Execution on Judgments in Arizona

By: Michael Zdancewicz

http://www.wzfirm.com

Execution of a judgment is a process where the sheriff or constable seizes property of a judgment-debtor and then sells that property at a public sale. The money realized from the sale is then used to reduce the balance of the civil judgment. Before the sheriff can take any action, a writ of execution must be issued by an Arizona court. A creditor can only get a writ of execution if you have a valid civil judgment.

There are two types of writs of execution:

- **General writ** instructs the sheriff to seize any non-exempt personal property of the debtor for sale. If execution on the judgment-debtor's personal property does not satisfy the judgment, the sheriff can levy and execute on the the judgment-debtor's real property.
- **Special writ** names or identifies specific items of personal property owned by the debtor for seizure and sale by the sheriff. The sheriff cannot go outside the terms of the special writ to satisfy the judgment.

If you are interested in learning more about writs of execution in Arizona, contact <u>Windtberg & Zdancewicz, PLC</u>. An experienced creditor's rights attorney can help you determine whether a general or special writ of execution would be more beneficial in your individual circumstances. The attorneys at <u>Windtberg & Zdancewicz, PLC</u>, provide clients with experienced legal representation. We are experienced in creditor's rights including garnishments, charging orders, attachment, property execution, trustee's sales, foreclosures, judgments, judgment collection, domestication of foreign judgments, and creditor's issues in bankruptcy cases. If you need assistance, or are interested in learning more, please contact us at (480) 584-5660.