

NOTICE TO JUDGMENT DEBTOR

GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS

CUYAHOGA COUNTY CLERK OF COURTS OFFICE, CIVIL DIVISION, 1ST FLOOR, JUSTICE CENTER, 1200 ONTARIO STREET, CLEVELAND, OH 44113, (216) 443-3764, <http://coc.cuyahogacounty.us/>

CREDITOR
(ADDRESS)

CASE NO. _____

V.

DEBTOR
(ADDRESS)

You are hereby notified that this court has issued an order in the above case in favor of (name and address of judgment creditor), the judgment creditor in this proceeding, directing that some of your money in excess of four hundred dollars, property, or credits, other than personal earnings, that now may be in the possession of _____, the garnishee in this proceeding, be used to satisfy your debt to the judgment creditor.

(Garnishee Name and Address)

This order was issued on the basis of the judgment creditor's judgment against you that was obtained in (name of court) in (case number) on (date). Upon your receipt of this notice, you are prohibited from removing or attempting to remove the money, property, or credits until expressly permitted by the court. Any violation of this prohibition subjects you to punishment for contempt of court.

The law of Ohio and the United States provides that certain benefit payments cannot be taken from you to pay a debt. Typical among the benefits that cannot be attached or executed upon by a creditor are the following:

- (1) Workers' compensation benefits;
- (2) Unemployment compensation payments;
- (3) Cash assistance payments under the Ohio works first program;
- (4) Benefits and services under the prevention, retention, and contingency program;
- (5) Disability financial assistance administered by the Ohio department of job and family services;
- (6) Social security benefits;
- (7) Supplemental security income (S.S.I.);
- (8) Veteran's benefits;
- (9) Black lung benefits;
- (10) Certain pensions.

There may be other benefits not included in the above list that apply in your case.

If you dispute the judgment creditor's right to garnish your property and believe that the judgment creditor should not be given your money, property, or credits, other than personal earnings, now in the possession of the garnishee because they are exempt or if you feel that this order is improper for any other reason, you may request a hearing before this court by disputing the claim in the request for hearing form, appearing below, or in a substantially similar form, and delivering the request for hearing to this court at the above address, at the office of the clerk of this court no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the judgment creditor's right to garnish your property in the space provided on the form; however, you are not required to do so. If you do state your reasons for disputing the judgment creditor's right, you are not prohibited from stating any other reason at the hearing. If you do not state your reasons, it will not be held against you by the court, and you can state your reasons at the hearing. **NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE HEARD OR CONSIDERED AT THE HEARING.** If you request a hearing, the hearing will be limited to a consideration of the amount of your money, property, or credits, other than personal earnings, in the possession or control of the garnishee, if any, that can be used to satisfy all or part of the judgment you owe to the judgment creditor.

If you request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice, it will be conducted no later than twelve days after your request is received by the court, and the court will send you notice of the date, time, and place. You may indicate in the form that you believe that the need for the hearing is an emergency and that it should be given priority by the court. If you do so, the court will schedule the hearing as soon as practicable after your request is received and will send you notice of the date, time, and place. If you do not request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice, some of your personal earnings will be paid to the judgment creditor.

If you have any questions concerning this matter, you may contact the office of the clerk of this court. If you want legal representation, you should contact your lawyer immediately. If you need the name of a lawyer, contact the local bar association.

Clerk of Courts

by _____
Deputy Clerk of Court

_____ Date

REQUEST FOR HEARING

GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS

CUYAHOGA COUNTY CLERK OF COURTS OFFICE, CIVIL DIVISION, 1ST FLOOR, JUSTICE CENTER, 1200 ONTARIO STREET, CLEVELAND, OH 44113, (216) 443-3764,
<http://coc.cuyahogacounty.us/>

[Empty box for CREDITOR name]

CREDITOR

v.

[Empty box for DEBTOR name]

DEBTOR

CASE NO. _____

I dispute the judgment creditor's right to garnish my money, property, or credits, other than personal earnings, in the above case and request that a hearing in this matter be held no later than twelve days after delivery of this request to the court.

I _____ feel that the need for the hearing is an emergency.
(insert "Do" or "Do Not")

I dispute the judgment creditor's right to garnish my personal earnings for the following reasons: (OPTIONAL)

I UNDERSTAND THAT NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE CONSIDERED AT THE HEARING.

WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE OFFICE OF THE CLERK OF THIS COURT WITHIN FIVE BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR PERSONAL EARNINGS WILL BE PAID TO

_____ **IN SATISFACTION OF YOUR DEBT TO THE JUDGMENT-CREDITOR.**
(Name of Judgment Creditor)

(Name of Judgment Debtor-Print)

(Signature)

Date: _____