

## Collecting Your Judgment

It is very difficult to collect a money judgment in Texas. Our law provides that only non-exempt property of the judgment debtor may be seized to satisfy the judgment. Most judgment debtors do not have non-exempt property; in other words, most people have only exempt property. This means that even though you might obtain a judgment against someone, it is likely that you may never recover any money.

If you decide to file a lawsuit and you obtain a judgment, you may follow these steps to try to collect your judgment.

1. We suggest that you wait until the appeal time runs out before you do anything. The appeal time is 5 days in Forcible Entry and Detainer (Eviction) cases and 21 days for other civil cases (Small Claims Debt Collection). The party filing the appeal must also pay the same filing fee unless they file a Statement of Inability to Pay when filing the appeal.
2. After the judgment is rendered, you may obtain an Abstract of Judgment which you may file with the County Clerk in Milam County or any county in which the judgment debtor has real property. The abstract informs the county in which you have filed it that there is a judgment against the debtor and it creates a judgment lien on the debtor's real estate in that county. The judgment will probably be picked up by credit reporting agencies and be noted on the debtor's credit report. You may file this abstract in as many counties in Texas as you like. There will be a fee each time it is recorded.
3. Thirty days after judgment, you may obtain a Writ of Execution to attempt to seize the debtor's non-exempt property to satisfy your judgment. Before you pursue this remedy, you should determine whether the debtor has non-exempt property. If a judgment debtor has no non-exempt property, you cannot execute on your judgment. There are other remedies available in addition to the Writ of Execution, but they are even more complex. Relevant law for these remedies can be found in the Texas Property Code, the Texas Civil Practice and Remedies Code, the Texas Rules of Civil Procedure and elsewhere. The best advice is to consult an attorney. This information is not intended to constitute legal advice or to take the place of an attorney. The Justice of the Peace and the clerks are prohibited by law from giving legal advice. The law concerning the collection of judgments is complex and can be properly explained by your attorney. You may want to view the [Texas Law Help web site](#).