

Cause No. _____

_____	§	IN THE COUNTY COURT
Plaintiff (Judgment Creditor)	§	
	§	
	§	
v.	§	AT LAW NO. 1
	§	
	§	
_____	§	
Defendant (Judgment Debtor)	§	ELLIS COUNTY TEXAS

ORDER APPOINTING RECEIVER

(Texas Supreme Court Promulgated Form)

The court has considered Judgment Creditor’s Application for Appointment of a Receiver under Texas Civil Practice and Remedies Code § 31.002. After reviewing the evidence and the court’s file, the court **FINDS** that the judgment rendered in Cause No. _____ is valid, final, and fully payable. The judgment awarded was \$ _____, including costs, with interest at the rate of _____% to be compounded annually. On _____ (date), the amount of any credits, payments, and offsets was \$ _____.

The court **FINDS** that the judgment remains unsatisfied; that Judgment Debtor owns property that is not exempt from attachment, execution, or seizure for the satisfaction of the judgment; and that Judgment Creditor is entitled to the court’s aid in reaching Judgment Debtor’s nonexempt property to satisfy the judgment.

It is therefore **ORDERED** that the following person (“Receiver”) is appointed under Texas Civil Practice and Remedies Code § 31.002 with authority to take possession of Judgment Debtor’s nonexempt property that is in Judgment Debtor’s possession or is subject to Judgment Debtor’s control, sell the property, and pay the proceeds to Judgment Creditor to the extent required to satisfy the judgment. Judgment Debtor’s nonexempt property may include financial accounts, certificates of deposit, and money-market accounts held by a third party.

Receiver's Information:

Name: _____

Address: _____

Email Address: _____

Telephone Number: (____) ____-_____

State Bar No.: _____

Receiver's Additional Limited Powers: Receiver also has the following limited authority. Receiver may: (1) obtain Judgment Debtor's credit information and credit reports; (2) obtain Judgment Debtor's financial information and records from Judgment Debtor or a third party; (3) certify copies of this Order; and (4) negotiate and obtain installment payment agreements with Judgment Debtor, if Receiver reasonably believes that a payment agreement is the best option to satisfy the judgment and Receiver provides Judgment Debtor with the Notice of Personal Property Rights approved by the Supreme Court of Texas. Receiver cannot reduce the total balance owed under the judgment without Judgment Creditor's authorization.

Personal Property Rights of Judgment Debtor: Receiver must comply with Texas Rule of Civil Procedure 679b.

Turnover: Judgment Debtor and any third party in possession of Judgment Debtor's property is **ORDERED** to turn over to the Receiver Judgment Debtor's nonexempt property within _____ days after receipt of this Order.

Time Period: This Receivership terminates on _____ (*date, not to exceed 180 days after the date this Order is signed*), unless extended by the court on request of Judgment Creditor or Receiver and on good cause shown.

Receiver's Fee: Receiver's fee is conditionally set at _____% of the funds collected during the receivership, subject to the Judgment Debtor's written agreement or later determination of reasonableness based on written agreement of the Judgment Debtor or proof of the work performed and the results obtained. The court-approved fee will be taxed as costs against Judgment Debtor, and Receiver may collect that fee from Judgment Debtor in addition to the amount collected to satisfy the judgment.

Receiver's Oath: Receiver must file an oath to perform their duties faithfully before acting under this Order.

Receiver's Bond:

No bond required; or

Receiver must execute a good and sufficient bond in the amount of \$_____ before acting under this Order.

Receiver's Expenses: Receiver must provide an accounting or receipts of any reasonable and necessary expenses, including those for storage of any property seized, to the court. Court approved expenses will be taxed as costs against Judgment Debtor, and Receiver may collect those expenses from Judgment Debtor in addition to the amount collected to satisfy the judgment.

Attorney's Fees: Judgment Creditor's reasonable attorney's fees will be taxed as costs against Judgment Debtor.

Receiver to Hold Property: Receiver must not disburse funds to Judgment Creditor or sell property within 14 days after serving Judgment Debtor with the Notice of Protected Property Rights, the Instructions for Protected Property Claim Form, and the Protected Property Claim Form approved by the Supreme Court of Texas, or within 17 days if service was by mail. If Judgment Debtor asserts an exemption, Receiver may only disburse funds to Judgment Creditor or sell property with Judgment Debtor's written consent or a court order.

ISSUED AND SIGNED on _____, 20____.

JUDGE PRESIDING