

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.courtinfo.ca.gov/selfhelp/smallclaims