LEGAL AID



<u>A Warrant in Debt is not the same as an arrest warrant even if it was served by a Sheriff!</u> It does not mean you have been charged with a crime or that you are in trouble with ICE. It is a civil complaint that a company filed to collect a debt.

The Court will process your case even without you. You have the right to dispute that you owe a debt and ask for a trial! Make sure you protect your rights!

There is important information on the Warrant in Debt:

- 1. These boxes show the court where your case will take place and the date and time of your hearing. You must go to court at that date and time.
- 2. This is the company that is suing you (the Plaintiff). You may not recognize the name of the company you need to show up at court anyway!
- 3. This is the amount that the Plaintiff is asking you to pay.

When you go to court, you should:

- 1. Tell the Judge that you don't agree that you owe the debt.
- 2. Ask for a Bill of Particulars this is a document that will give you more specific information about what the Plaintiff is claiming you owe.
 - 3. Ask for a trial date this will likely be about two or three months later.

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The Plaintiff has to prove to a Court that you owe it a specific amount of money.

There are a number of companies that buy old debts for pennies on the dollar and then sue people to collect on those debts. These are called "debt buyers." They are companies like: Portfolio Recovery Associates, LVNV Funding, Midland Funding, Midland Credit Management, Crown Asset Management, Unifund LLC, Credit Corp and many others.

If you don't recognize the name of the company suing you, you have the right to go to court and dispute that you owe a debt!

Sometimes the Warrant in Debt may say something like: Unifund LLC, assignee of Capital One Bank. Even if you think that you once owed a debt to Capital One Bank...don't be fooled. Capital One Bank isn't suing you - they likely closed your account and sold your debt.

Debt buyers have to prove that you owe them a specific amount of money – not that you used to owe a debt to another, different company.

You have a good chance of winning your case or negotiating a good settlement if you ask for a trial and get a lawyer.

Do you need a lawyer? Call the Legal Aid Justice Center:

Charlottesville Office	434-977-0558
(Cities – Charlottesville, and Counties - Albemarle, Fluvanna, Greene,	
Louisa, and Nelson)	
Falls Church Office	703-778-3450
(Cities – Fairfax, Falls Church, Herndon, Alexandria, and Counties –	
Loudoun, Fairfax, Arlington, Prince William, and Stafford)	
Richmond/Petersburg Office	804-643-1086
(Cities – Richmond, Petersburg, Hopewell, and Colonial Heights, and	
Counties – Chesterfield, Hanover, Henrico, New Kent, Goochland,	
Powhatan, Surry, Prince George, Dinwiddie, and Charles City	

You can also call the Virginia Poverty Law Center Helpline: 866-534-5243

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