

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 for Request of Prejudgment Garnishment (JGM809)

Minn. Stat. § 571.932, subd. 2

Hearing Notice

To: _____ (debtor's full name)

There will be a hearing to decide if your nonexempt property will be garnished to help pay a judgment that may be entered against you.

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 if your property should be garnished until the lawsuit against you is finally decided.

If the court issues a *Garnishment Summons* during the lawsuit, you can keep the property until the lawsuit is decided if you file a bond. The amount of the bond is set by the court.

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