

**SUPERIOR COURT OF ARIZONA
MOHAVE COUNTY**

(1) _____
Petitioner/Plaintiff

VS

(2) _____
Respondent/Defendant

AND

(3) _____
Garnishee

(4) Case Number: _____

**NOTICE TO JUDGMENT DEBTOR OF
GARNISHMENT (NON-EARNINGS)
(FORM 7)**

NOTICE TO JUDGMENT DEBTOR OR DEFENDANT

You are hereby notified that this Court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest be used to satisfy some of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment, support order or provisional remedy order against you that was obtained:

(5) Name of Court _____

(6) Case Number _____ on (7) date of judgment or order _____.

A copy of the judgment or order is attached.

The law provides that monies from certain benefits or in certain amounts are free from the claims of creditors even if deposited in a bank, savings and loan association or credit union. Some examples of exempt monies appear later in this notice. The law also provides that certain personal property is exempt from the claims of creditors. Some examples of exempt property appear later in this notice.

The creditor named above says you haven't paid what you owe on the attached judgment or order. At the creditor's request, this Court issued a Writ of garnishment (attached) to the garnishee named above. The Writ says that some of your money or property now held by the garnishee will be withheld and may be turned over to the creditor to satisfy your debt.

Within ten days after being served with the Writ of Garnishment the garnishee who is holding your money or personal property is required to mail or deliver to you his Answer stating what money or personal property he is withholding from you for the judgment creditor pursuant to the Writ.

You may object to the garnishment or file a claim of exemption by requesting a hearing with this Court, if you believe any of the following is true:

1. The judgment creditor does not have a valid provisional remedy order or support order or judgment against you or that the debt or judgment has been paid in full.
2. Some or all of the monies that are being withheld by the garnishee may be exempt monies. The following are examples that may be exempt monies:
 - (a) One hundred fifty dollars in a bank, savings and loan association or credit union account. (Three hundred dollars for married account holders.)
 - (b) Temporary assistance for needy families.

- (c) Supplemental security income (SSI).
- (d) Social Security benefits (SSA).
- (e) Veterans' administration benefits (VA).
- (f) Certain pension benefits and retirement funds.
- (g) Workers' compensation benefits.
- (h) Some insurance proceeds.

Other state and federal exemptions may apply. Certain exemptions may not apply to support orders or to the collection of taxes. An attorney can assist you in determining what monies are exempt.

3. Some or all of the personal property being withheld by the garnishee may be exempt property. Examples of exempt personal property are:
- (a) Household goods, furniture and appliances.
 - (b) Up to \$5,000 equity value for each owner of a car or truck, (\$10,000 equity value if the owner is physically disabled).
 - (c) Wearing apparel, musical instruments, televisions or stereos and other personal items.
 - (d) Tools and equipment used in a commercial activity, trade, business or profession.

These exemptions are limited in statute by description and dollar value. An attorney can assist you in determining what personal property is exempt. A comprehensive listing of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona, http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf.

4. More than fifteen days have passed since the garnishee was served with the Writ and you have not yet received the Garnishee's Answer.
5. You otherwise disagree with the Answer of the garnishee. To request a hearing, deliver the Request for Hearing form enclosed, or a substantially similar form to the Court Clerk's office. At the same time, you must mail or deliver a copy (photocopy or handwritten copy) of the Request for Hearing to the judgment creditor and the garnishee at the address stated in the Writ. If you do not deliver the Request for Hearing form to this Court within ten days after the date you receive the Answer of garnishee, your request for hearing will be denied, unless a good reason for the delay, acceptable to the Court, is shown.

If you request a hearing, it will be held no later than five days, not including weekends and holidays, after your request is received by the Court. If appropriate, you may request a hearing before the garnishee files his Answer.

The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

WARNING: If you want a hearing, the Court must receive the hearing request form within ten (10) days after you get Garnishee's Answer. If you don't get the request in on time, you won't get a hearing unless there is a very good reason why you're late.