

EXECUTION INSTRUCTIONS

**IT IS NOT THE DUTY OF THE SHERIFF'S OFFICE TO LOCATE THE ASSETS OF THE JUDGMENT DEBTOR.
THIS IS YOUR RESPONSIBILITY AS THE JUDGMENT CREDITOR OR THE ATTORNEY.**

The following information is required before the Kandiyohi County Sheriff's Office/Civil Division will accept any executions. List the name(s) of the judgment debtor(s) you are asking us to collect from, be specific.

Judgment Debtor _____
Home Address _____
Phone Number _____

To levy on a bank account, you must:

1. Endorse the Original Writ of Execution and 1 copy.
2. Provide a \$50.00 deposit made payable to the Kandiyohi County Sheriff. This cost will be added to the judgment.
3. Provide the bank with a \$15.00 check made payable to the financial institution. This cost will be added to the levy.
4. Provide one copy of the Financial Institution Execution Disclosure & Important Notice & Instructions & How the Process Works and two copies of the Exemption Form (3 page form). These can be found on the Kandiyohi County Sheriff's Office website Civil tab and there is a box with downloadable forms. The forms can be accessed by clicking on Financial Institution Execution) ******there are numerous areas for completion by the Attorney or the Judgment Creditor******

Name _____
Address _____
Phone Number _____

To levy on wages, you must:

1. Mail garnishment exemption notice to the debtor's last known address 10 days before delivering Writ of Execution to the Sheriff. This is to certify that the 10-day notice pursuant to M.S.550.136/6 was Mailed on _____ Signed by _____
2. Endorse the original Writ of Execution and 2 copies.
3. Provide a \$50.00 deposit made payable to the Kandiyohi County Sheriff. This cost will be added to the judgment.
4. Provide employer with a \$15.00 check made payable to the employer. This cost will be added to the levy.

Name _____
Address _____
Phone Number _____

Upon completion of the above, you can present this form with the appropriate documents, deposit and legal fee, in person or by mail to: Kandiyohi County Sheriff, Civil Division, 2201 NE 23 Street, Suite 101, Willmar, MN 56201; Phone 320-214-6700, ext. 3329. **PLEASE PRINT - Name and Address of Judgment Creditor or Attorney below:**

Name _____
Address _____
Phone Number _____

Signature _____

Please Note: You will be billed for any work done by the Sheriff's Office in attempting to collect this judgment even though it may be returned to court unsatisfied. For additional information, see backside.

Third party levies involving the collection of monies are processed in the following manner:

BANK ACCOUNTS:

A third party levy on a bank account(s) is served within two to three business days upon receipt of the Writ of Execution by the Sheriff's Department Civil Division. Funds on deposit in the account(s) are frozen as of the date of service. Financial institutions respond to the Sheriff's Department by mail in approximately 30 days after date of service. At that time, if a check is received from the bank, it is deposited and shortly thereafter the funds are remitted to you, less all Sheriff's costs, and in the form of a Sheriff's Department check.

(Total time involved is approximately 30-45 days)

GARNISHMENTS (WAGES):

A Third party levy on wages is served within two to three business days upon receipt of the Writ of Execution by the Civil Division. The Writ of Execution is good for 70 days while in the hands of the Sheriff. All monies collected during this time are held by our office. When the 70-day period is over, we will mail you the funds collected, less all Sheriff's costs. This will be approximately two weeks after the last check is received. If the judgment is not fully satisfied, and the judgment debtor is still employed, you must obtain a new Writ of Execution from the Court Administrator and deliver it to the Sheriff with the instructions to re-levy (name and address of employer).

(Total time involved is approximately 70-90 days)

In the event no monies are able to be collected, notice will be mailed to you giving the reason and the Writ of Execution will be returned to the Court administrator unsatisfied/no property found. You may then attempt to locate other assets, obtain a new Writ of Execution then from the Court Administrator and deliver it to the Sheriff along with new instructions. If no other assets can be found, contact the Court Administrator regarding the procedure of ordering the judgment debtor to court to divulge his/her assets.

SPECIAL REQUEST

Please note total time approximations indicated above. To help us expedite the collection of your judgment, your cooperation in respecting these time elements would be greatly appreciated.