



Can I Go to Jail If I Don't Pay My Debts?

Can I go to jail if I owe someone money?

You can't go to jail just for owing money in Minnesota. But if there is a money judgment against you and you don't follow a court order or an order to appear in court, you can be arrested for contempt of court.

Many people don't 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 didn't know what they were.

If you owe money and are behind in your payments, 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.

It is very important that you check your mail carefully! Usually, debt collection is handed over to other companies and you might not know the name of the company on the paperwork. If you get court papers to fill out, make sure you do it and do it carefully. Keep copies of everything.



How does a creditor get a warrant for my arrest?

- Step 1: The creditor or collection agency gets a money judgment against you from court. There are steps they have to follow before they can get a judgment. Read our fact sheet [Your Debt Collection Rights](#).
- Step 2: The creditor later 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 3: 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 gives a date and time that you have to go to court.
- Step 4: If you don't 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 for violating the order.
- Step 5: An arrest warrant is issued based on the contempt of court order. Police can arrest you and put you in jail. Avoid getting arrested! Go to your hearing! Fill out any forms you get! If you have to fill out the form in jail you might not have all the info you need to get it right.

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. 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. Go to: www.mncourts.gov.

1. Click on *Access Case Records* (on top menu).
2. Click on *Minnesota District (Trial) Court Case Search*.
3. Scroll down a little and click the box titled *MPA Remote*. Read the [terms and conditions](#) on the next page. If you accept the terms, click on *I Accept the Above Terms & Conditions* under the box.
4. You can leave "location" set at *All MNCIS sites*. Click on *Civil, Family & Probate Case Records*. You should also check under *Judgments Search*. For the first one, choose "party" in the "search by" drop-down box at the top so you can enter your name.
5. If there are cases listed, click into each case to see if there is an order for a warrant.



NOTE: If your name is not in these records, there might still be a very recent judgment against you that has not yet been entered with the court.

If there is a warrant because you have not done a Financial Disclosure Form, call the court that issued the warrant. It is usually your local county court. Tell the clerk that you need to do a financial disclosure form. They might be able to send you one.

There is a Financial Disclosure Form attached. You can also find it online at www.mncourts.gov. Click on *Get Forms*, click on *Judgment Enforcement*, click on *Disclosure*, click on *Financial Disclosure*.

Fill out the form and make a copy. Send one copy to the judgement creditor (who you owe the money to) and keep the other for yourself. In a day or two, call the court to make sure the warrant is cancelled.

What happens if I get arrested?

It is different from county to county. Ask at the jail for a Financial Disclosure Form to fill out if you haven't done that yet.

Fill it out and ask if you can be let out of jail. It is up to the judge to decide if this is enough to get you released.

*Fact Sheets are legal information NOT legal advice. See a lawyer for advice.
Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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23. Do you own your home? Yes No Your homestead (house owned and occupied by you) is exempt up to a Value of \$390,000 or if used primarily for agricultural purposes, \$975,000. Do you own any other houses, land, or real estate?
 Yes No For each, give the following:

Location	Estimated Value	Amount Owed (if any)	To Whom

24. Do you own any motor vehicles, motorcycles, boats, snowmobiles, trailers, etc.? Yes No
 For each, provide the following:

Make	Model	Year	Lic. Plate No.	Market Value	Amount You Owe (if any)

One motor vehicle worth up to \$4,600 (or \$46,000 if the vehicle has been modified at a cost of at least \$3,450 to accommodate a physical disability making a disabled person eligible for a parking permit under Minn. Stat. § 169.345) after subtracting what you owe is exempt. Which vehicle do you want to claim as exempt?

25. Do you own any of the follow property?

- | | | | |
|--|--|--|--|
| Cash or travelers checks | <input type="checkbox"/> Yes <input type="checkbox"/> No | Farm supplies, implements, livestock, grain worth more than \$13,000 | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Household goods, furnishings, and personal effects that are worth more than \$10,350 total | <input type="checkbox"/> Yes <input type="checkbox"/> No | Business equipment, tools, machinery worth more than \$11,500 total | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Jewelry | <input type="checkbox"/> Yes <input type="checkbox"/> No | Inventory | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Coins or stamp collections | <input type="checkbox"/> Yes <input type="checkbox"/> No | Accounts receivable/claims | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Firearms/Guns | <input type="checkbox"/> Yes <input type="checkbox"/> No | Are you the owner or partner in any business not already listed | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Life insurance policy with a cash (surrender) value more than \$9,200 | <input type="checkbox"/> Yes <input type="checkbox"/> No | Any other property (specify) _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Any property that you are selling on a contract for deed | <input type="checkbox"/> Yes <input type="checkbox"/> No | | |

If you answered yes to any item in question 25, provide the following information:

Description and location of property (if not at residence)	Estimated Value	Amount Owed (if any)	To Whom

If you need additional space to answer the questions, continue your answers here. Indicate the question number you are answering. Attach additional sheets if necessary.

The above information is true and correct to the best of my knowledge.

Date: _____ Signature: _____

NOTICE: FAILURE TO COMPLETE, SIGN, AND RETURN THIS FORM TO THE JUDGMENT CREDITOR WITHIN 10 DAYS MAY RESULT IN A CITATION FOR CIVIL CONTEMPT OF COURT.