

Motion to Stop Wage Garnishment (with Declaration and Claim of Exemption for Wages)

Case Number:

In the _____ Court of _____

County, Alabama

Plaintiff's Name (person or company that sued you)

Defendant's Name (your name)

Name of Defendant's Employer (Garnishee)

If your wages are being garnished, you may use this form to ask the Court to protect at least \$1000 of your paycheck. (This form is not for judgments related to child support, personal injury, or car accidents.)

If the court grants this Motion, you still owe the judgment, and the Plaintiff can try to collect it in other ways.

I declare and claim:

- I live in _____ County, Alabama.
My employer is: _____
My take-home pay after taxes, child support, social security, and any other garnishments or deduction is usually: \$ _____
I receive that amount (check one): [] every month [] twice a month [] every 2 weeks [] every week [] other (please specify): _____
I claim my wages as exempt from legal process for debt collection under Ala. Const. Art. X, § 204.

I list all of my personal property below (for purpose of inventory only). All of it is located where I live.

Do not list your home, land you own, or any property that your spouse or children own. If you need more space, attach another sheet.

1. Cash \$ _____

2. Bank Accounts.

Table with 4 columns: Name of bank, Includes "protected" income*, Current balance. Rows 1-5.

* Check "Protected" if there is money from SSI, VA, unemployment, child support, earned income tax credit, or Family Assistance in the account. Retirement plans and other assets may be protected, too. Talk to a lawyer for more information.

3. Cars, boats, other vehicles (Do not list any cars that your employer owns.)

Table with 4 columns: Make / Year, a. Fair Market Value *, b. How much you still owe, c. Current Value: (a minus b). Rows 1-3.

4. All other personal property (jewelry, furniture, household items, TVs, appliances, computers, cameras, etc.):

Table with 4 columns: List item, a. Fair Market Value *, b. How much you still owe, c. Current Value: (a minus b). Rows 1-10.

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③ I ask the Court to stop the garnishment of my wages. I need all of my wages to support my family and myself, and to pay for our basic needs.

④ **Read below and sign in front of a Notary** (after completing page 1.)

▶ _____
Sign here _____
Date

Address: _____
street address city state zip

Notary fills out below—

Sworn to and subscribed before me, the undersigned authority,

By (*Print name of notary/clerk*): _____

(*Notary's seal here*)

On this date: _____

▶ _____
Notary signs here

⑤ After signing above, you **must**:

1. Fill out the box to the right, then
2. Mail or deliver a copy of this form to the Plaintiff or his/her lawyer and your employer (the Garnishee), then
3. File the original of this *Motion* with the court clerk.

Certificate of Service — I certify that a true copy of this <i>Motion</i> was sent by 1st class U.S. mail to the Garnishee (your employer) and the Plaintiff or his/her lawyer on (<i>date</i>): _____, at the addresses below .	
Sign here: ▶ _____	Date: _____
Plaintiff's street address	city
state	zip
Employer's street address	city
state	zip