6-20/410.00 Judgment Debtor Notification

If the levying officer is required to serve any writ, order, notice, or other paper on any person, the judgment creditor shall include in the instructions the correct name and address of the person. The judgment creditor shall use reasonable diligence to ascertain the correct name and address of the person. Unless the levying officer has actual knowledge that the name or address in the instructions is incorrect, the levying officer shall rely on the instructions.

• 6-20/410.10 Reliance on Instructions

The judgment creditor's attorney, or judgment creditor who does not have an attorney, shall provide the levying officer the correct name and address of the person to whom a Writ of Execution and Notice of Levy is to be served in the signed Sheriff's Instructions for service. Unless the levying officer has actual knowledge that the name or address is incorrect, the levying officer shall rely on the instructions. (CCP 684.130)

• 6-20/410.20 Manner of Debtor Notification

Other than an Earnings Withholding Order, at the time of levy or promptly thereafter, the levying officer shall serve personally or by mail a copy of the following on the judgment debtor (CCP 700.010):

- The WRIT OF EXECUTION (Money Judgment) (EJ-130)
- A NOTICE OF LEVY (EJ-150)

If the judgment debtor is a natural person:

- a copy of the EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS (EJ-155) form
- a copy of the CURRENT DOLLAR AMOUNTS OF EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS (EJ-156) form
- a copy of the CLAIM OF EXEMPTION (Enforcement of Judgment) (EJ-160) form for other than wages, or
- a copy of the FINANCIAL STATEMENT (WG-007/EJ-165) form

If the Writ of Execution was issued for a support judgment, the judgment debtor shall also be served with a copy of the affidavit attached to the writ when filed with the levying officer. (FAM 5104)

• 6-20/410.30 Failure to Notify Debtor

Failure to serve the judgment debtor does not affect the lien created by the levy. (CCP 699.550)

• 6-20/410.40 Earnings Withholding Order

The service of an Earnings Withholding Order does not require the levying officer to serve a copy of the writ or Notice of levy on the judgment debtor. (CCP 684.310) Upon receipt of an APPLICATION FOR EARNINGS WITHHOLDING ORDER (WG-001), the levying officer is only required to serve the employer. The attorney (or party without an attorney) must sign the Application, thus separate Sheriff's Instructions are not required. The Application can apply to the requirements of CCP 684.130. If the "Declarant" signing the Application is also the attorney (or party without an attorney), only the Declarant signature need be included.

Refer to Earnings Withholding Orders 6-23/000.00.

• 6-20/410.50 Debtorâ€™s Attorney

When a writ, notice, order, or other paper is required to be served on the judgment debtor, it shall be served on the judgment debtor instead of the attorney for the judgment debtor unless the debtor has requested service on the debtor's attorney, the attorney has consented thereto, a copy of the request has been filed with the court and the creditor, and neither the debtor or debtor's attorney has revoked the consent. (CCP 684.020)

• 6-20/410.60 Personal Service of Debtor Notification

If a writ, notice, order, or other paper is required to be personally served, it shall be served in the same manner as a summons. If the paper is required to be personally served, and service on an attorney of record is required, the service may be made on the attorney either personally, by mail, or in the manner provided in CCP 1011. (CCP 684.110)

• 6-20/410.70 Service by Mail 684.120 CCP

If a writ, notice, order, or other paper is to be served by mail under this title, it shall be sent by first-class mail (unless some other type of mail is specifically required). (CCP 684.120)