



GENERAL SESSIONS COURT OF HAMILTON COUNTY

Hamilton County Courts Building • 600 Market Street, 2nd Floor, Chattanooga, TN, 37402

Debt Collection Lawsuit Notice

This notice contains legal information, NOT legal advice. For legal questions, speak to a lawyer.

Someone is suing you to collect a debt.

The court papers accompanying this notice include:

- The date and time you must be in court.
- Who is suing you (the “plaintiff”).
- How much money they say you owe.

You must be present on that date and time to argue your case, protect your money and property, and/or ask for a payment plan.

If you don’t go to your hearing, you will automatically lose your case by having a default judgment taken against you.

If you lose, the person or business suing you may:

- Take money directly from your bank account or paycheck by garnishment.
- Take some of your property.
- Put a lien on your house.

If you are unable to attend your court hearing, you must contact the Clerk’s office as soon as possible **before** your court date. This does not excuse your appearance, but will notify the judge why you are not there.

What you can expect at court:

- **The court will NOT provide you with a lawyer, but you can bring one with you.**
- **When you arrive at court**, sign in with all of your contact information. You may be able to speak with whoever is suing you or their lawyer before a trial to try to reach an agreement.
- **You can ask for a trial.** If you can’t agree, or you want to argue that you don’t owe all or part of the debt, you can schedule your case for trial.

Get help. A lawsuit can be complicated. Speak to a lawyer **BEFORE** you come to court.

Find out if you qualify for free legal help by calling Legal Aid of East Tennessee at (423) 756-4013; Legal Aid of East Tennessee also has free line you can call at (800) 572-7457.

Find other types of free and low-cost legal help at www.Help4TN.org or tn.freelegalanswers.org.

Hamilton County Courts Building

600 Market Street
Chattanooga, TN
37405

General Sessions (Civil) Court

Court Held in
Courtroom 6
(2nd Floor) of
Court’s Building

Clerk’s Office

Room 110
Court’s Building
(423) 209-6700

Things you should know about this lawsuit.

If you do not recognize the “plaintiff” or remember owing them money:

If you don't recognize the name of the business suing you, they may have purchased your debt from the original business you borrowed money from.

If this is the case, you should ask for proof of the original debt and the name and address of the person or business where it came from. To do so, you **should contact the person or business immediately to ask**. This process will not stop the lawsuit. You may not get a response from them before court.

Some of your money and property might be protected.

Automatic protections:

Income you get from the following sources ***should be automatically protected and can't be taken***: social security; SSI; unemployment; workers' comp; AFDC/Families First; veterans' benefits; alimony; child support; and state, federal, or city pension.

Protections you can ask for:

If you lose, you can **ask the court to protect up to \$10,000** of your money and property by filing a “Protected Income and Assets” form with the court – available at: bit.ly/protectincomeassets and in the clerk's office.

What happens if you lose this case?

You can lose your case by not showing up to court or after a trial.

If you lose, the judge will enter a judgment against you, which means:

1. The court has decided you owe all or part of the debt, plus fees and interest.
2. Whoever is suing you can take money out of your paycheck, take money out of your bank account, take some of your property, and/or put a lien on your house.

You can ask the court for a payment plan to avoid or stop a garnishment by filling out a “Motion for Slow Pay” requesting to pay a certain amount that you can afford and submitting it to the clerk's office. (form available at bit.ly/motionforslowpay and at the clerk's office) When you file the motion, the clerk will schedule a hearing for you to bring your proof of income and expenses so the court can decide whether your proposed payment plan is justified.

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