

## **Verified Motion for Proceedings Supplemental**

Use this form when:

You are the Judgment Creditor (usually the Plaintiff or Landlord but not always) in any civil case and have obtained a judgment against the Judgment Debtor (usually the Defendant or Tenant but not always) and

- The Judgment Debtor has not paid the judgment in full.

**This form has both a Motion and an Order.**

**→ You must fully complete and sign the Motion.**

**→ You must complete only the top half of the Order. The Order has a front and a back. Print and file both sides of this Order.**

**The court will not hear and decide your case until you serve the Defendant both the front and the back of the Order to Appear for Proceedings Supplemental.**

VERIFIED MOTION FOR PROCEEDINGS SUPPLEMENTAL

TIPPECANOE SUPERIOR COURT No. 4

Courthouse, 301 Main Street
Lafayette, Indiana 47901
Telephone: (765) 423-9266

CAUSE NO. 79D04- \_\_\_\_\_ -SC/PL- \_\_\_\_\_

Judgment Creditor requests service by:
[ ] Sheriff of Tippecanoe/ \_\_\_\_\_ County
[ ] Certified Mail

Judgment Creditor 1 (owed money by Debtor)

Name \_\_\_\_\_
Address \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Telephone ( \_\_\_\_\_ ) \_\_\_\_\_
Email \_\_\_\_\_

Judgment Debtor 1 (owes money to Creditor)

Name \_\_\_\_\_
Address \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Telephone ( \_\_\_\_\_ ) \_\_\_\_\_
Email \_\_\_\_\_

Judgment Creditor 2 (owed money by Debtor)

Name \_\_\_\_\_
Address \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Telephone ( \_\_\_\_\_ ) \_\_\_\_\_
Email \_\_\_\_\_

Judgment Debtor 2 (owes money to Creditor)

Name \_\_\_\_\_
Address \_\_\_\_\_
Address \_\_\_\_\_
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_
Telephone ( \_\_\_\_\_ ) \_\_\_\_\_
Email \_\_\_\_\_

VERIFIED MOTION FOR PROCEEDINGS SUPPLEMENTAL
[Attach Order]

Judgment Creditor (former [ ] Plaintiff [ ] Defendant) appears and states that, to the best of his/her/its knowledge;
(1) Judgment Creditor owns the judgment entered in this cause against the Judgment Debtor. (2) This judgment is not
satisfied or paid in full. APPROXIMATE BALANCE \$ \_\_\_\_\_. (3) Judgment Creditor has no reason
to believe that levy of execution against the Judgment Debtor will satisfy this judgment.

THEREFORE, Judgment Creditor respectfully requests the Court to Order the Judgment Debtor to appear in
person and to testify under oath concerning all income and assets that may be used to satisfy and pay this judgment.

[ ] Further, Judgment Creditor requests the Court to issue the accompanying Interrogatories and appropriate
Orders to the Judgment Debtor and/or any Garnishee Defendant (employer or financial institution).

I swear or affirm under penalties for perjury, as specified in I.C. 35-44-2-1, the information herein is true and
accurate to the best of my knowledge and belief and that on the date this Motion was filed, I served a copy of this Motion
on the other party by: [ ] U.S. Mail (1st class) to the address of the other party as listed above.
[ ] Email to the address of the other party as listed above.
[ ] Other: \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_
Date

\_\_\_\_\_
Signature

**ORDER TO APPEAR FOR PROCEEDINGS SUPPLEMENTAL**

**TIPPECANOE SUPERIOR COURT No. 4**

Courthouse, 301 Main Street  
Lafayette, Indiana 47901  
Telephone: (765) 423-9266

**CAUSE NO. 79D04-**\_\_\_\_\_ **-SC-**\_\_\_\_\_

Judgment Creditor requests service by:  
 Sheriff of Tippecanoe/\_\_\_\_\_ County  
 Certified Mail

**Judgment Creditor 1 (owed money by Debtor)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**Judgment Debtor 1 (owes money to Creditor)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**Judgment Creditor 2**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**Judgment Debtor 2 (owes money to Creditor)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone (\_\_\_\_\_) \_\_\_\_\_  
Email \_\_\_\_\_

**ORDER TO APPEAR FOR PROCEEDINGS SUPPLEMENTAL**

Judgment Creditor files his/her/its Verified Motion. The Judgment Debtor is ORDERED to appear in person on

\_\_\_\_\_ [day], \_\_\_\_\_ [date], at \_\_\_\_\_ [time]

and answer questions concerning all income and assets that may be used to satisfy and pay this judgment

Further, you are ORDERED to bring with you any and all documentation about your income and assets including your paycheck stubs, tax returns, bank statements, copy of the titles for any and all vehicles which are in your possession or titled in your name, statement of benefits for government assistance or retirement, etc. for the last six (6) months.

IF YOU FAIL TO APPEAR, a writ of body attachment may be issued and you may be held in custody of the Sheriff of Tippecanoe County until you are brought before this Court and/or a bond is paid on your behalf.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mathew S. Sandy, Judge  
Tippecanoe Superior Court No. 4

COPY:  Garnishee Defendant (employer)  Garnishee Defendant (financial institution)  Judgment Creditor  
 Judgment Debtor (with Notice of Exemption Rights attached)  Attorney \_\_\_\_\_

**(See important information and SHERIFF'S RETURN OF SERVICE on reverse side)**

**SHERIFF'S RETURN OF SERVICE**

I certify that on the below date, I served this Order to Appear by:

- Delivering a copy to the person of the  Judgment Debtor  Garnishee Defendant; **OR**
- By leaving a copy either:
  - posted prominently at the residence of the Judgment Debtor listed on the front of this Motion; OR
  - with a person of suitable age and discretion residing therein, name \_\_\_\_\_; OR
  - at the place of work, employment or business of the  Judgment Debtor  Garnishee Defendant listed on the front of this Motion
- AND**
- By mailing a copy of this Motion to the  Judgment Debtor  Garnishee Defendant (1<sup>st</sup> Class Mail) to the address listed on the front of this Motion (date mailed if different from below: \_\_\_\_\_, 20\_\_\_\_).
- I was unable to serve this Motion on  Judgment Debtor  Garnishee Defendant because \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_  
Sheriff of Tippecanoe/ \_\_\_\_\_ County  
BY: \_\_\_\_\_

**IMPORTANT INFORMATION CONCERNING THIS PROCEEDING SUPPLEMENTAL**

(1) Previously in this cause, a money judgment was entered in favor of the Judgment Creditor and against you, the Judgment Debtor.

(2) Anytime a Judgment is not paid in full within thirty (30) days of the date the Judgment was entered and the parties have not come to an agreement regarding a schedule for payments or if the Judgment Debtor has quit making agreed payments, the Judgment Creditor may ask the Court to order you to appear in court and be questioned under oath about your income, assets and other resources that could be used to pay this Judgment. This procedure is called a Proceeding Supplemental.

(3) If it is possible for you and the Judgment Creditor to calmly discuss these Proceedings, you are encouraged to contact the Judgment Creditor and negotiate in good faith to reach an agreement to make regular payments. If the parties do reach an agreement, the parties should put this Payment Agreement in writing and all parties should sign the agreement. This form for a Payment Agreement is available online or at the Court's office.

The Judgment Creditor is responsible for filing the Payment Agreement with the Court. If the Payment Agreement is filed before the court date listed on the front of this Order, the parties will not need to appear in court.

If it is not possible for you and the Judgment Creditor to discuss these Proceedings, the Court can assist the parties in discussing a payment agreement when you appear in Court on the date and at the time listed on the front of this Order.

(4) Until this Judgment is paid in full, the Judgment Creditor may regularly file Proceedings Supplemental to have you appear in court and to be questioned about your income, assets and other resources that could be used to pay this Judgment. The Judgment Creditor may also ask the Court to issue a Final Order in Garnishment so that payments will automatically be deducted from your paycheck or your bank account.

(5) If the Judgment was entered by default, meaning you did not appear in Court and the Judgment was entered in your absence, and less than one (1) year has passed since the default Judgment was entered, you might be able to file a Verified Motion to Set Aside or Vacate Default Judgment. This form is available online and at the Court's office.

(6) When you do come to Court for Proceedings Supplemental, you must bring with you any and all documentation about your income and assets including your paycheck stubs, tax returns, bank statements, statement of benefits for government assistance or retirement, etc. for the last six (6) months.

(7) The Judgment Creditor is entitled to collect the Judgment from any property you own or income you receive except when the property or income is protected from collection by state or federal law. When property or income is protected, it is referred to as "exempt." Please see Notice of Exemption Rights for more information. This form is available online and at the Court's office.