

Index

ABANDONMENT

Collateral, abandonment by consumer, § 11:4, **Form 93**

ABUSE OF PROCESS

Tort liability, § 2:28

ABUSIVE CONDUCT

Fair Debt Collection Practices Act, § 2:17

ACCORD AND SATISFACTION

Generally, § 20:2

ACCOUNT STATED

Generally, § 20:3

ADMISSIONS

Request for, **Form 43, Form 44**

Written admission, § 1:18

AFFIDAVITS

Application of property to judgment, affidavit in support of motion, **Form 145**

Attachment

generally, § 8:10

affidavit in support, **Form 73**

Charging order, **Form 181**

Court commissioner, failure to appear before, **Form 154**

Default judgment, affidavit in support, **Form 38, Form 109**

Foreign judgment, affidavit in support of filing, **Form 119**

Garnishment, this index

Nonmilitary service, **Form 40, Form 41**

Receiver, affidavit in support of motion for appointment, **Form 139**

Replevin, non-consumer, § 10:10

Return of execution as unsatisfied, **Form 129**

Summary judgment, § 6:23, **Form 49**

Warrant of arrest, affidavit for, **Form 132**

Warrant to seize property, supporting affidavit, **Form 87, Form 89**

AGREEMENTS

Contracts and Agreements, this index

ANNUITIES

Exemptions from execution, § 15:3

ANSWER

Garnishment, this index

Money Judgments, this index

Replevin, non-consumer, answer and trial, § 10:11

APPEALS

- Creditors' actions, § 19:13
- Small claims, § 7:26

APPEARANCE

- Supplemental Proceedings, this index

APPRAISAL

- Personal property, inventory and appraisal, **Form 79**

ARBITRATION

- Consumer credit transactions, § 3:4
- Contractual provision, § 1:10

ARREST

- Supplemental proceedings, warrant for arrest, §§ 16:6, 16:8, **Forms 131-133, Form 152**

ASSAULT

- Tort liability, § 2:28

ASSETS

- Creditors' actions, inventory of assets, § 19:5
- Domestic asset protection trust, § 20:22
- Offshore trusts, asset protection through, § 20:21
- Protection of assets by debtor, § 1:32
- Transfer of assets in bulk, § 1:37

ASSIGNMENT FOR BENEFIT OF CREDITORS

- Generally, § 19:2, **Form 176**
- Notice to creditors of proceeding under Chapter 128, **Form 180**
- Proof of claim, **Form 179**

ASSIGNMENT OF WAGES

- Generally, § 17:43, **Form 167**
- Consumer debts, § 17:44
- Garnishment, this index
- Notice of right to revoke, **Form 168**

ATTACHMENT

- Generally, §§ 8:1-8:12
- Affidavit, supporting, § 8:10
- Body attachment, **Form 150, Form 153**
- Bond
 - action on bond, § 8:12
 - amount, § 8:8
 - filing of, § 8:7
 - form, **Form 74**
- Defendants' rights, § 8:8
- Demand not yet due, § 8:4
- Final resolution, § 8:12
- Forms, **Forms 71-74**

INDEX

ATTACHMENT—Cont'd

- Grounds, § 8:3
- Marital property, § 4:12
- Motion to modify or vacate, § 8:8
- Perishable property, § 8:9
- Pre-judgment remedies, § 3:1
- Procedures, § 8:10
- Property, § 8:9
- Reasons for use, § 8:2
- Service and return of writ, § 8:10
- Sheriff's duties, § 8:10
- Third party rights, § 8:11
- WCA limitations, § 8:5
- Writ of
 - generally, **Form 71**
 - issuance, § 8:6
 - affidavit in support, **Form 73**
 - notice of motion and motion, and order, for issuance, **Form 72**

ATTORNEYS

- Compliance with WCA, § 3:6
- Contacting debtor represented by attorney, § 2:9
- Fair Debt Collection Practices Act (FDCPA), applicability to attorneys, § 2:5
- Meaningful involvement with consumer's account, § 2:16

ATTORNEY'S FEES

- Collection of
 - generally, § 1:40
 - frivolous claims, § 1:43
 - statutory provisions allowing, § 1:42
 - Wisconsin Consumer Act, § 1:44
- Contingency arrangements
 - generally, § 1:27
 - fee letter, **Form 17**
- Contracts
 - generally, § 1:29
 - collection provisions, § 1:41
- Creditor, representing, § 1:27
- Debtor, representing, § 1:28
- Fair Debt Collection Practices Act, § 2:20
- Fee arrangements
 - generally, §§ 1:26-1:29
 - contracts, § 1:29
 - creditor, representing, § 1:27
 - debtor, representing, § 1:28
- Frivolous claims, § 1:43
- Hourly fee letter, **Form 16**
- NSF checks, § 1:58
- Reasonableness, § 1:41

ATTORNEY'S FEES—Cont'd

- Small claims, § 7:29
- Statutory provisions allowing, § 1:42
- Third party agreements to pay, § 1:28
- Wisconsin Consumer Act
 - generally, § 1:44
 - violations, § 3:19

AUCTION SALES

- Bulk transfers, § 5:9

AUTHENTICATION

- Judgment, authentication, **Form 118**

AUTOMOBILES

- Motor Vehicles, this index

BAD CHECKS

- Generally, §§ 1:49-1:58
- Burden of proof, § 1:57
- Civil liability, § 1:51
- Criminal liability, § 1:50
- Jurisdiction, § 1:54
- Notice to debtor
 - generally, § 1:55
 - compliance with notice, § 1:56
- Relief available, § 1:58
- Who may bring action, § 1:53
- Who must issue checks, § 1:52
- Worthless checks, **Form 18, Form 19**

BANK ACCOUNTS

- Garnishment, § 17:24

BANKRUPTCY

- Generally, § 1:35
- Exemptions from execution, § 15:9
- Fair Debt Collection Practices Act, consumer bankruptcy, § 2:19
- Involuntary, §§ 1:36, 19:1
- Judgment lien, effect of bankruptcy petition, § 12:12

BATTERY

- Tort liability, § 2:28

BIDDING

- Executions, bidding at sale, § 14:12

BODY ATTACHMENT

- Generally, **Form 153**
- Writ of, **Form 150**

BONDS

- Attachment, this index

INDEX

BONDS—Cont'd

- Executions, § 14:20
- Indemnity bond to sheriff, **Form 75**
- Injunctive relief, § 9:3
- Non-consumer replevin. Replevin, this index
- Receiver, bond of, **Form 137**
- Supplemental proceedings, § 16:7, **Form 134**

BULK TRANSFERS

- Generally, §§ 5:1-5:11
- Auction sales, § 5:9
- Chapter 406, excepted transfers, § 5:2
- Defined, § 5:1
- Inventory, § 5:1
- List of creditors, § 5:4
- Noncompliance, § 5:8
- Notice to creditors, § 5:7, **Form 26**
- Preservation of list, § 5:6
- Protected creditors and subsequent transfers, § 5:10
- Remedies, § 5:11
- Requirements, § 5:3
- Schedule of property, § 5:5
- Subsequent transfers, § 5:10

BURDEN OF PROOF

- Bad checks, § 1:57

BUSINESS NOTE

- Generally, **Form 8**

BUSINESS RECORDS

- Hearsay exception, § 20:4

CASH REGISTER

- Till tap by sheriff, § 14:13

CEASE AND DESIST ORDERS

- Fair Debt Collection Practices Act, § 2:22

CERTIFICATE OF SALE

- Filing, § 14:23

CHARGING ORDER

- Generally, **Form 182**
- Affidavit, **Form 181**
- Motion, **Form 183**
- Partnership and, § 20:11

CHECKLISTS

- Execution, § 15:10
- Fair Debt Collection Practices Act (FDCPA), § 2:41
- Marital property, § 4:16

CHECKLISTS—Cont'd

- Stipulations, § 6:31
- Supplemental examination, § 16:17
- Wisconsin Consumer Act, § 2:42

CHECKS

- Bad Checks, this index
- Post-Dated Checks, this index

CHILD SUPPORT AND MAINTENANCE

- Exemptions from execution, § 15:3
- Lien docket, § 20:16

CIRCUIT COURT

- Garnishment, this index
- Replevin, non-consumer, § 10:5

CIVIL RIGHTS

- Collection regulation, § 2:37

CLASS ACTIONS

- Fair Debt Collection Practices Act, §§ 2:20, 2:22

CLIENT

- Pre-Suit Considerations, this index

COGNOVIT JUDGMENTS

- Generally, §§ 1:45-1:48
- Consumer transactions, § 1:46
- Non-consumer transactions, § 1:47
- Validity of contract, § 1:48

COLLECTION AGENCIES

- Money Judgments, this index

COLLECTION ISSUES

- Miscellaneous Collection Issues, this index

COLLECTION REGULATION

- Generally, §§ 2:1-2:42
- Civil rights, § 2:37
- Common law liability
 - generally, §§ 2:28-2:42
 - civil rights, § 2:37
 - credit Practices Rule, § 2:39
- Equal Credit Opportunity Act, § 2:36
- Fair Credit Reporting Act, § 2:35
- financial privacy, § 2:38
- HIPAA, § 2:30
- identity theft, § 2:40
- mail fraud, § 2:31
- recent developments, § 2:29
- RICO, § 2:34

INDEX

COLLECTION REGULATION—Cont'd

- Common law liability—Cont'd
 - telephone usage, § 2:33
 - tort liability, § 2:28
 - unordered goods, § 2:32
- Credit Practices Rule, § 2:39
- Equal Credit Opportunity Act, § 2:36
- Fair Credit Reporting Act, § 2:35
- Fair Debt Collection Practices Act (FDCPA), this index
- Financial privacy, § 2:38
- HIPAA, § 2:30
- Identity theft, § 2:40
- Mail fraud, § 2:31
- Miscellaneous Collection Issues, this index
- Prohibited practices, § 2:26
- RICO, § 2:34
- State regulation
 - time-barred debts, collecting, § 2:27
 - Wisconsin Consumer Act, § 2:26
- Telephone usage, § 2:33
- Time-barred debts, collecting, § 2:27
- Tort liability, § 2:28
- Unordered goods, § 2:32

COLLEGE SAVINGS PLANS

- Exemptions from execution, § 15:3

COMMENCEMENT OF ACTION

- Garnishment, this index
- Money judgments, § 6:5

COMMISSIONERS

- Court Commissioners, this index

COMMON LAW LIABILITY

- Collection Regulation, this index

COMPLAINT

- Consumer credit transaction, **Form 36**
- Garnishment, § 17:7, **Form 155**, **Form 156**
- Goods/services, **Form 32**
- Marital property, **Form 34**, **Form 36**
- Money Judgments, this index
- Note, **Form 33**
- Replevin, this index
- Small claims, **Forms 61-63**
- Summons, this index

CONFIRMATION OF SALE

- Executions, this index

CONSENT DECREES

Fair Debt Collection Practices Act, § 2:20

CONSOLIDATORS

Transfer of debt to consolidator, § 1:39

CONSTITUTIONAL LAW

Fair Debt Collection Practices Act, constitutionality, § 2:23

Pre-judgment garnishment, § 17:4

CONSTRUCTIVE TRUST

Generally, § 20:8

CONSUMER CREDIT TRANSACTIONS

Generally, §§ 3:1-3:21

Agricultural purpose transactions, § 3:11

Applicability of WCA, § 3:1

Arbitration, § 3:4

Arbitration provisions, § 1:10

Cognovit judgments, § 1:46

Complaint, **Form 36**

Consumer credit sale, § 3:20

Default

generally, § 3:9

defenses, § 3:14

notice of right to cure default, § 3:15, **Form 24**

payment default, § 3:10

right to cure default, § 3:16

Defense to default, § 3:14

Defined terms, § 3:2

Enforcement of security interests, § 3:17

Exclusions, § 3:4

Exemptions from execution, § 15:7

Fair Debt Collection Practices Act, §§ 2:7, 2:9

Forum selection, § 3:8

Key terms, § 3:2

Liberal construction of WCA, § 3:1

Motor vehicle consumer leases, § 3:21

Noncompliance by creditors, § 3:18

Notice of right to cure default, § 3:15, **Form 24**

Open-end credit plans, § 3:12

Payment default, § 3:10

Penalties for violations, § 3:18

Pre-judgment remedies, § 3:19

Prohibited actions, § 3:7

Rent to own transactions, § 3:20

Replevin, consumer. Replevin, this index

Required practices, § 3:6

Right to cure default, § 3:16

INDEX

CONSUMER CREDIT TRANSACTIONS—Cont'd

- Secured transactions
 - generally, § 3:13
 - enforcement of security interests, § 3:17
- Selection of court, § 3:8
- Territorial application, §§ 3:3, 3:4
- Venue, § 3:5
- Venue, obtaining money judgment, § 6:3
- Wisconsin Consumer Act, this index

CONTEMPT OF COURT

- Motion and order for hearing, **Form 70, Form 143**
- Small claims, failure to complete financial disclosure statement, § 7:25
- Supplemental Proceedings, this index

CONTRACTS AND AGREEMENTS

- Arbitration provision, § 1:10
- Attorney fee agreements. Attorney's Fees, this index
- Cognovit judgments, validity of contract, § 1:48
- Payment agreement, § 1:23
- Pre-judgment interest, creditor's right under contract, § 1:61
- Repayment agreement, **Form 11**
- Security agreement, § 1:20
- Statutes of limitations, § 1:68

CONVERSION

- Tort liability, § 2:28

CORPORATIONS

- Alter ego doctrine, § 1:9
- Corporate debtor, information about, § 1:9
- Dissolved corporation, claims against, § 20:17
- Money Judgments, this index
- NSF checks, § 1:52
- Piercing the corporate veil, § 1:9
- Representation, small claims, § 7:2
- Service on, § 6:13
- Supplemental proceedings, § 16:4

COSTS

- Supplemental proceedings, § 16:15
- Taxation of, § 12:3
- Waiver of costs, **Form 115**

COUNTERCLAIMS

- Money Judgments, this index
- Notice of counterclaim exceeding statutory limitations, **Form 58**

COURT COMMISSIONERS

- Failure to appear before, affidavit and order to show cause, **Form 154**

COURT COMMISSIONERS—Cont'd

- Order to appear before
 - generally, **Form 124, Form 127**
 - with subpoena duces tecum, **Form 125**
- Small claims procedures
 - generally, §§ **7:15, 7:28**
 - summons, county with court commissioner, **Form 60**

CREDIT PRACTICES RULE

- Collection regulation, § **2:39**

CREDITORS' ACTIONS

- Generally, §§ **19:1-19:14**
- Administration of debtor's property, § **19:4**
- Assignment for benefit of creditors, § **19:2**
- Available actions, distinctions between, § **19:1**
- Claims of creditors, § **19:6**
- Conclusion of proceedings, § **19:13**
- Dismissal, § **19:11**
- Distribution order, § **19:12**
- Final account, § **19:13**
- Inventory of assets, § **19:5**
- Liens, § **19:9**
- Notice to creditors, §§ **19:6, 19:13**
- Order of distribution, § **19:12**
- Proof of publication, § **19:6**
- Receiver, appointment of, § **19:3**
- Secured claims, § **19:7**
- Sequestration of property, § **19:3**
- Title to property, § **19:8**
- Transfer of property, § **19:10**
- Wage amortization, § **19:14**

CRIMINAL LIABILITY

- Bad checks, § **1:50**

DAMAGES

- Fair Debt Collection Practices Act, § **2:20**

DEBTOR IN POSSESSION

- Doing business with, § **20:20**

DECEDENTS

- Collection from, § **20:7**

DEFAMATION

- Tort liability, § **2:28**

DEFAULT

- Consumer Credit Transactions, this index

INDEX

DEFAULT JUDGMENT

- Judgments, this index
- Money Judgments, this index

DEFICIENCY JUDGMENT

- Replevin, § 11:16

DEFINED TERMS

- Bulk transfers, § 5:1
- Consumer credit transactions, § 3:2
- Fair Debt Collection Practices Act, this index
- Garnishment, § 17:26

DEMAND LETTER

- FDCPA, **Forms 2-5**
- Non-FDCPA, **Form 1**

DEMAND NOTE

- Statutes of limitations, § 1:75

DEPOSITORY ACCOUNTS

- Exemptions from execution, § 15:3

DISCOVERY

- Interrogatories, request for admissions and request for production of documents
 - generally, **Form 43**
 - contention approach, **Form 44**
- Money Judgments, this index
- Notice of motion and motion for order compelling discovery, sanctions, and default judgment
 - generally, **Form 45**
 - supporting affidavit, **Form 46**
- Supplemental proceedings, § 16:10

DISMISSAL

- Creditors' actions, § 19:11
- Money Judgments, this index
- Order of dismissal
 - compliance with stipulation, **Form 51**
 - pursuant to stipulation, **Form 52**
 - stipulation and order, **Form 53**
 - voluntary dismissal, **Form 50**
- Stipulated orders
 - generally, **Form 53**
 - compliance with stipulation, **Form 51**
 - pursuant to stipulation, **Form 52**
- Voluntary dismissal, notice and order, **Form 50**

DISPUTE RESOLUTION

- Consumer replevin, § 11:18

DRIVERS' LICENSES

Revocation, § 20:10

EMOTIONAL DISTRESS

Tort liability, § 2:28

EMPLOYMENT

Loss of, as consequence of action taken, § 1:33

ENTRY OF JUDGMENT

Judgments, this index

EQUAL CREDIT OPPORTUNITY ACT

Collection regulation, § 2:36

EVICITION

Small claims actions, § 7:3

EXAMINATION

Supplemental Proceedings, this index

EXECUTIONS

Generally, §§ 14:1-14:26

Affirmative assertion of exemption, § 15:6

Amount to be collected by sheriff, § 14:25

Annuities, exemptions from execution, § 15:3

Bankruptcy exemptions, § 15:9

Bidding at sale, § 14:12

Bond, § 14:20

Business/farm property exemption, § 15:3

Certificate of sale, filing, § 14:23

Checklist, § 15:10

Child support and maintenance exemption, § 15:3

Claiming exemptions, §§ 15:4, 15:6

College savings plan exemption, § 15:3

Confirmation of sale

notice of motion and motion, **Form 103**

order confirming sale, **Form 104**

Consumer credit transaction exemptions, § 15:7

Consumer goods exemption, § 15:3

Death of judgment debtor, effect of, § 14:11

Delivery of property, execution for, **Form 99**

Depository account exemption, § 15:3

Exemptions from execution

generally, §§ 15:1-15:10

affirmative assertion of exemption, § 15:6

annuities, § 15:3

bankruptcy exemptions, § 15:9

business/farm property, § 15:3

child support and maintenance, § 15:3

claiming exemptions, §§ 15:4, 15:6

INDEX

EXECUTIONS—Cont'd

Exemptions from execution—Cont'd

- college savings plans, § 15:3
- consumer credit transaction exemptions, § 15:7
- consumer goods, § 15:3
- depository accounts, § 15:3
- fraudulent conversion of nonexempt assets to exempt assets, § 15:3
- future earnings, loss of, § 15:3
- homestead exemption, §§ 4:14, 15:2
- household furnishings, § 15:7
- life insurance, § 15:3
- motor vehicles, § 15:3
- net income, § 15:3
- other property exemptions, § 15:3
- personal injury claims, § 15:3
- principal residence, debtor's, § 15:7
- proposed revisions to exemption statutes, § 15:8
- retirement benefits, § 15:3
- seizure and sale of exempt property, § 14:22
- Social Security payments, § 15:5
- stacking exemptions by spouses, § 15:6
- waiver of exemption, contractual, §§ 15:1, 15:6
- wrongful death claims, § 15:3

Formalities, § 14:6

Fraudulent conversion of nonexempt assets to exempt assets, § 15:3

Future earnings, loss of, § 15:3

Homestead exemption, §§ 4:14, 15:2

Household furnishings exemption, § 15:7

Interest, collection of, § 14:23

Joint tenancy, § 14:11

Judicial lien foreclosure and sale, § 14:26

Jurisdiction

- generally, § 14:3
- small claims court, § 14:5
- when issuable, § 14:6
- which county issues, § 14:4

Liens

- judicial lien foreclosure and sale, § 14:26
- priority, § 14:10

Life insurance exemption, § 15:3

Marital property, § 4:13

Motor vehicle exemption, § 15:3

Net income exemption, § 15:3

Notice of sale

- personal property, § 14:21, Form 123
- real property, § 14:23, Form 123

Other state, property located in, § 14:17

Perishable property, sale of, § 14:21

EXECUTIONS—Cont'd

- Personal injury claim exemption, § 15:3
- Personal property
 - execution against, **Form 122**
 - sale of, § 14:21
 - seizure of, § 14:15
- Principal residence exemption, § 15:7
- Priority
 - generally, § 14:14
 - lien priority, § 14:10
- Property, execution against, **Form 122**
- Property subject to execution, § 14:17
- Quash of execution, § 14:7
- Real property
 - execution against, **Form 122**
 - redemption, § 14:24
 - sale of, § 14:23
 - seizure of, § 14:16
- Redemption of real property, § 14:24
- Replevin, writ of execution for, **Form 98**
- Retirement benefits exemption, § 15:3
- Return by sheriff
 - generally, § 14:9
 - affidavit after return of execution as unsatisfied, **Form 129**
- Sales
 - generally, § 14:18
 - bidding, § 14:12
 - confirmation of sale, above
 - exempt property, § 14:22
 - personal property, § 14:21
 - real property, § 14:23
 - set aside of sale, § 14:19
- Seizure
 - affidavit in support of warrant, **Form 87, Form 89**
 - exempt property, § 14:22
 - personal property, § 14:15
 - real property, § 14:16
 - warrant to sheriff to enter and take property subject to replevin, **Form 88**
- Set aside of sale, § 14:19
- Sheriff
 - certificate of sale, § 14:23
 - duties of sheriff, § 14:13
 - return by sheriff, § 14:9
- Small claims court, § 14:5
- Social Security payments, exemption for, § 15:5
- Stacking exemptions by spouses, § 15:6
- Stay of execution, § 14:8
- Till tap on cash register by sheriff, § 14:13

INDEX

EXECUTIONS—Cont'd

- Time constraints on issuance, § 14:5
- Types of executions, § 14:2
- Waiver of exemption, contractual, §§ 15:1, 15:6
- Writ of execution
 - generally, § 14:6, **Form 109**, **Form 121**
 - replevin, writ of execution for, **Form 98**
- Wrongful death claim exemption, § 15:3

EXEMPTIONS

- Execution, this index
- Garnishment, this index
- Marital property, § 4:14

FAIR CREDIT REPORTING ACT

- Collection regulation, § 2:35

FAIR DEALERSHIP LAW

- Generally, § 20:9

FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)

- Generally, § 2:2
- Abusive conduct, § 2:17
- Administrative enforcement proceedings, § 2:20
- Advisory opinions, § 2:22
- Affirmative requirements, § 2:11
- Agricultural transactions, § 2:3
- Attorneys
 - applicability to, § 2:5
 - contacting debtor represented by, § 2:9
 - meaningful involvement with consumer's account, § 2:16
- Bankruptcy, consumer, § 2:19
- Bona fide error defense, § 2:21
- Cease and desist orders, § 2:22
- Checklist, § 2:41
- Civil liability, § 2:20
- Class actions, §§ 2:20, 2:22
- Commercial debts, § 2:7
- Consent decrees, § 2:22
- Constitutionality, § 2:23
- Consumer, communications with, § 2:9
- Consumer debts, § 2:7
- Current issues, § 2:23
- Damages, § 2:20
- Defined terms
 - generally, § 2:4
 - consumer debts, § 2:7
- Demand letter, **Forms 2-5**
- Deposit of post-dated check, notice, § 2:14
- Exclusions from coverage, § 2:3

FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)—Cont'd

- False representations, § 2:15
- Federal Trade Commission, § 2:22
- Forms
 - debt collection, notice of, **Form 20**
 - debt validation, notice of, **Form 21**
 - demand letter, **Forms 2-5**
 - post-dated check, notice of deposit, **Form 23**
- Harassment, § 2:17
- Interpretive comments, § 2:22
- Jurisdiction to enforce violation, § 2:21
- Key terms, § 2:4
- Liability, civil, § 2:20
- Meaningful involvement, § 2:16
- Mini-Miranda requirements, § 2:12
- Misleading representations, § 2:15
- Monetary limits, § 2:3
- Notice
 - debt collection, § 2:12, **Form 20**
 - debt validation, § 2:13, **Form 21**
 - deposit of post-dated check, § 2:14, **Form 23**
- Post-dated check, notice of deposit, § 2:14, **Form 23**
- Preemption of state law, § 2:24
- Prohibited practices, § 2:6
- Purpose, § 2:6
- Repetitive phone calls, § 2:9
- Safe harbor demand letter
 - generally, § 2:13
 - forms, **Forms 3-5**
- Scope, § 2:3
- Statute of limitations, § 2:21
- Subrogated claims, § 2:4
- Third parties, communications with, § 2:8
- Unfair practices, § 2:18
- Validation notice, § 2:13
- Venue, § 2:10

FALSE REPRESENTATIONS

- Fair Debt Collection Practices Act, § 2:15

FEDERAL COURTS

- Judgments
 - generally, § 12:10
 - foreign judgments, §§ 13:3, 13:4
 - inter-district registration, § 13:4
- Pre-suit considerations, § 1:11

FEDERAL EMPLOYEES

- Earnings garnishment, § 17:36

INDEX

FEDERAL TRADE COMMISSION

Fair Debt Collection Practices Act, § 2:22

FINANCIAL PRIVACY

Generally, § 2:38

FOREIGN COUNTRIES

Collections in, pre-suit considerations, § 1:15

FOREIGN JUDGMENTS

Generally, §§ 13:1-13:6

Action on judgment, § 13:6

Affidavit in support of filing, **Form 119**

Federal court judgments

in other districts, § 13:3

in Wisconsin counties, § 13:4

Foreign country judgments, § 13:5

Full faith and credit, § 13:1

Notice of filing, **Form 120**

Other states, judgments of, § 13:2

Res judicata, § 13:1

Sister State Money Judgments Act, § 13:2

Uniform Enforcement of Foreign Judgments Act, §§ 13:1, 13:2

Uniform Foreign Money-Judgment Recognition Act, § 13:5

FORUM SELECTION

Consumer credit transactions, § 3:8

Pre-suit considerations, § 1:10

Replevin, §§ 10:3-10:5

Venue, this index

FRAUD

Relief from judgment, § 12:6

Tort liability, § 2:28

FRAUDULENT TRANSFERS

Pre-suit considerations, § 1:39

Statutes of limitations, § 1:71

Uniform Act, §§ 1:39, 19:2

FRIVOLOUS CLAIMS

Attorney's fees, § 1:41

FULL FAITH AND CREDIT

Foreign judgments, § 13:1

GARNISHMENT

Generally, §§ 17:1-17:44

Affidavits

generally, **Form 165**

judgment against garnishee defendant, affidavit in support, **Form 159**

order in garnishment, affidavit in support, **Form 161**

GARNISHMENT—Cont'd

- Answer of debtor
 - earnings garnishment, § 17:32
 - non-earnings garnishment, below
- Assignment of Wages, this index
- Bank accounts, § 17:24
- Circuit court
 - answer of garnishee defendant, § 17:16
 - non-earnings garnishment, § 17:10
- Commencement of action
 - earnings garnishment, § 17:31
 - non-earnings garnishment, § 17:8
- Constitutionality, pre-judgment garnishment, § 17:4
- Contested matters, non-earnings garnishment, § 17:20
- Default, garnishee's, order and judgment upon, **Form 160**
- Discharge from employment, prohibition, § 17:42
- Earnings garnishment
 - generally, §§ 17:25-17:42, **Forms 170-174**
 - answer of debtor
 - generally, § 17:32, **Form 172**
 - objection to answer and demand for hearing, **Form 173**
 - commencement of action, § 17:31
 - definitions, § 17:26
 - discharge from employment, prohibition, § 17:42
 - exemptions
 - generally, §§ 17:30, 17:41
 - notice, **Form 171**
 - worksheet, **Form 174**
 - federal employees, § 17:36
 - forms, § 17:39
 - garnishee liability, § 17:38
 - judicial hearing, § 17:34
 - notice, **Form 169**
 - payment to creditor by garnishee, § 17:33
 - poverty income guidelines, § 17:29
 - procedure, § 17:27
 - property subject to garnishment, § 17:29
 - public employees, § 17:37
 - service on debtor and employer, § 17:31
 - stipulated extension, § 17:35
 - venue, § 17:28
- Exemptions
 - earnings garnishment, above
 - liability to creditor plaintiff as garnishee defendant, § 17:40
 - wages, § 17:41
- Federal employees, earnings garnishment, § 17:36
- Filing fees
 - earnings garnishment, § 17:31

INDEX

GARNISHMENT—Cont'd

Filing fees—Cont'd

non-earnings garnishment, § 17:9

Filing garnishment action, § 17:7

Forms

generally, **Forms 155-175**

earnings garnishment, § 17:39

standard forms, § 17:2

Impleading third parties, non-earnings garnishment, § 17:21

Judgment

affidavit in support of judgment against garnishee defendant, **Form 159**

default, garnishee's, order and judgment upon, **Form 160**

non-earnings garnishment, § 17:22

Judicial hearing, earnings garnishment, § 17:34

Jurisdiction, non-earnings garnishment, § 17:12

Liens, § 17:15

Marital property, §§ 4:12, 17:23

Negotiable instruments, § 17:3

Non-earnings garnishment procedure

generally, § 17:5

answer of garnishee defendant

generally, **Form 158**

circuit court, § 17:16

failure to answer, liability of garnishee, § 17:18

small claims, § 17:17

circuit court, § 17:10

commencement of action, § 17:8

contested matters, § 17:20

filing fees, § 17:9

filing garnishment action, § 17:7

impleading third parties, § 17:21

judgment, § 17:22

jurisdiction, § 17:12

parties, § 17:6

payments into court, § 17:19

service, below

small claims court, § 17:11

summons and complaint

generally, § 17:7, **Form 155**

service, § 17:13

venue, § 17:12

when to commence, § 17:9

Notice of garnishment

generally, **Form 157**

earnings garnishment, **Form 169**

Order in garnishment

generally, **Form 163**

affidavit in support of order, **Form 161**

GARNISHMENT—Cont'd

- Order to garnishee/release of garnishee, **Form 175**
- Parties, non-earnings garnishment, § 17:6
- Payments into court, non-earnings garnishment, § 17:19
- Payments to creditor by garnishee, § 17:33
- Poverty income guidelines, § 17:29
- Pre-judgment garnishment, constitutionality, § 17:4
- Property subject to garnishment, § 17:3
 - generally, § 17:3
 - earnings garnishment, § 17:29
- Public employees, earnings garnishment, § 17:37
- Release of garnishee defendant, order, **Form 162, Form 175**
- Service
 - earnings garnishment, § 17:31
 - effect of service, § 17:15
 - non-earnings garnishment, § 17:13
 - public employees, § 17:37
 - small claims garnishments, § 17:14
 - waiver of 10-day service requirement, **Form 166**
- Small claims court, non-earnings garnishment
 - generally, § 17:11
 - answer of garnishee defendant, § 17:17
 - service in small claims garnishments, § 17:14
- Standard forms, § 17:2
- State public employees, earnings garnishment, § 17:37
- Stipulated extension, earnings garnishment, § 17:35
- Substituted service on garnishee defendant, order permitting, **Form 164**
- Summons and complaint
 - generally, **Form 156**
 - non-earnings garnishment, § 17:7, **Form 155**
- Venue
 - earnings garnishment, § 17:28
 - non-earnings garnishment, § 17:12
- Wage exemptions, § 17:41
- When to commence, non-earnings garnishment, § 17:9

GOODS

- Perishable Property, this index
- Reclaimed, § 1:25
- Sale of goods, supporting documentation, § 1:8

GUARANTEES

- Continuing personal guaranty, **Form 12**
- Personal guaranty
 - generally, **Form 14**
 - by shareholder, **Form 15**
- Specific transaction, guaranty of, **Form 13**
- Third party guaranty, § 1:24

INDEX

HARASSMENT

Fair Debt Collection Practices Act, § 2:17

HEARINGS

Contempt of court, motion and order for hearing, **Form 70**

Earnings garnishment, judicial hearing, § 17:34

Small claims, hearing procedures, § 7:15

HIPAA

Collection regulation, § 2:30

HOMESTEAD EXEMPTION

Generally, §§ 4:14, 15:2

HOSPITAL LIEN

Generally, § 20:18

HUSBAND AND WIFE

Marital Property Concerns, this index

IDENTITY THEFT

Generally, § 20:19

Collection regulation, § 2:40

INJUNCTIVE RELIEF

Generally, § 9:1

Bond, filing of, § 9:3

Ne exeat, § 9:5

Permanent injunction, § 9:4

Preliminary injunction, § 9:3

Temporary restraining order, § 9:2

INTEREST, COLLECTION OF

Generally, §§ 1:59-1:66

Calculation, § 1:66

Executions, § 14:23

Legal rate of interest, § 1:62

Post-judgment interest, § 1:63

Pre-judgment interest

generally, § 1:60

contractual obligations, § 1:61

liens, §§ 1:22, 1:61

liquidated debt, necessity for, § 1:60

other statutes authorizing, § 1:64

Statutory settlement offers, § 1:65

INTERFERENCE WITH CONTRACTUAL RELATIONS

Tort liability, § 2:28

INTERROGATORIES

Plaintiff's first set, **Form 43, Form 44**

INVENTORY

- Creditors' actions, inventory of assets, § 19:5
- Personal property, inventory and appraisal, **Form 79**

ISSUES

- Miscellaneous Collection Issues, this index

JOINT TENANCY

- Executions, § 14:11

JUDGMENTS

- Generally, §§ 12:1-12:14
- Action on the judgment, § 12:14
- Authentication of judgment, **Form 118**
- Bill of costs, § 12:3
- Cognovit Judgments, this index
- Costs, taxation of, § 12:3
- Default judgment
 - generally, § 12:4, **Form 105**
 - affidavit in support
 - personal service, **Form 38**
 - publication service, **Form 39**
 - stipulated judgment due to default, **Form 109**
 - notice of motion and motion, **Form 42**
 - procedure for obtaining, § 12:5
 - stipulation, default on, **Forms 107-109**
- Docket, transcript form, **Form 116**
- Docketing the judgment, § 12:8
- Entry of judgment
 - generally, § 12:1
 - notice of entry of judgment, **Form 114**
- Execution on judgment, time limits, § 12:14
- Family purpose debt, **Form 35**
- Federal Courts, this index
- Foreign Judgments, this index
- Garnishment, this index
- Good faith requirement, action on judgment, § 12:14
- Lien, creation after judgment, § 12:11
- Marital property, § 4:9
- Money Judgments, this index
- Notice of entry of judgment, **Form 114**
- Order for judgment, **Form 111**
- Other counties, § 12:9
- Perfection of judgment, § 12:2
- Priority of judgment liens, § 12:12
- Relief from judgment, § 12:6
- Replevin, this index
- Satisfaction of Judgment, this index
- Small Claims Court, this index

INDEX

JUDGMENTS—Cont'd

- Statute of limitations, action on judgment, § 1:69
- Stay of proceedings to enforce judgment, § 12:7
- Stipulation for judgment
 - generally, **Form 56, Form 106**
 - default on stipulation, **Forms 107-109**
- Taxation of costs, § 12:3
- Transcript form judgment docket, **Form 116**

JURISDICTION

- Bad checks, § 1:54
- Executions, this index
- Fair Debt Collection Practices Act, § 2:20
- Garnishment, non-earnings, § 17:12
- Money judgment, personal jurisdiction, § 6:4

LEASES

- Consumer leases, replevin, § 11:17

LIBEL

- Tort liability, § 2:28

LIENS

- Bankruptcy petition, effect of filing, § 12:12
- Creditors' actions, § 19:9
- Execution, this index
- Garnishment lien, § 17:15
- Hospital lien, § 20:18
- Judgment lien
 - generally, § 12:11
 - priority, § 12:12
- Mortgage foreclosure, effect on judgment lien, § 20:14
- Pre-judgment interest, §§ 1:22, 1:61
- Statutory liens, § 1:22
- Tax liens, § 12:12
- Unpaid wages lien, § 1:21

LIFE INSURANCE

- Exemptions from execution, § 15:3

LIMITATION OF ACTIONS

- Statutes of Limitations, this index

LIMITED LIABILITY COMPANIES

- Generally, § 20:12

LIS PENDENS

- Generally, **Form 78**

LOAN TRANSACTIONS

- Supporting documentation, § 1:8

MAIL FRAUD

Collection regulation, § 2:31

MALICIOUS PROSECUTION

Tort liability, § 2:28

MARITAL PROPERTY CONCERNS

Generally, §§ 4:1-4:16

Attachment, § 4:12

Checklist, § 4:16

Classification

obligations, § 4:4

property, § 4:5

Collection procedures, § 4:7

Complaint, **Form 34**, **Form 36**

Credit provisions, WMPA, § 4:2

Direct liability of spouses, § 4:15

Execution on property, § 4:13

Exemptions, § 4:14

Family purpose

judgment, family purpose debt, **Form 35**

statement, **Form 25**

statutory presumption, § 4:6

Garnishment, §§ 4:12, 17:23

Homestead exemption, §§ 4:14, 15:2

Judgments, § 4:9

Management and control, § 4:3

Non-incurring spouse

garnishment or attachment, § 4:12

judgment lien, § 4:9

naming as defendant, § 4:7

Obligations, classification, § 4:4

Post-judgment remedies

generally, § 4:10

execution on property, § 4:13

garnishment and attachment, § 4:12

supplemental proceedings, § 4:11

Property, classification, § 4:5

Statutes of limitations, § 4:8

Supplemental proceedings, § 4:11

MILITARY SERVICE

Generally, § 20:13

Affidavit of nonmilitary service, **Form 40**, **Form 41**

MINORS

Collection from, § 20:6

MIRANDA

Fair Debt Collection Practices Act, mini-Miranda requirements, § 2:12

INDEX

MISCELLANEOUS COLLECTION ISSUES

- Generally, §§ 20:1-20:22
- Accord and satisfaction, § 20:2
- Account stated, § 20:3
- Asset protection
 - domestic, § 20:22
 - offshore trusts, § 20:21
- Business records exception, § 20:4
- Charging order and partnership, § 20:11
- Child support lien docket, § 20:16
- Constructive trust, § 20:8
- Debtor in possession, doing business with, § 20:20
- Decedents, collection from, § 20:7
- Dissolved corporation, claims against, § 20:17
- Domestic asset protection trust, § 20:22
- Driver's license revocation, § 20:10
- Fair dealership law, § 20:9
- Hospital lien, § 20:18
- Identity theft, § 20:19
- Limited liability companies, § 20:12
- Military service, § 20:13
- Minors, collection from, § 20:6
- Mortgage foreclosure, effect on judgment lien, § 20:14
- Necessaries, doctrine of, § 20:5
- Offshore trusts, asset protection, § 20:21
- UCC revised article 9, § 20:15

MONEY JUDGMENTS

- Adjournments, small claims procedures, § 7:17
- Answer
 - generally, § 6:14
 - service and filing, § 6:15
 - small claims procedures, § 7:14
 - time limits, §§ 6:6, 6:15
- Appeals, small claims, § 7:26
- Attorney's fees, small claims, § 7:29
- Case file and docket, small claims, § 7:21
- Civil procedure rules, applicability, § 6:18
- Collection agencies
 - regular civil actions, § 6:29
 - small claims procedures, § 7:30
- Commencement of action, § 6:5
- Complaint
 - regular civil actions, § 6:8
 - small claims procedures, § 7:9
- Consumer credit transactions, venue, § 6:3
- Contempt of court, failure to complete financial disclosure statement, § 7:25

MONEY JUDGMENTS—Cont'd

Corporation

- representation, § 7:2
- service on, § 6:13

Counterclaims

- regular civil actions, § 6:16
- small claims, counterclaim beyond jurisdiction, § 7:4, **Form 58**

Court commissioners, small claims procedures, §§ 7:15, 7:28

Debt protesters, § 6:30

Default judgment

- regular civil actions, § 6:17
- small claims procedures, § 7:13

Defenses, § 6:14

Discovery

- generally, § 6:20
- failure to respond, § 6:21

Dismissal

- regular civil actions, §§ 6:18, 6:24
- small claims procedures, § 7:24

Doe defendants, § 6:8

Entry of judgment, small claims, § 7:20

Filing fees, small claims

- forms and filing fees, § 7:6

Financial disclosure, post-judgment, § 7:25, **Form 69**

Forms

- financial disclosure, § 7:25
- order for financial disclosure and financial disclosure statement, **Form 69**
- regular civil actions, § 6:1
- small claims, §§ 7:1, 7:6

Hearing procedures, small claims, § 7:15

Judgment

- pleadings, judgment on, § 6:22
- small claims procedures, below

Jurisdiction

- counterclaim beyond small claims jurisdiction, § 7:4
- personal jurisdiction, § 6:4

Jury, right to, small claims, § 7:18

Motions, § 6:18

Natural person, service on, § 6:10

Nonresident defendant, appearance by mail, § 7:16

Personal jurisdiction, § 6:4

Pretrial conferences, § 6:19

Pro se representation, § 7:2

Procedural rules, small claims, § 7:5

Publication, service by, § 6:11

Regular civil actions

- generally, §§ 6:1-6:31
- answer, above

INDEX

MONEY JUDGMENTS—Cont'd

Regular civil actions—Cont'd

- collection agencies, § 6:29
- commencement of action, § 6:5
- complaint, § 6:8
- consumer credit transactions, § 6:3
- counterclaims, § 6:16
- debt protesters, § 6:30
- default, § 6:17
- defenses, § 6:14
- discovery, §§ 6:20, 6:21
- dismissal, §§ 6:18, 6:24
- Doe defendants, § 6:8
- judgment on pleadings, § 6:22
- motions, § 6:18
- personal jurisdiction, § 6:4
- pretrial conferences, § 6:19
- scheduling, § 6:19
- service of process, below
- settlement, below
- standard forms, § 6:1
- stipulation checklist, § 6:31
- summary judgment, § 6:23
- summons, §§ 6:6, 6:7
- venue, §§ 6:2, 6:3

Reopening small claims judgment, § 7:27

Representation, small claims procedures, § 7:2

Return date, small claims, § 7:16

Scheduling, § 6:19

Service of process

- generally, § 6:9
- answer, service and filing, § 6:15
- corporation, service on, § 6:13
- natural person, service on, § 6:10
- publication, service by, § 6:11
- reasonable diligence, § 6:12
- small claims procedures, § 7:11

Setting aside small claims judgment, petition, § 7:12

Settlement

- generally, § 6:25
- after judgment, § 6:27
- during litigation, § 6:26
- offers, § 6:28
- stipulation checklist, § 6:31

Sheriff, service by, small claims, § 7:13

Small claims procedures

- generally, §§ 7:1-7:30
- adjournments, § 7:17

MONEY JUDGMENTS—Cont'd

Small claims procedures—Cont'd

- answer, § 7:14
- appeals, § 7:26
- attorney's fees, § 7:29
- case file and docket, § 7:21
- collection agencies, § 7:30
- complaint, § 7:9
- counterclaim beyond jurisdiction, § 7:4
- court commissioners, §§ 7:15, 7:28
- default judgment, § 7:13
- dismissals, § 7:24
- entry of judgment, § 7:20
- filing fees, § 7:6
- financial disclosure, post-judgment, § 7:25
- forms
 - generally, § 7:6
 - standard forms, § 7:1
- hearing procedures, § 7:15
- judgment
 - generally, § 7:19
 - default, § 7:13
 - entry of judgment, § 7:20
 - financial disclosure, post-judgment, § 7:25
 - reopening, § 7:27
- jury, right to, § 7:18
- nonresident defendant, appearance by mail, § 7:16
- other pleadings, § 7:10
- pro se representation, § 7:2
- procedural rules, § 7:5
- reopening judgment, § 7:27
- representation, § 7:2
- return date, §§ 7:8, 7:16
- service of summons, § 7:11
- setting aside judgment, petition, § 7:12
- sheriff, service by, § 7:13
- stipulation, § 7:23
- summons, § 7:8
- trial de novo, §§ 7:15, 7:22
- types of actions, § 7:3
- venue, § 7:7
- Standard forms, § 6:1
- Stipulations
 - regular civil actions, § 6:31
 - small claims, § 7:23
- Summary judgment, § 6:23
- Summons
 - regular civil actions, §§ 6:6, 6:7

INDEX

MONEY JUDGMENTS—Cont'd

- Summons—Cont'd
 - small claims procedures, §§ 7:8, 7:11
- Trial de novo, small claims, §§ 7:15, 7:22
- Venue
 - consumer credit transactions, § 6:3
 - regular civil actions, §§ 6:2, 6:3
 - small claims, § 7:7

MORTGAGES

- Effect of mortgage foreclosure on judgment lien, § 20:14
- Transformation of debt, § 1:20

MOTIONS

- Application of property to satisfy judgment, motion and notice of motion, **Form 143**
- Attachment, **Form 72**
- Charging order, **Form 183**
- Confirmation of sale, notice of motion and motion, **Form 103**
- Contempt
 - motion and order for hearing, **Form 70**
 - notice of motion and motion, **Form 143**
- Default judgment, notice of motion and motion, **Form 42, Form 46**
- Money judgment, obtaining, § 6:18
- Order compelling discovery, notice of motion and motion, **Form 46**
- Pleadings, judgment on, **Form 47**
- Receiver, appointment of, **Form 138**
- Replevin, notice of motion and motion for order directing return of property, **Form 82**
- Summary judgment, **Form 48, Form 49**

MOTOR VEHICLES

- Consumer leases, § 3:21
- Exemptions from execution, § 15:3

NE EXEAT

- Preventing defendant from leaving state, § 9:5

NECESSARIES, DOCTRINE OF

- Generally, § 20:5

NEGOTIABLE INSTRUMENTS

- Garnishment, § 17:3

NONPROFIT ORGANIZATIONS

- Collection of debt owed by, § 1:9

NOTES

- Business note, **Form 8**
- Complaint, **Form 33**
- Demand note, statutes of limitations, § 1:75
- Promissory Notes, this index

NOTES—Cont'd

Single payment note, **Form 10**

NOTICE

Abandonment of collateral, **Form 93**

Assignment of wages, notice of right to revoke, **Form 168**

Bad checks, §§ **1:55, 1:56**

Bulk transfers, notice to creditors, § **5:7, Form 26**

Creditors, notice of proceeding under Chapter 128, **Form 180**

Creditors' actions, §§ **19:6, 19:13**

Default, notice of right to cure, § **3:15**

Executions, this index

Fair Debt Collection Practices Act, this index

Foreign judgment, notice of filing, **Form 120**

Garnishment, this index

Nonpayment of check, **Form 18**

Replevin, consumer, notice of default and right to cure, § **11:2**

Small claims summons, notice of, **Form 64**

Voluntary surrender of collateral, **Form 92**

NSF CHECKS

Bad Checks, this index

OFFSHORE TRUSTS

Asset protection, § **20:21**

OPEN ACCOUNT

Statutes of limitations, § **1:74**

OPEN-END CREDIT PLANS

Consumer credit transactions, § **3:12**

ORDERS

Attachment, writ of, notice of motion and motion, and order, for issuance, **Form 72**

Cease and desist orders, Fair Debt Collection Practices Act, § **2:22**

Charging orders, **Forms 181-183**

Contempt, motion and order for hearing, **Form 70**

Court Commissioners, this index

Creditors' actions, distribution order, § **19:12**

Discovery, motion for order compelling, sanctions, and default judgment, supporting affidavit, **Form 46**

Dismissal, this index

Financial disclosure and financial disclosure statement, order for, **Form 69**

Garnishment, this index

Judgment, order for, **Form 111**

Receivers, this index

Restraining orders, consumer replevin, § **11:8**

Sale, order confirming, **Form 104**

Small claims judgment
reopening, **Form 68**

INDEX

ORDERS—Cont'd

- Small claims judgment—Cont'd
 - setting aside, **Form 65**
- Supplemental Proceedings, this index
- Temporary restraining orders, § **9:2**

PARTIES

- Non-earnings garnishment, § **17:6**

PARTNERSHIPS

- Charging order and partnership, § **20:11**

PAYMENT

- Agreement, transformation of debt, § **1:23**
- Default, § **3:10**
- Garnishment, this index
- Installment payment, promissory note, **Form 7**
- Nonpayment of check, notice, **Form 18**
- Preferential payment, § **1:38**
- Repayment agreement, **Form 11**
- Single payment note, **Form 10**

PERISHABLE PROPERTY

- Attachment, § **8:9**
- Execution sale, § **14:21**

PERSONAL INJURY CLAIMS

- Exemptions from execution, § **15:3**

PERSONAL PROPERTY

- Executions, this index
- Inventory and appraisal, **Form 79**
- Statutes of limitations, § **1:73**

PERSONAL SERVICES

- Statutes of limitations, § **1:72**

PLEADINGS, JUDGMENT ON

- Generally, § **6:22**
- Motion for, **Form 47**

POST-DATED CHECKS

- Notice of intent to deposit, § **2:14**, **Form 23**
- Transformation of debt, § **1:19**

POST-JUDGMENT INTEREST

- Collection of, § **1:63**

POST-JUDGMENT REMEDIES

- Marital Property Concerns, this index

PREEMPTION

- Fair Debt Collection Practices Act, preemption of state law, § **2:24**

PRE-JUDGMENT INTEREST

Interest, this index

PRE-SUIT CONSIDERATIONS

Generally, §§ 1:1-1:75

Amicable collection efforts, § 1:2

Attorney's Fees, this index

Bad Checks, this index

Bankruptcy, §§ 1:35, 1:36

Business, closing of, § 1:34

Client

expectations of client, § 1:4

know your client, § 1:3

Cognovit Judgments, this index

Consequences of action taken

generally, §§ 1:30-1:39

bankruptcy, §§ 1:35, 1:36

business, closing of, § 1:34

employment, loss of, § 1:33

fraudulent transfers, § 1:39

legal rights, knowledge of, § 1:31

preferential payment, § 1:38

protection of assets by debtor, § 1:32

transfer of assets in bulk, § 1:37

Debtor

distant debtor, collecting from, § 1:14

legal composition of debtor, § 1:9

Documentation, necessary, § 1:8

Employment, loss of, § 1:33

Expectations of client, § 1:4

Federal court, § 1:11

Foreign countries, collections in, § 1:15

Forum selection, § 1:10

Fraudulent transfers, § 1:39

Interest, this index

Interim relief, availability, § 1:12

Legal composition of debtor, § 1:9

Legal rights, knowledge of, § 1:31

Preferential payment, § 1:38

Preliminary assessments

generally, §§ 1:1-1:15

client, above

distant debtor, collecting from, § 1:14

documentation, necessary, § 1:8

federal court, § 1:11

foreign countries, collections in, § 1:15

forum selection, § 1:10

interim relief, availability, § 1:12

INDEX

PRE-SUIT CONSIDERATIONS—Cont'd

- Preliminary assessments—Cont'd
 - legal composition of debtor, § 1:9
 - pre-suit information, § 1:7
 - rules and procedures, § 1:13
 - timing, § 1:5
 - when should action be taken to collect debt, § 1:6
 - who should take action to collect debt, § 1:1
- Protection of assets by debtor, § 1:32
- Rules and procedures, § 1:13
- Sources of information about debt and debtor, § 1:7
- Statutes of Limitations, this index
- Timing, § 1:5
- Transfer of assets in bulk, § 1:37
- Transformation of Debt, this index
- When should action be taken to collect debt, § 1:6
- Who should take action to collect debt, § 1:1

PRIORITIES

- Judgment liens, § 12:12

PRIVACY

- Financial privacy, § 2:38
- Tort liability, invasion of privacy, § 2:28

PRODUCTION OF DOCUMENTS

- Generally, **Form 43, Form 44**

PROMISSORY NOTES

- Attorney's fees, § 1:41
- Deferred single installment, **Form 9**
- Demand, **Form 6**
- Forum selection, § 1:10
- Installment payment, **Form 7**
- Transformation of debt, § 1:17

PROOF OF CLAIM

- Voluntary assignment, **Form 179**

PUBLIC EMPLOYEES

- Earnings garnishment, § 17:37

PUBLICATION

- Summons, this index

RECEIVERS

- Generally, § 18:1
- Ancillary nature of remedy, § 18:4
- Appointment
 - generally, § 18:4
 - affidavit in support of motion, **Form 139**
 - notice of motion and motion, **Form 138**

RECEIVERS—Cont'd

- Appointment—Cont'd
 - order, **Forms 140-142, Form 177, Form 178**
- Bond, **Form 137**
- Creditors' actions, § 19:3
- Equitable, § 18:3
- Factors considered, § 18:4
- Order for appointment, **Forms 140-142, Form 177, Form 178**
- Other types of receivers, § 18:3
- Statutory, § 18:3
- Supplemental receivers, §§ 16:13, 18:2
- Temporary receiver, § 18:4

REDEMPTION

- Consumer replevin, § 11:14
- Real property, § 14:24

RELEASE

- Satisfaction of judgment or partial release, **Form 117**

REPLEVIN

- Abandonment of collateral, § 11:4, **Form 93**
- Bond. Non-consumer, below
- Circuit court, § 10:5
- Combination judgment
 - generally, § 11:12
 - complaint for, **Form 101, Form 102**
 - practice pointers, § 11:13
- Complaint
 - combination judgment, **Form 101, Form 102**
 - consumer, § 11:10, **Form 95, Form 96**
 - non-consumer, § 10:10
 - verified, **Form 80, Form 81**
- Consumer
 - generally, §§ 11:1-11:18
 - abandonment of collateral, § 11:4
 - commencement of action, § 11:10
 - complaint, § 11:10, **Form 95, Form 96**
 - cure of default, § 11:2
 - default, § 11:2
 - deficiency judgment, § 11:16
 - dispute resolution, § 11:18
 - interim relief, § 11:8
 - judgment
 - combination judgment, §§ 11:12, 11:13
 - deficiency judgment, § 11:16
 - replevin judgment, § 11:10
 - leases, consumer, § 11:17
 - notice of default and right to cure, § 11:2, **Form 91**

INDEX

REPLEVIN—Cont'd

Consumer—Cont'd

- other state, collateral located in, taking possession, § 11:6
- performance deposit, § 11:10
- preservation of collateral after abandonment, § 11:4
- procedures for enforcement of security interest, § 11:9
- redemption rights, debtor's, § 11:14
- restraining orders, § 11:8
- self-help repossession, § 11:5
- small claims procedural pointers, § 11:11
- summons, § 11:10, **Form 94**
- venue, § 11:7
- violation of statutory requirements, § 11:15
- voluntary surrender of collateral, § 11:3
- Wisconsin Consumer Act, § 11:1

Cure of default, § 11:2, **Form 91**

Default by consumer, § 11:2

Default judgment and order of replevin, **Form 113**

Defendant's bond to plaintiff, § 10:19

Defendant's rights, non-consumer, § 10:16

Deficiency judgment, § 11:16

Delivery of property, execution for, **Form 99**

Dispute resolution, § 11:18

Forum selection, §§ 10:3-10:5

Interim relief, § 11:8

Judgment

generally, **Form 112**

consumer, above

default judgment and order of replevin, **Form 113**

non-consumer, § 10:21

Justification of sureties, § 10:18

Leases, consumer, § 11:17

Nature of remedy, § 10:1

Non-consumer

generally, §§ 10:1-10:24

answer and trial, regular civil action, § 10:11

bond

to defendant, § 10:13

defendant's bond to plaintiff, § 10:19

forms, **Form 85**, **Form 86**

indemnifying sheriff, § 10:14

circuit court, § 10:5

complaint and affidavit, § 10:10

defendant's bond to plaintiff, § 10:19

defendant's rights, § 10:16

forum selection

generally, § 10:3

circuit court, § 10:5

REPLEVIN—Cont'd

- Non-consumer—Cont'd
 - forum selection—Cont'd
 - small claims court, § 10:4
 - judgment, §§ 10:17, 10:21
 - justification of sureties, § 10:18
 - motion to vacate order directing delivery of property, § 10:17
 - pre-judgment writ, § 10:6
 - recovery of property, § 10:22
 - return date and trial, small claims action, § 10:12
 - self-help repossession, § 10:2
 - service, personal or substituted, § 10:9
 - sheriff
 - actions of sheriff, § 10:15
 - bond indemnifying, § 10:14
 - small claims, below
 - stipulations, § 10:24, Form 90
 - summons
 - civil action, § 10:8
 - small claims, § 10:9
 - third party rights, § 10:20
 - venue, § 10:7
 - voluntary surrender of property by defendant, § 10:23
- Other state, collateral located in, taking possession, § 11:6
- Pre-judgment writ, § 10:6
- Preservation of collateral after abandonment, § 11:4
- Recovery of property, § 10:22
- Redemption rights, debtor's, § 11:14
- Return date and trial, small claims action, § 10:12
- Return of property
 - notice of motion and motion, Form 82
 - order, Form 82, Form 84
- Security interest, procedures for enforcement, § 11:9
- Self-help repossession
 - consumer, § 11:5
 - non-consumer, § 10:2
- Sheriff. Non-consumer, above
- Small claims
 - generally, § 10:9
 - forum selection, § 10:4
 - procedural pointers, § 11:11
 - return date and trial, § 10:12
- Stipulations, § 10:24, Form 90
- Summons
 - civil action, § 10:8
 - consumer, § 11:10, Form 94
 - small claims, § 10:9
- Sureties, justification of, § 10:18

INDEX

REPLEVIN—Cont'd

Taking possession of abandoned collateral, § 11:4

Third party rights, § 10:20

Trial

regular civil action, § 10:11

small claims action, § 10:12

Venue

consumer, § 11:7

non-consumer, § 10:7

Verified complaint, **Form 80, Form 81**

Violation of statutory requirements, § 11:15

Voluntary surrender

consumer, § 11:3

non-consumer, § 10:23

notice of surrender, **Form 92**

Warrant to sheriff to enter and take property subject to replevin, **Form 88**

Writ of execution for replevin, **Form 98**

Writ of replevin, **Form 97**

RES JUDICATA

Foreign judgments, § 13:1

RESTRAINING ORDERS

Consumer replevin, § 11:8

RETIREMENT BENEFITS

Exemptions from execution, § 15:3

RICO

Collection regulation, § 2:34

SALES

Executions, this index

Supporting documentation, sale of goods, § 1:8

SANCTIONS

Affidavit in support of motion, **Form 46**

Notice of motion and motion for order compelling discovery, sanctions, and default judgment, **Form 45**

SATISFACTION OF JUDGMENT

Generally, § 12:13, **Form 117**

Motion and notice of motion for application of property to satisfy judgment, **Form 143**

SEAL

Instruments under seal, statutes of limitations, § 1:70

SECURED TRANSACTIONS

Consumer Credit Transactions, this index

Creditors' actions, secured claims, § 19:7

UCC revised article 9, § 20:15

SECURITY AGREEMENTS

Transformation of debt, § 1:20

SELF-HELP

Replevin, this index

SERVICE OF PROCESS

Garnishment, this index

Money Judgments, this index

Nonprofit organization, service on, § 1:9

Supplemental proceedings, § 16:3

SETTLEMENT

Interest, statutory settlement offers, § 1:65

Money Judgments, this index

Offer of settlement, **Form 57**

SHERIFF

Attachment, sheriff's duties, § 8:10

Certificate of return of levy

personal property, **Form 76**

real estate, **Form 77**

Execution, this index

Indemnity bond, **Form 75**

Non-consumer replevin. Replevin, this index

SINGLE PAYMENT NOTE

Consumer note, **Form 10**

SLANDER

Tort liability, § 2:28

SMALL CLAIMS

Money Judgments, this index

SMALL CLAIMS COURT

Complaint, **Forms 61-63**

Executions, § 14:5

Judgment

generally, **Form 110**

notice of entry, **Form 67**

reopening, petition and order, **Form 68**

setting aside, petition and order, **Form 65**

Judgment, petition and order to set aside, **Form 65**

Replevin, this index

Summons

generally, **Form 59, Form 60**

notice of summons, **Form 64**

Summons and complaint, **Form 62, Form 63**

SOCIAL SECURITY

Exemptions from execution, § 15:5

INDEX

STATE PUBLIC EMPLOYEES

Earnings garnishment, § 17:37

STATUTES OF LIMITATIONS

Generally, §§ 1:67-1:75

Accrual of cause of action, § 1:68

Contracts, § 1:68

Demand note, § 1:75

Fair Debt Collection Practices Act, § 2:20

Fraudulent transfers, § 1:71

Instruments under seal, § 1:70

Judgment, action on, § 1:69

Marital property, § 4:8

Open account, § 1:74

Personal property, § 1:73

Personal services, § 1:72

Tolling, § 1:67

STAY OF EXECUTION

Generally, § 14:8

STAY OF PROCEEDINGS

To enforce judgment, § 12:7

STIPULATIONS

Dismissal, this index

Earnings garnishment, stipulated extension, § 17:35

Forms

generally, **Form 55, Form 90**

default on stipulation, **Forms 107-109**

Judgments, this index

Replevin, non-consumer, § 10:24

SUBPOENA DUCES TECUM

Generally, **Form 126, Form 130**

Court commissioner, order to appear before and affidavit with subpoena duces tecum, **Form 125**

SUMMARY JUDGMENT

Affidavit in support of motion, **Form 49**

Money judgment, obtaining, § 6:23

Notice of motion and motion, **Form 48**

SUMMONS

Amended summons, **Form 31**

Garnishment, this index

Money Judgments, this index

Personal service

with complaint, **Form 27**

without complaint, **Form 28**

SUMMONS—Cont'd

- Publication
 - amended summons, **Form 31**
 - with complaint, **Form 29**
 - without complaint, **Form 30**
- Replevin, this index
- Small claims
 - generally, **Form 59, Form 60**
 - summons and complaint, **Form 62, Form 63**

SUPPLEMENTAL PROCEEDINGS

- Generally, §§ **16:1-16:17**
- Appearance
 - failure to appear, § **16:16**
 - order for, § **16:2, Form 133, Form 148**
 - whom to appear, § **16:4**
- Application of property to judgment
 - generally, § **16:14**
 - affidavit in support of motion, **Form 145**
 - motion and notice of motion, **Form 143**
 - order to apply property, **Form 144, Form 146**
- Arrest warrant, §§ **16:6, 16:8, Form 131, Form 132, Form 152**
- Body attachment, **Form 150, Form 153**
- Bond, § **16:7, Form 134**
- Checklist, supplemental examination, § **16:17**
- Contempt of court
 - body attachment, writ of, **Form 150**
 - failure to appear, § **16:16**
 - notice of motion and motion, **Form 147**
 - order of contempt and commitment, **Form 149**
 - petition in support of motion, **Form 151**
 - turnover order, refusal to comply, § **16:14**
- Corporate debtors, § **16:4**
- Costs, § **16:15**
- Discovery, § **16:10**
- Examination
 - checklist, § **16:17**
 - conduct of, § **16:10**
 - letter adjourning, **Form 135**
 - order for, § **16:2, Form 128**
 - questionnaire, **Form 136**
- Federal procedure, § **16:11**
- Fees, § **16:15**
- Information sought, § **16:12**
- Instituting proceedings, § **16:2**
- Letter adjourning supplemental examination, **Form 135**
- Marital property, § **4:11**

INDEX

SUPPLEMENTAL PROCEEDINGS—Cont'd

Orders

- appearance, order for, § 16:2, Form 133, Form 148
- application of property to judgment, Form 144, Form 146
- contempt of court, § 16:14, Form 149
- examination, § 16:2, Form 128

Procedure

- generally, § 16:9
- federal procedure, § 16:11

Questionnaire, Form 136

Receivers, §§ 16:13, 18:2

Service, § 16:3

Venue, § 16:5

Wisconsin Consumer Act, § 16:8

TAX LIENS

Priorities, § 12:12

TELEPHONE USAGE

Collection regulation, § 2:33

TEMPORARY RESTRAINING ORDERS

Generally, § 9:2

THIRD PARTIES

Attachment, third party rights, § 8:11

Attorney fees, third party agreements to pay, § 1:28

Fair Debt Collection Practices Act, communications with third parties, § 2:8

Garnishment, impleading third parties, § 17:21

Guaranty, third party, § 1:24

Replevin, non-consumer, third party rights, § 10:20

TITLE TO PROPERTY

Creditors' actions, § 19:8

TORT LIABILITY

Collection regulation, § 2:28

TRANSFER OF ASSETS

Bulk transfer, § 1:37

Fraudulent transfers, § 1:39

TRANSFER OF PROPERTY

Creditors' actions, § 19:10

TRANSFORMATION OF DEBT

Generally, §§ 1:16-1:25

Goods, reclaimed, § 1:25

Mortgage or security agreement, § 1:20

Payment agreement, § 1:23

Post-dated checks, § 1:19

Promissory note, § 1:17

TRANSFORMATION OF DEBT—Cont'd

- Statutory liens, § 1:22
- Third party guaranty, § 1:24
- Wages lien, unpaid, § 1:21
- Written admission, § 1:18

TRESPASS

- Tort liability, § 2:28

TRIAL

- Demand for trial, **Form 66**
- Replevin, this index
- Small claims, trial de novo, §§ 7:15, 7:22

TRUSTS

- Asset protection
 - domestic trusts, § 20:22
 - offshore trusts, § 20:21
- Constructive trust, § 20:8

UNFAIR PRACTICES

- Fair Debt Collection Practices Act, § 2:18

UNORDERED GOODS

- Collection regulation, § 2:32

UNPAID WAGES LIEN

- Transformation of debt, § 1:21

VALIDATION

- Notice of debt validation, § 2:13, **Form 21**, **Form 22**

VENUE

- Consumer credit transactions, § 3:5
- Fair Debt Collection Practices Act, § 2:10
- Garnishment, this index
- Money Judgments, this index
- Replevin, this index
- Supplemental proceedings, § 16:5

WAGES

- Unpaid Wages Lien, this index

WARRANTS

- Seizure of property
 - affidavit in support of warrant, **Form 87**, **Form 89**
 - warrant to sheriff to enter and take property subject to replevin, **Form 88**
- Supplemental proceedings, warrant for arrest, §§ 16:6, 16:8, **Forms 131-133**, **Form 152**

WISCONSIN CONSUMER ACT

- Attachment, WCA limitations, § 8:5
- Attorney's fees, collection of, § 1:44

INDEX

WISCONSIN CONSUMER ACT—Cont'd

- Checklist, § 2:42
- Collection regulation, § 2:26
- Confession of judgment, § 1:46
- Consumer Credit Transactions, this index
- Consumer replevin. Replevin, this index
- Penalties for violations, § 3:18
- Supplemental proceedings, § 16:8

WISCONSIN MARITAL PROPERTY ACT (WMPA)

- Marital Property Concerns, this index

WORTHLESS CHECKS

- Generally, **Form 18, Form 19**
- Bad Checks, this index

WRITS

- Attachment, this index
- Body attachment, writ of, **Form 150**
- Executions, this index
- Ne exeat, § 9:5
- Replevin, writ of, **Form 97, Form 98**

WRONGFUL DEATH CLAIMS

- Exemptions from execution, § 15:3