



# Enforcing Judgments

## Mendelsons Fixed Price Fully Inclusive Legal Solutions.

### Tasmania

- ✓ Operates nationwide
- ✓ A leader in enforcement

- ✓ Value based pricing
- ✓ Focused on collecting money

#### Enforcing Judgments

- Judgments are not self-enforcing
- In Tasmania, the life of a judgment is 12 years.
- Interest runs at the current rate of 8.5% p.a. (subject to change but will always exceed bank deposit rates).
- The Mendelsons Fixed Price Fully Inclusive Legal Solutions covers all costs, including disbursements but is based on you providing a copy of the judgment and the information you provide being correct.

#### Warrant of Execution

- The Warrant is prepared by us and issued by the Court, which is then sent to the Bailiff.
- The Bailiff will visit the debtor and seek payment or alternatively, seize goods owned by the debtor and sell them.
- Additional costs are awarded against the debtor.
- This procedure is effective only if the debtor possesses goods which can be seized and are of value.
- It is most effective where the debtor owns a business or real estate.

#### Attachment of Earnings

- Attachment of Earnings is an Order from the Court to the debtor's employer.
- The employer must deduct a specified sum from the debtor's wages and send this to Mendelsons Lawyers.
- The Court will award costs of the Application against the debtor.
- Attachment is a useful procedure if the debtor is in stable employment.
- In such event, the debt will usually be recovered but it may be over a long period.
- If the debtor leaves his job, the Order will lapse.
- In cases where we are able to obtain recovery without obtaining a court order, we will still account to you in full for an amount equivalent to the cost order which would have been made.
- The fee does not cover attendances for collecting and monitoring the payments. Payments can either be made directly to you or we will discuss a fee if you wish us to handle them.
- **High Success Rate.**

#### Caveat on Title

- Can only be lodged after Judgment is obtained and where the debtor has an interest in real estate in Tasmania
- The Caveat restricts any dealing with the property and would not be discharged until the debt is paid in full.
- As long as there is sufficient equity in the property, the debtor will normally pay the full Judgment sum plus costs of lodging and discharging the Caveat.
- **Highly Effective.**

## What Is The Cost?

All figures quoted below are inclusive of:

- ✓ All legal costs
- ✓ Court issue fees
- ✓ Attendances, phone calls and correspondence
- ✓ Disbursements
- ✓ Bank fees
- ✓ Process serving fees (including all attempts and re-locates)
- ✓ GST

## FIXED-PRICE FULLY – INCLUSIVE COST

WARRANT OF EXECUTION	
TOTAL INCLUSIVE COST*	\$797.40
GST INCLUDED	\$55.00
ATTACHMENT OF EARNINGS	
TOTAL INCLUSIVE COST*	\$807.00
GST INCLUDED	\$70.00
CAVEAT ON TITLE	
TOTAL INCLUSIVE COST*	\$650.78
GST INCLUDED	\$44.90

## How Much Money Will I Get Back?

All monies recovered from the debtor will be sent to you.

## How do I proceed?



Simply complete and sign the Action Form (which acknowledges that you have been provided with the Engagement Agreement) and send, with payment to Mendelsons Lawyers.

Post: Mendelsons Lawyers  
Private Bag 6, Mitcham Vic 3132  
Fax: (03) 9872 4757

Call the Legal Team for further details on (03) 9872 7289 or send an email to [legal@mendelsons.com.au](mailto:legal@mendelsons.com.au)

Pursuant to Rule 29 of the Professional Conduct and Practice Rules 2005 (Victoria) Mendelsons Lawyers Pty Ltd ACN 125 099 701 discloses that it is associated with and shares common ownership with Prushka Fast Debt Recovery Pty Ltd.