

IN THE DAYTON MUNICIPAL COURT
CIVIL DIVISION

301 W. Third St., Dayton, Ohio 45402-0968

DAYTON MUNICIPAL COURT AFFIDAVIT OF CURRENT BALANCE DUE ON GARNISHMENT
AND NOTICE TO JUDGMENT DEBTOR OF CURRENT BALANCE DUE (2716.031)

JUDGMENT CREDITOR

CASE NO.

ADDRESS OF JUDGMENT CREDITOR

EXEC. NO.

-VS-

Form created 8/29/00

JUDGMENT DEBTOR

AFFIDAVIT OF CURRENT BALANCE DUE ON GARNISHMENT ORDER

STATE OF OHIO, COUNTY OF MONTGOMERY, ss.:

The undersigned, first duly cautioned and sworn, deposes that I am _____, the Judgment Creditor herein, and that on _____ day of _____, 2_____, I duly received a judgment in the _____ Court against the Judgment Debtor named above in the amount of \$_____, with \$_____ paid on the judgment to date to the Judgment Creditor and the Judgment Creditor's Attorney, accrued interest to date in the amount of \$_____ and court costs to date in the amount of \$_____, leaving a current balance due of \$_____.

ATTORNEY FOR JUDGMENT CREDITOR

Sworn to and subscribed before me

ADDRESS

this _____ day of _____, 2_____.

NOTARY PUBLIC

NOTICE TO JUDGMENT DEBTOR OF AFFIDAVIT OF CURRENT BALANCE DUE:

TO: _____, JUDGMENT DEBTOR

You are hereby notified that the Judgment Creditor in this proceeding has issued an Affidavit of Current Balance Due on the Garnishment Order in the above case. The document entitled "Affidavit of Current Balance Due on Garnishment Order" that is enclosed with this Notice shows the original amount of the judgment that was the basis of the Garnishment Order, the accrued interest to date, the court costs to date, all moneys paid to the Judgment Creditor and the Judgment Creditor's Attorney on the judgment to date, and the current balance due on the judgment.

If you dispute the Judgment Creditor's determination of these amounts or if you believe that this Affidavit is improper for any other reason, you may request a hearing before this court by disputing this Affidavit in the attached Request for Hearing Card and delivering the Request for Hearing Card to this court at the court's address printed on the back of the Card, 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 determination of the amounts shown in the "Affidavit of Current Balance Due on Garnishment Order" in the space provided on the Card; however, you are not required to do so. If you do state your reasons for disputing the Judgment Creditor's determination, 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. The hearing will be limited to a consideration of the amount currently due on the judgment you owe to the Judgment Creditor.

If you request a hearing by delivering your request not later than the end of the fifth business day after your receive this Notice, the court will conduct the hearing no later than twelve days after your request is received, and the court will send you notice of the date, time and place. You may indicate in the Card that you believe 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 not later than the end of the fifth business day after your receive this notice, some of your personal earnings will continue to be paid to the Judgment Creditor until the judgment is satisfied.

If you have any questions concerning this matter, you may contact the Office of the Clerk of Court at 937-333-4471. If you want legal representation, 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 937-222-6102).

DATE

JUDGMENT CREDITOR OR JUDGMENT CREDITOR'S ATTORNEY