

Overview – Collecting Payment If/After You Win a Judgment

General Information:

Collecting payment once you have obtained a judgment, whether in New Hampshire or in another state that you have now registered in New Hampshire, is sometimes difficult. Judgments may be for hundreds or even thousands of dollars. Many people do not have that kind of money readily available and therefore you may be required to seek the court's assistance by asking for periodic payments or a "payment plan." You may file a motion asking for this. There is a fee for this motion, as well as costs to serve the defendant with a notice to appear at a hearing-- both of which are added to the judgment amount.

When the court schedules a payment hearing, you must appear and be prepared to let the court know how much remains to be paid. The defendant will be required to complete a form called Statement of Assets and Liabilities. This form is confidential to people who are not parties to the case, but it may be reviewed by you as the plaintiff and will be examined by the Court. You may also ask the defendant questions about the information on their statement.

The Court may issue an order requiring payments or may find that the defendant doesn't have the ability to pay, particularly if the defendant's only income is from benefits, such as social security, which are exempt. If the court issues an order requiring payments and the defendant then fails to pay as ordered, the defendant may be found in contempt. If the defendant owns real estate in New Hampshire, you may also file a certified copy of the judgment in the Registry of Deeds in the county where the real estate is located, effectively putting a lien on the real estate. There are other less common options, such as obtaining a writ of execution, which may result in the confiscation and sale of some of the defendant's personal property.

Other Helpful Resources:

Checklist:

Instructions to Plaintiff After Being Awarded Judgment

Important Information about Collecting Payment

For Further Information:

If you have questions, please contact the Information Center at 1-855-212-1234.