

# Post-Judgment: Basic Steps in Collecting on a Small Claims Judgment for REPLEVIN

This guide is provided by the Wisconsin court system to give you general information about Wisconsin small claims actions. Resources available in each county may be found at the link below:

<https://www.wicourts.gov/services/public/selfhelp/docs/countylegalresources.pdf>

For additional information, please see the Pre-Judgment and Post-Judgment Basic Steps Documents. These basic steps documents and any forms mentioned in this basic guide may be obtained from the clerk of court or online at:

<https://www.wicourts.gov/forms1/circuit.htm>.

In addition to the guidance in this handbook, follow local court rules or procedures:

[Wisconsin Circuit Court Rules](#)

**NOTICE:** Small Claims laws change often. The small claims forms are intended to be useful in many cases, but you may have to add or attach additional information as it applies to your case. Talk to a lawyer if you are unsure whether these forms are the most appropriate for your situation.

**COURT STAFF CANNOT GIVE LEGAL ADVICE.**

**Use this packet if you have already won a judgment for replevin in small claims court. The court cannot do anything to automatically enforce a judgment on your behalf. It is your responsibility to enforce your own judgment.**

1. The debtor may voluntarily agree to return the property to you and pay any costs that you were awarded. The reason a debtor may do this is to avoid having the money portion of the court judgment placed on the Judgment and Lien docket of the court or to avoid paying additional costs of collection. If a judgment is “docketed,” it becomes a formal lien against the debtor’s property and can significantly affect that person’s credit rating and the ability to sell, refinance or borrow against real estate.

If the debtor returns the property to you voluntarily and pays any costs that were awarded to you by the court, and you are satisfied, it is not necessary to formally file a Judgment or docket it; the court would simply dismiss the case.

2. If the debtor does not voluntarily agree to return the property, you can have the judgment for costs filed and docketed. See *Post-Judgment: Basic Steps for Docketing a Judgment for Collection, (SC-6060V)*:
- a. Request the clerk of court to prepare a *Judgment/Notice of Entry of Judgment (SC-502 CCAP) form*.
  - b. Pay the docketing fee to the clerk of court. (When you are seeking to collect the amount of the judgment later, you can also seek recovery of the docketing fee.)
3. The following are additional steps that you may take to collect your property:
- a. Complete a *Writ of Replevin, (SC-514)* form. This is an order to the sheriff to seize your property from the debtor and return it to you.

- b. File the Writ of Replevin with the clerk of court.
- c. Have the clerk of court prepare two (2) authenticated copies of the Writ of Replevin.
- d. Take the Writ of Replevin forms to the Sheriff Department for them to begin their process of seizing the item. The sheriff may request that you post a bond for the value of the property being recovered.
- e. The sheriff has 60 days to act on the Writ and obtain the property or submit a response to you.