

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2847

(SENATE AUTHORS: BOLDON)		
DATE	D-PG	OFFICIAL STATUS
03/20/2025	936	Introduction and first reading Referred to Judiciary and Public Safety
04/01/2025	1160a	Comm report: To pass as amended
	1243	Second reading
04/22/2025	3729a	Special Order: Amended
	3730	Third reading Passed as amended

1.1

A bill for an act

1.2

relating to commerce; modifying various statutory forms pertaining to garnishment;

1.3

amending Minnesota Statutes 2024, sections 550.136, subdivisions 6, 9; 550.143,

1.4

subdivisions 2, 3a, 3b, 3c; 551.05, subdivisions 1b, 1c, 1d; 551.06, subdivisions

1.5

6, 9; 571.72, subdivisions 8, 10; 571.74; 571.75, subdivision 2; 571.912; 571.914,

1.6

subdivision 2; 571.925; 571.931, subdivision 6; 571.932, subdivision 2; Laws

1.7

2024, chapter 114, article 3, section 101.

1.8

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9

Section 1. Minnesota Statutes 2024, section 550.136, subdivision 6, is amended to read:

1.10

Subd. 6. **Earnings exemption notice.** Before the first levy on earnings under this chapter,

1.11

the judgment creditor shall serve upon the judgment debtor no less than ten days before the

1.12

service of the writ of execution, a notice that the writ of execution may be served on the

1.13

judgment debtor's employer. The notice must: (1) be substantially in the form set forth

1.14

below; (2) be served personally, in the manner of a summons and complaint, or by first

1.15

class mail to the last known address of the judgment debtor; (3) inform the judgment debtor

1.16

that an execution levy may be served on the judgment debtor's employer in ten days, and

1.17

that the judgment debtor may, within that time, cause to be served on the judgment creditor

1.18

a signed statement under penalties of perjury asserting an entitlement to an exemption from

1.19

execution; (4) inform the judgment debtor of the earnings exemptions contained in section

1.20

550.37, subdivision 14; and (5) advise the judgment debtor of the relief set forth in this

1.21

chapter to which the debtor may be entitled if a judgment creditor in bad faith disregards a

1.22

valid claim and the fee, costs, and penalty that may be assessed against a judgment debtor

1.23

who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the

1.24

execution process. The notice requirement of this subdivision does not apply to a levy on

earnings being retained by an employer pursuant to a garnishment previously served in compliance with chapter 571.

The ten-day notice informing a judgment debtor that a writ of execution may be used to levy the earnings of an individual must be substantially in the following form:

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF JUDICIAL DISTRICT

..... (Judgment Creditor)

against

EXECUTION EXEMPTION

..... (Judgment Debtor) NOTICE AND NOTICE OF INTENT TO

and

LEVY ON EARNINGS

..... (Third Party)

State of Minnesota

District Court

County of: Judicial District:

Court File Number:

Case Type:

Creditor's full name

Execution Exemption

against

Notice and Notice of

Debtor's full name

Intent to Levy on Earnings

.....

and

Third Party (bank, employer, or other)

.....

~~PLEASE TAKE NOTICE that a levy may be served upon your employer or other third parties, without any further court proceedings or notice to you, ten days or more from the date hereof. Your earnings are completely exempt from execution levy if you are now a recipient of relief based on need, if you have been a recipient of relief within the last six months, or if you have been an inmate of a correctional institution in the last six months.~~

~~Relief based on need includes Minnesota Family Investment Program (MFIP), Emergency Assistance (EA), Work First, Medical Assistance (MA), General Assistance (GA), Emergency General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

~~If you wish to claim an exemption, you should fill out the appropriate form below, sign it, and send it to the judgment creditor's attorney.~~

~~You may wish to contact the attorney for the judgment creditor in order to arrange for a settlement of the debt or contact an attorney to advise you about exemptions or other rights.~~

Notice: A levy may be served on your employer or other third parties. **A levy means that part of your earnings can be taken to pay off debts that you owe.** This can happen in 10 days or more after you get this notice. This can happen without any other court action or notice to you. **But some of your money may be protected.**

Your earnings cannot be taken if:

(i) you are getting government assistance based on need,

(ii) you got any government assistance based on need in the last 6 months, or

(iii) you were an inmate of a correctional institution in the last 6 months.

These are called exemptions. Your money is NOT protected unless you fill out the Exemption Claim Notice attached and send it back to the creditor or the creditor's lawyer. If you are not sure if you have any exemptions, talk to a lawyer.

You can also contact the creditor or their lawyer to talk about a settlement of the debt.

Examples of government assistance based on need:

(i) **MFIP** - Minnesota Family Investment Program

(ii) **DWP** - MFIP Diversionary Work Program

(iii) **SNAP** - Supplemental Nutrition Assistance Program

(iv) **GA** - General Assistance

(v) **EGA** - Emergency General Assistance

(vi) **MSA** - Minnesota Supplemental Aid

(vii) **MSA-EA** - MSA Emergency Assistance

(viii) **EA** - Emergency Assistance

(ix) **Energy or Fuel Assistance**

(x) **Work Participation Cash Benefit**

(xi) **MA** - Medical Assistance

(xii) **MinnesotaCare**

(xiii) **Medicare Part B** - Premium Payments help

- 4.1

(xiv) Medicare Part D - Extra
- 4.2

(xv) SSI - Supplemental Security Income
- 4.3

(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), MN Working family
- 4.4

credit
- 4.5

(xvii) Renter's Refund (also called Renter's Property Tax Credit)

PENALTIES

Warnings and Fines

- 4.8

~~(1) Be advised that~~ Even if you claim an exemption, ~~an execution~~ a levy may still be
- 4.9

served on your employer. If ~~your earnings are levied on~~ they take money from you after
- 4.10

you claim an exemption, you may ~~petition~~ ask the court ~~for a determination of~~ to review
- 4.11

your exemption. If the court finds that the judgment creditor ~~disregarded~~ ignored your
- 4.12

claim of exemption in bad faith, you ~~will be~~ are entitled to costs, reasonable ~~attorney~~
- 4.13

lawyer fees, actual damages, and ~~an amount not~~ a fine up to ~~exceed~~ \$100. Bad faith is
- 4.14

when someone does something wrong on purpose.
- 4.15

~~(2) HOWEVER, BE WARNED BUT~~ if you claim an exemption, the judgment creditor
- 4.16

can also ~~petition~~ ask the court ~~for a determination of~~ to review your exemption, ~~and~~. If
- 4.17

the court finds that you claimed an exemption in bad faith, you ~~will be assessed~~ are
- 4.18

charged costs and reasonable ~~attorney's~~ lawyer fees ~~plus an amount not~~ and a fine up to
- 4.19

~~exceed~~ \$100.
- 4.20

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution~~
- 4.21

~~levy, thus requiring the judgment creditor to petition the court to resolve the problem,~~
- 4.22

~~you will be liable to the judgment creditor for costs and reasonable attorney's fees plus~~
- 4.23

~~an amount not to exceed \$100.~~
- 4.24

(3) If you get this notice, then do something in bad faith to try to block or stop the levy
- 4.25

and the creditor has to take you to court because of it, you will have to pay the creditor's
- 4.26

costs, and reasonable lawyer fees, and a fine up to \$100.

4.27

DATED:

4.28

.....

4.29

(Attorney for Judgment Creditor)

4.30

.....

4.31

Address

4.32

.....

4.32

Telephone

5.1 Date:

5.2 Creditor's Signature:

5.3 (or creditor's lawyer's signature)

5.4 Creditor's Name:

5.5 (or creditor's lawyer's name)

5.6 Street Address:

5.7 City/State/Zip:

5.8 Phone: Fax:

5.9 Email:

5.10 **JUDGMENT Debtor's Exemption Claim Notice**

5.11 I ~~hereby~~ claim that my earnings are exempt ~~from execution~~ because: (check all that

5.12 apply)

5.13 ~~(1) ...~~ I am ~~presently a recipient of relief~~ getting government assistance based on need.

5.14 ~~(Specify State~~ the program, case number if you know it, and the county ~~from which~~

5.15 ~~relief is being received~~ you got it from.)

5.16

5.17 Program Case Number (if known) County

5.18 Program: Case #: County:

5.19 Program: Case #: County:

5.20 Program: Case #: County:

5.21 ~~(2) ...~~ I am not ~~now receiving relief~~ getting assistance based on need right now, but I

5.22 ~~have received relief~~ did get government assistance based on need within the last ~~six~~ 6

5.23 months. ~~(Specify State~~ the program, case number if you know it, and the county you got

5.24 it from ~~which relief has been received.~~)

5.25

5.26 Program Case Number (if known) County

5.27 Program: Case #: County:

5.28 Program: Case #: County:

5.29 Program: Case #: County:

5.30 ~~(3) ...~~ I ~~have been~~ was an inmate of a correctional institution within the last ~~six~~ 6 months.

5.31 ~~(Specify State~~ the correctional institution and location.)

5.32

5.33 Correctional Institution Location

~~I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above named judgment creditor or the judgment creditor's attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institution within the last six months. I have mailed or delivered a copy of this form to the judgment creditor or judgment creditor's attorney.~~

.....

Debtor

.....

Address

.....

Debtor Telephone Number

I give my permission to any agency listed above to give information about my benefits to the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the last 6 months, I give my permission to the correctional institution to tell the creditor named above or the creditor's lawyer that I was an inmate there.

Date:

Debtor's Signature:

Debtor's Name:

Street Address:

City/State/Zip:

Phone:

Email:

Sec. 2. Minnesota Statutes 2024, section 550.136, subdivision 9, is amended to read:

Subd. 9. **Execution earnings disclosure form and worksheet.** The judgment creditor shall provide to the sheriff for service upon the judgment debtor's employer an execution earnings disclosure form and an earnings disclosure worksheet with the writ of execution, that must be substantially in the form set forth below.

STATE OF MINNESOTA

COUNTY OF

..... (Judgment Creditor)

against

DISTRICT COURT

..... JUDICIAL DISTRICT

FILE NO.

EARNINGS

7.1 (~~Judgment Debtor~~) ~~EXECUTION~~
7.2 ~~and~~ ~~DISCLOSURE~~
7.3 (~~Third Party~~)

7.4 **State of Minnesota** **District Court**

7.5 County of: Judicial District:

7.6 Court File Number:

7.7 Case Type:

7.8 Creditor's full name

7.9 **Earnings Execution Disclosure**

7.10 and **For Non-Child Support Judgments**

7.11 Debtor's full name

7.12

7.13 Third Party (bank, employer, or other)

7.14

7.15 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the
7.16 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy
7.17 of this form for their own information.

7.18 The employer is also called the "third party garnishee" or "third party." The debtor is
7.19 also called a "judgment debtor." If the debtor asks how the calculations in this document
7.20 were made, the employer **must** provide information about it.

7.21 ~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or~~
7.22 ~~payable to an employee for personal services or compensation paid or payable to the producer~~
7.23 ~~for the sale of agricultural products; milk or milk products; or fruit or other horticultural~~
7.24 ~~products produced when the producer is operating a family farm, a family farm corporation,~~
7.25 ~~or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether~~
7.26 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~
7.27 ~~payments pursuant to a pension or retirement.~~

7.28 ~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining~~
7.29 ~~after the deduction from those earnings of amounts required by law to be withheld. (Amounts~~
7.30 ~~required by law to be withheld do not include items such as health insurance, charitable~~
7.31 ~~contributions, or other voluntary wage deductions.)~~

7.32 **DEFINITIONS**

7.33 **"Earnings": what is paid or payable to an employee, independent contractor, or**
7.34 **self-employed person for personal services (a job). Also called compensation. Compensation**

can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance payment, fees, or other. It includes periodic payments from a pension or retirement. It can also be compensation paid or payable to a producer for the sale of agricultural products. This can be things like milk or milk products, or fruit or other horticultural products. Or things produced in the operation of a family farm, a family farm corporation, or an authorized farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

"Disposable Earnings": the part of a person's earnings that are left after subtracting the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld do not include things like health insurance, charitable contributions, or other voluntary wage deductions.

"Payday": ~~For the purpose of execution, "payday(s)" means the date(s) upon which~~ the date when the employer pays earnings to the debtor ~~in the ordinary course of business for doing their job.~~ If the judgment debtor has no regular payday, ~~payday(s)~~ then "payday" means the 15th and the last day of each month.

The Third Party/Employer Must Answer The Following Questions:

(1) Right now, do you ~~now owe, or within 90 days from the date the execution levy was served on you,~~ will you or may you owe money to the judgment debtor for earnings?

Yes No

(2) ~~Does the judgment debtor earn more than \$... per week? (this amount is the greater of \$9.50 per hour or the federal minimum wage per week)~~

(2) Within 90 days from the date you were served with the levy, will you or may you owe money to the debtor for earnings?

Yes No

(3) Does the debtor earn more than the current Minnesota or federal minimum wage per week? (use the number that is more)

Yes No

A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation below and return this disclosure form to the sheriff. You must return it within 20 days after it was served on you.

B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.

Earnings Disclosure Affirmation

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure and have done so truthfully and to the best of my knowledge.

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

Instructions for Completing the Earnings Disclosure Worksheet

~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation below and return this disclosure to the sheriff within 20 days after it was served on you, and you do not need to answer the remaining questions.~~

~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows:~~

For each payday that falls within 90 days from the date the execution levy was served on you, you **must** calculate the amount of earnings to be ~~retained by completing steps 3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.~~ UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE withheld. Enter the amounts on the Earnings Disclosure Worksheet.

You must:

(1) Withhold the amount of earnings listed in Column I on the Earnings Disclosure Worksheet each payday.

(2) After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all the money withheld. Sign the Affirmation at the end of the worksheet before returning.

(3) Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the last payday that falls within the 90-day period.

10.1 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period
 10.2 is over, you need to do the last disclosure and withholdings within 10 days of their last
 10.3 payday that you withheld money.

10.4 ~~Each payday, you must retain the amount of earnings listed in column I on the Earnings~~
 10.5 ~~Disclosure Worksheet.~~

10.6 ~~You must pay the attached earnings and return this earnings disclosure form and the~~
 10.7 ~~Earnings Disclosure Worksheet to the sheriff and deliver a copy of the disclosure and~~
 10.8 ~~worksheet to the judgment debtor within ten days after the last payday that falls within~~
 10.9 ~~the 90-day period. If the judgment is wholly satisfied or if the judgment debtor's~~
 10.10 ~~employment ends before the expiration of the 90-day period, your disclosure and~~
 10.11 ~~remittance should be made within ten days after the last payday for which earnings were~~
 10.12 ~~attached.~~

10.13 ~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure~~
 10.14 ~~Worksheet.~~

10.15	(3)	COLUMN A.	Enter the date of judgment debtor's payday.
10.16	(4)	COLUMN B.	Enter judgment debtor's gross earnings for each payday.
10.17	(5)	COLUMN C.	Enter judgment debtor's disposable earnings for each
10.18			payday.
10.19	(6)	COLUMN D.	Enter 25 percent of disposable earnings. (Multiply
10.20			column C by .25.)
10.21	(7)	COLUMN E.	Enter here the greater of 40 times \$9.50 or 40 times the
10.22			hourly federal minimum wage (\$.....) times the
10.23			number of work weeks included in each payday. (Note:
10.24			If a payday includes days in excess of whole work
10.25			weeks, the additional days should be counted as a
10.26			fraction of a work week equal to the number of
10.27			workdays in excess of a whole work week divided by
10.28			the number of workdays in a normal work week.)
10.29	(8)	COLUMN F.	Subtract the amount in column E from the amount in
10.30			column C, and enter here.
10.31	(9)	COLUMN G.	Enter here the lesser of the amount in column D and the
10.32			amount in column F.
10.33	(10)	COLUMN H.	Enter here any amount claimed by you as a setoff,
10.34			defense, lien, or claim, or any amount claimed by any
10.35			other person as an exemption or adverse interest which
10.36			would reduce the amount of earnings owing to the
10.37			judgment debtor. (Note: Any indebtedness to you
10.38			incurred within ten days prior to your receipt of the first
10.39			execution levy on a debt may not be set off against the
10.40			earnings otherwise subject to this levy. Any wage
10.41			assignment made by the judgment debtor within ten
10.42			days prior to your receipt of the first execution levy on
10.43			a debt is void.)

11.1

11.2

11.3

11.4

You must also describe your claim(s) and the claims of others, if known, in the space provided below the worksheet and state the name(s) and address(es) of these persons.

11.5

11.6

11.7

Enter zero in column H if there are no claims by you or others which would reduce the amount of earnings owing to the judgment debtor.

11.8

11.9

11.10

11.11

(11) COLUMN I: Subtract the amount in column H from the amount in column G and enter here. This is the amount of earnings that you must remit for the payday for which the calculations were made.

11.12

AFFIRMATION

11.13

11.14

11.15

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure, and have done so truthfully and to the best of my knowledge.

11.16

DATED:

11.17

Signature

11.18

.....

11.19

Title

11.20

.....

11.21

Telephone Number

11.22

EARNINGS DISCLOSURE WORKSHEET

11.23

Debtor's Name

11.24

Calculating Percentage of Disposable Earnings

11.25

Note to Creditor: You must fill out this chart before sending this form to the employer.

11.26

Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

11.27

Minimum Wage = \$MW/hour.

11.28

11.29

then this percentage of the disposable earnings are withheld:

11.30

if the weekly gross earnings are:

11.31

Less than [40 X MW] 0%

11.32

[40 X MW + .01] to [60 X MW] 10%

11.33

[60 X MW + .01] to [80 X MW] 15%

11.34

[80 x MW + .01] or more 25%

11.35

Employer: Use this creditor's calculation chart to know what percentage of earnings should be withheld.

11.36

Earnings Disclosure Worksheet

12.1

.....

12.2

Debtor's name

12.3		B - Gross	C - Disposable
12.4	A - Payday Date	Earnings	Earnings
12.5	1.	\$	\$
12.6	2. ....	.....	.....
12.7	3. ....	.....	.....
12.8	4. ....	.....	.....
12.9	5. ....	.....	.....
12.10	6. ....	.....	.....
12.11	7. ....	.....	.....
12.12	8. ....	.....	.....
12.13	9. ....	.....	.....
12.14	10. ....	.....	.....

12.15

Column A. Enter the debtor's payday.

12.16

Column B. Enter the debtor's gross earnings for each payday.

12.17

Column C. Enter the debtor's disposable earnings for each payday.

12.18	D 25 - % of	E - Greater of 40	
12.19	<u>withholding of</u>	X \$9.50 or 40 X	
12.20	Column C (Use the	<u>MN or Fed.</u>	F - Column C
12.21	<u>creditor's calculation)</u>	Min. Wage	minus Column E
12.22	1. ....	.....	.....
12.23	2. ....	.....	.....
12.24	3. ....	.....	.....
12.25	4. ....	.....	.....
12.26	5. ....	.....	.....
12.27	6. ....	.....	.....
12.28	7. ....	.....	.....
12.29	8. ....	.....	.....
12.30	9. ....	.....	.....
12.31	10. ....	.....	.....

12.32

Column D. Enter the percentage of disposable earnings that will be withheld. Get this

12.33

number from the creditor's calculation chart.

12.34

Column E. Calculate 40 times the current MN minimum wage (or 40 times the current

12.35

federal minimum wage) times the number of work weeks in each payday. Enter the bigger

12.36

number here. **Note:** If a payday has extra days that are more than a full work week, count

13.1

those extra days as part of a work week. Do this by dividing the number of extra workdays

13.2

by the number of workdays in a normal week.

13.3

Column F. Subtract the amount in Column E from the amount in Column C and enter

13.4

here.

13.5		H - Setoff, Lien,	
13.6	G - Lesser of	Adverse	I - Column G
13.7	Column D and	Interest, or	minus Column
13.8	Column F	Other Claims	H
13.9	1. ....	.....	.....
13.10	2. ....	.....	.....
13.11	3. ....	.....	.....
13.12	4. ....	.....	.....
13.13	5. ....	.....	.....
13.14	6. ....	.....	.....
13.15	7. ....	.....	.....
13.16	8. ....	.....	.....
13.17	9. ....	.....	.....
13.18	10. ....	.....	.....

13.19

TOTAL OF COLUMN I \$

13.20

Column G. Look at Column D and Column F. Enter the smaller amount of the two here

13.21

in Column G.

13.22

Column H. Enter any amount claimed by you that would lower the amount of earnings

13.23

that will go to the debtor. Things like:

13.24

(i) a setoff,

13.25

(ii) a defense,

13.26

(iii) a lien,

13.27

(iv) a claim, or

13.28

(v) any amount claimed by any other person as an exemption or adverse interest.

13.29

Note: You must describe your claim(s) and the claims of others, if known, in the spaces

13.30

after this worksheet.

13.31

Enter zero in Column H if there are no claims by you or others which would lower the

13.32

amount of earnings owed to the debtor.

14.1 **Note:** Any debt that happened within 10 days before you got the first levy on a debt
14.2 may not be set off against the earnings that are affected by this levy. Any wage assignment
14.3 made by the debtor within 10 days before you got the first levy on a debt is void. Wage
14.4 assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

14.5 **Column I.** Subtract the amount in Column H from the amount in Column G and enter
14.6 here. This is the amount of earnings that go to the creditor.

14.7 ***If you entered any amount in Column H for any payday(s) payday, you must describe**
14.8 **those claims below ~~either your claims, or the claims of others~~. It doesn't matter if they are**
14.9 **your claims, or the claims of others. For ~~amounts claimed~~ claims by others, you must both**
14.10 **~~state~~ list the names and addresses of ~~such persons~~ each, and ~~the nature of~~ describe their**
14.11 **~~claim~~ claims, if ~~known~~ you know.**

14.12

14.13

14.14

14.15

14.16 Earnings Worksheet Affirmation

14.17 I, (person signing Affirmation), am the third party party/employer or I am
14.18 authorized by the third party party/employer to complete this earnings disclosure worksheet,
14.19 and have done so truthfully and to the best of my knowledge.

14.21 Signature

14.22 ~~Dated:~~ ()

14.23	Title	Phone Number
-------	-------	--------------

14.24 Date:

14.25 Third Party's Name:

14.26 Third Party's Signature:

14.27 Phone: Fax:

14.28 Email:

14.29 Sec. 3. Minnesota Statutes 2024, section 550.143, subdivision 2, is amended to read:

14.30 Subd. 2. **Disclosure form.** Along with the writ of execution, the notice, instructions,
14.31 and the exemption notice described in subdivision 3, the sheriff shall serve upon the financial
14.32 institution an execution disclosure form which must be substantially in the following form:

15.1 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~
 15.2 ~~COUNTY OF~~ ~~JUDICIAL DISTRICT~~
 15.3 ~~.....(Judgment Creditor)~~
 15.4 ~~against~~ ~~FINANCIAL INSTITUTIONS~~
 15.5 ~~.....(Judgment Debtor)~~ ~~EXECUTION~~
 15.6 ~~and~~ ~~DISCLOSURE~~
 15.7 ~~.....(Third Party)~~

15.8 State of Minnesota District Court
 15.9 County of: Judicial District:
 15.10 Court File Number:
 15.11 Case Type:
 15.12 Creditor's full name
 15.13 Execution Disclosure
 15.14 against
 15.15 Debtor's full name
 15.16
 15.17 and
 15.18 Third Party (bank, employer, or other)
 15.19

15.20 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you
 15.21 because you might be holding property that belongs to the debtor, or you might owe money
 15.22 to the debtor.

15.23 You are the "third party" or "garnishee." The "debtor" is the person who owes money.
 15.24 The debtor is also called the "judgment debtor." The creditor is the person the debtor owes
 15.25 money to. The creditor is also called the "judgment creditor." The debtor owes
 15.26 \$..... to the creditor.

15.27 You must list any money or property you owe the debtor on the lines below and sign
 15.28 the affirmation. Write "none" on the line if that is your answer. You must then return this
 15.29 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

15.30 ~~On the day of,, the time of service of execution herein, there was due~~
 15.31 ~~and owing the judgment debtor from the third party the following:~~

15.32 Fill in the date you got this disclosure:
 15.33 (month) (day), (year)

15.34 On the date you got this disclosure, you owed the debtor:

16.1 (1) Money. ~~Enter on the line below any amounts due and owing the judgment debtor,~~
16.2 ~~except earnings, from the third party.~~ Write down the amount of money you owe the debtor
16.3 (except earnings).

16.4

16.5 (2) Property. Write a short description of any personal property, instruments, or papers
16.6 belonging to the debtor that you have in your possession. List the monetary value of each
16.7 thing.

16.8

16.9 ~~(2) (3) Setoff. Enter on the line below the amount of any setoff, defense, lien, or claim~~
16.10 ~~which the third party claims against the amount set forth on line (1). State the facts by which~~
16.11 ~~such setoff, defense, lien, or claim is claimed. (Any indebtedness to a third party incurred~~
16.12 ~~by the judgment debtor within ten days prior to the receipt of the first execution levy on a~~
16.13 ~~debt is void as to the judgment creditor.)~~ If you claim a setoff, defense, lien, or claim against
16.14 the amount on lines (1) and (2) above, enter that amount on the line below. State the facts
16.15 about your claim. **Note:** Any payment the debtor makes to the garnishee within the 10 days
16.16 before they get the first garnishment order on that debt can't be used to lower the amount
16.17 that is being garnished.

16.18

16.19 ~~(3) (4) Exemption. Enter~~ any amounts or property that the debtor claims is exempt on
16.20 the line below ~~any amounts or property claimed by the judgment debtor to be exempt from~~
16.21 ~~execution.~~

16.22

16.23 ~~(4) (5) Adverse Interest. Enter on the line below any amounts claimed by other persons~~
16.24 ~~by reason of ownership or interest in the judgment of the debtor's property that other people~~
16.25 claim they own or have interest in.

16.26

16.27 ~~(5) (6) Enter on the line below the total of lines (2), (3), and (4) (3), (4), and (5) on the~~
16.28 line below.

16.29

16.30 ~~(6) (7) Enter on the line below the difference obtained (never less than zero) when line~~
16.31 ~~(5) (6) is subtracted from the amount on line~~ sum of lines (1) and (2) on the line below.

16.32

17.1

(7) ~~Enter on the line below~~ (8) Figure out 110 percent of the amount of the judgment

17.2

creditor's claim which ~~remains~~ is still unpaid. Enter it on the line below.

17.3

.....

17.4

(8) ~~Enter on the line below the lesser of line (6) and line (7). You are hereby instructed~~

17.5

~~to remit this amount only if it is \$10 or more.~~

17.6

(9) Look at (7) and (8). Put the smaller number on the line below. Hold this amount only

17.7

if it is \$10 or more.

17.8

.....

17.9

AFFIRMATION

17.10

I, (person signing Affirmation), am the ~~third party~~ garnishee or I am

17.11

authorized by the ~~third party~~ garnishee to complete this ~~non-earnings~~ non-earnings

17.12

garnishment disclosure, and have done so truthfully and to the best of my knowledge.

17.13

~~Dated:~~

17.14

~~Signature~~

17.15

.....

17.16

~~Title~~

17.17

.....

17.18

~~Telephone Number~~

17.19

Date:

17.20

Name:

17.21

Signature:

17.22

Title:

17.23

Phone: Email:

17.24

Sec. 4. Minnesota Statutes 2024, section 550.143, subdivision 3a, is amended to read:

17.25

Subd. 3a. **Form of notice.** The notice required by subdivision 3 must be provided as a

17.26

separate form and must be substantially in the following form:

17.27

STATE OF MINNESOTA DISTRICT COURT

17.28

COUNTY OF JUDICIAL DISTRICT

17.29

.....(Creditor)

17.30

.....(Debtor)

17.31

.....(Financial institution)

18.1 **State of Minnesota** **District Court**
 18.2 County of: Judicial District:
 18.3 Court File Number:
 18.4 Case Type:

18.5 Creditor's full name

18.6

Notice of Levied Funds

18.7 Debtor's full name

18.8

18.9 Third Party (bank, employer, or other)

18.10

IMPORTANT NOTICE

~~YOUR FUNDS HAVE BEEN LEVIED~~

Money in Your Account Has Been Frozen

18.14 The creditor has frozen money in your account at your ~~financial institution~~ bank.

18.15 **Your account balance is \$.....**

18.16 **The amount being held is \$.....**

18.17 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

18.18 **Some of your money in your account may be protected (the legal word is exempt).**

18.19 **You may be able to get it sooner than 14 days if you act quickly and follow the**

18.20 **instructions on the next page.**

18.21 The attached exemption form lists some different ~~sources of~~ ways money in your account

18.22 ~~that~~ may be protected. If your money ~~is~~ comes from ~~one or more of these sources~~ a benefit

18.23 on this list, place put a check on the line on the form next to the sources of your money in

18.24 the box next to it. If it is from one of these sources, The creditor cannot can't take it.

18.25 **BUT, if you want the bank to unfreeze your money, you must follow the instructions**

18.26 **and return the exemption form and with copies of your bank statements from the last**

18.27 **60 days to have the bank unfreeze your money. Instructions and the form are attached.** If

18.28 you ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the

18.29 money to ~~the Sheriff~~ your creditor. If your creditor gets an order from the court or writ of

18.30 execution, your bank gives the money to them. If that happens and ~~if~~ your money is protected,

18.31 you can still get it back from the creditor later, ~~but that is not as easy to do as filling in the~~

18.32 ~~form now.~~ But filling out the form now is easiest.

18.33 ~~See next pages for instructions and the exemption form.~~

19.1 See the attached *Exemption Form Instructions* and *Exemption Form* for your next steps.

19.2 Sec. 5. Minnesota Statutes 2024, section 550.143, subdivision 3b, is amended to read:

19.3 Subd. 3b. **Form of instructions.** The instructions required by this section must be in a
19.4 separate form and must be substantially in the following form:

19.5 **Exemption Form Instructions**

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

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

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

19.12 **To avoid a hearing:**

19.13 (i) Case numbers should be added to the form.

19.14 (ii) Copies of documents should be sent with the form.

19.15 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies
19.16 of your bank statements for the past 60 days before the ~~levy garnishment~~. Send them to the
19.17 creditor's lawyer (or to the creditor, if there isn't a lawyer). Keep a copy of your bank
19.18 statements in case there are questions about your claim. If you ~~do not~~ don't send bank
19.19 statements to the creditor's ~~attorney lawyer~~ (or to the creditor, ~~if no attorney~~) bank statements
19.20 along with your exemption claim, the financial institution may ~~release~~ give your money to
19.21 the Sheriff creditor. They would do this once the creditor gives them a court order saying
19.22 they have to turn over the funds.

19.23 2. **Sign** the exemption forms. **Make ~~one~~ a copy to keep for yourself.**

19.24 3. **Mail or deliver** the other copies of the form by (insert date).

19.25 **Both Copies Must Be Mailed or Delivered the Same Day.**

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

19.27

19.28 (~~Insert name of creditor or creditor's attorney~~)

19.29

19.30 (~~Insert address of creditor or creditor's attorney~~)

20.1 ~~One copy goes to:~~

20.2

20.3 ~~(Insert name of bank)~~

20.4

20.5 ~~(Insert address of bank)~~

20.6 Creditor's Name:

20.7 (or creditor's lawyer's name)

20.8 Street Address:

20.9 City/State/Zip:

20.10 Phone: Fax:

20.11 Email:

20.12 One copy goes to:

20.13 Bank's Name:

20.14 Street Address:

20.15 City/State/Zip:

20.16 Phone: Fax:

20.17 Email:

20.18 **How The Process Works**

20.19 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

20.20 14 days after the date of this letter some or all of your money may be turned over to the
20.21 creditor ~~or to the sheriff~~. This happens once they get an order from the court telling the bank
20.22 to do this.

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

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

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

20.27 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after
20.28 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the
20.29 creditor's lawyer to send a release letter to the bank.

20.30 **If the Creditor Objects to Your Claimed Exemptions:**

21.1 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The
21.2 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You
21.3 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

21.4 The ~~financial institution will hold~~ bank holds the money until a court decides whether
21.5 if your money is protected or not. Some reasons a creditor may object are because you ~~did~~
21.6 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~
21.7 got. Be sure to include these when you send your exemption form.

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

21.10 ~~PENALTIES:~~

21.11 Warnings and Fines

21.12 If you claim that your money is protected and a court decides you made that claim in
21.13 bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,
21.14 and ~~an additional amount of~~ a fine up to \$100. Bad faith is when someone does something
21.15 wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government
21.16 benefits ~~that~~ and you ~~do not receive~~ don't.

21.17 If the creditor made a bad faith objection to your claim that your money is protected,
21.18 the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~
21.19 ~~amount of~~ a fine up to \$100.

21.20 Sec. 6. Minnesota Statutes 2024, section 550.143, subdivision 3c, is amended to read:

21.21 Subd. 3c. **Form of exemption form.** The exemption form required by this subdivision

21.22 must be sent as a separate form and must be in substantially the following form:

21.23 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

21.24 ~~COUNTY OF~~ ~~.....JUDICIAL DISTRICT~~

21.25 ~~.....(Creditor)~~

21.26 ~~.....(Debtor)~~

21.27 ~~.....(Financial institution)~~

21.28	<u>State of Minnesota</u>	<u>District Court</u>
21.29	<u>County of:</u>	<u>Judicial District:</u>
21.30		<u>Court File Number:</u>
21.31		<u>Case Type:</u>

21.32 Creditor's full name

21.33 **Exemption Form**

22.1 against

22.2 Debtor's full name

22.3

22.4 Bank's name

22.5

22.6 **EXEMPTION FORM**

22.7 **A. How Much Money is Protected (Exempt)**

22.8 I claim ALL of the money being frozen by the bank is protected.

22.9 I claim SOME of the money is protected. The amount I claim is protected is \$.....

22.10 **B. Why The Money is Protected**

22.11 My money is protected because I get it from one or more of the following places:
22.12 *(Check all that apply)*

22.13 **Earnings (Wages)**

22.14 ALL or SOME of my wages may be protected.

22.15 Some of my wages are protected because they were only deposited in my account
22.16 in the last 20 days.

22.17 For wages that were deposited in your account within the last 20 days, the amount
22.18 protected is whichever is more:

22.19 (i) 75% or more of your wages (after taxes are taken out), or

22.20 (ii) The current minimum wage times 40 per week. You can find the current minimum
22.21 wage here: <https://www.dli.mn.gov/minwage>.

22.22 All of my wages are protected because:

22.23 I get government benefits (a list of government benefits is on the next page)

22.24 I am getting other assistance based on need

22.25 I have gotten government benefits in the last 6 months

22.26 I was in jail or prison in the last 6 months

22.27 If you check one of these 4 boxes, your wages are only protected for 60 days after
22.28 they are deposited in your account. You **MUST send the creditor copies of bank**
22.29 **statements** that show what was in your account **for the 60 days right before the**
22.30 **bank froze your money.**

22.31 **Government benefits**

22.32 Government benefits ~~include, but are not limited to, the following~~ can include many
22.33 things. For example:

22.34 ~~MFIP – Minnesota Family Investment Program,~~

22.35 ~~MFIP Diversionary Work Program,~~

22.36 ~~Work participation cash benefit,~~

22.37 ~~GA – General Assistance,~~

22.38 ~~EA – emergency assistance,~~

22.39 ~~MA – medical assistance,~~

22.40 ~~EGA – emergency general assistance,~~

- 23.1 ~~MSA - Minnesota Supplemental Aid,~~
 23.2 ~~MSA-EA - MSA Emergency Assistance,~~
 23.3 ~~Supplemental Nutrition Assistance Program (SNAP),~~
 23.4 ~~SSI - Supplemental Security Income,~~
 23.5 ~~MinnesotaCare,~~
 23.6 ~~Medicare Part B premium payments,~~
 23.7 ~~Medicare Part D extra help,~~
 23.8 ~~Energy or fuel assistance.~~
 23.9 (i) MFIP - Minnesota Family Investment Program
 23.10 (ii) DWP - MFIP Diversionary Work Program
 23.11 (iii) SNAP - Supplemental Nutrition Assistance Program
 23.12 (iv) GA - General Assistance
 23.13 (v) EGA - Emergency General Assistance
 23.14 (vi) MSA - Minnesota Supplemental Aid
 23.15 (vii) MSA-EA - MSA Emergency Assistance
 23.16 (viii) EA - Emergency Assistance
 23.17 (ix) Energy or Fuel Assistance
 23.18 (x) Work Participation Cash Benefit
 23.19 (xi) MA - Medical Assistance
 23.20 (xii) MinnesotaCare
 23.21 (xiii) Medicare Part B - Premium Payments help
 23.22 (xiv) Medicare Part D - Extra
 23.23 (xv) SSI - Supplemental Security Income
 23.24 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), MN Working family
 23.25 credit
 23.26 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

23.27 **LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT**

- 23.28
- 23.29 List the case number and county for every box you checked:
- 23.30 Case Number: County:
- 23.31 Case Number: County:
- 23.32 Case Number: County:
- 23.33 County:
- 23.34 Government benefits also include:
- 23.35 Social Security benefits
- 23.36 Unemployment benefits
- 23.37 Workers' compensation
- 23.38 ~~Veterans~~ Veterans' benefits

24.1 If you ~~receive~~ get any of these government benefits, include copies of any documents
 24.2 you have that show you receive Social Security, unemployment, workers'
 24.3 compensation, or veterans benefits get them.

24.4 ~~Other assistance based on need~~

24.5 ~~..... I get other assistance based on need that is not on the list. It comes from:~~

24.6 ~~.....~~

24.7 Make sure you include copies of any documents that show this.

24.8 ~~You may have assistance based on need from another source that is not on the list. If you~~
 24.9 ~~do, check this box, and fill in the source of your money on the line below:~~

24.10 ~~Source:.....~~

24.11 ~~Include copies of any documents you have that show the source of this money.~~

24.12 **EARNINGS**

24.13 ~~ALL or SOME of your earnings (wages) may also be protected.~~

24.14 ~~..... All of your earnings (wages) are protected if:~~

24.15 ~~..... You get government benefits (see list of government benefits)~~

24.16 ~~..... You currently receive other assistance based on need~~

24.17 ~~..... You have received government benefits in the last six months~~

24.18 ~~..... You were in jail or prison in the last six months~~

24.19 ~~If you check one of these lines, your wages are only protected for 60 days after~~
 24.20 ~~they are deposited in your account so you MUST send the creditor a copy of~~
 24.21 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~
 24.22 ~~before the bank froze your money.~~

24.23 ~~..... Some of your earnings (wages) are protected.~~

24.24 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
 24.25 ~~for 20 days after they were deposited in your account. The amount protected is the~~
 24.26 ~~larger amount of:~~

24.27 ~~75 percent of your wages (after taxes are taken out); or~~

24.28 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

24.29 **C. Other Exempt Protected Funds**

24.30 The money from ~~the following~~ these things are also completely protected after they
 24.31 are deposited in your my account.

24.32 ~~..... Child support~~

24.33 ~~..... An accident, disability, or retirement~~ A retirement, disability, or accident pension
 24.34 or annuity

24.35 ~~..... Earnings of my child who is under 18 years of age~~

24.36 ~~..... Payments to you~~ me from a life insurance policy

24.37 ~~..... Earnings of your child who is under 18 years of age~~

24.38 ~~..... Child support~~

24.39 ~~..... Money paid to you~~ me from a claim for damage or destruction of property. Property
 24.40 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business

25.1 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,
25.2 furniture, or appliances.

25.3 Death benefits paid to ~~you~~ me

25.4 I give my permission to any agency that has given me ~~each~~ benefits to give information
25.5 about my benefits to the ~~above-named~~ creditor; ~~or its attorney~~ named above or to the creditor's
25.6 lawyer. The information will **ONLY** ~~concern whether be if I get~~ benefits or not assistance,
25.7 ~~or whether if I have gotten them~~ assistance in the past ~~six~~ 6 months. If I was an inmate in
25.8 the last 6 months, I give my permission to the correctional institution to tell the creditor
25.9 named above or the creditor's lawyer that I was an inmate there.

25.10 ~~If I was an inmate in the last six months, I give my permission to the correctional~~
25.11 ~~institution to tell the above-named creditor that I was an inmate there.~~

25.12 **You must sign ~~and send this form~~ and send it back to the creditor's ~~Attorney~~ lawyer**
25.13 **(or to the creditor, if there is no attorney lawyer) and the bank. Remember to include**
25.14 **a copy of your bank statements for the past 60 days. Fill in the blanks below and go**
25.15 **back to the instructions to make sure you ~~do~~ did it correctly.**

25.16 I ~~have~~ mailed or delivered a copy of this form to: the creditor's lawyer (or to the creditor,
25.17 if there is no lawyer) at the address listed below.

25.18

25.19 ~~(Insert name of creditor or creditor's attorney)~~

25.20

25.21 ~~(Insert address of creditor or creditor's attorney)~~

25.22 Creditor's Signature:

25.23 (or creditor's lawyer's signature)

25.24 Creditor's Name:

25.25 (or creditor's lawyer's name)

25.26 Street Address:

25.27 City/State/Zip:

25.28 Phone: Fax:

25.29 Email:

25.30 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address
25.31 listed ~~in the instructions.~~ below:

25.32 ~~DATED:~~

25.33 **DEBTOR**

26.1

26.2

DEBTOR ADDRESS

26.3

26.4

DEBTOR TELEPHONE NUMBER

26.5

Bank's Name:

26.6

Street Address:

26.7

City/State/Zip:

26.8

Phone:

Fax:

26.9

Email:

26.10

Date:

26.11

Debtor's Signature:

26.12

Debtor's Name:

26.13

Street Address:

26.14

City/State/Zip:

26.15

Phone:

26.16

Email:

26.17

Sec. 7. Minnesota Statutes 2024, section 551.05, subdivision 1b, is amended to read:

26.18

Subd. 1b. **Form of notice.** The notice must be a separate form and must be substantially

26.19

in the following form:

26.20

STATE OF MINNESOTA

DISTRICT COURT

26.21

COUNTY OF

JUDICIAL DISTRICT

26.22

(Creditor)

26.23

(Debtor)

26.24

(Financial

26.25

institution)

26.26

State of Minnesota

District Court

26.27

County of:

Judicial District:

26.28

Court File Number:

26.29

Case Type:

26.30

Creditor's full name:

26.31

26.32

Debtor's full name:

26.33

26.34

Third Party (bank, employer, or other):

26.35

27.1 **IMPORTANT NOTICE**

27.2 ~~**YOUR FUNDS HAVE BEEN LEVIED**~~

27.3 **Money in Your Account Has Been Frozen**

27.4 The creditor has frozen money in your account at your ~~financial institution~~ bank.

27.5 **Your account balance is \$.....**

27.6 **The amount being held is \$.....**

27.7 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

27.8 **Some of your money in your account may be protected (the legal word is exempt). You**
27.9 **may be able to get it sooner than 14 days if you act quickly and follow the instructions**
27.10 **on the next page.**

27.11 The attached exemption form lists some different ~~sources of~~ ways money in your account
27.12 ~~that~~ may be protected. If your money is ~~from one or more of these sources, place a check~~
27.13 ~~on the line on the form next to the sources of your money. If it is from one of these sources,~~
27.14 ~~the Creditor cannot take it~~ comes from a benefit on this list, put a check on the line next to
27.15 it. The creditor can't take it.

27.16 BUT, if you want the bank to unfreeze your money, you must follow the instructions and
27.17 return the exemption form and with copies of your bank statements from the last 60
27.18 days to have the bank unfreeze your money. Instructions and the form are attached. If you
27.19 ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the money
27.20 ~~to the~~ your creditor. If your creditor gets an order from the court or writ of execution, your
27.21 bank gives the money to them. If that happens and it your money is protected, you can still
27.22 get it back from the creditor later, but that is not as easy to do as filling in the form now.
27.23 But filling out the form now is easiest.

27.24 ~~See next pages for instructions and the exemption form.~~

27.25 Sec. 8. Minnesota Statutes 2024, section 551.05, subdivision 1c, is amended to read:

27.26 Subd. 1c. **Form of instructions.** The instructions required must be in a separate form
27.27 and must be substantially in the following form:

27.28 **INSTRUCTIONS**

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

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

~~If you check one of the lines, you should also give proof that shows that some or all of the money in your account is from one or more of the protected sources. 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.~~

If you check one of the lines, you should also give proof. Use proof that shows 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:

- (i) Case numbers should be added to the form.
- (ii) Copies of documents should be sent with the form.

~~**Notice: YOU MUST SEND TO THE CREDITOR'S ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) COPIES OF YOUR BANK STATEMENTS FOR THE PAST 60 DAYS BEFORE THE LEVY. Keep a copy of your bank statements in case there are questions about your claim. If you do not send to the creditor's attorney (or to the creditor, if no attorney) bank statements with your exemption claim, the financial institution may release your money to the creditor.**~~

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.

- 2. Sign the exemption forms. Make one copy to keep for yourself.**
- 3. Mail or deliver** the other copies of the form by (insert date).

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:
~~(Insert name of creditor or creditor's attorney)~~ (or creditor's lawyer's name)
Street Address:
~~(Insert address of creditor or creditor's attorney)~~ City/State/Zip:

29.1 Phone: Fax:

29.2 Email:

29.3 One copy goes to:

29.4 Bank's Name:

29.5 ~~(Insert name of bank)~~ Street Address:

29.6 City/State/Zip:

29.7 ~~(Insert address of bank)~~ Phone: Fax:

29.8 Email:

29.9 **How The Process Works**

29.10 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

29.11 14 days after the date of this letter some or all of your money may be turned over to the
29.12 creditor ~~pursuant to Minnesota statute.~~ This happens once they get an order from the court
29.13 telling the bank to do this.

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

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

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

29.18 ~~The financial institution will unfreeze your money six business days after the institution~~
29.19 ~~gets your completed form.~~ The bank should unfreeze your money 6 business days after they
29.20 get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a
29.21 release letter to the bank.

29.22 **If the Creditor Objects to Your Claimed Exemptions:**

29.23 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor
29.24 has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will~~
29.25 ~~receive~~ get a Notice of Objection and a Notice of Hearing.

29.26 ~~The financial institution will hold~~ bank holds the money until a court decides ~~whether if~~
29.27 your money is protected or not. Some reasons a creditor may object are because you ~~did~~
29.28 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~
29.29 got. Be sure to include these when you send your exemption form.

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

29.32 **~~PENALTIES~~ Warnings and Fines:**

If you claim that your money is protected and a court decides you made that claim in bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional amount of 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 ~~receive~~ get government benefits ~~that you do not receive~~ 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, ~~attorney~~ lawyer fees, and ~~an additional amount of a fine~~ up to \$100.

Sec. 9. Minnesota Statutes 2024, section 551.05, subdivision 1d, is amended to read:

Subd. 1d. **Form of exemption form.** The exemption form required by this subdivision must be a separate form and must be in substantially the following form:

~~STATE OF MINNESOTA~~

~~COUNTY OF~~

~~.....~~ (Creditor)

~~.....~~ (Debtor)

~~.....~~ (Financial institution)

~~DISTRICT COURT~~

~~.....JUDICIAL DISTRICT~~

State of Minnesota

County of:

District Court

Judicial District:

Court File Number:

Case Type:

Creditor's full name:

.....

Exemption Form

against

Debtor's full name:

.....

Bank's name:

.....

EXEMPTION FORM

A. How Much Money Is Protected (exempt)

..... ... I claim ALL of the money being frozen by the bank is protected.

..... ... I claim SOME of the money is protected. The amount I claim is protected is \$.....

B. Why The Money Is Protected

My money is protected because I get it from one or more of the following places:
(Check all that apply)

- 31.1 **Earnings (Wages)**
- 31.2 ALL or SOME of my wages may be protected.
- 31.3 ... **Some** of my wages are protected because they were only deposited in my
- 31.4 account in the last 20 days.
- 31.5 For wages that were deposited in your account within the last 20 days, the amount
- 31.6 protected is whichever is more:
- 31.7 (i) 75% of your wages or more (after taxes are taken out), or
- 31.8 (ii) The current minimum wage times 40 per week. You can find the current
- 31.9 minimum wage here: <https://www.dli.mn.gov/minwage>.
- 31.10 **All** of my wages are protected because:
- 31.11 ... I get government benefits (a list of government benefits is on the next page)
- 31.12 ... I am getting other assistance based on need
- 31.13 ... I have gotten government benefits in the last 6 months
- 31.14 ... I was in jail or prison in the last 6 months
- 31.15 If you check one of these 4 boxes, your wages are only protected for 60 days
- 31.16 after they are deposited in your account. You **MUST send the creditor copies**
- 31.17 **of bank statements that show what was in your account for the 60 days right**
- 31.18 **before the bank froze your money.**
- 31.19 ~~.....~~ **Government benefits**
- 31.20 Government benefits can include, ~~but are not limited to,~~ the following many things.
- 31.21 For example:
- 31.22 ~~MFIP-- Minnesota family investment program,~~
- 31.23 ~~MFIP Diversionary Work Program,~~
- 31.24 ~~Work participation cash benefit,~~
- 31.25 ~~GA-- general assistance,~~
- 31.26 ~~EA-- emergency assistance,~~
- 31.27 ~~MA-- medical assistance,~~
- 31.28 ~~EGA-- emergency general assistance,~~
- 31.29 ~~MSA-- Minnesota supplemental aid,~~
- 31.30 ~~MSA-EA-- MSA emergency assistance,~~
- 31.31 ~~Supplemental Nutrition Assistance Program (SNAP),~~
- 31.32 ~~SSI-- Supplemental Security Income,~~
- 31.33 ~~MinnesotaCare,~~
- 31.34 ~~Medicare Part B premium payments,~~
- 31.35 ~~Medicare Part D extra help,~~
- 31.36 ~~Energy or fuel assistance.~~
- 31.37 ~~**LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT**~~
- 31.38 ~~.....~~
- 31.39 ~~**LIST THE CASE NUMBER AND COUNTY**~~
- 31.40 ~~Case Number:~~

- 32.1 ~~County:.....~~
- 32.2 **Government benefits also include:**
- 32.3 **Social Security benefits**
- 32.4 **Unemployment benefits**
- 32.5 **Workers' compensation**
- 32.6 **Veterans benefits**
- 32.7 **If you receive any of these government benefits, include copies of any documents**
- 32.8 **you have that show you receive Social Security, unemployment, workers'**
- 32.9 **compensation, or veterans benefits.**
- 32.10 **Other assistance based on need**
- 32.11 ~~You may have assistance based on need from another source that is not on the list. If you~~
- 32.12 ~~do, check this box, and fill in the source of your money on the line below:~~
- 32.13 ~~Source:.....~~
- 32.14 **Include copies of any documents you have that show the source of this money.**
- 32.15 **EARNINGS**
- 32.16 ~~**ALL or SOME of your earnings (wages) may also be protected.**~~
- 32.17 ~~**All of your earnings (wages) are protected if:**~~
- 32.18 ~~You get government benefits (see list of government benefits)~~
- 32.19 ~~You currently receive other assistance based on need~~
- 32.20 ~~You have received government benefits in the last six months~~
- 32.21 ~~You were in jail or prison in the last six months~~
- 32.22 **If you check one of these lines, your wages are only protected for 60 days after they**
- 32.23 **are deposited in your account so you MUST send the creditor a copy of BANK**
- 32.24 **STATEMENTS that show what was in your account for the 60 days right before**
- 32.25 **the bank froze your money.**
- 32.26 ~~**Some of your earnings (wages) are protected.**~~
- 32.27 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
- 32.28 ~~for 20 days after they were deposited in your account. The amount protected is the~~
- 32.29 ~~larger amount of:~~
- 32.30 ~~75 percent of your wages (after taxes are taken out); or~~
- 32.31 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~
- 32.32 **OTHER EXEMPT FUNDS**
- 32.33 ~~The money from the following are also completely protected after they are deposited~~
- 32.34 ~~in your account:~~
- 32.35 ~~**An accident, disability, or retirement pension or annuity**~~
- 32.36 ~~**Payments to you from a life insurance policy**~~
- 32.37 ~~**Earnings of your child who is under 18 years of age**~~
- 32.38 ~~**Child support**~~

33.1 ~~..... Money paid to you from a claim for damage or destruction of property~~ Property
 33.2 ~~includes household goods, farm tools or machinery, tools for your job, business~~
 33.3 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~
 33.4 ~~furniture, or appliances.~~

33.5 ~~..... Death benefits paid to you~~

33.6 (i) MFIP - Minnesota Family Investment Program

33.7 (ii) DWP - MFIP Diversionary Work Program

33.8 (iii) SNAP - Supplemental Nutrition Assistance Program

33.9 (iv) GA - General Assistance

33.10 (v) EGA - Emergency General Assistance

33.11 (vi) MSA - Minnesota Supplemental Aid

33.12 (vii) MSA-EA - MSA Emergency Assistance

33.13 (viii) EA - Emergency Assistance

33.14 (ix) Energy or Fuel Assistance

33.15 (x) Work Participation Cash Benefit

33.16 (xi) MA - Medical Assistance

33.17 (xii) MinnesotaCare

33.18 (xiii) Medicare Part B - Premium Payments help

33.19 (xiv) Medicare Part D - Extra

33.20 (xv) SSI - Supplemental Security Income

33.21 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
 33.22 Family Credit

33.23 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

33.24 List the case number and county for every
 33.25 box you checked:

33.26 Case Number: County:

33.27 Case Number: County:

33.28 Case Number: County:

33.29 Government benefits also include:

33.30 ... Social Security benefits

33.31 ... Unemployment benefits

33.32 ... Workers' compensation

33.33 ... Veterans' benefits

33.34 If you get any of these government benefits, include copies of any documents that show
 33.35 you get them.

33.36 ... I get other assistance based on need that is not on the list. It comes from:

33.37

34.1 Make sure you include copies of any documents that show this.

34.2 C. **Other Protected Funds**

34.3 The money from these things are also completely protected after they are deposited
34.4 in my account.

34.5 ... Child Support

34.6 ... A retirement, disability, or accident pension or annuity

34.7 ... Earnings of my child who is under 18 years of age

34.8 ... Payments to me from a life insurance policy

34.9 ... Money paid to me from a claim for damage or destruction of property. Property
34.10 includes household goods, farm tools or machinery, tools for my job, business
34.11 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,
34.12 furniture, or appliances.

34.13 ... Death benefits paid to me

34.14 I give my permission to any agency that has given me ~~cash~~ benefits to give information
34.15 about my benefits to the ~~above-named creditor, or its attorney~~ creditor named above or to
34.16 the creditor's lawyer. The information will **ONLY** ~~concern whether I get benefits or not, or~~
34.17 ~~whether I have gotten them in the past six months~~ be if I get assistance, or if I have gotten
34.18 assistance in the past 6 months. If I was an inmate in the last ~~six~~ 6 months, I give my
34.19 permission to the correctional institution to tell the ~~above-named~~ creditor named above or
34.20 the creditor's lawyer that I was an inmate there.

34.21 ~~**YOU MUST SIGN AND SEND THIS FORM BACK TO THE CREDITOR'S**~~
34.22 ~~**ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) AND THE BANK.**~~
34.23 ~~**REMEMBER TO INCLUDE A COPY OF YOUR BANK STATEMENTS FOR THE**~~
34.24 ~~**PAST 60 DAYS. FILL IN THE BLANKS BELOW AND GO BACK TO THE**~~
34.25 ~~**INSTRUCTIONS TO MAKE SURE YOU DO IT CORRECTLY.**~~

34.26 **You must sign this form and send it back to the creditor's lawyer (or to the creditor,**
34.27 **if there is no lawyer) and the bank. Remember to include a copy of your bank**
34.28 **statements for the past 60 days. Fill in the blanks below and go back to the instructions**
34.29 **to make sure you did it correctly.**

34.30 I have mailed or delivered a copy of this form to: the creditor (or creditor's lawyer) at
34.31 the address listed below.

34.32 Creditor's Signature:

34.33 (~~Insert name of creditor~~ or creditor's ~~attorney~~ lawyer's signature)

34.34 Creditor's Name:

34.35 (~~Insert address of creditor~~ or creditor's ~~attorney~~ lawyer's name)

35.1

Street Address:

35.2

City/State/Zip:

35.3

Phone: Fax:

35.4

Email:

35.5

I have also mailed or delivered a copy of this exemption form to my bank at the address

35.6

listed in the instructions, below:

35.7

~~DATED:~~

35.8

~~DEBTOR~~

35.9

~~.....~~

35.10

~~DEBTOR ADDRESS~~

35.11

~~.....~~

35.12

~~DEBTOR TELEPHONE NUMBER~~

35.13

Bank's Name:

35.14

Street Address:

35.15

City/State/Zip:

35.16

Phone: Fax:

35.17

Email:

35.18

Date:

35.19

Debtor's Signature:

35.20

Debtor's Name:

35.21

Street Address:

35.22

City/State/Zip:

35.23

Phone:

35.24

Email:

35.25

Sec. 10. Minnesota Statutes 2024, section 551.06, subdivision 6, is amended to read:

35.26

Subd. 6. **Earnings exemption notice.** Before the first levy on earnings, the attorney for

35.27

the judgment creditor shall serve upon the judgment debtor no less than ten days before the

35.28

service of the writ of execution, a notice that the writ of execution may be served on the

35.29

judgment debtor's employer. The notice must: (1) be substantially in the form set forth

35.30

below; (2) be served personally, in the manner of a summons and complaint, or by first

35.31

class mail to the last known address of the judgment debtor; (3) inform the judgment debtor

35.32

that an execution levy may be served on the judgment debtor's employer in ten days, and

35.33

that the judgment debtor may, within that time, cause to be served on the judgment creditor's

35.34

attorney a signed statement under penalties of perjury asserting an entitlement to an

35.35

exemption from execution; (4) inform the judgment debtor of the earnings exemptions

contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief set forth in this chapter to which the judgment debtor may be entitled if a judgment creditor in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the execution process. The notice requirement of this subdivision does not apply to a levy on earnings being held by an employer pursuant to a garnishment summons served in compliance with chapter 571.

The ten-day notice informing a judgment debtor that a writ of execution may be used to levy the earnings of an individual must be substantially in the following form:

STATE OF MINNESOTA	DISTRICT COURT
COUNTY OF .....	.....JUDICIAL DISTRICT
..... (Judgment Creditor)	
against	
	EXECUTION EXEMPTION
	NOTICE AND NOTICE OF
..... (Judgment Debtor)	INTENT TO LEVY ON EARNINGS
and	WITHIN TEN DAYS
..... (Third Party)	

~~PLEASE TAKE NOTICE that A levy may be served upon your employer or other third parties, without any further court proceedings or notice to you, ten days or more from the date hereof. Your earnings are completely exempt from execution levy if you are now a recipient of relief based on need, if you have been a recipient of relief within the last six months, or if you have been an inmate of a correctional institution in the last six months.~~

~~Relief based on need includes the Minnesota Family Investment Program (MFIP), Emergency Assistance (EA), Work First Program, Medical Assistance (MA), General Assistance (GA), Emergency General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

~~If you wish to claim an exemption, you should fill out the appropriate form below, sign it, and send it to the judgment creditor's attorney.~~

~~You may wish to contact the attorney for the judgment creditor in order to arrange for a settlement of the debt or contact an attorney to advise you about exemptions or other rights.~~

37.1 **State of Minnesota** **District Court**
37.2 County of: Judicial District:
37.3 Court File Number:
37.4 Case Type:
37.5 Creditor's full name:
37.6 **Execution Exemption Notice and Notice of**
37.7 against **Intent to Levy on Earnings**
37.8 Debtor's full name:
37.9
37.10 and
37.11 Third Party (bank, employer, or other):
37.12
37.13 **Notice: A levy may be served on your employer or other third parties. A levy means that**
37.14 **part of your earnings can be taken to pay off debts that you owe. This can happen in**
37.15 **10 days or more after you get this notice. This can happen without any other court action**
37.16 **or notice to you. But some of your money may be protected.**
37.17 **Your earnings cannot be taken if:**
37.18 (i) you are getting government assistance based on need,
37.19 (ii) you got any government assistance based on need in the last 6 months, or
37.20 (iii) you were an inmate of a correctional institution in the last 6 months.
37.21 **These are called exemptions. Your money is NOT protected unless you fill out the**
37.22 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**
37.23 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**
37.24 **You can also contact the creditor or their lawyer to talk about a settlement of the debt.**
37.25 Examples of government assistance based on need:
37.26 (i) **MFIP** - Minnesota Family Investment Program
37.27 (ii) **DWP** - MFIP Diversionary Work Program
37.28 (iii) **SNAP** - Supplemental Nutrition Assistance Program
37.29 (iv) **GA** - General Assistance
37.30 (v) **EGA** - Emergency General Assistance
37.31 (vi) **MSA** - Minnesota Supplemental Aid
37.32 (vii) **MSA-EA** - MSA Emergency Assistance
37.33 (viii) **EA** - Emergency Assistance
37.34 (ix) **Energy or Fuel Assistance**

(x) Work Participation Cash Benefit(xi) MA - Medical Assistance(xii) MinnesotaCare(xiii) Medicare Part B - Premium Payments help(xiv) Medicare Part D - Extra(xv) SSI - Supplemental Security Income(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working Family Credit(xvii) Renter's Refund (also called Renter's Property Tax Credit)PENALTIES Warnings and Fines

~~(1) Be advised that even if you claim an exemption, an execution levy may still be served on your employer. If your earnings are levied on after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the judgment creditor disregarded your claim of exemption in bad faith, you will be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

Even if you claim an exemption, a levy may still be served on your employer. If they take money from you after you claim an exemption, you may ask the court to review your exemption. If the court finds that the creditor ignored your claim of exemption in bad faith, you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad faith is when someone does something wrong on purpose.

~~(2) HOWEVER, BE WARNED if you claim an exemption, the judgment creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$100. BUT if you claim an exemption, the creditor can also ask the court to review your exemption. If the court finds that you claimed an exemption in bad faith, you are charged costs and reasonable lawyer fees, and a fine up to \$100.~~

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution levy, thus requiring the judgment creditor to petition the court to resolve the problem, you will be liable to the judgment creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100. If you get this notice, then do something in bad faith to try to block or stop the levy and the creditor has to take you to court because of it, you will have to pay the creditor's costs, and reasonable lawyer's fees, and a fine up to \$100.~~

DATED:

.....
(Attorney for Judgment Creditor)

39.1

39.2

39.3

39.4

39.5

39.6

39.7

39.8

39.9

39.10

39.11

39.12

39.13

.....

Address

.....

Telephone

Date:

Creditor's Signature:

(or creditor's lawyer's signature)

Creditor's Name:

(or creditor's lawyer's name)

Street Address:

City/State/Zip:

Phone: Fax:

Email:

39.14

JUDGMENT DEBTOR'S EXEMPTION CLAIM NOTICE

39.15

Debtor's Exemption Claim Notice

39.16

39.17

39.18

39.19

39.20

39.21

39.22

39.23

39.24

39.25

39.26

39.27

39.28

39.29

39.30

39.31

39.32

39.33

39.34

I hereby claim that my earnings are exempt from execution because: (check all that apply)

(1) ... I am presently a recipient of relief getting government assistance based on need. (Specify State the program, case number if you know it, and the county from which relief is being received you got it from.)

.....

Program

Case Number (if known)

County

Program: Case #: County:

Program: Case #: County:

Program: Case #: County:

(2) ... I am not now receiving relief getting assistance based on need right now, but I have received relief did get government assistance based on need within the last six 6 months. (Specify State the program, case number if you know it, and the county from which relief has been received you got it from.)

.....

Program

Case Number (if known)

County

Program: Case #: County:

Program: Case #: County:

Program: Case #: County:

40.1

(3) ... I ~~have been~~ was an inmate of a correctional institution within the last ~~six~~ 6 months.

40.2

(Specify State the correctional institution and location.)

40.3

.....

40.4

Correctional Institution..... Location.....

40.5

~~I hereby authorize any agency that has distributed relief to me or any correctional~~

40.6

~~institution in which I was an inmate to disclose to the above-named judgment creditor or~~

40.7

~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~

40.8

~~based on need or an inmate of a correctional institution within the last six months. I have~~

40.9

~~mailed or delivered a copy of this form to the creditor or creditor's attorney.~~

40.10

DATE:

.....

40.11

Judgment Debtor

40.12

.....

40.13

Address

40.14

I give my permission to any agency listed above to give information about my benefits to

40.15

the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if I

40.16

get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the

40.17

last 6 months, I give my permission to the correctional institution to tell the creditor named

40.18

above or the creditor's lawyer that I was an inmate there.

40.19

Date:

40.20

Debtor's Signature:

40.21

Debtor's Name:

40.22

Street Address:

40.23

City/State/Zip:

40.24

Phone:

40.25

Email:

40.26

Sec. 11. Minnesota Statutes 2024, section 551.06, subdivision 9, is amended to read:

40.27

Subd. 9. **Notice of levy on earnings, disclosure, and worksheet.** The attorney for the

40.28

judgment creditor shall serve upon the judgment debtor's employer a notice of levy on

40.29

earnings and an execution earnings disclosure form and an earnings disclosure worksheet

40.30

with the writ of execution, that must be substantially in the form set forth below.

40.31

STATE OF MINNESOTA

DISTRICT COURT

40.32

COUNTY OF

.....JUDICIAL DISTRICT

40.33

FILE NO.

40.34

..... (Judgment Creditor)

41.1

against

NOTICE OF LEVY ON

41.2

EARNINGS AND DISCLOSURE

41.3

..... (Judgment Debtor)

41.4

and

41.5

..... (Third Party)

41.6

PLEASE TAKE NOTICE that pursuant to Minnesota Statutes, sections 551.04 and

41.7

551.06, the undersigned, as attorney for the judgment creditor, hereby makes demand and

41.8

levies execution upon all earnings due and owing by you (up to \$10,000) to the judgment

41.9

debtor for the amount of the judgment specified below. A copy of the writ of execution

41.10

issued by the court is enclosed. The unpaid judgment balance is \$.....

41.11

This levy attaches all unpaid nonexempt disposable earnings owing or to be owed by

41.12

you and earned or to be earned by the judgment debtor before and within the pay period in

41.13

which the writ of execution is served and within all subsequent pay periods whose paydays

41.14

occur within the 90 days after the service of this levy.

41.15

In responding to this levy, you are to complete the attached disclosure form and worksheet

41.16

and mail it to the undersigned attorney for the judgment creditor, together with your check

41.17

payable to the above-named judgment creditor, for the nonexempt amount owed by you to

41.18

the judgment debtor or for which you are obligated to the judgment debtor, within the time

41.19

limits set forth in the aforementioned statutes.

41.20

.....

41.21

Attorney for the Judgment Creditor

41.22

.....

41.23

.....

41.24

.....

41.25

Address

41.26

(...)

41.27

Phone Number

41.28

DISCLOSURE

41.29

DEFINITIONS

41.30

"EARNINGS": For the purpose of execution, "earnings" means compensation paid or

41.31

payable to an employee for personal services or compensation paid or payable to the producer

41.32

for the sale of agricultural products; milk or milk products; or fruit or other horticultural

41.33

products produced when the producer is operating a family farm, a family farm corporation,

41.34

or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether

~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement.~~

~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. (Amounts required by law to be withheld do not include items such as health insurance, charitable contributions, or other voluntary wage deductions.)~~

~~"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which the employer pays earnings to the judgment debtor in the ordinary course of business. If the judgment debtor has no regular payday, payday(s) means the 15th and the last day of each month.~~

<u>State of Minnesota</u>	<u>District Court</u>
County of:	Judicial District:
	Court File Number:
	Case Type:

<u>Creditor's full name:</u>	<u>Notice of Levy on Earnings for</u>
.....	<u>Non-Child Support Judgements</u>

against

Debtor's full name:
.....

and

Third Party (Debtor's Employer):
.....

To the employer:

An employee of yours owes a judgment (money) to a creditor. The creditor's lawyer is starting a levy on the earnings you owe the employee. A levy means that you might have to hold part of the employee's earnings and send it to the creditor. By law, you have to do this. The limit on the levy is \$10,000. A copy of the writ of execution from the court is enclosed. The amount of the judgment is \$.....

The levy applies to "nonexempt disposable earnings" that you owe the employee. There are definitions and instructions below on how to calculate the amount, if any, you have to hold. The levy starts with the pay period when you got this levy. It continues for all pay periods in the 90 days after you got this levy.

43.1 You must complete the attached disclosure form and worksheet. Then mail it to the lawyer
43.2 listed below. If any money is owed under the levy, you must also send a check payable to
43.3 the creditor listed above. Follow the steps and the deadlines explained below.

43.4 Creditor's Name:

43.5 Creditor's Lawyer's Name:

43.6 Street Address:

43.7 City/State/Zip:

43.8 Phone: Fax:

43.9 Email:

43.10 **State of Minnesota**

District Court

43.11 County of:

Judicial District:

43.12 Court File Number:

43.13 Case Type:

43.14 Creditor's full name:

43.15 **Earnings Disclosure and Worksheet**
43.16 **For Non-Child Support Judgements**

43.17 against

43.18 Debtor's full name:

43.19

43.20 and

43.21 Third Party (Debtor's Employer):

43.22

43.23 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the employer
43.24 to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form
43.25 for their own information.

43.26 The employer is the "third party." The debtor is also called a "judgment debtor." If the debtor
43.27 asks how the calculations in this document were made, the employer **must** provide
43.28 information about it.

43.29 **Definitions**

43.30 **"Earnings":** what is paid or payable to an employee, independent contractor, or
43.31 self-employed person for personal services (a job). Also called compensation. Compensation
43.32 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance
43.33 payment, fees, or other. It includes periodic payments from a pension or retirement. It can
43.34 also be compensation paid or payable to a producer for the sale of agricultural products.
43.35 This can be things like milk or milk products, or fruit or other horticultural products. Or

things produced in the operation of a family farm, a family farm corporation, or an authorized farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

"Disposable Earnings": the part of a person's earnings that are left after subtracting the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld do not include things like health insurance, charitable contributions, or other voluntary wage deductions.

"Payday": the date when the employer pays earnings to the debtor for doing their job. If the debtor has no regular payday, then "payday" means the 15th and the last day of each month.

THE THIRD PARTY/EMPLOYER MUST ANSWER THE FOLLOWING QUESTIONS:

1. ~~Do you now owe, or within 90 days from the date the execution levy was served on you, will you or may you owe money to the judgment debtor for earnings? Right now, do you owe money to the debtor for earnings?~~

Yes No

2. ~~Does the judgment debtor earn more than \$... per week? (This amount is the greater of \$9.50 per hour of the federal minimum wage per week.) Within 90 days from the date you were served with the levy, will you or may you owe money to the debtor for earnings?~~

Yes No

3. Does the debtor earn more than the current Minnesota or federal minimum wage per week? (use the number that is more)

Yes No

**INSTRUCTIONS FOR COMPLETING THE
EARNINGS DISCLOSURE**

A. ~~If your answer to either question 1 or 2 is "No," then you must sign the affirmation on page 2 and return this disclosure to the judgment creditor's attorney within 20 days after it was served on you, and you do not need to answer the remaining questions. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation below and return this disclosure form to the sheriff. You must return it within 20 days after it was served on you.~~

B. ~~If your answers to both questions 1 and 2 are "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows: If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.~~

~~For each payday that falls within 90 days from the date the execution levy was served on you, YOU MUST calculate the amount of earnings to be retained by completing steps 3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE.~~

~~Each payday, you must retain the amount of earnings listed in column I on the Earnings Disclosure Worksheet.~~

~~You must pay the attached earnings and return this Earnings Disclosure Form and the Earnings Disclosure Worksheet to the judgment creditor's attorney and deliver a copy to the judgment debtor within ten days after the last payday that falls within the 90-day period.~~

~~If the judgment is wholly satisfied or if the judgment debtor's employment ends before the expiration of the 90-day period, your disclosure and remittance should be made within ten days after the last payday for which earnings were attached.~~

~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure Worksheet.~~

- | | | |
|----|-----------|---|
| 3. | COLUMN A. | Enter the date of judgment debtor's payday. |
| 4. | COLUMN B. | Enter judgment debtor's gross earnings for each payday. |
| 5. | COLUMN C. | Enter judgment debtor's disposable earnings for each payday. |
| 6. | COLUMN D. | Enter 25 percent of disposable earnings. (Multiply Column C by .25.) |
| 7. | COLUMN E. | Enter here the greater of 40 times \$9.50 or 40 times the hourly federal minimum wage (\$.....) times the number of work weeks included in each payday. (Note: If a pay period includes days in excess of whole work weeks, the additional days should be counted as a fraction of a work week equal to the number of workdays in excess of a whole work week divided by the number of workdays in a normal work week.) |
| 8. | COLUMN F. | Subtract the amount in Column E from the amount in Column C, and enter here. |
| 9. | COLUMN G. | Enter here the lesser of the amount in Column D and the amount in Column F. |

10. COLUMN H. Enter here any amount claimed by you as a setoff, defense, lien, or claim, or any amount claimed by any other person as an exemption or adverse interest which would reduce the amount of earnings owing to the judgment debtor. (Note: Any indebtedness to you incurred within ten days prior to your receipt of the first execution levy on a debt may not be set off against the earnings otherwise subject to this levy. Any wage assignment made by the judgment debtor within ten days prior to your receipt of the first execution levy on a debt is void.)

You must also describe your claim(s) and the claims of others, if known, in the space provided below the worksheet and state the name(s) and address(es) of these persons:

Enter zero in Column H if there are no claims by you or others which would reduce the amount of earnings owing to the judgment debtor.

11. COLUMN I. Subtract the amount in Column H from the amount in Column G and enter here. This is the amount of earnings that you must retain for the payday for which the calculations were made. The total of all amounts entered in Column I is the amount to be remitted to the attorney for the judgment creditor.

Earnings Disclosure Affirmation

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure; and have done so truthfully and to the best of my knowledge.

Dated:

Signature

.....

Title

.....

Telephone Number

EARNINGS DISCLOSURE WORKSHEET

.....

Judgment Debtor's Name

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

Instructions for Completing the Earnings Disclosure Worksheet

For each payday that falls within 90 days from the date the levy was served on you, you must calculate the amount of earnings to be withheld. Enter the amounts on the Earnings Disclosure Worksheet.

You must:

1. Withhold the amount of earnings listed in column I on the Earnings Disclosure Worksheet each payday.

2. After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all the money withheld. Sign the Affirmation at the end of the worksheet before returning.

3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the last payday that falls within the 90-day period.

If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period is over, you need to do the last disclosure and withholdings within 10 days of their last payday that you withheld money.

Calculating Percentage of Disposable Earnings

Note to Creditor: You must fill out this chart before sending this form to the employer. Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

Minimum Wage = \$MW/hour.

<u>if the weekly gross earnings are:</u>	<u>then this percentage of the disposable earnings are withheld:</u>
<u>Less than [40 X MW]</u>	<u>0%</u>
<u>[40 X MW + .01] to [60 X MW]</u>	<u>10%</u>
<u>[60 X MW + .01] to [80 X MW]</u>	<u>15%</u>
<u>[80 X MW + .01] or more</u>	<u>25%</u>

Employer: Use this creditor's calculation chart to know what percentage of earnings should be withheld.

Earnings Disclosure Worksheet

.....
Debtor's Name

A	B	C
Payday Date	Gross Earnings	Disposable Earnings

48.1	1.	.....	\$.....	\$.....
48.2	2.	.....	.....	.....
48.3	3.	.....	.....	.....
48.4	4.	.....	.....	.....
48.5	5.	.....	.....	.....
48.6	6.	.....	.....	.....
48.7	7.	.....	.....	.....
48.8	8.	.....	.....	.....
48.9	9.	.....	.....	.....
48.10	10.	.....	.....	.....

48.11 Column A. Enter the debtor's payday.

48.12 Column B. Enter the debtor's gross earnings for each payday.

48.13 Column C. Enter the debtor's disposable earnings for each payday.

48.14	D	E	F
48.15	<u>25% of withholding</u>	Greater of 40 X	
48.16	<u>of Column C</u>	\$9.50 or 40 X	
48.17	<u>(Use the creditor's</u>	<u>MN or Fed.</u>	Column C
48.18	<u>calculation chart)</u>	<u>Min. Wage</u>	minus Column E
48.19	1.	.....	.....
48.20	2.	.....	.....
48.21	3.	.....	.....
48.22	4.	.....	.....
48.23	5.	.....	.....
48.24	6.	.....	.....
48.25	7.	.....	.....
48.26	8.	.....	.....
48.27	9.	.....	.....
48.28	10.	.....	.....

48.29 Column D. Enter the percentage of disposable earnings that will be withheld. Get this
48.30 number from the creditor's calculation chart.

48.31 Column E. Calculate 40 times the current Minnesota minimum wage (or 40 times the
48.32 current federal minimum wage) times the number of work weeks in each payday. Enter the
48.33 bigger number here. **Note:** If a payday has extra days that are more than a full work week,
48.34 count those extra days as part of a work week. Do this by dividing the number of extra
48.35 workdays by the number of workdays in a normal week.

49.1

49.2

Column F. Subtract the amount in Column E from the amount in Column C and enter
here.

49.3	G	H	I
49.4		Setoff, Lien,	
49.5		Adverse	Column G
49.6	Lesser of Column D	Interest, or	minus Column
49.7	and Column F	Other Claims	H
49.8	1. ....	.....	.....
49.9	2. ....	.....	.....
49.10	3. ....	.....	.....
49.11	4. ....	.....	.....
49.12	5. ....	.....	.....
49.13	6. ....	.....	.....
49.14	7. ....	.....	.....
49.15	8. ....	.....	.....
49.16	9. ....	.....	.....
49.17	10. ....	.....	.....
49.18	TOTAL OF COLUMN I \$		

49.19

49.20

Column G. Look at column D and column F. Enter the smaller amount of the two here
in column G.

49.21

49.22

Column H. Enter any amount claimed by you that would lower the amount of earnings
that will go to the debtor. Things like:

- 49.23
- 49.24
- 49.25
- 49.26
- 49.27
- (i) a setoff,
- (ii) a defense,
- (iii) a lien,
- (iv) a claim, or
- (v) any amount claimed by any other person as an exemption or adverse interest.

49.28

49.29

Note: You must describe your claim(s) and the claims of others, if known, in the spaces
after this worksheet.

49.30

49.31

Enter zero in column H if there are no claims by you or others which would lower the
amount of earnings owed to the debtor.

49.32

49.33

Note: Any debt that happened within 10 days before you got the first levy on a debt
may not be set off against the earnings that are affected by this levy. Any wage assignment

made by the debtor within 10 days before you got the first levy on a debt is void. Wage assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

Column I. Subtract the amount in column H from the amount in column G and enter here. This is the amount of earnings that go to the creditor.

***If you entered any amount in Column H** for any payday(s), you must describe below either your claims, or the claims of others. For amounts claimed by others, you must both state the names and addresses of these persons, and the nature of their claim, if known. payday, describe those claims below. It doesn't matter if they are your claims, or the claims of others. For claims by others, list the names and addresses of each, and describe their claims, if you know.

.....

.....

.....

.....

Earnings Worksheet Affirmation

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure worksheet, and have done so truthfully and to the best of my knowledge.

.....

Title

Dated:

(...)

Signature

Phone Number

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

Sec. 12. Minnesota Statutes 2024, section 571.72, subdivision 8, is amended to read:

Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person, the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing earnings, the earnings exemption notice provided in section 571.924 must be served ten or more days before the service of the first garnishment summons. If the creditor is garnishing

51.1 funds in a financial institution, the exemption notice provided in section 571.912 must be
 51.2 served with the garnishment summons. In all other cases, the exemption notice must be in
 51.3 the following form and served on the debtor with a copy of the garnishment summons.

51.4 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~
 51.5 ~~COUNTY OF~~ ~~.....JUDICIAL DISTRICT~~
 51.6 ~~.....(Creditor)~~
 51.7 ~~against~~
 51.8 ~~.....(Debtor)~~ ~~EXEMPTION NOTICE~~
 51.9 ~~and~~
 51.10 ~~.....(Garnishee)~~

51.11 State of Minnesota District Court
 51.12 County of: Judicial District:
 51.13 Court File Number:
 51.14 Case Type:
 51.15 Creditor's full name
 51.16 Exemption Notice
 51.17 against
 51.18 Debtor's full name
 51.19
 51.20 and
 51.21 Third Party (bank, employer, or other)
 51.22

51.23 A Garnishment Summons is being served ~~upon~~ on you. This means a creditor with a court
 51.24 judgment against you wants to take some of your money or property to pay the judgment.
 51.25 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means
 51.26 protected. The following is a list of some ~~of the more~~ common exemptions. It is not a
 51.27 complete ~~and is subject to~~ list. For full details and dollar amounts set by law see section
 51.28 550.37 of the Minnesota Statutes ~~and other state and federal laws~~. The dollar amounts
 51.29 ~~contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the~~
 51.30 ~~time of garnishment~~. If you have questions about an exemption, you should obtain contact
 51.31 a lawyer for legal advice.

51.32 These things you or your family might have are protected:

51.33 (1) ~~a homestead or the proceeds from the sale of a homestead~~ equity in your home, or
 51.34 ~~money from recently selling your home~~ - up to \$510,000 total;

51.35 (2)(i) all clothing, one watch, utensils, and foodstuffs;

- 52.1 (ii) household furniture, household appliances, ~~phonographs,~~ radios, and computers,
 52.2 tablets, televisions up to a total current value of \$5,850; printers, cell phones, smart phones,
 52.3 and other consumer electronics up to \$12,150 in all; and
- 52.4 (iii) jewelry - total value can't be more than \$3,308;
- 52.5 (3) a manufactured (mobile) home ~~used as your home~~ you live in;
- 52.6 (4) one motor vehicle ~~currently worth less than \$2,600 after deducting any security~~
 52.7 ~~interest;~~ counting only the amount you have paid off:
- 52.8 (i) \$10,000;
- 52.9 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 52.10 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
 52.11 or
- 52.12 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
 52.13 to walk;
- 52.14 (5) farm machinery ~~used by an individual principally engaged in farming, or if your~~
 52.15 main business is farming. Tools, machines, or office furniture used in your business ~~or trade.~~
 52.16 ~~This exemption is limited to -~~ the total value can't be more than \$13,000;
- 52.17 (6) relief based on need. This includes:
- 52.18 (i) MFIP - Minnesota Family Investment Program (MFIP) and Work First Program;
- 52.19 (ii) DWP - MFIP Diversionary Work Program;
- 52.20 ~~(ii) Medical Assistance (MA);~~
- 52.21 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 52.22 ~~(iii)~~ (iv) GA - General Assistance (GA);
- 52.23 ~~(iv)~~ (v) EGA - Emergency General Assistance (EGA);
- 52.24 ~~(v)~~ (vi) MSA - Minnesota Supplemental Aid (MSA);
- 52.25 ~~(vi) MSA-Emergency~~ (vii) MSA-EA - MSA Emergency Assistance (MSA-EA);
- 52.26 ~~(vii) Supplemental Security Income (SSI);~~
- 52.27 ~~(viii) Energy Assistance; and~~
- 52.28 ~~(ix)~~ (viii) EA - Emergency Assistance (EA);
- 52.29 (ix) Energy or Fuel Assistance;

- 53.1 (x) Work Participation Cash Benefit;
- 53.2 (xi) MA - Medical Assistance;
- 53.3 (xii) MinnesotaCare;
- 53.4 (xiii) Medicare Part B - Premium Payments help;
- 53.5 (xiv) Medicare Part D - Extra;
- 53.6 (xv) SSI - Supplemental Security Income;
- 53.7 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 53.8 Family Credit; and
- 53.9 (xvii) Renter's Refund (also called Renter's Property Tax Credit);
- 53.10 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
- 53.11 between 75-100% is protected depending on how much you earn;
- 53.12 (8) retirement benefits - the total interest under all plans and contracts can't be more than
- 53.13 \$81,000;
- 53.14 ~~(7)~~ (9) Social Security benefits;
- 53.15 ~~(8)~~ (10) unemployment benefits, workers' compensation, or ~~veteran's~~ veterans' benefits;
- 53.16 ~~(9) an accident, disability, or retirement~~ (11) a retirement, disability, or accident pension
- 53.17 or annuity;
- 53.18 ~~(10)~~ (12) life insurance proceeds that are not more than \$54,000;
- 53.19 ~~(11)~~ (13) earnings of your minor child; ~~and~~
- 53.20 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~
- 53.21 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 53.22 ~~a car);~~ car;
- 53.23 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 53.24 items. Total value can't be more than \$2,000;
- 53.25 (16) personal library - total value can't be more than \$750;
- 53.26 (17) musical instruments - total value can't be more than \$2,000;
- 53.27 (18) family pets - current value can't be more than \$1,000;
- 53.28 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;

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

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

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

54.7 Sec. 13. Minnesota Statutes 2024, section 571.72, subdivision 10, is amended to read:

54.8 Subd. 10. **Exemption notice for prejudgment garnishment.**

54.9 **Exemption Notice**

54.10 **Important Notice:** A garnishment summons may be served on your employer, bank,
54.11 or other third parties. This can happen without any further court proceeding or notice to
54.12 you. See the attached Notice of Intent to Garnish for more information.

54.13 ~~The following money and wages~~ Some of your money in your account may be
54.14 protected (the legal word is exempt) from garnishment.

54.15 **1. Financial institutions/bank**

54.16 ~~Some of the money in your account may be protected because you receive government~~
54.17 ~~benefits from one or more of the following places:~~

54.18 **Earnings (Wages)**

54.19 ALL or SOME of my wages may be protected.

54.20 ... **Some** of my wages are protected because they were only deposited in my account in
54.21 the last 20 days.

54.22 For wages that were deposited in your account within the last 20 days, the amount protected
54.23 is whichever is more:

54.24 (i) 75 percent of your wages or more (after taxes are taken out), or

54.25 (ii) The current minimum wage times 40 per week. You can find the current minimum
54.26 wage here: <https://www.dli.mn.gov/minwage>.

54.27 **All** of my wages are protected because:

54.28 ... I get government benefits (a list of government benefits is on the next page)

54.29 ... I am getting other assistance based on need

55.1 ... I have gotten government benefits in the last 6 months

55.2 ... I was in jail or prison in the last 6 months

55.3 If you check one of these four boxes, your wages are only protected for 60 days after they
 55.4 are deposited in your account. You **MUST send the creditor copies of bank statements**
 55.5 that show what was in your account **for the 60 days right before the bank froze your**
 55.6 **money.**

55.7 **Government Benefits**

55.8 Government benefits can include many things. For example:

55.9 ... **MFIP** - Minnesota Family Investment Program;

55.10 ... **DWP** - MFIP Diversionary Work Program;

55.11 ~~**Work participation cash benefit,**~~

55.12 ... **SNAP** - Supplemental Nutrition Assistance Program

55.13 ... **GA** - General Assistance;

55.14 ... **EGA** - Emergency General Assistance

55.15 ... **MSA** - Minnesota Supplemental Aid

55.16 ... **MSA-EA** - MSA Emergency Assistance

55.17 ... **EA** - Emergency Assistance;

55.18 ... **Energy or Fuel Assistance**

55.19 ... **Work Participation Cash Benefit**

55.20 ... **MA** - Medical Assistance;

55.21 ~~**EGA** - emergency general assistance or county crisis funds,~~

55.22 ~~**MSA** - Minnesota supplemental aid;~~

55.23 ~~**MSA-EA** - MSA emergency assistance;~~

55.24 ~~**Supplemental Nutrition Assistance Program (SNAP),**~~

55.25 ~~**SSI** - Supplemental Security Income;~~

55.26 ... **MinnesotaCare**;

55.27 ... **Medicare Part B** - Premium Payments; help

55.28 ... **Medicare Part D** - Extra help;

56.1 ... SSI - Supplemental Security Income

56.2 ~~Energy or fuel assistance,~~

56.3 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working Family

56.4 Credit

56.5 ... Renter's Refund (also called Renter's Property Tax Credit)

56.6 List the case number and county for every box you checked:

56.7 Case Number: County:

56.8 Case Number: County:

56.9 Case Number: County:

56.10 Government benefits also include:

56.11 ... Social Security benefits,

56.12 ... Unemployment benefits,

56.13 ... Workers' compensation,

56.14 ~~Veterans~~ ... Veterans' benefits.

56.15 ~~Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK~~

56.16 ~~STATEMENTS that show what was in your account for the past 60 days may give the~~

56.17 ~~creditor enough information about your exemption claim to avoid a garnishment.~~

56.18 **2. Earnings**

56.19 ~~All or some of your earnings may be completely protected from garnishment if:~~

56.20 ~~All of your earnings (wages) may be protected if:~~

56.21 ~~You get government benefits (see list of government benefits)~~

56.22 ~~You currently receive other assistance based on need~~

56.23 ~~You have received government benefits in the last six months~~

56.24 ~~You were in jail or prison in the last six months~~

56.25 ~~Your wages are only protected for 60 days after they are deposited in your account so~~

56.26 ~~it would be helpful if you immediately send the undersigned creditor a copy of BANK~~

56.27 ~~STATEMENTS that show what was in your account for the past 60 days.~~

56.28 ~~Some of your earnings (wages) may be protected if:~~

57.1 If all of your earnings are not exempt, some of your earnings may still be protected for
 57.2 20 days after they were deposited in your account. The amount protected is the larger amount
 57.3 of:

57.4 ~~75 percent of your wages (after taxes are taken out); or~~

57.5 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

57.6 If you get any of these government benefits, include copies of any documents that show
 57.7 you get them.

57.8 ... I get other assistance based on need that is not on the list. It comes from:.....

57.9

57.10 Make sure you include copies of any documents that show this.

57.11 **Other Protected Funds**

57.12 The money from ~~the following~~ these things are also ~~exempt for 20 days~~ completely
 57.13 protected after they are deposited in ~~your~~ my account.

57.14 ... Child Support

57.15 ~~An accident, disability, or retirement~~ ... A retirement, disability, or accident pension
 57.16 or annuity

57.17 ~~Payments to you from a life insurance policy~~

57.18 ... Earnings of your my child who is under 18 years of age

57.19 ... Payments to me from a life insurance policy

57.20 ~~Child support~~

57.21 ... Money paid to you me from a claim for damage or destruction of property. Property
 57.22 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business
 57.23 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture,
 57.24 or appliances:

57.25 ... Death benefits paid to you. me

57.26 ~~You WILL BE ABLE TO~~ can claim these exemptions when you ~~RECEIVE~~ get a
 57.27 notice. You will get the notice at least ~~ten~~ 10 days BEFORE a wage garnishment. BUT if
 57.28 the creditor garnishes your bank account, you ~~will not~~ won't get the notice until AFTER the
 57.29 account has been frozen. If you believe the money in your bank account or your wages are
 57.30 exempt, ~~YOU SHOULD IMMEDIATELY~~ contact the person below right away. ~~YOU~~

58.1 ~~SHOULD~~ Tell them why you think your account or wages are exempt to see if you can

58.2 avoid garnishment.

58.3 Creditor

58.4 ~~Creditor Address~~

58.5 ~~Creditor telephone number~~

58.6 Creditor's Name:

58.7 (or creditor's lawyer's name)

58.8 Street Address:

58.9 City/State/Zip:

58.10 Phone: Fax:

58.11 Email:

58.12 Sec. 14. Minnesota Statutes 2024, section 571.74, is amended to read:

58.13 **571.74 GARNISHMENT SUMMONS AND NOTICE TO DEBTOR.**

58.14 The garnishment summons and notice to debtor must be substantially in the following
58.15 form. The notice to debtor must be in no smaller than 14-point type.

58.16 ~~GARNISHMENT SUMMONS~~

~~58.17 STATE OF MINNESOTA DISTRICT COURT~~

58.18 COUNTY OF JUDICIAL DISTRICT

58.19 (Creditor)

58.20 (Debtor) UNPAID BALANCE

58.21 (Debtor's Address) Date of Entry

58.22 _____ (Garnishee) _____ of Judgment (or) Subject to Minnesota

58.23 ~~Statutes, section 571.71, clause (2)~~

58.24 **State of Minnesota** **District Court**

58.25 County of: Judicial District:

58.26 Court File Number:

58.27 Case Type:

58.28 Creditor's full name

58.29 **Garnishment Summons**

58.30 and

58.31 Debtor's full name

58.32

58.33 Third Party (bank, employer, or other)

58.34

58.35 **Unpaid Balance:**

59.1 ~~GARNISHMENT SUMMONS~~59.2 ~~The State of Minnesota~~59.3 To the Garnishee Third Party (garnishee) named above:

59.4 ~~You are hereby summoned and required to serve upon the creditor's attorney (or the~~
59.5 ~~creditor if not represented by an attorney) and on the debtor within 20 days after service of~~
59.6 ~~this garnishment summons upon you, a written disclosure, of the nonexempt indebtedness,~~
59.7 ~~money, or other property due or belonging to the debtor and owing by you or in your~~
59.8 ~~possession or under your control and answers to all written interrogatories that are served~~
59.9 ~~with the garnishment summons. However, if the garnishment is on earnings and the debtor~~
59.10 ~~has garnishable earnings, you shall serve the completed disclosure form on the creditor's~~
59.11 ~~attorney, or the creditor if not represented by an attorney, within ten days of the last payday~~
59.12 ~~to occur within the 90 days after the date of the service of this garnishment summons.~~
59.13 ~~"Payday" means the day which you pay earnings in the ordinary course of business. If the~~
59.14 ~~debtor has no regular paydays, "payday" means the 15th day and the last day of each month.~~

59.15 ~~Your disclosure need not exceed 110 percent of the amount of the creditor's claim that~~
59.16 ~~remains unpaid.~~

59.17 ~~You shall retain garnishable earnings, other indebtedness, money, or other property in~~
59.18 ~~your possession in an amount not to exceed 110 percent of the creditor's claim until such~~
59.19 ~~time as the creditor causes a writ of execution to be served upon you, until the debtor~~
59.20 ~~authorizes you in writing to release the property to the creditor, or until the expiration of~~
59.21 ~~..... days from the date of service of this garnishment summons upon you, at which time~~
59.22 ~~you shall return the disposable earnings, other indebtedness, money, or other property to~~
59.23 ~~the debtor.~~

59.24 A court has ordered that you must serve a written statement to the creditor (or to the
59.25 creditor's lawyer). You must do this within 20 days after you get this notice. Your written
59.26 statement should include any money, or other property of the debtor that you have or owe
59.27 to them. It should also include answers to any questions that are in this summons.

59.28 But, if the garnishment is on earnings and the debtor has earnings that can be garnished,
59.29 fill out the completed disclosure form. Then serve it on the creditor (or the creditor's lawyer).
59.30 It must be served within 10 days of the last payday within the 90 days after the date you
59.31 got this summons. If the debtor has no regular paydays, "payday" means the 15th day and
59.32 the last day of each month.

You don't have to disclose more than 110% of the unpaid amount that is owed to the creditor. Keep earnings that can be garnished, other indebtedness, money, or other property in your possession in an amount not to exceed 110 percent of the creditor's claim. Keep this until:

(i) the creditor has a writ of execution served on you;

(ii) the debtor gives you permission in writing to release the property to the creditor; or

(iii) it's been ... days from the day you got this garnishment summons.

Then you give the debtor back the disposable earnings, other indebtedness, money, or other property.

Earnings

~~In the event~~ If you are summoned as a garnishee because you owe "earnings" (as defined on the Earnings Garnishment Disclosure form attached to this Garnishment Summons, if applicable) to the debtor, then you are required to must serve upon the creditor's attorney, or the creditor if not represented by an attorney, a written an Earnings Disclosure Form within on the creditor (or the creditor's lawyer). The Earnings Disclosure Form must be in writing and must be served in the time limit set forth above. "Earnings" are defined on the Earnings Garnishment Disclosure Form attached to this Garnishment Summons.

~~In the case of earnings, you are further required to retain in your possession~~ must keep all unpaid, nonexempt disposable earnings ~~owed or to be owed by you and earned or to be earned that you owe or will owe to the debtor within during the pay period in which when this garnishment summons notice is served and within all subsequent pay periods whose paydays (defined above) occur within the 90 days after the date of service of this garnishment summons delivered and for all pay periods within 90 days after this notice is served.~~

~~Any assignment of earnings made by the debtor to any party within ten days before the receipt of the first garnishment on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before the receipt of the first garnishment on a debt may not be set off against amounts otherwise subject to the garnishment.~~

Any transfer of earnings made by the debtor to someone else within 10 days before the first garnishment notice is invalid. Any debt the debtor owes you from within those 10 days can't be used to lower the amount that can be garnished.

~~You are prohibited By law from discharging or disciplining~~ you can't fire or discipline the debtor because ~~the debtor's~~ their earnings have been subject to garnishment.

61.1

This Garnishment Summons includes:

61.2

(~~check applicable box~~ the boxes that apply)

61.3

... Earnings garnishment (see attached Earnings Disclosure Form)

61.4

... Nonearnings garnishment (see attached Nonearnings Disclosure Form)

61.5

... Both Earnings and Nonearnings garnishment (see both attached Earnings and

61.6

Nonearnings Disclosure Form)

61.7

Notice to Debtor

61.8

You are being served copies of a Garnishment Summons, Earnings Garnishment

61.9

Disclosure Form, Nonwage Garnishment Disclosure Form, Garnishment Exemption Notices

61.10

and/or written Interrogatories (strike out if not applicable); ~~Copies of which are hereby~~

61.11

~~served on you, were served upon the Garnishee by delivering copies~~ these same documents

61.12

were also delivered to the Garnishee. The Garnishee was paid \$15.

61.13

Dated:

61.14

Attorney for Creditor (or creditor)

61.15

.....

61.16

.....

61.17

.....

61.18

Address

61.19

.....

61.20

Telephone

61.21

.....

61.22

Attorney I.D. No

61.23

Date:

61.24

Creditor's Signature:

61.25

(or creditor's lawyer's signature)

61.26

Creditor's Name:

61.27

(or creditor's lawyer's name)

61.28

Street Address:

61.29

City/State/Zip:

61.30

Phone: Fax:

61.31

Email:

61.32

Sec. 15. Minnesota Statutes 2024, section 571.75, subdivision 2, is amended to read:

61.33

Subd. 2. **Contents of disclosure.** The disclosure must state:

(a) If an earnings garnishment disclosure, the amount of disposable earnings earned by the debtor within the debtor's pay periods as specified in section 571.921.

(b) If a nonearnings garnishment disclosure, a description of any personal property or any instrument or papers relating to this property belonging to the judgment debtor or in which the debtor is interested or other indebtedness of the garnishee to the debtor.

(c) If the garnishee asserts any setoff, defense, claim, or lien on disposable earnings, other indebtedness, money, or property, the garnishee shall disclose the amount and the facts concerning the same.

(d) Whether the debtor asserts any exemption, or any other objection, known to the garnishee against the right of the creditor to garnish the disposable earnings, other indebtedness, money, or property disclosed.

(e) If other persons assert claims to any disposable earnings, other indebtedness, money, or property disclosed, the garnishee shall disclose the names and addresses of these claimants and, so far as known by the garnishee, the nature of their claims.

(f) The garnishment disclosure forms and earnings disclosure worksheet must be the same or substantially similar to the following forms. If the garnishment affects earnings of the debtor, the creditor shall use the earnings garnishment disclosure form. If the garnishment affects any indebtedness, money, or property of the debtor, other than earnings, the creditor shall use the nonearnings garnishment disclosure form. Nothing contained in this paragraph limits the simultaneous use of the earnings and nonearnings garnishment disclosure forms.

EARNINGS DISCLOSURE FORM AND WORKSHEET

STATE OF MINNESOTA

COUNTY OF

..... (Creditor)

..... (Debtor)

..... (Garnishee)

DISTRICT COURT

..... JUDICIAL DISTRICT

GARNISHMENT

EARNINGS DISCLOSURE

State of Minnesota

County of:

Creditor's full name

.....

and

Debtor's full name

District Court

Judicial District:

Court File Number:

Case Type:

Garnishment Earnings Disclosure

For Non-Child Support Judgments

63.1

63.2 Third Party (bank, employer, or other)

63.3

63.4 This form is called a "Garnishment Earnings Disclosure" or "Disclosure." It is for the
 63.5 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy
 63.6 of this form for their own information. The debtor is also called a "judgment debtor."

63.7 The "creditor" is the party owed the money. The creditor is also called a "judgment
 63.8 creditor."

63.9 The "employer" is the "third party" or "garnishee." If the debtor asks how the calculations
 63.10 in this document were made, the employer **must** provide information about it.

63.11 **Definitions**

63.12 **"Earnings":** ~~For the purpose of garnishment, "earnings" means compensation~~ what is
 63.13 paid or payable to an employee, independent contractor or self-employed person for personal
 63.14 services or (a job). Also called compensation. Compensation can be wages, salary,
 63.15 commission, bonus, payments, profit-sharing distributions, severance payment, fees or
 63.16 other. It includes periodic payments from a pension or retirement. It can also be compensation
 63.17 paid or payable to the a producer for the sale of agricultural products; This can be things
 63.18 like milk or milk products; or fruit or other horticultural products. Or things produced when
 63.19 the producer is operating in the operation of a family farm, a family farm corporation, or
 63.20 an authorized farm corporation, as. This is defined in section 500.24, subdivision 2, whether
 63.21 denominated as wages, salary, commission, bonus, or otherwise, and includes periodic
 63.22 payments pursuant to a pension or retirement.

63.23 **"Disposable Earnings":** ~~Means that the part of the a person's earnings of an individual~~
 63.24 remaining after the deduction from those earnings of that are left after subtracting the
 63.25 amounts required by law to be withheld. (Amounts **Note:** Amounts required by law to be
 63.26 withheld do not include items such as things like health insurance, charitable contributions,
 63.27 or other voluntary wage deductions.)

63.28 **"Payday":** ~~For the purpose of garnishment, "payday(s)" means the date(s) upon which~~
 63.29 the date when the employer pays earnings to the debtor in the ordinary course of business
 63.30 for doing their job. If the debtor has no regular payday, payday(s) then "payday" means the
 63.31 fifteenth 15th and the last day of each month.

63.32 **The Employer/Garnishee Must Answer The Following Questions:**

64.1 1. ~~Do you Right now owe, or within 90 days from the date the garnishment summons~~
64.2 ~~was served on you, will you or,~~ do you expect to owe money to the debtor for earnings?

64.3 Yes

No

64.4 Yes

No

64.5 2. Within 90 days from the date you were served with the garnishment, will you or may
64.6 you owe money to the debtor for earnings?

64.7 Yes

No

64.8 2 3. Does the debtor earn more than \$..... per week? (This amount is the greater of
64.9 \$9.50 per hour or the current Minnesota or federal minimum wage per week.) (use the
64.10 number that is more)

64.11 Yes

No

64.12 Yes

No

64.13 INSTRUCTIONS FOR COMPLETING THE
64.14 EARNINGS DISCLOSURE

64.15 A. ~~If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~
64.16 ~~on Page 2 and return this disclosure to the creditor's attorney (or the creditor if not represented~~
64.17 ~~by an attorney) within 20 days after it was served on you, and you do not need to answer~~
64.18 ~~the remaining questions.~~

64.19 B. ~~If your answers to both questions 1 and 2 are "Yes," you must complete this form~~
64.20 ~~and the Earnings Disclosure Worksheet as follows:~~

64.21 A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the
64.22 questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings
64.23 Disclosure Affirmation below and return this disclosure form to the creditor's attorney (or
64.24 the creditor if not represented by an attorney). You must return it within 20 days after it
64.25 was served on you.

64.26 B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings
64.27 Disclosure Affirmation below. You must return it to the creditor's attorney (or the creditor
64.28 if not represented by an attorney) within 20 days. You must also fill out the rest of this form.
64.29 Read the instructions for the Earnings Disclosure Worksheet.

64.30 Earnings Disclosure Affirmation

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure and have done so truthfully and to the best of my knowledge.

Date:

Signature of Third Party/Employer:

.....

Title:

Phone:

Instructions for Completing the Earnings Disclosure Worksheet

For each payday that falls within 90 days from the date the garnishment summons was served on you, you **must** calculate the amount of earnings to be ~~retained by completing Steps 3 through 11, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE.~~ withheld. Enter the amounts on the Earnings Disclosure Worksheet.

~~Each payday, you must retain the amount of earnings listed in Column I on the Earnings Disclosure Worksheet.~~

~~You must return this Earnings Disclosure Form and the Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented by an attorney) and deliver a copy to the debtor within ten days after the last payday that falls within the 90-day period.~~

~~If the claim is wholly satisfied or if the debtor's employment ends before the expiration of the 90-day period, your disclosure should be made within ten days after the last payday for which earnings were attached.~~

For Steps 3 through 11, "Columns" refers to columns on the Earnings Disclosure Worksheet.

3.

COLUMN A.

Enter the date of debtor's payday.
4.

COLUMN B.

Enter debtor's gross earnings for each payday.
5.

COLUMN C.

Enter debtor's disposable earnings for each payday.
6.

COLUMN D.

Enter 25 percent of disposable earnings. (Multiply Column C by .25.)
7.

COLUMN E.

Enter here the greater of 40 times \$9.50 or 40 times the hourly federal minimum wage (\$.....) times the number of work weeks included in each payday. (Note: If a pay period includes days in excess of whole work weeks, the additional days should be counted as a

66.1

66.2

66.3

66.4

8.

COLUMN F.

66.5

66.6

9.

COLUMN G.

66.7

66.8

10.

COLUMN H.

66.9

66.10

66.11

66.12

66.13

66.14

66.15

66.16

66.17

66.18

66.19

66.20

66.21

66.22

66.23

66.24

66.25

66.26

11.

COLUMN I.

66.27

66.28

66.29

66.30

66.31

66.32

66.33

66.34

66.35

66.36

66.37

66.38

66.39

66.40

66.41

66.42

~~fraction of a work week equal to the number of
workdays in excess of a whole work week divided by
the number of workdays in a normal work week.)~~

~~Subtract the amount in Column E from the amount in
Column C, and enter here.~~

~~Enter here the lesser of the amount in Column D and
the amount in Column F.~~

~~Enter here any amount claimed by you as a setoff,
defense, lien, or claim, or any amount claimed by any
other person as an exemption or adverse interest which
would reduce the amount of earnings owing to the
debtor. (Note: Any indebtedness to you incurred by the
debtor within the ten days before the receipt of the first
garnishment on a debt may not be set off against
amounts otherwise subject to the garnishment. Any
assignment of earnings made by the debtor to any party
within ten days before the receipt of the first
garnishment on a debt is void.)~~

~~You must also describe your claim(s) and the claims of
others, if known, in the space provided below the
worksheet and state the name(s) and address(es) of these
persons:~~

~~Enter zero in Column H if there are no claims by you
or others which would reduce the amount of earnings
owing to the debtor.~~

~~Subtract the amount in Column H from the amount in
Column G and enter here. This is the amount of earnings
that you must retain for the payday for which the
calculations were made.~~

AFFIRMATION

~~I, (person signing Affirmation), am the garnishee or I am authorized by
the garnishee to complete this earnings disclosure, and have done so truthfully and to the
best of my knowledge.~~

~~Dated:
.....
Signature
.....
Title
.....
Telephone Number~~

EARNINGS DISCLOSURE WORKSHEET

~~.....
Debtor's Name~~

- 67.1 You must:
- 67.2 1. Withhold the amount of earnings listed in column I on the Earnings Disclosure
- 67.3 Worksheet each payday.
- 67.4 2. After 90 days, return this Earnings Disclosure Worksheet to the creditor's attorney
- 67.5 (or the creditor if not represented by an attorney). Include all the money withheld. Sign the
- 67.6 Affirmation at the end of the worksheet before returning.
- 67.7 3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the
- 67.8 last payday that falls within the 90-day period.
- 67.9 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period
- 67.10 is over, you need to do the last disclosure and withholdings within 10 days of their last
- 67.11 payday that you withheld money.

67.12 **Calculating Percentage of Disposable Earnings**

67.13 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

67.14 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

67.15 Minimum Wage = \$MW/hour.

67.16		<u>then this percentage of the disposable</u>
67.17	<u>if the weekly gross earnings are:</u>	<u>earnings are withheld:</u>
67.18	<u>Less than [40 X MW]</u>	<u>0%</u>
67.19	<u>[40 X MW + .01] to [60 X MW]</u>	<u>10%</u>
67.20	<u>[60 X MW + .01] to [80 X MW]</u>	<u>15%</u>
67.21	<u>[80 X MW + .01] or more</u>	<u>25%</u>

67.22 **Employer:** Use this creditor's calculation chart to know what percentage of earnings

67.23 should be withheld.

67.24 **Earnings Disclosure Worksheet**

67.25

67.26 Debtor's Name

67.27	A	B	C
67.28	Payday Date	Gross Earnings	Disposable
67.29			Earnings
67.30	1.	\$	\$
67.31	2. ....	.....	.....
67.32	3. ....	.....	.....
67.33	4. ....	.....	.....

68.1	5.	.....	.....	.....
68.2	6.	.....	.....	.....
68.3	7.	.....	.....	.....
68.4	8.	.....	.....	.....
68.5	9.	.....	.....	.....
68.6	10.	.....	.....	.....

68.7 **Column A.** Enter the debtor's payday.

68.8 **Column B.** Enter the debtor's gross earnings for each payday.

68.9 **Column C.** Enter the debtor's disposable earnings for each payday.

68.10	D	E	F
68.11	25% of withholding	Greater of 40 X	
68.12	of Column C	\$9.50 or 40 X	
68.13	(Use the creditor's	MN or Fed. Min.	Column C minus
68.14	calculation chart)	Wage	Column E
68.15	1.	.....	.....
68.16	2.	.....	.....
68.17	3.	.....	.....
68.18	4.	.....	.....
68.19	5.	.....	.....
68.20	6.	.....	.....
68.21	7.	.....	.....
68.22	8.	.....	.....
68.23	9.	.....	.....
68.24	10.	.....	.....

68.25 **Column D.** Enter the percentage of disposable earnings that will be withheld. Get this

68.26 number from the creditor's calculation chart.

68.27 **Column E.** Calculate 40 times the current Minnesota minimum wage (or 40 times the

68.28 current federal minimum wage) times the number of work weeks in each payday. Enter the

68.29 bigger number here. **Note:** If a payday has extra days that are more than a full work week,

68.30 count those extra days as part of a work week. Do this by dividing the number of extra

68.31 workdays by the number of workdays in a normal week.

68.32 **Column F.** Subtract the amount in column E from the amount in column C and enter

68.33 here.

69.1	G	H	I
69.2		Setoff, Lien,	
69.3	Lesser of Column D	Adverse Interest,	Column G minus
69.4	and Column F	or Other Claims	Column H
69.5	1. ....	.....	.....
69.6	2. ....	.....	.....
69.7	3. ....	.....	.....
69.8	4. ....	.....	.....
69.9	5. ....	.....	.....
69.10	6. ....	.....	.....
69.11	7. ....	.....	.....
69.12	8. ....	.....	.....
69.13	9. ....	.....	.....
69.14	10. ....	.....	.....
69.15	Total of Column I= \$		

69.16 **Column G.** Look at column D and column F. Enter the smaller amount of the two here

69.17 in column G.

69.18 **Column H.** Enter any amount claimed by you that would lower the amount of earnings

69.19 that will go to the debtor. Things like:

- 69.20 (i) a setoff,
- 69.21 (ii) a defense,
- 69.22 (iii) a lien,
- 69.23 (iv) a claim, or
- 69.24 (v) any amount claimed by any other person as an exemption or adverse interest.

69.25 **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces

69.26 after this worksheet.

69.27 Enter zero in column H if there are no claims by you or others which would lower the

69.28 amount of earnings owed to the debtor.

69.29 **Note:** Any debt that happened within 10 days before you got the first garnishment on a

69.30 debt may not be set off against the earnings that are affected by this garnishment. Any wage

69.31 assignment made by the debtor within 10 days before you got the first garnishment on a

69.32 debt is void. Wage assignment is when a debtor voluntarily agrees to money being taken

69.33 out of their earnings.

Column I. Subtract the amount in column H from the amount in column G and enter here. This is the amount of earnings that go to the creditor.

***If you entered any amount in Column H** for any ~~payday(s), you must~~ payday, describe those claims below ~~either~~. It doesn't matter if they are your claims, or the claims of others. For ~~amounts claimed~~ claims by others ~~you must both state~~, list the names and addresses of ~~these persons each~~, and ~~the nature of~~ describe their ~~claim~~ claims, if ~~known~~ you know.

.....
.....
.....

AFFIRMATION

Earnings Worksheet Affirmation

I, (person signing Affirmation), am the third ~~party~~ party/employer or I am authorized by the third ~~party~~ party/employer to complete this earnings disclosure ~~worksheet~~, and have done so truthfully and to the best of my knowledge.

~~Dated:~~

~~Signature~~

~~Title~~

~~Telephone Number (...)~~

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

EARNINGS DISCLOSURE FORM AND WORKSHEET

FOR CHILD SUPPORT DEBTOR

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF

..... JUDICIAL DISTRICT

..... (Creditor)

..... (Debtor)

..... (Garnishee)

GARNISHMENT

EARNINGS DISCLOSURE

DEFINITIONS

"EARNINGS": For the purpose of execution, "earnings" means compensation paid or payable to an employee for personal services or compensation paid or payable to the producer for the sale of agricultural products; milk or milk products; or fruit or other horticultural products produced when the producer is operating a family farm, a family farm corporation, or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement, workers' compensation, or unemployment benefits.

"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required by law to be withheld. (Amounts required by law to be withheld do not include items such as health insurance, charitable contributions, or other voluntary wage deductions.)

"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which the employer pays earnings to the debtor in the ordinary course of business. If the judgment debtor has no regular payday, payday(s) means the 15th and the last day of each month.

THE GARNISHEE MUST ANSWER THE FOLLOWING QUESTION:

(1) Do you now owe, or within 90 days from the date the execution levy was served on you, will you or may you owe money to the debtor for earnings?

Yes

No

INSTRUCTIONS FOR COMPLETING THE
EARNINGS DISCLOSURE

A. If your answer to question 1 is "No," then you must sign the affirmation below and return this disclosure to the creditor's attorney (or the creditor if not represented by an attorney) within 20 days after it was served on you, and you do not need to answer the remaining questions.

B. If your answer to question 1 is "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows:

For each payday that falls within 90 days from the date the garnishment summons was served on you, YOU MUST calculate the amount of earnings to be retained by completing steps 2 through 8 on page 2, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE.

72.1 Each payday, you must retain the amount of earnings listed in column G on the Earnings
72.2 Disclosure Worksheet.

72.3 You must pay the attached earnings and return this earnings disclosure form and the
72.4 Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented
72.5 by an attorney) and deliver a copy to the debtor within ten days after the last payday
72.6 that falls within the 90-day period. If the claim is wholly satisfied or if the debtor's
72.7 employment ends before the expiration of the 90-day period, your disclosure should be
72.8 made within ten days after the last payday for which earnings were attached.

72.9 For steps 2 through 8, "columns" refers to columns on the Earnings Disclosure Worksheet.

72.10 (2) COLUMN A. Enter the date of debtor's payday.

72.11 (3) COLUMN B. Enter debtor's gross earnings for each payday.

72.12 (4) COLUMN C. Enter debtor's disposable earnings for each payday.

72.13 (5) COLUMN D. Enter either 50, 55, 60, or 65 percent of disposable earnings, based
72.14 on which of the following descriptions fits the child support judgment debtor:

72.15 (a) 50 percent of the judgment debtor's disposable income, if the judgment debtor is
72.16 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks
72.17 to be calculated to the beginning of the work week in which the execution levy is received);

72.18 (b) 55 percent of the judgment debtor's disposable income, if the judgment debtor is
72.19 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks
72.20 to be calculated to the beginning of the work week in which the execution levy is received);

72.21 (c) 60 percent of the judgment debtor's disposable income, if the judgment debtor is not
72.22 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks
72.23 to be calculated to the beginning of the work week in which the execution levy is received);
72.24 or

72.25 (d) 65 percent of the judgment debtor's disposable income, if the judgment debtor is not
72.26 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks
72.27 to be calculated to the beginning of the work week in which the execution levy is received).
72.28 (Multiply column C by .50, .55, .60, or .65, as appropriate.)

72.29 (6) COLUMN E. Enter here any amount claimed by you as a setoff, defense, lien, or
72.30 claim, or any amount claimed by any other person as an exemption or adverse interest that
72.31 would reduce the amount of earnings owing to the debtor. (Note: Any assignment of earnings
72.32 made by the debtor to any party within ten days before the receipt of the first garnishment

73.1 on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before
73.2 the receipt of the first garnishment on a debt may not be set off against amounts otherwise
73.3 subject to the garnishment.)

73.4 You must also describe your claim(s) and the claims of others, if known, in the space
73.5 provided below the worksheet and state the name(s) and address(es) of these persons.

73.6 Enter zero in column E if there are no claims by you or others that would reduce the
73.7 amount of earnings owing to the judgment debtor.

73.8 (7) COLUMN F. Subtract the amount in column E from the amount in column D and
73.9 enter here. This is the amount of earnings that you must remit for the payday for which the
73.10 calculations were made.

73.11 AFFIRMATION

73.12 I, (person signing Affirmation), am the garnishee or I am authorized by the
73.13 garnishee to complete this earnings disclosure, and have done so truthfully and to the best
73.14 of my knowledge.

73.15 Dated: Signature

73.16 Title
73.17

73.18 Telephone Number
73.19

73.20

73.21 EARNINGS DISCLOSURE
73.22 WORKSHEET

73.23 Debtor's Name

73.24	A	B	C
73.25	Payday Date	Gross Earnings	Disposable
73.26			Earnings
73.27	1.	\$.....	\$.....
73.28	2. ....	.....	.....
73.29	3. ....	.....	.....
73.30	4. ....	.....	.....
73.31	5. ....	.....	.....
73.32	6. ....	.....	.....
73.33	7. ....	.....	.....
73.34	8. ....	.....	.....

74.1	9. ....	.....	.....
74.2	10. ....	.....	.....
74.3	D	E	F
74.4	Either 50, 55, 60, or	Setoff, Lien,	Column D minus
74.5	65% of Column C	Adverse Interest,	Column E
74.6		or Other Claims	
74.7	1. ....	.....	.....
74.8	2. ....	.....	.....
74.9	3. ....	.....	.....
74.10	4. ....	.....	.....
74.11	5. ....	.....	.....
74.12	6. ....	.....	.....
74.13	7. ....	.....	.....
74.14	8. ....	.....	.....
74.15	9. ....	.....	.....
74.16	10. ....	.....	.....
74.17	TOTAL OF COLUMN F \$.....		

74.18

74.19

74.20

74.21

74.22

74.23

*If you entered any amount in column E for any payday(s), you must describe below either your claims, or the claims of others. For amounts claimed by others, you must both state the names and addresses of such persons, and the nature of their claim, if known.

74.24

AFFIRMATION

74.25

74.26

74.27

I, (person signing Affirmation), am the third party or I am authorized by the third party to complete this earnings disclosure worksheet, and have done so truthfully and to the best of my knowledge.

74.28

74.29

74.30

74.31

74.32

74.33

74.34

.....

Signature

Dated: (....)

Title

Phone Number

74.32

NONEARNINGS DISCLOSURE FORM

74.33

74.34

~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

~~COUNTY OF~~

~~..... JUDICIAL DISTRICT~~

75.1 (Creditor)

75.2 against

75.3 (Debtor)

NONEARNINGS DISCLOSURE

75.4 and

75.5 (Garnishee)

75.6 On the day of,, the time of service of garnishment summons

75.7 herein, there was due and owing the debtor from the garnishee the following:

75.8 **State of Minnesota**

District Court

75.9 County of:

Judicial District:

75.10

Court File Number:

75.11

Case Type:

75.12 Creditor's full name

75.13

Non-Earnings Disclosure

75.14 against

For Non-Child Support Judgments

75.15 Debtor's full name

75.16

75.17 and

75.18 Third Party (bank, employer, or other)

75.19

75.20 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you
75.21 because you might be holding property that belongs to the debtor, or you might owe money
75.22 to the debtor.

75.23 You are the "third party" or "garnishee." The "debtor" is the person who owes money.
75.24 The debtor is also called the "judgment debtor." The "creditor" is the person the debtor owes
75.25 money to. The creditor is also called the "judgment creditor." The debtor owes \$.....
75.26 to the creditor.

75.27 You must list any money or property you owe the debtor on the lines below and sign
75.28 the affirmation. Write "none" on the line if that is your answer. You must then return this
75.29 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

75.30 Fill in the date you got this disclosure:

75.31 (month) (day), (year)

75.32 On the date you got this disclosure, you owed the debtor:

76.1 (1) Money. ~~Enter on the line below any amounts due and owing the debtor, except~~
76.2 ~~earnings, from the garnishee~~ Write down the amount of money you owe the debtor (except
76.3 earnings).

76.4

76.5 (2) Property. ~~Describe on the line below~~ Write a short description of any personal
76.6 property, instruments, or papers belonging to the debtor and in the possession of the garnishee
76.7 that you have in your possession. List the monetary value of each thing.

76.8

76.9 (3) Setoff. ~~Enter on the line below the amount of any~~ If you claim a setoff, defense, lien,
76.10 or claim which the garnishee claims against the amount set forth on lines (1) and (2) above
76.11 enter that amount on the line below. State the facts by which the setoff, defense, lien, or
76.12 about your claim is claimed. (Any indebtedness to a garnishee incurred by the debtor within
76.13 the ten days before the receipt of the first garnishment on a debt may not be set off against
76.14 amounts otherwise subject to the garnishment.) Note: Any payment the debtor makes to
76.15 the garnishee within the 10 days before they get the first garnishment order on that debt
76.16 can't be used to lower the amount that is being garnished.

76.17

76.18 (4) Exemption. ~~Enter on the line below any amounts or property claimed by the debtor~~
76.19 ~~to be exempt from execution~~ that the debtor claims is exempt on the line below.

76.20

76.21 (5) Adverse Interest. Enter on the line below any amounts ~~claimed by other persons by~~
76.22 ~~reason of ownership or interest in the debtor's property~~ of the debtor's property that other
76.23 people claim they own or have interest in.

76.24

76.25 (6) Enter ~~on the line below the~~ total of lines (3), (4), and (5) on the line below.

76.26

76.27 (7) Enter ~~on the line below the~~ difference obtained (never less than zero) when line (6)
76.28 is subtracted from the sum of lines (1) and (2) on the line below.

76.29

76.30 (8) ~~Enter on the line below~~ Figure out 110 percent of the amount of the creditor's claim
76.31 which remains is still unpaid. Enter it on the line below.

77.1

.....

77.2

(9) ~~Enter on the line below the lesser of line~~ Look at (7) and ~~line~~ (8). ~~Retain~~ Put the

77.3

smaller number on the line below. Hold this amount only if it is \$10 or more.

77.4

.....

77.5

AFFIRMATION

77.6

I, (person signing Affirmation), am the garnishee or I am authorized

77.7

by the garnishee to complete this nonearnings garnishment disclosure, ~~and~~. I have done so

77.8

truthfully and to the best of my knowledge.

77.9

~~Dated:~~

77.10

Signature

77.11

.....

77.12

Title

77.13

.....

77.14

~~Telephone Number~~

77.15

Date:

77.16

Name:

77.17

Signature:

77.18

Title:

77.19

Phone: Email:

77.20

Sec. 16. Minnesota Statutes 2024, section 571.912, is amended to read:

77.21

571.912 FORM OF NOTICE, INSTRUCTIONS, AND EXEMPTION NOTICE.

77.22

Subdivision 1. **Form of notice.** The notice, instructions, and exemption notice informing

77.23

a debtor that a garnishment summons has been used to attach funds of the debtor to satisfy

77.24

a claim must be a separate notice and must be substantially in the following form:

77.25

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

77.26

~~COUNTY OF~~ ~~JUDICIAL DISTRICT~~

77.27

.....(~~Creditor~~)

77.28

.....(~~Debtor~~)

77.29

.....(~~Financial institution~~)

77.30

State of Minnesota District Court

77.31

County of: Judicial District:

77.32

Court File Number:

77.33

Case Type:

78.1 Creditor's full name

78.2

78.3 Debtor's full name

78.4

78.5 Third Party (bank, employer, or other)

78.6

78.7 **Important Notice**

78.8 **~~YOUR FUNDS HAVE BEEN GARNISHED~~**

78.9 **Money in Your Account Has Been Frozen**

78.10 The Creditor has frozen money in your account at your ~~financial institution~~ bank.

78.11 **Your account balance is \$.....**

78.12 **The amount being held is \$.....**

78.13 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

78.14 **Some of your money in your account may be protected (the legal word is exempt).**

78.15 **You may be able to get it sooner than 14 days if you act quickly and follow the**

78.16 **instructions on the next page.**

78.17 The attached exemption form lists some different ~~sources of~~ ways money in your account

78.18 ~~that~~ may be protected. If your money ~~is~~ comes from ~~one or more of these sources, place a~~

78.19 benefit on the list, put a check on the line ~~on the form next to the sources of your money.~~

78.20 ~~If it is from one of these sources, next to it.~~ The creditor ~~cannot~~ can't take it.

78.21 **BUT, if you want the bank to unfreeze your money, you must follow the instructions**

78.22 **and return the exemption form and with copies of your bank statements from the last**

78.23 **60 days to have the bank unfreeze your money. Instructions and the form are attached.** If

78.24 you ~~do not~~ don't follow the instructions ~~or your Creditor gets an order from the court or writ~~

78.25 ~~of execution, your financial institution will give~~ bank gives the money to your creditor. If

78.26 your creditor gets an order from the court or writ of execution, your bank gives the money

78.27 to them. If that happens and ~~if~~ your money is protected, you can still get it back from the

78.28 creditor later. ~~But that is not as easy to do as filling in~~ out the form now is easiest.

78.29 See next pages for instructions and the exemption form.

78.30 Subd. 2. **Form of instructions.** The instructions required must be in a separate form

78.31 and must be substantially in the following form:

78.32 **Instructions**

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

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

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

79.7 **To avoid a hearing:**

79.8 (i) Case numbers should be added to the form.

79.9 (ii) Copies of documents should be sent with the form.

79.10 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies
79.11 of your bank statements for the past 60 days before the garnishment. Send them to the
79.12 creditor (or to the creditor's lawyer). Keep a copy of your bank statements in case there are
79.13 questions about your claim. If you ~~do not~~ don't send bank statements to the ~~creditor's attorney~~
79.14 ~~(or to the creditor, if no attorney)~~ bank statements creditor (or to the creditor's lawyer) along
79.15 with your exemption claim, the financial institution may ~~release~~ give your money to the
79.16 creditor. They would do this once the creditor gives ~~the financial institution~~ them a court
79.17 order ~~directing it~~ saying they have to turn over the funds.

79.18 2. **Sign** the exemption forms. **Make ~~one~~ a copy to keep for yourself.**

79.19 3. **Mail or deliver** the other copies of the form by (insert date).

79.20 **Both Copies Must Be Mailed or Delivered the Same Day.**

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

79.22

79.23 ~~(Insert name of creditor or creditor's attorney)~~

79.24

79.25 ~~(Insert address of creditor or creditor's attorney)~~

79.26 Creditor's Name:

79.27 (or creditor's lawyer's name)

79.28 Street Address:

79.29 City/State/Zip:

79.30 Phone: Fax:

79.31 Email:

79.32 One copy goes to:

80.1 _____
80.2 ~~(Insert name of bank)~~
80.3 _____
80.4 ~~(Insert address of bank)~~
80.5 Bank's Name: _____
80.6 Street Address: _____
80.7 City/State/Zip: _____
80.8 Phone: _____ Fax: _____
80.9 Email: _____

80.10 **How The Process Works**

80.11 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

80.12 14 days after the date of this letter some or all of your money may be turned over to the
80.13 creditor. This happens once they get an order from the court telling the ~~financial institution~~
80.14 bank to do this.

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

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

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

80.19 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after
80.20 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the
80.21 creditor's lawyer to send a release letter to the bank.

80.22 **If the Creditor Objects to Your Claimed Exemptions:**

80.23 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The
80.24 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You
80.25 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

80.26 The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~
80.27 if your money is protected or not. Some reasons a creditor may object are because you ~~did~~
80.28 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~
80.29 got. Be sure to include these when you send your exemption form.

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

80.32 **PENALTIES:**

81.1

Warnings and Fines

81.2

If you claim that your money is protected and a court decides you made that claim in

81.3

bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,

81.4

and ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something

81.5

wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government

81.6

benefits ~~that you do not receive~~ and you don't.

81.7

If the creditor made a bad faith objection to your claim that your money is protected,

81.8

the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~

81.9

~~amount of a fine~~ up to \$100.

81.10

Subd. 3. **Exemption notice.** The exemption notice must be a separate form and must

81.11

be in substantially the following form:

81.12

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

81.13

~~COUNTY OF~~ ~~.....JUDICIAL DISTRICT~~

81.14

~~.....(Creditor)~~

81.15

~~.....(Debtor)~~

81.16

~~.....(Financial institution)~~

81.17

State of Minnesota **District Court**

81.18

County of: Judicial District:

81.19

Court File Number:

81.20

Case Type:

81.21

Creditor's full name

81.22

..... **Exemption Form**

81.23

vs.

81.24

Debtor's full name

81.25

.....

81.26

Bank's name

81.27

.....

81.28

EXEMPTION FORM

81.29

A. **How Much Money is Protected (exempt)**

81.30

~~....~~ ... I claim ALL of the money being frozen by the bank is protected.

81.31

~~....~~ ... I claim SOME of the money is protected. The amount I claim is protected is \$.....

81.32

B. **Why The Money is Protected**

81.33

My money is protected because I get it from one or more of the following places:

81.34

(Check all that apply)

81.35

Earnings (Wages)

82.1 ALL or SOME of my wages may be protected.

82.2 ... **Some** of my wages are protected because they were only deposited in my account

82.3 in the last 20 days.

82.4 For wages that were deposited in your account within the last 20 days, the amount

82.5 protected is whichever is more:

82.6 (i) 75% of your wages or more (after taxes are taken out), or

82.7 (ii) The current minimum wage times 40 per week. You can find the current minimum

82.8 wage here: <https://www.dli.mn.gov/minwage>.

82.9 All of my wages are protected because:

82.10 ... I get government benefits (a list of government benefits is on the next page)

82.11 ... I am getting other assistance based on need

82.12 ... I have gotten government benefits in the last 6 months

82.13 ... I was in jail or prison in the last 6 months

82.14 If you check one of these 4 boxes, your wages are only protected for 60 days after

82.15 they are deposited in your account. You **MUST send the creditor copies of bank**

82.16 **statements** that show what was in your account **for the 60 days right before the**

82.17 **bank froze your money.**

82.18 **Government Benefits**

82.19 Government benefits can include, ~~but are not limited to, the following~~ many things.

82.20 For example:

82.21 ... **MFIP** - Minnesota Family Investment Program;

82.22 ... **DWP** - MFIP Diversionary Work Program;

82.23 ... **SNAP** - Supplemental Nutrition Assistance Program

82.24 ~~**Work participation cash benefit;**~~

82.25 ... **GA** - General Assistance;

82.26 ~~**EA** - emergency assistance;~~

82.27 ~~**MA** - medical assistance;~~

82.28 ... **EGA** - Emergency General Assistance;

82.29 ... **MSA** - Minnesota Supplemental Aid;

82.30 ... **MSA-EA** - MSA Emergency Assistance;

82.31 ... **EA** - Emergency Assistance

82.32 ... **Energy or Fuel Assistance**

82.33 ... **Work Participation Cash Benefit**

82.34 ... **MA** - Medical Assistance

82.35 ~~**Supplemental Nutrition Assistance Program (SNAP);**~~

82.36 ~~**SSI** - Supplemental Security Income;~~

82.37 ... **MinnesotaCare**;

82.38 ... **Medicare Part B** - Premium Payments; help

82.39 ... **Medicare Part D** - Extra help;

82.40 ~~**Energy or fuel assistance.**~~

83.1 ... SSI - Supplemental Security Income

83.2 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
83.3 Family Credit

83.4 ... Renter's Refund (also called Renter's Property Tax Credit)

83.5 ~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~

83.6

83.7 ~~LIST THE CASE NUMBER AND COUNTY~~

83.8 Case Number:

83.9 County:

83.10 ~~Government benefits also include:~~

83.11 ~~Social Security benefits~~

83.12 ~~Unemployment benefits~~

83.13 ~~Workers' compensation~~

83.14 ~~Veterans benefits~~

83.15 ~~If you receive any of these government benefits, include copies of any documents~~
83.16 ~~you have that show you receive Social Security, unemployment, workers'~~
83.17 ~~compensation, or veterans benefits.~~

83.18 ~~Other assistance based on need~~

83.19 ~~You may have assistance based on need from another source that is not on the list. If you~~
83.20 ~~do, check this box, and fill in the source of your money on the line below:~~

83.21 Source:.....

83.22 ~~Include copies of any documents you have that show the source of this money.~~

83.23 **EARNINGS**

83.24 ~~ALL or SOME of your earnings (wages) may also be protected.~~

83.25 ~~All of your earnings (wages) are protected if:~~

83.26 ~~You get government benefits (see list of government benefits)~~

83.27 ~~You currently receive other assistance based on need~~

83.28 ~~You have received government benefits in the last six months~~

83.29 ~~You were in jail or prison in the last six months~~

83.30 ~~If you check one of these lines, your wages are only protected for 60 days after~~
83.31 ~~they are deposited in your account so you MUST send the creditor a copy of~~
83.32 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~
83.33 ~~before the bank froze your money.~~

83.34 ~~Some of your earnings (wages) are protected.~~

83.35 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
83.36 ~~for 20 days after they were deposited in your account. The amount protected is the~~
83.37 ~~larger amount of:~~

83.38 ~~75 percent of your wages (after taxes are taken out); or~~

83.39 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

- 84.1

~~OTHER EXEMPT FUNDS~~
- 84.2

~~The money from the following are also completely protected after they are deposited~~
- 84.3

~~in your account.~~
- 84.4

~~..... An accident, disability, or retirement pension or annuity~~
- 84.5

~~..... Payments to you from a life insurance policy~~
- 84.6

~~..... Earnings of your child who is under 18 years of age~~
- 84.7

~~..... Child support~~
- 84.8

~~..... Money paid to you from a claim for damage or destruction of property~~ Property
- 84.9

~~includes household goods, farm tools or machinery, tools for your job, business~~
- 84.10

~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~
- 84.11

~~furniture, or appliances.~~
- 84.12

~~..... Death benefits paid to you~~
- 84.13

List the case number and county for every
- 84.14

box you checked:
- 84.15

Case Number: County:
- 84.16

Case Number: County:
- 84.17

Case Number: County:
- 84.18

Government benefits also include:
- 84.19

... Social Security benefits
- 84.20

... Unemployment benefits
- 84.21

... Workers' compensation
- 84.22

... Veterans' benefits
- 84.23

If you get any of these government benefits, include copies of any documents that show
- 84.24

you get them.
- 84.25

... I get other assistance based on need that is not on the list. It comes from:
- 84.26

.....
- 84.27

Make sure you include copies of any documents that show this.
- 84.28

C. Other Protected Funds
- 84.29

The money from these things are also completely protected after they are deposited in
- 84.30

my account.
- 84.31

... Child Support
- 84.32

... A retirement, disability, or accident pension or annuity
- 84.33

... Earnings of my child who is under 18 years of age
- 84.34

... Payments to me from a life insurance policy

85.1 ... Money paid to me from a claim for damage or destruction of property. Property
85.2 includes household goods, farm tools or machinery, tools for my job, business equipment,
85.3 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or
85.4 appliances

85.5 ... Death benefits paid to me

85.6 I give my permission to any agency that has given me ~~each~~ benefits to give information
85.7 about my benefits to the ~~above-named~~ creditor, named above or ~~its attorney~~ to the creditor's
85.8 lawyer. The information will **ONLY** ~~concern whether~~ be if I get benefits or not, or whether
85.9 ~~I have gotten them~~ assistance, or if I have gotten assistance in the past ~~six~~ 6 months. If I
85.10 was an inmate in the last 6 months, I give my permission to the correctional institution to
85.11 tell the creditor named above or the creditor's lawyer that I was an inmate there.

85.12 ~~If I was an inmate in the last six months, I give my permission to the correctional~~
85.13 ~~institution to tell the above-named creditor that I was an inmate there.~~

85.14 **You must sign this form and send ~~THIS FORM~~ it back to the creditor's**
85.15 **~~ATTORNEY~~ lawyer (or to the creditor, if there is no ~~ATTORNEY~~ lawyer) and the**
85.16 **bank. Remember to include a copy of your bank statements for the past 60 days. Fill**
85.17 **in the blanks below and go back to the instructions to make sure you ~~do~~ did it correctly.**

85.18 I ~~have~~ mailed or delivered a copy of this form to: the creditor (or to the creditor's lawyer)
85.19 at the address listed below.

85.20

85.21 ~~(Insert name of creditor or creditor's attorney)~~

85.22

85.23 ~~(Insert address of creditor or creditor's attorney)~~

85.24 Creditor's Signature:

85.25 (or creditor's lawyer's signature)

85.26 Creditor's Name:

85.27 (or creditor's lawyer's name)

85.28 Street Address:

85.29 City/State/Zip:

85.30 Phone: Fax:

85.31 Email:

85.32 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address
85.33 listed in the instructions. below:

86.1

~~DATED:~~

86.2

~~DEBTOR~~

86.3

~~.....~~

86.4

~~DEBTOR ADDRESS~~

86.5

~~.....~~

86.6

~~DEBTOR TELEPHONE NUMBER~~

86.7

Bank's Name:

86.8

Street Address:

86.9

City/State/Zip:

86.10

Phone: Fax:

86.11

Email:

86.12

Date:

86.13

Debtor's Signature:

86.14

Debtor's Name:

86.15

Street Address:

86.16

City/State/Zip:

86.17

Phone:

86.18

Email:

86.19

Sec. 17. Minnesota Statutes 2024, section 571.914, subdivision 2, is amended to read:

86.20

Subd. 2. **Form of Notice of Objection and Notice of Hearing.** The Written Objection

86.21

and Notice of Hearing must be in substantially the following form:

86.22

~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

86.23

~~COUNTY OF~~

~~.....JUDICIAL DISTRICT~~

86.24

~~.....(Creditor)~~

86.25

~~.....(Debtor)~~

~~CREDITOR'S NOTICE OF OBJECTION~~

86.26

~~AND NOTICE OF HEARING ON~~

86.27

~~.....(Garnishee)~~

~~EXEMPTION CLAIM~~

86.28

~~.....~~

86.29

~~.....~~

86.30

~~.....~~

86.31

~~(CREDITOR OR CREDITOR'S~~

86.32

~~ATTORNEY)~~

86.33

~~NOTICE OF HEARING~~

86.34

~~The creditor objects to your exemption claim.~~

86.35

~~This hearing is to resolve your exemption~~

86.36

~~claim.~~

87.1

~~Hearing Date:~~

.....

87.2

~~Time:~~

.....

87.3

~~Hearing Place:~~

.....

87.4

State of Minnesota

District Court

87.5

County of:

Judicial District:

87.6

Court File Number:

87.7

Case Type:

87.8

Creditor's full name

87.9

.....

Creditor's Notice of Objection and

87.10

and

Notice of Hearing on Exemption Claim

87.11

Debtor's full name

87.12

.....

87.13

Third Party (bank, employer, or other)

87.14

.....

87.15

Hearing Notice

87.16

The creditor objects to your exemption claim. This hearing is to decide if your exemption

87.17

claim is valid.

87.18

The hearing will be at:

87.19

Place: Date: Time:

87.20

The creditor objects to your claim of exemption from garnishment for the following

87.21

reason(s):

87.22

.....

87.23

.....

87.24

.....

87.25

~~(Note: Bring with you to the hearing all documents and materials supporting your~~

87.26

~~exemption claim. Failure to do so could delay the court's decision.)~~

87.27

~~If the creditor receives all documents and materials supporting your exemption claim~~

87.28

~~before the hearing date, the creditor may agree with your claim and you can avoid a hearing.~~

87.29

~~Because a court hearing will be held on your claim that your funds are protected, your~~

87.30

~~financial institution will retain the funds until it receives an order from the court.~~

87.31

Note: Bring all your documents and materials that support your exemption claim

87.32

to the hearing. If you don't, the court's decision could be held up.

88.1 You can send your documents and materials to the creditor before the hearing. If they
88.2 review them and agree with your claim, you can avoid a hearing.

88.3 Because there is a court hearing scheduled about your exemption claim, your bank will
88.4 keep your funds until it gets an order from the court.

88.5 Date:

88.6 Creditor's Signature:

88.7 (or creditor's lawyer's signature)

88.8 Creditor's Name:

88.9 (or creditor's lawyer's name)

88.10 Street Address:

88.11 City/State/Zip:

88.12 Phone: Fax:

88.13 Email:

88.14 Sec. 18. Minnesota Statutes 2024, section 571.925, is amended to read:

88.15 **571.925 FORM OF NOTICE.**

88.16 The ten-day notice informing a debtor that a garnishment summons may be used to
88.17 garnish the earnings of an individual must be substantially in the following form:

88.18 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

88.19 ~~COUNTY OF~~ ~~.....JUDICIAL DISTRICT~~

88.20 ~~.....(Creditor)~~

88.21 ~~against~~

88.22 ~~GARNISHMENT EXEMPTION~~

88.23 ~~.....(Debtor)~~ ~~NOTICE AND NOTICE OF~~

88.24 ~~and~~ ~~INTENT TO GARNISH EARNINGS~~

88.25 ~~.....(Garnishee)~~

88.26 ~~PLEASE TAKE NOTICE that a garnishment summons or levy may be served upon~~
88.27 ~~your employer or other third parties, without any further court proceedings or notice to you,~~
88.28 ~~ten days or more from the date hereof. Some or all of your earnings are exempt from~~
88.29 ~~garnishment. If your earnings are garnished, your employer must show you how the amount~~
88.30 ~~that is garnished from your earnings was calculated. You have the right to request a hearing~~
88.31 ~~if you claim the garnishment is incorrect.~~

88.32 ~~Your earnings are completely exempt from garnishment if you are now a recipient of~~
88.33 ~~assistance based on need, if you have been a recipient of assistance based on need within~~

89.1 ~~the last six months, or if you have been an inmate of a correctional institution in the last six~~
89.2 ~~months.~~

89.3 ~~Assistance based on need includes, but is not limited to:~~

89.4 State of Minnesota

District Court

89.5 County of:

Judicial District:

89.6 Court File Number:

89.7 Case Type:

89.8 Creditor's full name

89.9

Garnishment Exemption Notice and

89.10 and

Notice of Intent to Garnish Earnings

89.11 Debtor's full name

89.12

89.13 Third Party (bank, employer, or other)

89.14

89.15 Notice: A garnishment may be served on your employer or other third parties.

89.16 Garnishment means that part of your earnings can be taken to pay off debts that you

89.17 owe. This can happen in 10 days or more after you get this notice. This can happen without

89.18 any other court action or notice to you. But some of your money may be protected.

89.19 Your earnings cannot be taken if:

89.20 (i) you are getting government assistance based on need,

89.21 (ii) you got any government assistance based on need in the last 6 months, or

89.22 (iii) you were an inmate of a correctional institution in the last 6 months.

89.23 These are called exemptions. Your money is NOT protected unless you fill out the

89.24 Exemption Claim Notice attached and send it back to the creditor or the creditor's

89.25 lawyer. If you are not sure if you have any exemptions, talk to a lawyer.

89.26 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

89.27 Examples of government assistance based on need:

89.28 (i) MFIP - Minnesota Family Investment Program;

89.29 (ii) DWP - MFIP Diversionary Work Program;

89.30 (iii) SNAP - Supplemental Nutrition Assistance Program

89.31 ~~Work participation cash benefit;~~

89.32 (iv) GA - General Assistance;

89.33 ~~EA - emergency assistance;~~

89.34 ~~MA - medical assistance;~~

- 90.1 (v) EGA - Emergency General Assistance;
- 90.2 (vi) MSA - Minnesota Supplemental Aid;
- 90.3 (vii) MSA-EA - MSA Emergency Assistance;
- 90.4 ~~**Supplemental Nutrition Assistance Program (SNAP);**~~
- 90.5 ~~**SSI - Supplemental Security Income;**~~
- 90.6 (viii) EA - Emergency Assistance
- 90.7 (ix) Energy or Fuel Assistance
- 90.8 (x) Work Participation Cash Benefit
- 90.9 (xi) MA - Medical Assistance
- 90.10 (xii) MinnesotaCare;
- 90.11 (xiii) Medicare Part B - Premium Payments; help
- 90.12 (xiv) Medicare Part D - Extra help;
- 90.13 ~~**Energy or fuel assistance.**~~
- 90.14 (xv) SSI - Supplemental Security Income
- 90.15 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 90.16 Family Credit
- 90.17 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

90.18 ~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~
 90.19 ~~it, and send it to the creditor's attorney and the garnishee.~~

90.20 ~~You may wish to contact the attorney for the creditor in order to arrange for a settlement~~
 90.21 ~~of the debt or contact an attorney to advise you about exemptions or other rights.~~

90.22 **PENALTIES**

90.23 ~~(1) Be advised that even if you claim an exemption, a garnishment summons may still~~
 90.24 ~~be served on your employer. If your earnings are garnished after you claim an exemption,~~
 90.25 ~~you may petition the court for a determination of your exemption. If the court finds that~~
 90.26 ~~the creditor disregarded your claim of exemption in bad faith, you will be entitled to~~
 90.27 ~~costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

90.28 ~~(2) HOWEVER, BE WARNED if you claim an exemption, the creditor can also petition~~
 90.29 ~~the court for a determination of your exemption, and if the court finds that you claimed~~
 90.30 ~~an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus~~
 90.31 ~~an amount not to exceed \$100.~~

90.32 ~~(3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment,~~
 90.33 ~~thus requiring the creditor to petition the court to resolve the problem, you will be liable~~
 90.34 ~~to the creditor for costs and reasonable attorney's fees plus an amount not to exceed~~
 90.35 ~~\$100.~~

91.1 ~~Dated:~~

91.2 (Attorney for) Creditor

91.3

91.4 Address

91.5

91.6 Telephone

91.7 **Warnings and Fines**

91.8 (1) Even if you claim an exemption, a levy may still be served on your employer. If they

91.9 take money from you after you claim an exemption, you may ask the court to review your

91.10 exemption. If the court finds that the creditor ignored your claim of exemption in bad faith,

91.11 you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad

91.12 faith is when someone does something wrong on purpose.

91.13 (2) BUT if you claim an exemption, the creditor can also ask the court to review your

91.14 exemption. If the court finds that you claimed an exemption in bad faith, you are charged

91.15 costs and reasonable lawyer fees, and a fine up to \$100.

91.16 (3) If you get this notice, then do something in bad faith to try to block or stop the levy

91.17 and the creditor has to take you to court because of it, you will have to pay the creditor's

91.18 costs, and reasonable lawyer's fees, and a fine up to \$100.

91.19 Date:

91.20 Creditor's Signature:

91.21 (or creditor's lawyer's signature)

91.22 Creditor's Name:

91.23 (or creditor's lawyer's name)

91.24 Street Address:

91.25 City/State/Zip:

91.26 Phone: Fax:

91.27 Email:

91.28 **DEBTOR'S EXEMPTION CLAIM NOTICE**

91.29 **State of Minnesota** **District Court**

91.30 County of: Judicial District:

91.31 Court File Number:

91.32 Case Type:

91.33 Creditor's full name

91.34 **Debtor's Exemption**

91.35 and **Claim Notice**

92.1 Debtor's full name
92.2
92.3 and
92.4 Third Party (bank, employer, or other)
92.5

92.6 I hereby claim that my earnings are exempt from this garnishment because: (check all
92.7 that apply)

92.8 (1) I am presently a recipient of relief based on need. (Specify the program, case number,
92.9 and the county from which relief is being received.)

92.10
92.11 Program Case Number (if known) County

92.12 (2) I am not now receiving relief based on need, but I have received relief based on need
92.13 within the last six months. (Specify the program, case number, and the county from
92.14 which relief has been received.)

92.15
92.16 Program Case Number (if known) County

92.17 (3) I have been an inmate of a correctional institution within the last six months. (Specify
92.18 the correctional institution and location.)

92.19
92.20 Correctional Institution Location

92.21 I hereby authorize any agency that has distributed relief to me or any correctional
92.22 institution in which I was an inmate to disclose to the above-named creditor or the creditor's
92.23 attorney only whether or not I am or have been a recipient of relief based on need or an
92.24 inmate of a correctional institution within the last six months. I have mailed or delivered a
92.25 copy of this form to the creditor or creditor's attorney.

92.26
92.27 Date Debtor
92.28
92.29 Address
92.30
92.31 Debtor Telephone Number

92.32 STATE OF MINNESOTA DISTRICT COURT
92.33 COUNTY OF JUDICIAL DISTRICT

93.1

.....(~~Creditor~~)

93.2

.....(~~Debtor~~)

93.3

.....(~~Financial institution~~)

93.4

... I am getting government assistance based on need. (State the program, case number

93.5

if you know it, and the county you got it from.)

93.6

Program: Case #: County:

93.7

Program: Case #: County:

93.8

Program: Case #: County:

93.9

... I am not getting assistance based on need right now, but I did get government assistance

93.10

based on need within the last 6 months. (State the program, case number if you know it,

93.11

and the county you got it from.)

93.12

Program: Case #: County:

93.13

Program: Case #: County:

93.14

Program: Case #: County:

93.15

... I was an inmate of a correctional institution within the last 6 months. (State the

93.16

correctional institution and location.)

93.17

Correctional Institution Location

93.18

I give my permission to any agency listed above to give information about my benefits

93.19

to the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if

93.20

I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the

93.21

last 6 months, I give my permission to the correctional institution to tell the creditor named

93.22

above or the creditor's lawyer that I was an inmate there.

93.23

Sign and send this form back to the creditor or the creditor's lawyer.

93.24

Fill in the blanks below.

93.25

I mailed or delivered a copy of this form to the creditor or to the creditor's lawyer if they

93.26

have one, at the address listed below.

93.27

Date:

93.28

Creditor's Signature:

93.29

(or creditor's lawyer's signature)

93.30

Creditor's Name:

93.31

(or creditor's lawyer's name)

93.32

Street Address:

93.33

City/State/Zip:

94.1 Phone: Fax:

94.2 Email:

94.3 Date:

94.4 Debtor's Signature:

94.5 Debtor's Name:

94.6 Street Address:

94.7 City/State/Zip:

94.8 Phone:

94.9 Email:

94.10 Sec. 19. Minnesota Statutes 2024, section 571.931, subdivision 6, is amended to read:

94.11 Subd. 6. **Notice.** The debtor shall be served with a copy of the prejudgment garnishment
94.12 order issued pursuant to this section together with a copy of all pleadings and other documents
94.13 not previously served, including any affidavits upon which the claimant intends to rely at
94.14 the subsequent hearing and a transcript of any oral testimony given at the prejudgment
94.15 garnishment hearing upon which the creditor intends to rely and a notice of hearing. Service
94.16 must be in the manner prescribed for personal service of a summons unless that service is
94.17 impracticable or would be ineffective and the court prescribes an alternative method of
94.18 service calculated to provide actual notice to the debtor.

94.19 The notice of hearing served upon the debtor must be signed by the creditor or the
94.20 attorney for the creditor and must be accompanied by an exemption notice. The notice of
94.21 hearing must be accompanied by an exemption notice, and both notices must provide, at a
94.22 minimum, the following information in substantially the following language:

94.23 ~~NOTICE OF HEARING~~

94.24 **Hearing Notice**

94.25 TO:

94.26 ~~(the debtor)~~ (debtor's full name)

94.27 The (insert the name of court) Court has ordered the prejudgment garnishment of some
94.28 of your property ~~in the possession or control of a third party~~. This is about property that a
94.29 third party has or controls. Some of your property may be exempt ~~from seizure~~ and can't
94.30 be taken. See the exemption notice below.

94.31 The Court issued this Order ~~based upon the claim of~~ because (insert name of creditor)
94.32 ~~that (insert name of creditor) is~~ claims they are entitled to a court order for garnishment
94.33 take some of your property to ~~secure your payment of any money judgment that (insert~~

95.1 ~~name of creditor) may later be obtained against you and that immediate action was necessary.~~
95.2 They do this to make sure you pay any money they might win in a future case against you.
95.3 They felt immediate action was needed.

95.4 You have the legal right to challenge (insert name of creditor) claims at a court hearing
95.5 before a judge.

95.6 The hearing will be at:

95.7 Place: Date: Time:

95.8 ~~The hearing will be held at the (insert place) on (insert date) at (insert time). You may~~
95.9 ~~attend~~ can go to the court hearing alone or with an attorney a lawyer. After you have
95.10 ~~presented your side of the matter, the court will decide~~ You get to tell the court your side
95.11 of the issue. Then the court decides what should be done with your property until the lawsuit
95.12 against you is finally decided.

95.13 **If you ~~do not attend~~ don't go to this hearing, the court may order garnishment of**
95.14 **your property.**

95.15 **Exemption Notice**

95.16 Some of your property may be exempt and ~~cannot be garnished~~ can't be taken. 'Exempt'
95.17 means protected. The following is a list of some ~~of the more~~ common exemptions. It is not
95.18 a complete and is subject to list. For full details and dollar amounts set by law see section
95.19 ~~550.37, and other state and federal laws~~ of the Minnesota Statutes. If you have questions
95.20 about an exemption, ~~you should obtain competent~~ contact a lawyer for legal advice.

95.21 These things you or your family might have are protected:

95.22 (1) ~~a homestead or the proceeds from the sale of a homestead.~~ equity in your home, or
95.23 money from recently selling your home - up to \$510,000 total;

95.24 (2)(i) all clothing, one watch, utensils, and foodstuffs;

95.25 (ii) household furniture, household appliances, phonographs, radios, and computers,
95.26 tablets, televisions up to a total current value of \$4,500 at the time of attachment, printers,
95.27 cell phones, smart phones, and other consumer electronics up to \$12,150 in all; and

95.28 (iii) jewelry - total value can't be more than \$3,308;

95.29 (3) a manufactured (mobile) home used as your home. you live in;

95.30 (4) one motor vehicle currently worth less than \$2,000 after deducting any security
95.31 interest, counting only the amount you have paid off;

- 96.1 (i) \$10,000;
- 96.2 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 96.3 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
- 96.4 or
- 96.5 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
- 96.6 to walk;
- 96.7 ~~(5) farm machinery used by someone principally engaged in farming, or if your main~~
- 96.8 ~~business is farming. Tools, machines, or office furniture used in your business or trade. This~~
- 96.9 ~~exemption is limited to \$10,000. - the total value can't be more than \$13,000;~~
- 96.10 (6) relief based on need. This includes ~~the~~ :
- 96.11 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),
- 96.12 Work First Program, Medical Assistance (MA);
- 96.13 (ii) DWP - MFIP Diversionary Work Program;
- 96.14 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 96.15 (iv) GA - General Assistance (GA);
- 96.16 (v) EGA - Emergency General Assistance (EGA);
- 96.17 (vi) MSA - Minnesota Supplemental Aid (MSA);
- 96.18 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income
- 96.19 (SSI), and Energy Assistance;
- 96.20 (viii) EA - Emergency Assistance;
- 96.21 (ix) Energy or Fuel Assistance;
- 96.22 (x) Work Participation Cash Benefit;
- 96.23 (xi) MA - Medical Assistance;
- 96.24 (xii) MinnesotaCare;
- 96.25 (xiii) Medicare Part B - Premium Payments help;
- 96.26 (xiv) Medicare Part D - Extra;
- 96.27 (xv) SSI - Supplemental Security Income;
- 96.28 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 96.29 Family Credit; and

- 97.1 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit);
- 97.2 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
- 97.3 between 75-100% is protected depending on how much you earn;
- 97.4 (8) retirement benefits - the total interest under all plans and contracts can't be more than
- 97.5 \$81,000;
- 97.6 ~~(7)~~ (9) Social Security benefits;
- 97.7 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 97.8 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension
- 97.9 or annuity;
- 97.10 ~~(10)~~ (12) life insurance proceeds- that are not more than \$54,000;
- 97.11 ~~(11)~~ The (13) earnings of your minor child;
- 97.12 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property (such as -
- 97.13 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 97.14 a car)- car;
- 97.15 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 97.16 items. Total value can't be more than \$2,000;
- 97.17 (16) personal library - total value can't be more than \$750;
- 97.18 (17) musical instruments - total value can't be more than \$2,000;
- 97.19 (18) family pets - current value can't be more than \$1,000;
- 97.20 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 97.21 (20) tools you need to work in your business or profession - the total value can't be more
- 97.22 than \$13,500;
- 97.23 (21) household tools and equipment - things like hand and power tools, snow removal
- 97.24 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 97.25 (22) health savings accounts, medical savings accounts - the total value can't be more
- 97.26 than \$25,000.

97.27 Sec. 20. Minnesota Statutes 2024, section 571.932, subdivision 2, is amended to read:

97.28 Subd. 2. **Service.** The creditor's motion to obtain an order of garnishment together with

97.29 the creditor's affidavit and notice of hearing must be served in the manner prescribed for

97.30 service of a summons in a civil action in district court unless that service is impracticable

or would be ineffective and the court prescribes an alternative method of service calculated to provide actual notice to the debtor. If the debtor has already appeared in the action, the motion must be served in the manner prescribed for service of pleadings subsequent to the summons. The date of the hearing must be fixed in accordance with rule 6 of the Minnesota Rules of Civil Procedure for the District Courts, unless a different date is fixed by order of the court.

The notice of hearing served upon the debtor shall be signed by the creditor or the attorney for the creditor and shall provide, at a minimum, the following information in substantially the following language:

~~NOTICE OF HEARING~~

Hearing Notice

TO:

~~(the debtor)~~ (debtor's full name)

~~A hearing will be held (insert place) on (insert date) at (insert time) to determine whether nonexempt property belonging to you will be garnished to secure a judgment that may be entered against you.~~

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 may attend~~ can go to the court hearing alone or with an attorney a lawyer. ~~After you have presented your side of the matter, the court will decide whether~~ You get to tell the court your side of the issue. Then the court decides if your property should be garnished until the lawsuit which has been commenced against you is finally decided.

~~If the court directs the issuance of issues~~ a garnishment summons while during the lawsuit is pending, you may still can keep the property until the lawsuit is decided if you file a bond in an amount. The amount of the bond is set by the court.

If you DO NOT ATTEND THIS don't go to this hearing, the court may order garnishment of your nonexempt property TO BE GARNISHED.

Exemption Notice

Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means protected. The following is a list of some of the ~~more~~ common exemptions. It is not

~~a complete and is subject to~~ list. For full details and dollar amounts set by law see section 550.37, ~~and other state and federal laws~~ of the Minnesota Statutes. The dollar amounts contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the time of the garnishment. If you have questions about an exemption, you should obtain competent contact a lawyer for legal advice.

These things you or your family might have are protected:

(1) ~~A homestead or the proceeds from the sale of a homestead.~~ equity in your home, or money from recently selling your home - up to \$510,000 total;

(2)(i) all clothing, one watch, utensils, and foodstuffs;

(ii) household furniture, household appliances, ~~phonographs~~, radios, and computers, tablets, televisions up to a total current value of \$5,850., printers, cell phones, smart phones, and other consumer electronics up to \$12,150 in all; and

(iii) jewelry - total value can't be more than \$3,308;

(3) ~~a manufactured (mobile) home used as your home.~~ you live in;

(4) ~~one motor vehicle currently worth less than \$2,600 after deducting any security interests.,~~ counting only the amount you have paid off:

(i) \$10,000;

(ii) \$12,500 if it is necessary for your business, trade, or profession;

(iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;

or

(iv) \$100,000 if designed or modified for someone with a disability that makes it hard to walk;

(5) ~~farm machinery used by an individual principally engaged in farming, or if your main business is farming.~~ Tools, machines, or office furniture used in your business or trade. ~~This exemption is limited to -~~ the total value can't be more than \$13,000.;

(6) relief based on need. This includes ~~the~~ :

(i) **MFIP** - Minnesota Family Investment Program (MFIP), ~~Emergency Assistance (EA), Work First Program, Medical Assistance (MA).;~~

(ii) **DWP** - MFIP Diversionary Work Program;

(iii) **SNAP** - Supplemental Nutrition Assistance Program;

- 100.1 (iv) **GA** - General Assistance (~~GA~~);
- 100.2 (v) **EGA** - Emergency General Assistance (~~EGA~~);
- 100.3 (vi) **MSA** - Minnesota Supplemental Aid (~~MSA~~);
- 100.4 (vii) **MSA-EA** - MSA Emergency Assistance (~~MSA-EA~~), Supplemental Security Income
- 100.5 (~~SSI~~), and Energy Assistance;
- 100.6 (viii) **EA** - Emergency Assistance;
- 100.7 (ix) **Energy or Fuel Assistance**;
- 100.8 (x) **Work Participation Cash Benefit**;
- 100.9 (xi) **MA** - Medical Assistance;
- 100.10 (xii) **MinnesotaCare**;
- 100.11 (xiii) **Medicare Part B** - Premium Payments help;
- 100.12 (xiv) **Medicare Part D** - Extra;
- 100.13 (xv) **SSI** - Supplemental Security Income;
- 100.14 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working
- 100.15 Family Credit; and
- 100.16 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit);
- 100.17 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
- 100.18 between 75-100% is protected depending on how much you earn;
- 100.19 (8) retirement benefits - the total interest under all plans and contracts can't be more than
- 100.20 \$81,000;
- 100.21 (~~7~~) (9) Social Security benefits;
- 100.22 (~~8~~) (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 100.23 (~~9~~) An accident, disability or retirement (11) a retirement, disability, or accident pension
- 100.24 or annuity;
- 100.25 (~~10~~) (12) life insurance proceeds- that are not more than \$54,000;
- 100.26 (~~11~~) The (13) earnings of your minor child;
- 100.27 (~~12~~) (14) money from a claim for damage or destruction of exempt property (~~such as -~~
- 100.28 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 100.29 a ~~car~~ car);

- 101.1 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
101.2 items. Total value can't be more than \$2,000;
- 101.3 (16) personal library - total value can't be more than \$750;
- 101.4 (17) musical instruments - total value can't be more than \$2,000;
- 101.5 (18) family pets - current value can't be more than \$1,000;
- 101.6 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 101.7 (20) tools you need to work in your business or profession - the total value can't be more
101.8 than \$13,500;
- 101.9 (21) household tools and equipment - things like hand and power tools, snow removal
101.10 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 101.11 (22) health savings accounts, medical savings accounts - the total value can't be more
101.12 than \$25,000.

101.13 Sec. 21. Laws 2024, chapter 114, article 3, section 101, the effective date, is amended to
101.14 read:

101.15 **EFFECTIVE DATE.** This section is effective ~~April~~ June 1, 2025, and applies to causes
101.16 of action commenced on or after that date.

101.17 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2025.

101.18 Sec. 22. **CONSTRUCTION AND APPLICATION.**

101.19 The forms in sections 1 to 20 must be made available on the state court website on or
101.20 before June 1, 2025. The failure to use the forms as amended by sections 1 to 20 before
101.21 June 1, 2025, is not a basis for a complaint or violation of a federal statute, Minnesota
101.22 Statutes, or the Minnesota Rules of Professional Conduct.

101.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

101.24 Sec. 23. **EFFECTIVE DATE.**

101.25 Sections 1 to 20 are effective June 1, 2025.