

CIRCUIT COURT OF FAIRFAX COUNTY
GUIDELINES FOR PREPARING LEVY REQUESTS
FOR A WRIT OF EXECUTION

“Writ of Execution” of Judgment is a post-judgment legal process issued by the clerk’s office at the request of the judgment creditor or agent, which commands the Sheriff to assist in enforcing the judgment by following the instructions of the writ. The purpose of the Writ of Fieri Facias is to help the plaintiff obtain sufficient money out of the assets held by the defendant to pay off the plaintiff’s judgment against the defendant.

The clerk may not issue a Writ of Fieri Facias until twenty-one (21) days after the entry of the judgment or twenty-one days after the foreign judgment is docketed unless the court through entry of an order determines for good cause an earlier execution is warranted.

DOCUMENTS REQUIRED:

- ❑ **ORIGINAL** Levy Request with five (5) copies
- ❑ **ORIGINAL** Request for Exemption Claim Form with five (5) copies (front and back of the Exemption Claim form is required for filing)
- ❑ Additional Defendants to be served at the same address: Provide two additional copies of the Levy Request and Exemption Claim form per each additional defendant.

CODE REFERENCES:

Virginia Code Title §8.01

FEES:

Clerk’s Fee	\$ 1.50
Sheriff’s Process & Execution Fee	<u>\$25.00</u>
Total fee	\$26.50

(Service on additional persons requires additional \$12.00 Sheriff Fee for each additional person being served.) (If Forthcoming bond required - \$1.00 fee)

- ❑ There is a Sheriff’s fee of \$12.00 for each additional defendant/person or entity served at the same address.
- ❑ Sheriff’s Service Fees are to be included with the filing fee payable to the Clerk of the Circuit Court.
- ❑ The Filing fees and Sheriff’s Service fees are payable to the Clerk of the Circuit Court.

NO PERSONAL CHECKS WILL BE ACCEPTED FROM PRO SE PLAINTIFFS.

Pro Se parties must submit payment by a cashier's check or money order. If a personal check is received as payment for filing, the Levy request will be returned to you by US Mail to resubmit a cashiers check or money order.

NOTE: ONLY ONE ADDRESS TO BE SERVED PER LEVY REQUEST. FOR ADDITIONAL ADDRESSES, A SEPARATE LEVY REQUEST AND FEES ARE REQUIRED.

NOTE: ALL INFORMATION ON THE LEVY REQUESTS MUST MATCH THE INFORMATION ON THE COURTS AUTOMATED RETREIVAL SYSTEM (CARS) JUDGMENT SCREEN. THE CLERK CANNOT ISSUE A WRIT OF EXECUTION ON A LEVY REQUEST IF THE INFORMATION DOES NOT COINCIDE WITH THE DOCKETED INFORMATION.

COMPLETING THE FORM:

The Levy Request must include the following information:

- Original Signature of attorney/pro se
- Name of attorney/pro se printed legibly
- Case File Number
- Judgment Number
- Plaintiff name and defendant name as docketed on the CARS Judgment Screen
- Original judgment amount
- Date judgment was entered by judge
- Debtor's address where levy is to occur
- The jurisdiction of Service. (Ensure that the Sheriff named is the correct jurisdiction)
- Description of what sheriff is to levy on
- Address and daytime telephone number of plaintiff attorney/plaintiff (pro se) printed legibly

TO SUBMIT THE LEVY REQUEST BY MAIL, SEND THE FORM AND PAYMENT TO:

**Fairfax County Circuit Court
4110 Chain Bridge Road
Fairfax, Virginia 22030
Attention: Civil Intake – Levy Request**

Hours for filing in Civil Intake are Monday through Friday from 8:00 a.m. – 4:00 p.m.

The Levy Request Form (CCR G-150) and Exemption Claim Form (DC-407) can be accessed through the Courts Web site at:

<http://www.fairfaxcounty.gov/courts/circuit/PDF/CCR-G-150.pdf>
<http://www.courts.state.va.us/forms/district/dc407-0799.pdf>

If you have any questions, call the Circuit Court Clerk's Office at 703-691-7320 PRESS #3, #1, #4 and #0.