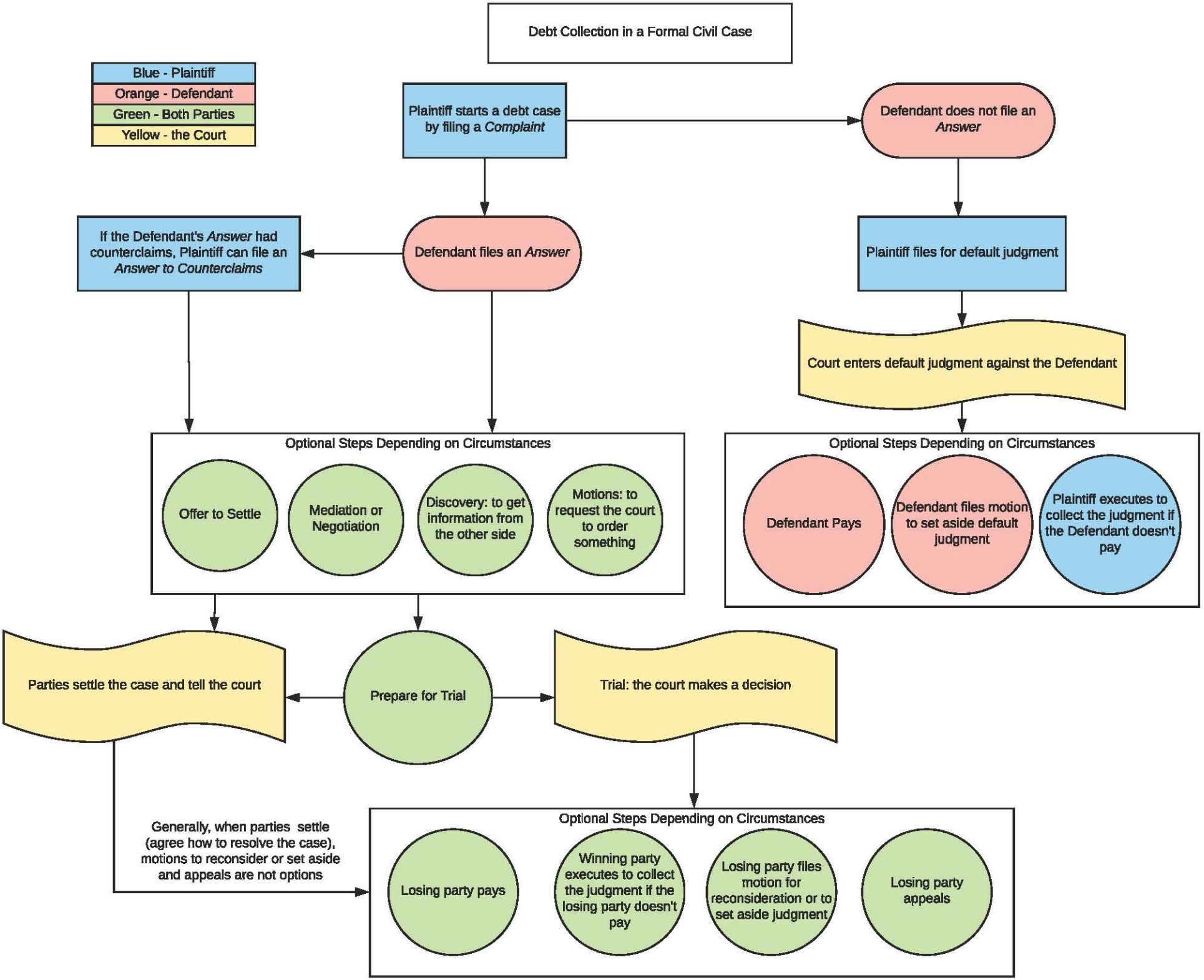
Debt Collection in a Formal Civil Case
Blue - Plaintiff
Orange - Defendant
Green - Both Parties
Yellow - the Court
Plaintiff starts a debt case by filing a *Complaint*
Defendant does not file an *Answer*
If the Defendant's *Answer* had counterclaims, Plaintiff can file an *Answer to Counterclaims*
Defendant files an *Answer*
Plaintiff files for default judgment
Court enters default judgment against the Defendant
Optional Steps Depending on Circumstances
Offer to Settle
Mediation or Negotiation
Discovery: to get information from the other side
Motions: to request the court to order something
Optional Steps Depending on Circumstances
Defendant Pays
Defendant files motion to set aside default judgment
Plaintiff executes to collect the judgment if the Defendant doesn't pay
Parties settle the case and tell the court
Prepare for Trial
Trial: the court makes a decision
Generally, when parties settle (agree how to resolve the case), motions to reconsider or set aside and appeals are not options
Optional Steps Depending on Circumstances
Losing party pays
Winning party executes to collect the judgment if the losing party doesn't pay
Losing party files motion for reconsideration or to set aside judgment
Losing party appeals