Supplemental Proceedings

Author

Northwest Justice Project

Last Review Date

March 7, 2025

If a person or company you owe money to (called a creditor) has a judgment from a court and wants to collect money from you, you may get an order to attend a Supplemental Proceedings court hearing.

What is a supplemental proceeding?

> Court papers will call your creditor the **judgment creditor.** You are the **judgment debtor**. Here, we use creditor and debtor for short.

If a person or business you owe money to (a creditor) has gotten a court-ordered judgment against you, that creditor may want to know if you have property or money that they can take to collect what you owe them. To find out if and how they can collect from you, the creditor's lawyer can summon you to court for a meeting **that you must go to** called a **supplemental proceeding** to ask about your financial situation and whether you can pay the judgment, including things such as:

- Do you work? Who is your employer? How much do you earn?
- Do you have any bank accounts?

- Do you own a home? A vehicle?
- How much is your property worth?

In doing this, the creditor is trying to find out:

- Are you "collection-proof?"
- If you're not collection-proof, can the creditor take (garnish) your wages (pay from your job), bank account, or other property before you receive it?
- Can your property be sold? ()
- Can you agree with the creditor on another way to pay?

Before you go to the supplemental proceeding, try to talk to a lawyer.

How will I find out about a supplemental proceeding?

It depends on what county the case is in. You may receive a written notice or court order. In the top right-hand corner of the first page, the notice or order will probably be called a:

- Order for Examination of Judgment Debtor,
- Order to Show Cause re: Supplemental Proceedings, or
- Notice of Supplemental Proceeding.

In the body of the notice or order, it will say that you're required to go to court to answer the creditor's questions about your money and things you own.

Do I have to go to the supplemental proceeding?

If you find out about the supplemental proceeding from an order signed by a judge to appear in court, you must go. If you don't, the judge may decide that you violated the order to appear (find you in contempt of the court order). The

judge can issue a warrant for your arrest.

> You can't be sent to jail because you can't pay your debts. But you may be arrested if you don't show up to court after getting a court order to appear.

There's one exception to this. If the judgment is for medical debt, the judge may not issue a warrant if you don't appear for the proceeding.

In some situations, the creditor's lawyer might send you the questions they plan to ask you at the supplemental proceeding in writing in advance. But you'll still need to go to the hearing.

How can I get ready for the supplemental proceeding?

Before you go to court, find out if you have exempt wages or property. You must let the creditor's lawyer know which of your property is exempt. They can't take exempt wages or property to collect on the judgment.

You don't need to have a lawyer, but you can bring a lawyer if you want to and you can get one.

Bring all the documents and information the order or notice tells you to.

If you have children, try to find someone to watch them while you go to court. The judge probably won't let them sit in the courtroom.

Don't bring a weapon, or something that could be mistaken for a weapon (like a pocketknife), to the courthouse.

Try to be in the courtroom at least 15 minutes before you were told to be there. Give yourself time to find parking, or the right transit stop, or to wait in line to get into the courthouse.

What will happen at the supplemental proceeding?

When you appear in court, listen closely for the judge to call out your case name. When you hear your case name, stand up, let the judge know you're there, and go to the front of the courtroom. The judge will put you under oath.

Usually, the judge will then have you leave the courtroom with the creditor's lawyer. Sometimes these meetings are in public areas of the courthouse, such as a hallway. Be careful that other people don't overhear your private information, like bank account numbers. You can ask the lawyer to move if there isn't enough privacy.

The lawyer will ask you questions about your property and employment. The judge won't be with you.

What does "collection-proof" mean?

()It means that all your income and property is exempt from collection, so a creditor can't take any of it. For example, if your only income is SSI (https://www.ssa.gov/ssi) or VA benefits, then you're collection-proof, because both of those benefits are exempt by law. You may also be collection-proof if you have very low income from wages.

But being collection-proof doesn't mean you can skip the supplemental proceeding. You must still go, to answer questions and tell the creditor's

lawyer about your exemptions. You should also tell the lawyer if you think your finances won't get better for a long time.

> **You may not be collection-proof forever.** You could get an inheritance, re-enter the workforce after a disability, or get a higher-paying job. A creditor can try to collect on a judgment for up to 20 years and might try to collect from you in the future. And the judgment against you may become much larger as time passes because of interest and fees.
>
> If your situation changes (for example, you get a job or the equity in your home increases), get legal help. You may have other options, like filing for bankruptcy.

Will I have to give the creditor's lawyer any money or property at the supplemental proceeding?

Don't take money with you to the supplemental proceeding. Empty your wallet before you go. State law allows the judge to order you to turn over money to the sheriff and sheriff will then apply it to the debt. In some Washington state courts, judges have required people to open their wallets and give money.

Don't agree to any account deductions. Don't give the creditor's lawyer direct access to any bank accounts. If you have 2 or more creditors, and you give one creditor authority for an automatic account deduction, you risk getting your wages garnished and money you voluntarily agreed to pay taken from your bank account at the same time.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.