



## CAN I GO TO JAIL IF I DON'T PAY MY DEBTS?

You cannot go to jail just for owing money. But if there is a money judgment against you and you do not follow a court order or an order to appear in court, you could be arrested for contempt of court. The problem is that many people do not know there is a money judgment against them. If you move a lot you may not have gotten the papers. Or you may have ignored them because you did not know what they were.

If you owe money and are behind in your payments, it is very important that you check your mail carefully. It might be a good idea to keep in contact with your creditors. “Creditors” are the people or companies you owe money to. You might be able to work out a payment plan and avoid the money judgment. Often debt collection is handed over to other companies and you might not know the name of the company on the envelope. If you get papers to fill out, make sure you do it. Keep copies of everything.

### HOW DOES A CREDITOR GET A WARRANT FOR MY ARREST?

Step One: The creditor or collection agency gets a money judgment against you. There are steps they have to follow before they can get a judgment. Read the CLE Fact Sheet [C-3 Your Debt Collection Rights](#). It can also be found at [www.LawHelpMN.org](http://www.LawHelpMN.org) under the consumer sub topic.

Step Two: The creditor sends you papers called a Financial Disclosure Form. You must fill out the papers and return them to the creditor within 10 days of getting them.

Step Three: If you do not complete the papers and return them to the creditor, the creditor can get a court order called an “Order to Show Cause”. This court order says you have to fill out the form OR appear in court in person to explain why you have not filled out the form. The order will give a date and time that you have to go to court.

Step Four: If you do not show up for the court hearing OR complete the Financial Disclosure Form and send it to the creditor, the court can issue an order saying you are in contempt of court.

Step Five: An arrest warrant is issued based on the contempt of court order. This means that the county sheriff can arrest you and put you in jail.



## CAN I FIND OUT IF THERE IS A WARRANT OUT FOR ME?

It can be hard to know if there is an arrest warrant for you for contempt of court in a civil debt case. There are 2 ways you can try to find out.

You can call your county Sheriff office and ask for the warrants division. They should be able to tell you on the phone if there is a warrant out for you.

You can also check the Minnesota Court's website at [www.mncourts.gov](http://www.mncourts.gov) to see if there is a judgment against you.

Open the website. Click on

- Find Court Records (on top menu).
- Under "Find District (Trial) Court Records" click on "Access Trial Court Records".
- Toward the bottom of the page there is a box with terms and limitations that you need to read. If you accept the terms, click on "I Accept" at the bottom of the page.
- Check under both "Civil, Family & Probate Case Records" and "Judgments Search". For the first one, choose "party" in the "search by" drop-down box at the top so you can enter your name. **NOTE:** If your name is not in these records, there might still be a judgment against you that has not been entered with the court.



## WHAT HAPPENS IF I GET ARRESTED?

What happens varies from county to county. You can try asking at the jail for a copy of the Financial Disclosure Form (a copy is attached). If you are reading this online, [click here](#). Fill it out and ask if you can be released from jail. It is up to the judge to decide if this is enough to get you released.

For more information or to find an attorney, go to [www.LawHelpMN.org](http://www.LawHelpMN.org).

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