

**State of Minnesota**

**District Court**

County of: \_\_\_\_\_

Court File Number: \_\_\_\_\_

Judicial District: \_\_\_\_\_

Case Type: \_\_\_\_\_

\_\_\_\_\_  
Creditor's full name

vs.

\_\_\_\_\_  
Debtor's full name

## **Hearing Notice of Prejudgment Garnishment (JGM808)**

Minn. Stat. § 571.931, subd. 6

### **Hearing Notice**

To: \_\_\_\_\_ (debtor's full name)

The \_\_\_\_\_ County Court has ordered the prejudgment garnishment of some of your property. This is about property that a third party has or controls. Some of your property may be exempt and can't be taken. See the *Exemption Notice* below.

The Court issued this Order because \_\_\_\_\_ (name of creditor) claims they are entitled to take some of your property. They do this to make sure you pay any money they might win in a future case against you. They felt immediate action was needed.

You have the legal right to challenge their claim at a court hearing before a judicial officer.

#### **The hearing will be at:**

Place: \_\_\_\_\_

Date: \_\_\_\_\_

Time: \_\_\_\_\_

You can go to the court hearing alone or with a lawyer. You get to tell the court your side of the issue. Then the court decides what should be done with your property until the lawsuit against you is finally decided.

**If you don't go to this hearing, the court may order garnishment of your property.**

## Exemption Notice

Some of your property may be exempt and can't be taken. 'Exempt' means protected. The following is a list of some common exemptions. It is not a complete list. For full details and dollar amounts set by law see Minn. Stat. § 550.37 ([revisor.state.mn.us/statutes](http://revisor.state.mn.us/statutes)). If you have questions about an exemption, contact a lawyer for legal advice.

These things you or your family might have are protected:

- (1) equity in your home, or money from recently selling your home – up to \$510,000 total
- (2)
  - (a) all clothing, one watch, utensils, and foodstuffs
  - (b) household furniture, household appliances, radios, computers, tablets, televisions, printers, cell phones, smart phones, and other consumer electronics up to \$12,150 in all.
  - (c) jewelry – total value can't be more than \$3,308
- (3) a manufactured (mobile) home you live in
- (4) one motor vehicle, counting only the amount you have paid off:
  - \$10,000
  - \$12,500 - if it is necessary for your business, trade, or profession
  - \$25,000 if used by or to help someone with a disability that makes it hard to walk, or
  - \$100,000 if designed or modified for someone with a disability that makes it hard to walk
- (5) farm machinery if your main business is farming. Tools, machines, or office furniture used in your business - the total value can't be more than \$13,000
- (6) relief based on need. This includes:
  - **MFIP** – Minnesota Family Investment Program
  - **DWP** - MFIP Diversionary Work Program
  - **SNAP** – Supplemental Nutrition Assistance Program
  - **GA** – General Assistance
  - **EGA** – Emergency General Assistance
  - **MSA** – Minnesota Supplemental Aid
  - **MSA- EA** – MSA Emergency Assistance
  - **EA** – Emergency Assistance
  - **Energy or Fuel Assistance**
  - **Work Participation Cash Benefit**

- **MA** – Medical Assistance
- **MinnesotaCare**
- **Medicare Part B** - Premium Payments help
- **Medicare Part D** - Extra
- **SSI** – Supplemental Security Income
- **Tax Credits** – federal Earned Income Tax Credit (EITC), MN Working family credit
- **Renter's Refund** (also called Renter's Property Tax Credit)

(7) wages. 100% is protected if you get government assistance based on need. Otherwise, between 75-100% is protected depending on how much you earn

(8) retirement benefits - the total interest under all plans and contracts can't be more than \$81,000

(9) Social Security benefits

(10) unemployment benefits, workers' compensation, or veteran's benefits

(11) a retirement, disability or accident pension or annuity

(12) life insurance proceeds that are not more than \$54,000

(13) earnings of your minor child

(14) money from a claim for damage or destruction of exempt property - like household goods, farm tools, business equipment, a manufactured (mobile) home, or a car

(15) sacred possessions – like the Bible, Torah, Qur'an, prayer rug, and other religious items. Total value can't be more than \$2,000

(16) personal library - total value can't be more than \$750

(17) musical instruments - total value can't be more than \$2,000

(18) family pets – current value can't be more than \$1,000

(19) a seat or pew in any house or place of public worship and a lot in any burial ground

(20) tools you need to work in your business or profession - the total value can't be more than \$13,500

(21) household tools and equipment – things like hand and power tools, snow removal equipment, lawnmowers, and more. Total value can't be more than \$3,000

(22) health savings accounts, medical savings accounts – the total value can't be more than \$25,000