

DAYTON MUNICIPAL COURT CIVIL DIVISION
Dayton-Montgomery County Courts Bldg., 301 W. Third Street, Dayton, Ohio 45402
P.O. Box 10700, Dayton, Ohio 45402

Form revised 04/08/13

NOTICE TO THE JUDGMENT DEBTOR

R.C. 2716.13(C)

JUDGMENT CREDITOR

vs.

Case No. _____

Exec. No. _____

JUDGMENT DEBTOR

(The debt collector is attempting to collect a debt and any information obtained will be used for that purpose.)

TO : _____ **(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

Name and Address of Judgment Creditor

your money **in excess of \$500**, property, or credits, other than personal earnings, that now may be in the possession of the Garnishee in

this Proceeding, _____,

Name and Address of Garnishee

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

obtained in: _____ in _____ on _____.

Court

case number

date

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

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 by a creditor are the following:

- | | |
|--|--|
| (1) Workers' compensation benefits; | (6) Social security benefits; |
| (2) Unemployment compensation payments; | (7) Supplemental security income (S.S.I.); |
| (3) Cash assistance payments under the Ohio works first program; | (8) Veteran's benefits; |
| (4) Benefits and services under the prevention, retention, and contingency program; | (9) Black lung benefits; |
| (5) Disability financial assistance by the Ohio department of job and family services; | (10) Certain pensions. |

There may be other benefits not included in the above list that apply in 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 the possession of the Garnishee 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 enclosed Request for Hearing Form, 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 this 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 property 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 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 OBJECTIONS TO THE JUDGMENT ITSELF WILL BE HEARD OR CONSIDERED AT THE HEARING.

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 OR CONTROL OF THE GARNISHEE, IF ANY, THAT CAN BE USED TO SATISFY ALL OR PART OF THE JUDGMENT YOU OWE TO THE JUDGMENT CREDITOR.

You can request a hearing by returning the self-addressed Request for Hearing card no later than the end of the fifth business day after you receive this notice. The Court will schedule a hearing and send you notice of the date, time, and place of the Hearing. 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 and a **2% disbursement fee** will be assessed.

If you have any questions concerning this matter, you may contact the office of the clerk of court at 333-4471. This Court cannot provide legal advice or act as your attorney. If you want legal representation or need legal advice, you should contact your lawyer immediately. If you need the name of a lawyer, contact the local bar association. (The phone number of the Dayton Bar Association is 222-6102).

DATE _____

By / Deputy _____

Marty Gehres, Clerk of Court, Dayton Municipal Court