



Enforcing Judgments

Mendelsons Fixed Price Fully Inclusive Legal Solutions.

Victoria

- ✓ Operates nationwide
- ✓ A leader in enforcement

- ✓ Value based pricing
- ✓ Focused on collecting money

Enforcing Judgments

- Judgments are not self-enforcing
- In Victoria, the life of a judgment is 15 years.
- Interest runs at the current rate of 10.5% 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 Seizure

- The Warrant is prepared by Mendelsons Lawyers and issued by the Court, which is then sent to the Sheriff.
- The Sheriff 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 possess goods which can be seized and are of value.
- It is most effective where the debtor is a business owner.
- If the debtor owns real estate in Victoria, this step must be undertaken first. If it is unsuccessful, we would then normally recommend stage 2, which is Seizure and Sale of Real Estate (detailed in separate notes).

Summons for Oral Examination (SOE)

- The SOE is prepared by Mendelsons Lawyers, issued by the Court and served personally on the debtor.
- The SOE compels the debtor to attend Court on a specified day. If the debtor does not make payment, they will be questioned on oath about their financial affairs and we can request for specific questions to be asked. The answers will be provided to Mendelsons Lawyers and a copy will be given to you.
- In addition, an arrest order will usually be made if the debtor fails to turn up.

Attachment of Earnings

- Attachment of Earnings is an Order from the Court to the debtor's employer.
- The employer will be ordered to deduct a specified sum from the debtor's wages and to forward the money to Mendelsons Lawyers.
- The Court will award costs of the Application against the debtor.
- Attachment of Earnings is a useful procedure if the debtor is in a 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.**

What Is Included?

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

SUMMONS FOR ORAL EXAMINATION	
TOTAL INCLUSIVE COST	\$785.70
GST INCLUDED	\$63.00
WARRANT OF SEIZURE	
TOTAL INCLUSIVE COST	\$802.40
GST INCLUDED	\$55.00
ATTACHMENT OF EARNINGS	
TOTAL INCLUSIVE COST	\$1,871.10
GST INCLUDED	\$149.09

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

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.