# Exemption Form Instructions (JGM406)

Minn. Stat. §§§ 550.143, subd. 3b; 551.05, subd. 1c; and 571.912, subd. 2

**Note:** The creditor is who you owe the money to. You are the debtor.

1. Fill out **both** of the attached exemption forms in this packet.

If you check one of the lines, you should also give proof. Use proof that show that some or all of the money in your account is from one or more of the protected sources. This might be letters or account statements. Creditors may ask for a hearing if they question your exemptions.

**To avoid a hearing:**

* Case numbers should be added to the form.
* Copies of documents should be sent with the form.

**Notice:** You must send copies of your bank statements for the past 60 days before the garnishment. Send them to the creditor (or to the creditor’s lawyer). Keep a copy of your bank statements in case there are questions about your claim. If you don’t send bank statements to the creditor (or to the creditor’s lawyer) along with your exemption claim, the financial institution may give your money to the creditor. They would do this once the creditor gives them a court order saying they have to turn over the funds.

1. **Sign** the exemption forms. **Make a copy to keep for yourself**.
2. **Mail or Deliver** the other copies of the form by . **Both copies must be mailed or delivered the same day.**

One copy of the form and the copies of your bank statements go to:

Creditor’s Name:

(or creditor’s lawyer’s name)

Street Address:

City, State, Zip:

Phone: Fax:

Email:

One copy goes to:

Bank’s Name:

Street Address:

City, State, Zip:

Phone: Fax:

Email:

## How The Process Works

**If You Don’t Send in the *Exemption Form* and Bank Statements:**

14 days after the date of this letter some or all of your money may be turned over to the creditor. This happens once they get an order from the court telling the bank to do this.

**If You Do Send in the *Exemption Form* and Bank Statements:**

Any money that is NOT protected can be turned over to the creditor once they get an order from the court.

**If the Creditor Does Not Object to Your Claimed Exemptions:**

The bank should unfreeze your money 6 business days after they get your completed form. If they don’t, ask the creditor or the creditor’s lawyer to send a release letter to the bank.

**If the Creditor Objects to your claimed exemptions:**

The money you said is protected on the form is held by the bank. The creditor has 6 business days to object (disagree) and ask the court to hold a hearing. You get a *Notice of Objection* and a *Notice of Hearing*.

The bank holds the money until a court decides if your money is protected or not. Some reasons a creditor may object are because you didn’t send copies of your bank statements or other proof of the benefits you got. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income you can call Legal Aid statewide at 1(877) 696-6529.

## Warnings and Fines

If you claim that your money is protected and a court decides you made that claim in bad faith, they can order you to pay costs, actual damages, lawyer fees, and a fine up to $100. Bad faith is when someone does something wrong on purpose.. For example, it may be bad faith if you claim you get government benefits and you don’t.

If the creditor made a bad faith objection to your claim that your money is protected, the court can order them to pay costs, actual damages, lawyer fees, and a fine up to $100.