

NOTICE TO THE JUDGMENT DEBTOR OF GARNISHMENT OF PERSONAL EARNINGS

(Ohio Revised Code 2716.06 Eff. 3/13/86)

Parma Municipal Court
Martin E. Vittardi, Clerk of Court
5555 Powers Blvd.
Parma, Ohio 44129

CASE NUMBER _____ **CV** _____ - _____

Judgment Creditor

vs.

NOTICE TO THE JUDGMENT DEBTOR OF GARNISHMENT OF PERSONAL EARNINGS

Judgment Debtor

You are hereby notified that this Court has issued an order in the above case in favor of _____, the Judgment Creditor in this proceeding, directing that some of your personal earnings, now in the possession of your employer be used to satisfy some of your debt to the Judgment Creditor instead of being paid to you. This order was issued on the basis of the Judgment Creditor's judgment against you that was obtained in **THE PARMA MUNICIPAL COURT** in Case No. _____ on _____, 20____.

The law of Ohio provides that you are entitled to keep a certain amount of your personal earnings free from the claims of creditors. Additionally, wages under a certain amount may never be used to satisfy the claims of creditors. The documents entitled "**ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF EMPLOYER**" that are enclosed with this notice show how the amount proposed to be taken out of your personal earnings was calculated by your employer.

If you dispute the Judgment Creditor's right to garnish your personal earnings and believe that you are entitled to possession of the personal earnings because they are exempt or if you feel that this order is improper for any other reason, you may request a hearing before this Court by disputing the claim in the Request for Hearing form, appearing on the reverse side, or in a substantially similar form, and delivering the Request for Hearing to this court at the above address, at the office of the Clerk of Court, no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the Judgment Creditor's right to garnish your personal earnings in the space provided on the form; however, you are not required to do so. If you do state your reasons for disputing the Judgment Creditor's right, you are not prohibited from stating any other reason, it will not be held against you by the Court and you can state your reasons at the hearing. If you request a hearing, the hearing will be limited to a consideration of the amount of your wages in the hands of your employer, if any, that can be used to satisfy all or part of the judgment you owe to the Judgment Creditor. ***No objections to the judgment itself will be heard or considered at that hearing.*** If you request a hearing by delivering your request for the hearing no later than the end of the fifth business day after you receive this notice, it will be conducted no later than twelve days after your request is received by the Court and the Court will send you notice of the date, time and place. You may indicate in the form that you feel that the need for the hearing is an emergency and that it should be given priority by the Court. If you do so, the Court will schedule the hearing as soon as practicable after your request is received, and will send you notice of the date, time and place. If you do not request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice, some of your personal earnings will be paid to the Judgment Creditor.

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

MARTIN E. VITTARDI

Clerk of Court

Deputy Clerk

Date

(OVER)

Parma Municipal Court
Martin E. Vittardi, Clerk of Court
5555 Powers Blvd.
Parma, Ohio 44129

CASE NUMBER _____ CV _____ - _____, 20____
Date

REQUEST FOR HEARING

I dispute the Judgment Creditor's right to garnish my personal earnings in the above case and request that a hearing in this matter be held no later than twelve days after delivery of this request to the Court.

I _____ feel that the need for the hearing is an emergency.
Insert "do" or "do not"

I dispute the Judgment Creditor's right to garnish my personal earnings for the following reasons:

(Optional)

Name of Judgment Debtor

Signature

Date

WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE OFFICE OF THE CLERK OF THIS COURT WITHIN FIVE (5) BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR PERSONAL EARNINGS NOW IN POSSESSION OF:

WILL BE PAID TO: _____ TO SATISFY SOME OF YOUR DEBT TO HIM.

NOTE: By law, the hearing is limited only to the issues of (1) the amount of money, property or credits being held by the Garnishee and (2) what portion of the money, property and credits being held are exempt.