

FRANKLIN COUNTY COMMON PLEAS COURT
CLERK'S OFFICE- CIVIL DIVISION
369 S. HIGH STREET, THIRD FLOOR
COLUMBUS, OHIO 43215-4579

Rev. 09/08

JUDGMENT CREDITOR(S)

AGAINST

CASE NO. _____

JUDGMENT DEBTOR(S)

THIS NUMBER MUST BE USED ON ALL REFERENCES

**NOTICE TO THE JUDGMENT DEBTOR OF GARNISHMENT OF PROPERTY OTHER THAN
PERSONAL EARNINGS**

You are hereby notified that this court has issued an order in favor of the above named judgment creditor in this proceeding, directing that some of your money in excess of four hundred and twenty five dollars, property, or other credits other than personal earnings, that now may be in the possession of the garnishee named below, be used to satisfy your debt to the judgment creditor. This order was issued on the basis of the judgment creditor's judgment against you that was obtained in, or certified to the Stark County Common Pleas Court in the case number shown above on _____.

Upon your receipt of this notice, you are prohibited from removing or attempting to remove the money, property, or other credits until expressly permitted by the court. Any violation of this prohibition subjects you to punishment for contempt of court.

Name and address of garnishee(s): _____

The law of Ohio and the United States provides that certain benefit payments cannot be taken from you to pay a debt. Typical among the benefits that cannot be attached or executed upon a creditor are (1) WORKER'S COMP BENEFITS; (2) UNEMPLOYMENT COMENSATION BENEFITS; (3) CASH ASSISTANCE PAYMENTS UNDER THE OHIO WORK FIRST PROGRAM; (4) DISABILITY FINANCIAL ASSISTANCE ADMINISTERED BY THE OHIO DEPT. OF JOB AND FAMILY SERVICES; (5) SOCIAL SECURITY BENEFITS; (6) SUPPLEMENTAL SOCIAL SECURITY BENEFITS; (7) VETERAN'S BENEFITS; (8) BLACK LUNG BENEFITS; (9) CERTAIN PENSIONS. There may be other benefits not included in this list that may apply to your case.

If you dispute the judgment creditor's right to garnish your property and believe that the judgment creditor should not be given your money, property, or credits other than personal earnings, now in possession of the garnishee because they are exempt, or if you feel this form is improper for any other reason, you may request a hearing before this court by disputing the claim in the **Request for Hearing** section on this form, or in a substantially similar form, and delivering the **Request for Hearing** to the above address at the office of the clerk of this court no later than the end of the **FIFTH BUSINESS DAY** after you receive this notice. You may state your reason for disputing the judgment creditor's right to garnish your property in the space provided on the form; however, you are not required to do so. If you do dispute your reasons for disputing the judgment creditor's right, you are not prohibited from stating any other reason at the hearing., if you do not state your reasons, it will not be held against you by the court and you can state your reasons at the hearing. NO OBJECT ION TO T HE J U D G M E N T I T S E L F W I L L B E H E A R D O R C O N S I D E R E D A T T H E H E A R I N G. If you request a hearing, the hearing will be limited to a consideration of the amount of your money, property, or credits other than personal earnings, in the possession and control of the garnish that can be used to satisfy all of part of the judgment you owe the judgment creditor. You can request a hearing by delivering your **Request for Hearing** on the enclosed postcard or on the request for hearing section on the reverse side of this form, no later than the **FIFTH BUSINESS DAY** after you receive this notice. The Date set for the hearing may change depending on when the clerk receives your request. The clerk will confirm the date of the hearing by calling you at the telephone number or by mailing notification of the hearing date to the address you have listed on your request for hearing form. **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 money, property, or credits other than personal earnings will be paid to the judgment creditor.** If you have questions concerning this matter, you may contact the office of the clerk of this court. If you want legal representation, call your lawyer immediately. If you need the name of a lawyer, contact the local bar association. THE JUDGES OR THE CLERK CANNOT GIVE YOU LEGAL ADVICE OR ACT AS YOUR LAWYER.

(REQUEST FOR HEARING ON THE NEXT PAGE)

REQUEST FOR HEARING ON GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS

I DISPUTE THE JUDGMENT CREDITOR'S RIGHT TO GARNISH MY MONEY, PROPERTY, OR CREDITS OTHER THAN PERSONAL EARNINGS, IN THIS CASE AND REQUEST THAT A HEARING BE HELD IN THIS MATTER. I DISPUTE THE CREDITOR'S RIGHT TO GARNISH MY PROPERTY FOR THE FOLLOWING REASON(S) (OPTIONAL): _____

I UNDERSTAND THAT NO OBJECTION TO THE JUDGMENT WILL BE HEARD AT THE HEARING.

IF YOU REQUEST A HEARING IT WILL BE CONDUCTED AT 375 S. HIGH ST. COLUMBUS, OHIO, ON THE 6TH FLOOR, HEARING ROOM # 1 ON _____ AT 8:30 A.M.

IF YOU REQUEST A HEARING AN ATTEMPT WILL BE MADE TO CONTACT YOU IN ORDER TO CONFIRM THE HEARING DATE BY THE CLERK CALLING THE TELEPHONE NUMBER OR MAILING NOTIFICATION OF THE HEARING TO THE ADDRESS YOU HAVE PROVIDED BELOW. FAILURE TO RECEIVE CONFIRMATION WILL NOT EXCUSE YOUR FAILURE TO ATTEND THE HEARING AT THE DATE AND TIME INDICATED ABOVE.

(Name of Judgment Debtor) (

Signature)

(Current Address) (Date)

(City-State-Zip Code)

(Time Stamp Area Below)

(Daytime Telephone Number)

WARNING: If you do not deliver this request for hearing or a request for hearing in a substantially similar form to the office of the clerk of this court within in five (5) business days of your receipt of it, you will have waived your right to a hearing and some of your money, property, or credits other than personal earnings now in the possession of the garnishee will be paid to the judgment creditor to satisfy some of the debt to the judgment debtor.