

## INSTRUCTIONS ON FILING A MOTION FOR PROCEEDINGS SUPPLEMENTAL

- Use this form once a judgment has been ordered against the defendant and the defendant fails to pay the judgment. If you know where the defendant is employed, you may be able to pursue garnishment on their paycheck, provided the defendant qualifies for a garnishment order.
- You must complete the entire form. If you know the defendant's employer, you may add the employer's name and address on the garnishee defendant (employer) section. If you provide garnishee defendant (employer) information, the Court will send interrogatories (questionnaire) to the employer to confirm the defendant's employment and income.
- The appropriate Appearance Form (*Individual Appearance OR Appearance for Sole Proprietorship, Partnership, Corporation, LLC, LLP, or other Business Organization*) must be completed and submitted at the same time the Motion for Proceedings Supplemental is submitted. If you provide an email address on the Appearance Form, the **only** notice of future Court hearings and Orders you will receive will be through email notification. If you do not use your email address on a regular basis, please do not list it.
- There are two (2) options for method of service to perfect upon the defendant.
  1. Certified Mail option: you must provide the certified mailer envelope along with all postage from your local Post Office. The envelope and green card must be completely filled out with the defendant's address.
  2. Sheriff service option: you will need to provide a stamped envelope addressed to the defendant and pay a **\$28.00 post judgment sheriff fee**. This is in addition to the fee you paid when you filed your original claim. The Bartholomew County Clerk accepts cash, personal check, money orders, and credit/debit card (there is a 3% charge for paying with a card) as forms of payment for the post judgment sheriff fee.
- Once the forms are complete, bring the forms and payment for the sheriff fee to the Bartholomew County Clerk's Office where they will give you a receipt for payment. You will then bring the form; stamped, addressed envelope; and receipt to the Small Claims Office. If you opt to have service perfected by Certified Mail, bring the form and envelope directly to the Small Claims office.
- You will receive an e-notice with a link to your order and hearing date and time once the Court has processed your filing.
- If you have any further questions, feel free to contact our office at (812)379-1620. Most questions can be answered by referring to the Small Claims manual and the Frequently Asked Questions.

STATE OF INDIANA )  
 ) SS  
COUNTY OF BARTHOLOMEW )

IN THE BARTHOLOMEW SUPERIOR COURT NO.2

CASE NO. 03D02

\_\_\_\_\_  
Plaintiff(s)

VS

**VERIFIED MOTION FOR  
PROCEEDINGS SUPPLEMENTAL**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s)

**Please Note: An Additional fee may be imposed when  
requesting sheriff service on any post judgment pleading.**

\_\_\_\_\_  
\_\_\_\_\_  
Garnishee Defendant (Employer)

Comes now the Plaintiff, and states that to the best of his knowledge:

1. Plaintiff owns the judgment rendered in this cause against the defendant(s);
2. Plaintiff has no cause to believe that levy of execution against the defendant(s) will satisfy the judgment;
3. Plaintiff's judgment is unsatisfied;
4. The garnishee defendant (employer) has in its possession the following personal property of the defendant(s), wages, salaries, commission, earnings and income;
5. The approximate balance of that judgment on the date this Motion was filed was \_\_\_\_\_  
(If you do not know the balance of the judgment, please contact the Bartholomew County Clerk at 379-1600.)

WHEREFORE, Plaintiff moves the court to issue an order notifying defendant(s) of hearing on these proceedings and requiring the garnishee defendant to answer interrogatories concerning the defendant's property in its possession.

I swear or affirm under the penalty of perjury that the foregoing representations are true.

Date: \_\_\_\_\_ Signature of Plaintiff: \_\_\_\_\_

The following manner of service is hereby designated:

\_\_\_\_\_ Certified mail to judgment defendant.

\_\_\_\_\_ Service on defendant by sheriff at residence or at place of employment,

to-wit: \_\_\_\_\_

STATE OF INDIANA

SS: IN THE BARTHOLOMEW SUPERIOR COURT NO 2

COUNTY OF BARTHOLOMEW

CASE NO: 03D02-\_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s)

vs

\_\_\_\_\_  
Defendant(s)

**INDIVIDUAL APPEARANCE**

*This Appearance Form must be filed on behalf of every party in a civil case.*

1. My Name is \_\_\_\_\_ and I am

Initiating (filing) \_\_\_\_\_

*If you are the Plaintiff, check Initiating*

Responding (answering or defending) \_\_\_\_\_

*If you are Defendant, check Responding*

Intervening \_\_\_\_\_

2. Contact information for receiving legal service of documents and case information is required by Court Rules: (NOTE: *If you are the Initiating party and this case, or a related case, involves a protection from abuse order, a workplace violence restraining order, or a no-contact order, you must provide an address for the purpose of legal service of documents but that address should not be one that exposes the whereabouts of a petitioner*)

**THIS INFORMATION IS REQUIRED:**

(IF AN EMAIL ADDRESS IS PROVIDED, THE ONLY NOTICE OF FUTURE COURT HEARINGS WILL BE THROUGH EMAIL NOTIFICATION. IF YOU DO NOT USE YOUR EMAIL ADDRESS ON A REGULAR BASIS, PLEASE DO NOT LIST IT.)

**Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

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

OR, if in the related case, you have used the Attorney General Confidential address, you may check \_\_\_\_\_ Attorney General confidential address (contact the Attorney General 1-800-321-1907 or email address is confidential@atg.state.in.us)

3. This is a \_\_\_\_\_ case type as defined in administrative Rule 8(B)(3).  
(Clerk will supply this information).

4. I will accept service by FAX at the following number \_\_\_\_\_

\_\_\_\_\_  
Signature - Self-Represented Party