

1 IN THE
2 COUNTY, ARIZONA
3

4
5 Plaintiff,
6 vs.
7
8 Defendant(s).
9
10 Garnishee.

NO.

**NOTICE TO JUDGMENT DEBTOR
(EARNINGS)**

11
12 This is your second notice that a Writ of Garnishment has been issued in
13 this case. The Writ is a Court Order requiring the Garnishee to withhold a
14 certain amount from your earnings and to continue to withhold a portion of your
15 earnings until the Judgment is satisfied or the Writ is quashed.

16 The law provides that a certain amount of each paycheck or other periodic
17 earnings is exempt from collection by a Writ of Garnishment. In some cases of
18 very low income, no amount can be garnished except for an Order for Support of
19 a Person.

20 If you believe that too much of your earnings have been withheld from
21 your paycheck, or that no amount should be withheld, you may request a hearing
22 before this Court.

23 Among the reasons for requesting a hearing are:

24 1. The Judgment Creditor does not have a valid Judgment against you or
25 the Judgment has been paid in full.

26 2. The Garnishee's Answer is incorrect.

27 3. Your earnings are already subject to a Writ of Garnishment or are
28 subject to a Court Ordered Assignment for Payment of Support.

4. The Judgment Creditor's debt is subject to an effective agreement for
debt scheduling between you and a debt counseling organization.

To request a hearing, deliver the Request for Hearing form (attached),
or a substantially similar form to the Clerk of this Court or the Justice of
the Peace. You must mail or deliver a copy of the Request for Hearing to the
Garnishee and to the Judgment Creditor or his attorney at the address on the
Writ of Garnishment.

1 If you do not deliver the Request for Hearing form to this Court within
2 ten (10) days after the date you receive this Notice and the Answer of the
3 Garnishee, your request for hearing will be denied, unless good cause for the
4 delay is shown. You must check a box or state your reasons for disputing the
5 claim in the space provided on the form.

6 If you request a hearing, it will be conducted no later than ten (10)
7 days after your request is received by the Court. The Court will send you
8 notice of the date, time and place.

9 The non-exempt portion of your earnings will continue to be withheld by
10 the Garnishee and delivered to the Judgment Creditor until the Judgment is paid
11 in full, or the Garnishment is ordered to stop. Whether or not you request a
12 hearing at this time, if you believe too much money is withheld from your
13 earnings pursuant to this Garnishment at some time in the future, you will have
14 the same opportunity to request a hearing at that time.

15 **WARNING: YOU WAIVE YOUR RIGHT TO A HEARING ON THE MONIES WITHHELD IN THIS PAY**
16 **PERIOD UNLESS YOU FILE THIS REQUEST FOR HEARING WITHIN TEN (10) DAYS AFTER**
17 **RECEIVING THE GARNISHEE'S ANSWER OR SHOW GOOD CAUSE FOR FILING THE REQUEST**
18 **LATE.**