PINAL COUNTY JUSTICE COURTS

DEBTORS EXAMINATION

INSTRUCTIONS & FORMS

PINAL COUNTY
Apache Junction Justice Court
Eloy Justice Court
Superior/Kearny Justice Court
Maricopa/Stanfield Justice Court

JUSTICE COURTS
Casa Grande Justice Court
Florence/Coolidge Justice Court
Mammoth/San Manuel Justice Court
Oracle Justice Court

The purpose of a Judgment Debtor's Examination is to obtain information about assets and other information relevant to the judgment debtor that may aid you in collecting the judgment.

You may file a Petition in Support of Supplemental Proceedings with the court clerk. There is a fee for issuing an Order for Supplemental Proceedings.

The court will set a date and time for the judgment debtor or other named person to appear as ordered. You must also be present at the scheduled examination unless you have obtained counsel to appear on your behalf.

The Petition and Order for Appearance will need to be served on the judgment debtor or on a person who has information or documents concerning the assets of the judgment debtor. The Order must be served by the constable or a licensed process server. There may be a fee for the service.

The Order for Appearance must be served personally on the judgment debtor; substitute service will not suffice. Be sure to instruct the person serving the order to note on the affidavit of service the judgment debtor's physical description and date of birth. Rule 64.1, Arizona Rules of Civil Procedure requires that the physical description be included on a civil arrest warrant, should it be necessary to issue one for failure to appear.

At the debtor's examination the party to whom the order was issued will be placed under oath and then you, or an attorney representing you, will conduct the examination. You may ask the judgment debtor questions concerning his assets or property. You should be prepared to know what questions you plan to ask the judgment debtor. The judgment debtor is required to bring the documents and records specified by the order and to be prepared to answer your relevant questions concerning his assets or property. If the debtor fails to appear as ordered, after having been personally served, the court will issue a civil arrest warrant if one is requested.

If the judgment debtor fails to make a good faith effort to properly participate in the proceedings or otherwise fails to comply with the court's order, you may file a Motion for Sanctions for Non-Compliance. The court can provide you with a form.

LIST OF DOCUMENTS TO BE PRODUCED AT SUPPLEMENTAL PROCEEDINGS BY JUDGMENT DEBTOR

1. **Federal and State Income Tax Returns:** for the year preceding the date on this order, any quarterly estimates of Federal or State income tax filed by you for this year.

2. **Bank Statements on Checking and/or Savings Accounts:** from any bank, savings and loan associations or share account in any credit union belonging to you or in which you have or have had any interest whatsoever, alone or jointly with any other person or persons.

3. **Certificates of any Stocks and Bonds:** belonging to you or in which you have or have had any interest whatsoever, either alone or jointly with any other person or persons.

4. **Life Insurance Policy:** for your life or naming you as a beneficiary.

5. **Notes, Contracts, Negotiable Instruments Receivable, or Accounts Receivable:** whether due or not, belonging to you or in which you have or have had any interest whatsoever.

6. **Real Property:** titles, deeds, or contracts of sale of property owned, purchased or being purchased, or sold, which you own or have had interest in whatsoever, either alone or jointly with any other person or persons.

7. **Personal Property:** titles, bills of sale or contracts of sale upon, including but not limited to, automobiles, boats, household goods, miscellaneous furniture and fixtures belonging to you or in which you have or have had any interest whatsoever, either alone or jointly with any other person or persons.

Print Form

Pinal County Justice Courts, State of Arizona

SELECT A COURT FROM THE DROP DOWN ARROW AT RIGHT >>>>>>

PETITION IN SUPPORT OF JUDGMENT DEBTORS EXAM (SUPPLEMENTAL PROCEEDINGS) AND ORDER

Case Number: _____

_____	_____
_____	_____
_____	_____
_____	_____
Plaintiff(s) Name / Address / Phone	Defendant(s) Name / Address / Phone

PETITION

I am the Judgment Creditor or an agent of the Judgment Creditor and I am authorized to make this affidavit on their behalf, pursuant to A.R.S. §§ 12-1631 and 12-1632:

I believe and allege that the persons listed below are the Judgment Debtors; or were officers of the Corporation when all or part of the debt occurred, from which the judgment in this action resulted; or are persons who have information or documents in their possession which state the assets of the Judgment Debtors.

_____

Name of person(s) requested to appear ☐ Judgment Debtor ☐ Officer

Wherefore, Plaintiff requests that the Court issue an Order requiring these persons to appear at the court named above to answer questions, under oath, concerning property of the Judgment Debtor; and ordering Judgment Debtor to bring such records and documents as may be required in according to the attached list.

I have read this petition, know its contents and believe this affidavit to be true and correct and affirm the foregoing.

_____ Affiant

_____ Notary / Court Clerk

Subscribed and sworn this date: _____

Notary Expiration: _____

ORDER FOR APPEARANCE ON SUPPLEMENTAL PROCEEDINGS

IT IS THEREFORE ORDERED: A copy of this order shall be served upon the Judgment Debtors who shall appear before this court

named above on _____ at _____ AM / PM.

These persons shall be prepared to answer questions under oath concerning the property of the Judgment Debtors and bring with them documents and records of the Judgment Debtors which are listed on the attached form. WARNING: Failure To Appear as ordered or failure to bring the listed documents/records may result in a civil arrest warrant.

_____ Date

_____ Justice of the Peace

Request for reasonable accommodations for persons with disabilities must be made to the court at least three (3) legal working days in advance of any scheduled hearing.