

## EXECUTION INSTRUCTION SHEET

**IT IS NOT THE DUTY OF THE SHERIFF'S DEPARTMENT TO FIND OUT WHAT ASSETS THE JUDGMENT DEBTOR HAS. THIS IS YOUR RESPONSIBILITY AS THE JUDGMENT CREDITOR OR THE ATTORNEY.**

The following information is required before the St. Louis County Sheriff's Office Civil Process staff will accept any executions.

NAME OF JUDGMENT DEBTOR: \_\_\_\_\_  
DEBTOR'S HOME ADDRESS: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_

If you want us to **levy on a bank account**, you must:

1. Endorse the Original Writ of Execution.
2. **Enclose an \$85.00 fee** payable to "St. Louis County Sheriff" (check or money order, cash)
3. Provide us with the name and address of debtor's bank.
4. **Enclose a \$15 execution fee** payable to the bank (check or money order only, no cash), MN Statute 550.135, Subd 5.

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

If you want us to **levy on wages**, you must:

1. Send an Execution Exemption Notice of Intent to Levy on Earnings to the debtor's last known address 10 days before delivering the Writ of Execution to the Sheriff's Office (Form satisfying the requirements of Minnesota Statute 550.136, Subd 6.)

**PLEASE CK:**    Date mailed: \_\_\_\_\_ or \_\_\_\_\_ Unknown Per Judgment Creditor/Attorney

2. Endorse Original Writ of Execution.
3. **Enclose an \$85.00 fee** payable to "St. Louis County Sheriff" (check or money order, cash).
4. Provide us with the name and address of employer.
5. **Enclose a \$15** execution fee payable to the employer (check or money order only, no cash). MN Statute 550.135, Subd 5.

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

### **Exemption Notices are provided by the Court.**

Upon completion of the above information, you may present this form with the accompanying documents, \$85 fee, and \$15 execution fee, in person or by mail, to: St. Louis County Sheriff's Office, Civil Process, 100 N 5<sup>th</sup> Avenue West, Room #103, Duluth MN 55802-1289.

PLEASE PRINT:

Have you received any money from the debtor since the date this Writ of Execution was issued?

Yes \_\_\_\_\_ No \_\_\_\_\_

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

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

EMAIL ADDRESS: \_\_\_\_\_ for your copy of the paperwork.

DAYTIME PHONE #: \_\_\_\_\_

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

The above e-mail address will be used to provide the Certificate of Service and any future billings/receipts/refund notices. Please note, it is your responsibility to file these documents with the Court, either by hard copy in person or e-file at <http://mncourt.gov>.

Third party levies involving the collection of monies are processed in the following manner:

**1. BANK ACCOUNTS. (Individual and Corporation/Business)**

A third party levy on a bank account(s) is served within five business days upon receipt of the Execution by the Civil Division. No exemptions apply to Corporations/Partnerships. Funds on deposit in the account(s) are frozen as of the date of service. Financial institutions respond by mail to the Civil Division within 30 days after the date of service (14-21 days if a corporation/business account). If a check is received from the bank, it is deposited and after the bank check clears, the funds are remitted to you (judgment creditor/attorney), by mail, in the form of a sheriff's office check.

**(TOTAL TIME INVOLVED IS 30 TO 45 DAYS).**

**2. WAGE LEVY.**

A third party levy on wages is served within five business days after receipt of the Execution by the Civil Division. This one service will attach the wages for 70 days at which time the employer will remit the funds to us. The papers will be served again to levy 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 after the last check is 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 with a deposit, \$15.00 legal fee and instructions to re-levy on the name and address of employer.

**(MAXIMUM TIME INVOLVED IS 180 DAYS. THE WRIT OF EXECUTION EXPIRES 180 DAYS AFTER ISSUE BY COURT ADMINISTRATION. THE SHERIFF WILL NOT KNOW THE AMOUNT OF THE WAGES ATTACHED UNTIL APPROXIMATELY 80 DAYS).**

In the event that no monies are collected pursuant to the Sheriff's levy, a notice will be mailed to you giving the reason. For example, no funds in the bank account; employment terminated; debtor is on leave of absence, does not earn more than minimum wage, etc. The Writ of Execution is returned to the Court Administrator. You may then locate other assets, obtain a new Writ of Execution from the Court Administrator and deliver it to the Civil Process office with an \$80.00 fee, \$15 legal fee, and new instructions. The process then starts all over. If no other assets can be found, contact the Court Administrator regarding the procedure to order the judgment debtor to court to divulge his/her assets.

**\*\*\* SPECIAL REQUEST \*\*\***

Please note total time is approximate. To help us expedite the collection of your judgment, your cooperation in respecting these time elements would be greatly appreciated.