

08/26/14 13:19:04

MAXIS

FMMCUAM1

Judgment Maintenance and Tracking - By Person and Claim (JGMT)

Person SSN: 000 00 0000 Claim: 444444____ CLIENT,JOE

Clm	Estab	Period	Claim	Clm	Original	
Prog	St	Typ	Date	From	To	Balance Co Case
_	FS	2	D	02/08/13	06/12	12/12 936.00 83 333333 CLIENT,JOE

Notice Produced: 02 11 13

Notice Delivered: 03 05 13 # Days Remaining: __ Appeal Filed (Y/N): N

Notice Returned by P.O/Sheriff: __ __ __

Judgment Type: AJ Docket Co: 83 Court File Nbr: 83-CV-13-000____

Docket Nbr: _____ Docket Dt: 08 28 13 Amt Docket for Jgmt:\$ __936.00

Joint Resp. (Y/N) N Share Ratio: 1 / 1 Interest (Y/N): N Satisf.Dt: __ __ __

Partial Satisfaction Date: __ __ __ Partial Satisfaction Amt: ____0.00

Curr Function: CCOL Case Nbr: _____ Month: 08 14 Command: __ __ __

Claim Co: Claim Pw: Name: User: X183533

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---

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JOL - DOCKETING & RENEWING

ISSUE DATE: 07/2012

Overpayments established through the Judgment by Operation of Law (JOL) process can be docketed and renewed when needed. See [25.21.07 \(JOL □ Establishing Claims\)](#). A local agency may enter a JOL for docketing 90 days after delivery of the overpayment notice or 90 days after terminating the benefits causing the overpayment, whichever occurs later. It does not prevent docketing a JOL against a person responsible on the claim who is no longer a member of the household that is subject to recoupment. If a satisfactory repayment plan can be completed in the 3 month period after recoupment ends, docketing the judgment can be further postponed as long as the debtor complies with the repayment plan.

To docket a JOL, the collection or accounting officer must:

1. Complete a Notice of Entry of Judgment for the JOL, an Affidavit of Default, an Affidavit of Identification and an Affidavit of Non-Military Status. A combined affidavit can include all of these features. Use [Judgment by Operation of Law Notice of Entry of Judgment and Affidavit of Default and Affidavit of Identification Affidavit of Non-Military Status \(DHS-5290E\)](#), (Combined Affidavit of JOL Entry and Default).
2. Send a copy of the [Judgment by Operation of Law Notice of Entry of Judgment and Affidavit of Default and Affidavit of Identification Affidavit of Non-Military Status \(DHS-5290E\)](#) by first class mail to the debtor at the address where the JOL notice was received. If the debtor has since moved, mail a copy to the new address. Complete a notarized [Affidavit of Service by Mail \(DHS-5290D\)](#) that the DHS-5290E has been mailed.
3. Affidavits can also be hand delivered to the debtor. Complete the appropriate [Affidavit of Service by Personal Service \(DHS-5290B\)](#) for a paid process server or [Affidavit of Personal Service \(DHS-5290C\)](#) for personal service by an agency worker.
4. Route the following documents to the court administrator, making certain that you send the original documents:
 - The signature (green) card from the certified mail if that was the method of delivery.

- The JOL overpayment notice.
- The Affidavit of Service of the initial JOL notice. ([Affidavit of Service by Certified Mail \(DHS-5290A\)](#), [Affidavit of Service by Personal Service \(DHS-5290B\)](#), or [Affidavit of Personal Service \(DHS-5290C\)](#)).
- The Combined Affidavit of JOL Entry and Default. ([Judgment by Operation of Law Notice of Entry of Judgment and Affidavit of Default and Affidavit of Identification Affidavit of Non-Military Status \(DHS-5290E\)](#)).
- The Affidavit of Service for Combined Affidavit of JOL Entry and Default. ([Affidavit of Service by Mail \(DHS-5290D\)](#)).
- Any appeal decisions supporting the entry of this claim as a JOL.

Upon completing the JOL docketing, the court administrator should provide notice to the agency that indicates:

- A JOL was established.
- The county where the judgment is docketed.
- The court file number.
- The docket number, if given.
- The docket date.
- The dollar amount docketed.

After this information is received, docketing information should be entered in MAXIS. See TEMP Manual TE02.09.26.03 (CCOL/JGMT).

When payment is received as partial or full satisfaction of a JOL, the agency should file a satisfaction document with the court administrator. Contact your court administrator for the correct Satisfaction of Judgment form to complete in your court district.

Docketed judgments that remain unsatisfied must be renewed every 10 years to remain in force. The renewal must be processed prior to the 10 year anniversary date of entry. Overpayment judgments may be renewed multiple times until satisfied. To renew a judgment that was docketed through the JOL process, local agency's collection or accounting worker must:

1. Prepare notarized notices for the court administration:
 - Notice of Judgment Renewal. The amount renewed must be equal to the unpaid principal balance plus the accrued unpaid interest. Use [Notice of Judgment Renewal \(DHS-5290F\)](#).
 - Affidavit of Default and Identification. This document provides information about the original judgment. It includes the amount paid, the unpaid principal balance, and the accrued unpaid interest balance. It also includes the debtor's name, address and military status. Use [Affidavit of Default and Identification \(DHS-5290G\)](#).
2. Send a copy of the Notice of Judgment Renewal and the Affidavit of Default and Identification by first class mail to the last known address of the debtor. Keep the original documents for filing with court administrator. Notice may also be delivered to the debtor by personal service.
3. Complete an Affidavit of Service by Mail for filing with court administration. This includes the debtor's name and address and provides the court with proof of service. Use [Affidavit of Service by Mail \(DHS-5290H\)](#).
4. Request the court administrator to renew the judgment. Include original copies of:
 - Notice of Judgment Renewal.
 - Affidavit of Default and Identification.
 - Affidavit of Service by Mail.

When the court administrator completes the renewal, the court will issue a Notice of Entry and Docketing of Judgment indicating a new entry and docketing date for the renewed amount. The court file number should be the same as the original judgment.

Any questions regarding the JOL process should be addressed with the county attorney.

MFIP, WB, DWP, SNAP, MSA, GA:

Follow general provisions.

GRH:

No provisions.

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