

## How to Complete the Memorandum of Costs After Judgment (Form MC-012) For Adding Costs to Small Claims Judgments in Los Angeles County

The MC 012 is used to keep a running total of all costs, credits/payments, and interest accrued after the final Entry of Judgment.

### Number 1

- a) I claim the following costs after Judgment incurred within the last two years
  - 1) Complete if you filed an *Abstract of Judgment* (Form EJ-001). Currently the fee is \$25.00
  - 2) Complete if you recorded an *Abstract of Judgment* with the County Registrar Recorder's Office. Currently the fee is \$104.00 to record with the Los Angeles County Registrar Recorder's Office.
  - 3) Complete if you filed *Notice of Judgment Lien*. This is not a small claims form and is only available at the California Secretary of State. Currently the filing fee is \$10.00.
  - 4) Complete if you filed a *Writ of Execution* (Form EJ-130), but only when the collection method (i.e. bank levy, wage garnishment, etc.) was unsuccessful. **NOTE: Add the cost only after the *Writ of Execution* has expired, which is 180 days after it was issued.** Currently this fee is \$25.00
  - 5) Complete if you paid a levying officer (Sheriff's Fee) to execute a *Writ of Execution* and it was unsuccessful. The costs can be added only when the *Writ of Execution* expires.
  - 6) Complete if you filed an *Order to Produce Statement of Assets and to Appear for Examination* (Form SC-134). Currently the fee is \$60.00. This box is also used to add Sheriff's fees to serve either the *Order to Produce Statement of Assets and to Appear for Examination* or the *Small Claims Subpoena* (Form SC-107) used to request specific information for the hearing. Sheriff's fee is currently \$40.00 for each document served.
  - 7) Attorney fees cannot be claimed for Small Claims judgments. Upon request, reimbursement of attorney's fees may be awarded at the appeal hearing by the judge up to \$150.00 (CCP 116.780(c)).
  - 8) Complete if you have incurred other miscellaneous fees while attempting to collect your judgment. Examples are fees to issue a bench warrant or fees to suspend a driver's license. Specify the statute that authorizes the addition of these expenses. You can find the statutes in the **California Code of Civil Procedure**.
  - 9) The sum total of 1 through 8
- b) Complete if a *Memorandum of Costs After Judgment* has been previously filed. If this is the first time filing a *Memorandum of Costs After Judgment*, then the amount listed is \$0.
- c) This is the sum of **Sections A** and **B**

### Number 2

- Complete if the judgment debtor has made any payments to satisfy the judgment. If payments have been made, also complete the *Acknowledgment of Satisfaction of Judgment* (Form-EJ-100) to indicate a partial satisfaction of the judgment.
- a) Acknowledge total **credit received**, apply **credit towards accrued interest** and then **credit the remaining amount to judgment principal**.
- b) **Apply the principal remaining due plus post judgment costs (costs on 1c).**

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### Number 3

- Complete if the creditor wants to claim interest or remaining interest after applied credits. Interest is calculated at 10 percent per year and not compounded (the exception being if the debtor is a Government entity then the rate is 7 percent). The calculation of interest begins from the date of the final Entry of Judgment through the date the MC 012 is filed. Interest can be collected on the unpaid portion of the judgment and on unpaid costs that have been previously claimed on a *Memorandum of Costs After Judgment*. **(CCP 685.090) Note:** If the court has made an installment payment order for the judgment debtor, the creditor **cannot** claim interest while the order is in effect. When the court makes an installment payment order, legal rate of interest is stayed as long as the judgment debtor makes timely payments **(CCP 685.020)**.

### Number 4

- Check appropriate box. Judgment Creditor is almost always checked.

**If you are only claiming interest, then you are not required to serve the *Memorandum of Costs After Judgment* on the Judgment Debtor.**