

## SMALL CLAIMS- REQUEST TO MAKE PAYMENTS

### SELF-HELP FORM PACKET



SHC-SC-04 (Rev. 07/27/2021)

Self-Help Services can review your completed forms before you file them with the Court. To request review of your completed forms:

1. Complete the attached forms in black ink.
2. Scan your completed forms and save as a single PDF file.
3. Go to [www.occourts.org/self-help](http://www.occourts.org/self-help) (click the blue button labeled *Click Here to Contact Self-Help Services*), attach the PDF, and complete the online request form. Make sure to select CIVIL as the case type on the form.

### General Information

If the court ordered you to pay money, you can ask the court for permission to make payments. Here's how:

- Read this form.
- Fill out Form SC-220, *Request to Make Payments*. Fill out one form for each plaintiff or defendant (judgment creditor) you want to make payments to.
- Fill out Form EJ-165, *Financial Statement*.
- File your completed forms with the small claims court clerk.

The court will mail all other plaintiffs and defendants in the case copies of your *Request to Make Payments* and *Financial Statement*, this information form, and a blank Form SC-221, *Response to Request to Make Payments*.

The other parties will have 10 days to file a **Response**. Then, the court will mail all plaintiffs and defendants in the case:

- A decision on the *Request to Make Payments* or
- A notice to go to a hearing.

If the court ordered someone to pay you money, and that person has filed a *Request to Make Payments*...

- Read this form and the *Request*.
- If you agree with the *Request*, you do not need to do anything.
- **If you do not agree with the *Request* or you want to be paid interest, file a *Response* within 10 days after the court clerk mailed the *Request* to you.** (This date is on the *Clerk's Certificate of Mailing*.) If you do not do this, the court may allow the person who owes you money to make payments. And, you may lose your rights to collect interest on the judgment.

#### To file your Response:

- Fill out Form SC-221, *Response to Request to Make Payments*.
- Have your *Response* served on all other plaintiffs and defendants in your case. (See Form SC-112A, *Proof of Service By Mail*.)
- File your *Response* and *Proof of Service* with the small claims court clerk.

### Answers to Common Questions

#### When is the judgment due?

Unless the court orders otherwise, small claims judgments are due immediately. If the judgment is not paid in full within 30 days, the judgment creditor (person to whom the money is owed) can take legal steps to collect any unpaid amount. (Collection may be postponed if an appeal or a request to vacate (cancel) or correct the judgment is filed.)

#### Can the judgment debtor make payments?

A party who was ordered to pay a small claims judgment (the judgment debtor) can ask the court for permission to make payments. If the court agrees, the party who is owed money (the judgment creditor) cannot take any other steps to collect the money as long as the payments are made on time.

#### Is interest added after the judgment?

Interest (10 percent per year) is usually added to the unpaid amount of the judgment from the date the judgment is entered until it is paid in full. Interest can only be charged on the unpaid amount of the judgment (the principal); interest cannot be charged on any unpaid

interest. If a partial payment is received, the money is applied first to unpaid interest and then to unpaid principal.

When the court allows payments, the court often does not order any interest, as long as all payments are made in full and on time. Unless the creditor asks for interest to be included in the order allowing payments, the creditor may lose any claims for interest. But, if the debtor does not make full payments on time, interest on the missed payment or the entire unpaid balance might become due and collectible.

#### How do I calculate interest?

If you are proposing a payment schedule that includes interest, you need to itemize the principal and interest for each payment. To do this, you can search on the Internet for "free amortization calculator." Enter the total amount of the judgment as the principal, the interest rate of 10 percent per year, the frequency of payments (monthly, weekly, etc.), and the number or length of payments. Print the results showing the payment amount and how each payment is divided between principal and interest. Attach this to your *Request* or *Response*.



#### Need help?

For free help, contact your county's small claims advisor:  
[local info here]

Or go to "County-Specific Court Information" at [www.courts.ca.gov/selfhelp-smallclaims.htm](http://www.courts.ca.gov/selfhelp-smallclaims.htm)

Clerk stamps here when form is filed.

Read the other side before you fill out this form.

1 I am asking for permission to pay my small claims judgment in payments.

My name is: \_\_\_\_\_

Mailing address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

2 On (date): \_\_\_\_\_, the court made the decision (judgment) that:

Fill in the court name and street address:

I owe (total amount): \$ \_\_\_\_\_

To (name of party you must pay): \_\_\_\_\_

Mailing address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

**Superior Court of California, County of**

3 I am asking for permission to make payments, instead of paying the full amount all at once, because (explain):

Fill in your case number and case name:

If your answer will not fit in the space below, check this box and attach your answer on a separate sheet of paper. Write "SC-220, Item 3" at the top.

**Case Number:**  
  
**Case Name:**

4 I ask the court to allow me to make payments on the following terms (check and complete all that apply):

a.  Payments of \$ \_\_\_\_\_, on the \_\_\_\_\_ day of each (month, week, other): \_\_\_\_\_  
Starting (date): \_\_\_\_\_, until (date of final payment): \_\_\_\_\_; amount of final payment: \$ \_\_\_\_\_

b.  Other payment schedule (specify): \_\_\_\_\_  
\_\_\_\_\_

c.  The total amount of payments is \$ \_\_\_\_\_, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may be different if the payments are made late or early. Attach a page that shows how you calculated the interest and write "SC-220, Item 4c" at the top.

d.  The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e.  Other (specify): \_\_\_\_\_  
\_\_\_\_\_

**Warning!** If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name



\_\_\_\_\_  
Sign here

# Payments in Small Claims Cases

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SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.
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**FINANCIAL STATEMENT**  
(Wage Garnishment—Enforcement of Judgment)

**NOTE: If you are married, this form must be signed by your spouse unless you and your spouse are living separate and apart. If this form is not signed by your spouse, check the applicable box on the reverse in item 9.**

1. The following persons other than myself depend, in whole or in part, on me or my spouse for support:

	NAME	AGE	RELATIONSHIP TO ME	MONTHLY TAKE-HOME INCOME & SOURCE
a.			Spouse	
b.				
c.				
d.				
e.				

**2. My monthly income**

- a. My gross monthly pay is:..... 2a. \$ \_\_\_\_\_
- b. My payroll deductions are (*specify purpose and amount*):
  - (1) Federal and state withholding, FICA, and SDI. .... \$ \_\_\_\_\_
  - (2) \_\_\_\_\_ \$ \_\_\_\_\_
  - (3) \_\_\_\_\_ \$ \_\_\_\_\_
  - (4) \_\_\_\_\_ \$ \_\_\_\_\_
- My TOTAL payroll deduction amount is (*add (1) through (4)*): ..... b. \$ \_\_\_\_\_
- c. My monthly take-home pay is (*a minus b*): ..... c. \$ \_\_\_\_\_
- d. Other money I get each month from (*specify source*):  
 \_\_\_\_\_ is ..... d. \$ \_\_\_\_\_

<b>e. TOTAL MONTHLY INCOME</b> ( <i>c plus d</i> ) .....	e. \$ _____
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**3. I, my spouse, and my other dependents own the following property:**

- a. Cash ..... 3a. \$ \_\_\_\_\_
- b. Checking, savings, and credit union accounts (*list banks*):
  - (1) \_\_\_\_\_ \$ \_\_\_\_\_
  - (2) \_\_\_\_\_ \$ \_\_\_\_\_
  - (3) \_\_\_\_\_ \$ \_\_\_\_\_
- c. Cars, other vehicles, and boat equity (*list make, year of each*):
  - (1) \_\_\_\_\_ \$ \_\_\_\_\_
  - (2) \_\_\_\_\_ \$ \_\_\_\_\_
  - (3) \_\_\_\_\_ \$ \_\_\_\_\_
- d. Real estate equity ..... d. \$ \_\_\_\_\_
- e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.) (*list separately*):  
 ..... e. \$ \_\_\_\_\_

SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.
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**4. The monthly expenses for me, my spouse, and my other dependents**

- |   |         |  |
|---|---------|--|
| a. Rent or house payment and maintenance .....  | 4 a. \$ |  |
| b. Food and household supplies .....  | b. \$   |  |
| c. Utilities and telephone .....  | c. \$   |  |
| d. Clothing .....   | d. \$   |  |
| e. Medical and dental payments .....  | e. \$   |  |
| f. Insurance (life, health, accident, etc.) .....   | f. \$   |  |
| g. School, child care .....   | g. \$   |  |
| h. Child, spousal support (prior marriage) .....  | h. \$   |  |
| i. Transportation & auto expenses (insurance, gas, repair) <i>(list car payments in item 5)</i> ..... | i. \$   |  |
| j. Installment payments <i>(insert total and itemize below in item 5)</i> .....                       | j. \$   |  |
| k. Laundry and cleaning .....   | k. \$   |  |
| l. Entertainment .....  | l. \$   |  |
| m. Other <i>(specify)</i> :   |         |  |
|   | m. \$   |  |

n. <b>TOTAL MONTHLY EXPENSES</b> <i>(add a through m)</i> : .....	n. \$	
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**5. I, my spouse, and my other dependents owe the following debts:**

CREDITOR'S NAME	FOR	MO. PAYMENTS	BALANCE OWED	OWED BY <i>(State person's name)</i>
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6. Other facts which support this Claim of Exemption (i.e., unusual medical needs, school tuition, expenses for recent family emergencies, or other unusual expenses to help your creditor and the judge understand your budget) *(describe)*: *(If more space is needed, attach page labeled Attachment 6.)*

7.  An earnings withholding order is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount)*:

8.  A wage assignment for support is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount)*:

9.  My spouse has signed below.  
 I have no spouse.  
 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.

**Date:**

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(TYPE OR PRINT NAME OF SPOUSE)

▶

\_\_\_\_\_  
(SIGNATURE)

▶

\_\_\_\_\_  
(SIGNATURE OF SPOUSE)