [Step-by-Step guide on Fee Waivers](https://www.saclaw.org/resource_library/fee-waiver/) ([https://www.saclaw.org/resource\\_library/fee-waiver/](https://www.saclaw.org/resource_library/fee-waiver/)).

## 6. Opposition Papers and Your Optional Reply Papers

If any opposing counsel or self-represented party opposes your motion, he or she may serve and file an opposition at least **nine court days** prior to your motion. No fee is required to file an opposition. The opposition contains a memorandum of points and authorities and usually a declaration, but does not need the notice of motion or motion. Be sure to check your mail, and read any documents you receive carefully.

If the other attorney or party opposes your motion, you may choose to serve and file a reply to the opposition at least **five court days** prior to the motion. [CCP § 1005](#) ([http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=CCP&sectionNum=1005](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP&sectionNum=1005)). It must be served by overnight mail to reach the opposing party no more than one day after it is filed.

The reply is optional and is usually used to address new issues your opponent raised in the opposition. No fee is required to file a reply. See the our guide on [Writing, Scheduling, and Opposing Motions](#) ([https://www.saclaw.org/resource\\_library/motions-in-civil-cases/](https://www.saclaw.org/resource_library/motions-in-civil-cases/)) for more information.

## 7. Review the Tentative Ruling and Notify Court and Opponent if You Wish to Appear

Pursuant to [Local Rule 1.06](#) (<http://www.saccourt.ca.gov/local-rules/docs/chapter-01.pdf>), the judge will read your documents and will post a tentative ruling on the motion by 2:00 p.m. the court day **before the hearing**. (If you are not filing in Sacramento, check with your county court for their rules on tentative rulings. Most counties use a similar system.)

You may read the [tentative ruling online](#) (<https://www.saccourt.ca.gov/indexes/new-portal-info.aspx>) or call Department 53 (916-874-7858) or Department 54 (916-874-7848) to have a clerk read the ruling to you. For more information, see the [Tentative Ruling Information](#) (<https://www.saccourt.ca.gov/civil/self-help-services/tentative-ruling.aspx>) page on the Sacramento County Superior Court's website.

Closely review the tentative ruling. Since you are asking the court for to set aside the default, you are looking for your motion to be "GRANTED." If the court does not grant your request, your motion will be "DENIED." Even if your request is granted, be sure to read the tentative ruling very carefully, since it will likely contain other important information such as if and when you need to serve and file your proposed Answer (or other response).

**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

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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 why your motion should be granted.

**If you are not happy with the tentative ruling:** You can present arguments in front of the judge. To do so, call the Law and Motion Oral Argument Request Line at (916) 874-2615 by 4:00 p.m. the Court day before the hearing. You must also contact all opposing counsel and/or self-represented parties before 4:00 p.m. to let them know that you are requesting oral argument on the motion.

## 8. Attend the Hearing, if Necessary

If neither party calls the court and opposing party to request oral argument, the court will simply make the tentative ruling the order of the court.

If you or the other party request oral argument, you can attend in person or remotely by video or phone call using the Zoom app. The tentative ruling will explain how to connect if you choose to use Zoom.

Arrive or log onto Zoom early. There will probably be other cases scheduled at the same time. Go into the courtroom or Zoom waiting room and check in with the bailiff or clerk..

When your name is called, be ready to speak and to answer any questions the judge has. You will only have a few minutes. After both sides speak, the judge may make a decision right away, or may “take it under consideration” and mail out the decision in a few days.

## For help

**SH@LL (Self-Help at the Law Library)** (<https://saclaw.org/services/civil-self-help/>) (formerly Civil Self Help Center)

609 9<sup>th</sup> Street, Sacramento CA 95814  
(916) 476-2731 (Appointment Request Line)

*Services Provided:* SH@LL provides general information and basic assistance to self-represented litigants on a variety of civil legal issues, including name changes. All assistance is provided by telephone. Visit [“What we can help with”](https://saclaw.org/services/civil-self-help/#canhelp) (<https://saclaw.org/services/civil-self-help/#canhelp>) for a list of qualifying cases.

*Eligibility:* Must be a Sacramento County resident or have a [qualifying case](https://saclaw.org/services/civil-self-help/#who) (<https://saclaw.org/services/civil-self-help/#who>) in the Sacramento County Superior Court.

## For More Information

### On the Web:

Sacramento County Superior Court:

- [Motions and Hearings](https://www.saccourt.ca.gov/civil/motions-hearings.aspx) (<https://www.saccourt.ca.gov/civil/motions-hearings.aspx>)
- [Civil Motions and Hearings Generally](https://www.saccourt.ca.gov/civil/motions-hearings-general.aspx) (<https://www.saccourt.ca.gov/civil/motions-hearings-general.aspx>)
- [Civil Ex Parte Hearings](https://www.saccourt.ca.gov/civil/motions-hearings-exparte.aspx) (<https://www.saccourt.ca.gov/civil/motions-hearings-exparte.aspx>)



- [Tentative Rulings Information](https://www.saccourt.ca.gov/civil/motions-hearings-tentative.aspx) (<https://www.saccourt.ca.gov/civil/motions-hearings-tentative.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).



## Samples

1 PAUL SAMPLE  
2 2036 Donner Drive  
3 Sacramento, CA 95826  
4 916-123-4567

5 Defendant, In Pro Per

6  
7  
8 SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO

9 PETER PLAINTIFF, ) Case No.: 34-2011-00012345 Case number.  
10 )  
11 Plaintiff )  
12 vs. ) The parties' names, exactly as they appeared on the complaint.  
13 )  
14 PAUL SAMPLE, )  
15 Defendant )

16 ) Date: June 18, 2012  
17 ) Dept/Time: Dept. 54, 9:00 a.m.  
18 ) Date Action Filed: November 12, 2011  
19 ) Date Judgment Entered: February 16, 2012

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

21 YOU ARE HEREBY NOTIFIED THAT at the above-captioned date and time and  
22 department in the courthouse located at 813 Sixth Street, Sacramento, California, that the  
23 Defendant, PAUL SAMPLE, will move the court for an order that he/she be permitted to pay the  
24 judgment entered against him/her in monthly installments. Your name.

25  
26 Pursuant to Local Rule 1.06 (A) the court will make a tentative ruling on the merits of this matter  
27 by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for the  
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Motion to Pay Judgment in Installments

Motion to Pay Judgment in Installments (page 1)

1 department may be downloaded off the court's website. If the party does not have online access,  
2 they may call the dedicated phone number for the department as referenced in the local telephone  
3 directory between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the hearing and  
4 receive the tentative ruling. If you do not call the court and the opposing party by 4:00 p.m. the  
5 court day before the hearing, no hearing will be held.

6  
7 Dated: May 20, 2012

8  
9 Your name, date,  
and signature

10 \_\_\_\_\_  
11 PAUL SAMPLE  
12 Defendant, In Pro Per

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p><b>Memorandum of Points and Authorities in Support of Motion for Set Aside</b></p> <p>I. Background</p> <p><b>Date of judgment.</b> → 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. → <b>Amount of judgment.</b></p> <p>II. LEGAL ARGUMENT</p> <p>A. Pursuant to California Code of Civil Procedure Section 582.5, the Court May Allow Any Judgment to be Paid in Installments</p> <p>California Code of Civil Procedure §582.5 reads:</p> <p>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.</p> <p><b>The Court May Order Judgment Paid in Installments Whether the Judgment Was After Appearance or By Default</b></p> <p>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,"</p>	
	<p>3 Motion to Pay Judgment in Installments</p>	
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1 (emphasis added). This statutory language unambiguously makes available the ability to order  
2 installment payments after a default judgment.

3 A general appearance is "a voluntary appearance for any purpose other than to question  
4 the jurisdiction of the court" (*See Horney v. Superior Court In and For Santa Clara County*  
5 (1948) 83 Cal.App.2d 262). If this motion seeks installments on a default judgment, the present  
6 motion to pay in installments does not contest jurisdiction of the court and constitutes a general  
7 appearance after entry of the judgment, a circumstance explicitly anticipated by CCP § 582.5.  
8

9  
10 **The Requirement of an Appearance is Intended to Protect the Defendant and is Consistent**  
11 **with the Limits Placed on Default.**

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

15 Although the legislative history is silent on the issue, CCP § 582.5 is consistent with the  
16 statutes controlling limiting default judgments. Relief not demanded in the complaint cannot be  
17 granted by default judgment, even though that relief otherwise would have been proper (CCP §  
18 580(a)- "The relief granted to the plaintiff, if there is no answer, cannot exceed that demanded in  
19 the complaint, in the statement required by Section 425.11, or in the statement required for by  
20 Section 425.115"). This limitation is rooted in the fundamental concept of fairness that a person  
21 must be notified of the judgment sought before a judgment may be entered.  
22

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

10 For the reasons explained in the attached Declaration, the moving party asks that the  
11 Court issue an order permitting him or her to pay the Judgment in monthly installments.  
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13 Dated: May 20, 2012

14 Your name, date,  
15 and signature. \_\_\_\_\_

16 PAUL SAMPLE  
17 Defendant, In Pro Per  
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1 **DECLARATION**

2 **Your name.**

3

4 I, **PAUL SAMPLE**, am the Defendant in this matter, and I declare the following in support of my

5 motion to allow payments in monthly installments:

6 1. This lawsuit is a limited civil case. **Date of judgment.**

7 2. On **February 16, 2012** the Court entered a judgment against me in the total amount of

8 **\$5,430.** **Amount of judgment.**

9 3. I am asking that the court allow me to make monthly payments, and request that these

10 monthly payments be **\$200**, payable on the **10th** day of each month.

11 **Amount and day you want to make your monthly payment.**

12 **FINANCIAL INFORMATION**

13 4. The following persons other than myself depend, in whole or in part, on me or my spouse

14 for support: *(If you have no spouse, please indicate "None" on line 4(a))*

15 NAME	16 AGE	17 RELATIONSHIP TO ME	18 MONTHLY TAKE HOME INCOME & SOURCE
19 a. Sandra	53	Spouse	\$700, wages from Ace Mart
20 b. Myrtle	85	Mother	none
21 c. Sally	11	Daughter	none
22 d.			
23 e.			

24  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."**

25

26

27 5. My monthly income is:

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1 a. My gross (before taxes and deductions) monthly pay is: 2448.75.

2 b. My payroll deductions are:

3 Enter your gross pay and list all deductions.

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

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9 Enter your monthly take-home pay.

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

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

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

13 Enter your total monthly income.

14

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

16 a. Cash (this is cash, bank accounts are the next item): \$0. Enter the amount of cash you have.

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

18 List all accounts and current balances.

Bank	Amount
1) Chase Bank	\$35
2)	\$
3)	\$
4)	\$
<b>TOTAL of accounts:</b>	<b>\$</b>

20

21

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26 c. Cars, boats, or other vehicles:

27

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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 dependents is:

a. Rent or house payments and maintenance	\$950	Enter the amounts you spend each month in each category.
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	

8  
Motion to Pay Judgment in Installments

Motion to Pay Judgment in Installments (page 8)

1 g. School and/or child care \$0

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

3 i. Transportation & Auto expenses (gas, insurance,

4 repairs, etc. Do not include car loan payments): \$405

j. Monthly installment payments to other creditors:

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
		\$	\$	
		\$	\$	
<b>TOTAL</b>		\$474	\$10,641	

13

14

15

16 k. Laundry and cleaning \$30

17 l. Entertainment \$0

18 m. Other (specify) \$0

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

20

21 8. Other facts which support my request for monthly payments ( i.e. unusual medical

22 school tuition, expenses for recent family emergencies, or other unusual expenses to

23 allow the creditor and court understand your budget): *My wife Sandra has cut back to*

24 *part-time work so she can be home to care for my ailing mother, who lives with us.*

25 9. The following earnings withholding order(s) or wage garnishment(s) are now in effect as

26 to my earnings or those of my spouse or dependents:

27

28

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Motion to Pay Judgment in Installments

Motion to Pay Judgment in Installments (page 9)

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

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

Person subject to withholding order	Creditor's Name	Purpose	Monthly amount
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.

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

10  
Motion to Pay Judgment in Installments

**Date Created**  
03/30/2023