



Washington County Sheriff's Office Civil Unit

Law Enforcement Center

15015 62nd Street North, P.O. Box 3801 Stillwater, MN 55082

Phone: [651-430-7675](tel:651-430-7675) | Email: wcsso-civilunit@co.washington.co.mn.us

Wage or Bank Levy Execution Instructions

It is not the duty of the Sheriff's Office to locate the assets of the judgment debtor.

This is the responsibility of the judgment creditor or the attorney.

Name of Judgment Debtors: _____

Debtor's Home Address: _____

To levy on a Bank Account:

1. Endorse the original execution.
2. Enclose a service fee of \$85.00 made payable to Washington County Sheriff's Office.
3. Enclose a \$15.00 legal fee made payable to the **financial institution**.
4. Provide the name & address of the financial institution:

Bank Name: _____

Bank Address: _____

To levy on Wages:

1. Mail an ***Execution Exemption Notice** to the debtor's last known address 10 days before delivering the Writ of Execution to the Sheriff. **Date Mailed:** _____
2. Endorse the original execution.
3. Enclose a service fee of \$85.00 made payable to Washington County Sheriff's Office.
4. Enclose a \$15.00 legal fee made payable to the **employer**.
5. Provide the name and address of the employer:

Employer Name: _____

Employer Address: _____

*The exemption notice can be purchased at any store that sells legal forms.

Judgment Creditor and/or Attorney Information

Name: _____

Address: _____

Telephone number(s): _____

Email Address: _____

*You must fill out a W9 Form for us to process to any monies we may receive.

Additional Information

Third-party levies involving the collection of monies are processed in the following manner:

I. Bank Accounts (Natural persons & Corporations)

A third-party levy on a bank account(s) is served within 2-4 business days upon receipt of the Writ of Execution by the Civil Division. Funds on deposit in the account(s) are frozen as of the date of service. Financial institutions respond by mail to the Civil Division approximately 30 days (14-21days for corporate accounts) after date of service. At that time, if a check is received from the bank, it is deposited and within 2 weeks the funds are remitted to you (judgment creditor/attorney) by mail, in the form of a sheriff's office check.

II. Wages

A third-party levy on wages is served within 2-4 business days upon receipt of the Writ of Execution by the Civil Division. This one service will garnish the wages for 70 days, at which Time the employer will remit the funds to us. Then the papers will be served again to garnish For another 70 days. The Writ of Execution expires 180 days from the date it is issued by the Court. When we stop levying, we will mail you the funds collected plus your deposit approximately 2-3 weeks after the last check is received. If the judgment is not fully satisfied, and the judgment debtor is still employed, you must obtain a new Writ of Execution from the Clerk of Court and deliver it to the Civil Division with a deposit, \$15.00 legal fee and instructions to re-levy.

III. In the event no monies are collected pursuant to the sheriff's levy (due to: i.e. no funds in account, employment terminated, does not earn more than minimum wage, leave of absence, etc.) notice will be mailed to you giving the reason and the Writ of Execution is returned to the Clerk of Court. You must then locate other assets, obtain a new Writ of Execution from the Clerk of Court and deliver it to the Civil Division. If no other assets can be found, contact District Court regarding the procedure of ordering the judgment debtor to court to divulge their assets.

Note: Sheriff's fees are added to judgment amount to be collected.

STATE OF MINNESOTA
COUNTY OF WASHINGTON

DISTRICT COURT
TENTH JUDICIAL DISTRICT

_____ (Judgment Creditor)

v.

_____ (Judgment Debtor)

**EXECUTION EXEMPTION
NOTICE AND NOTICE OF
INTENT TO LEVY ON EARNINGS**

and

_____ (Third Party)

The State of Minnesota
To the above-named Judgment Debtor

PLEASE TAKE NOTICE that a levy may be served upon your employer or other third parties, without any further court proceedings or notice to you, ten days or more from the date hereof. Your earnings are completely exempt from execution levy if you are now a recipient of relief based on need, if you have been a recipient of relief within the last six months, or if you have been an inmate of a correctional institution in the last six months.

Relief based on need includes Minnesota Family Investment Program (MFIP), Emergency Assistance (EA), Work First Program, Medical Assistance (MA), General Assistance (GA), General Assistance Medical Care (GAMC), Emergency General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.

If you wish to claim an exemption, you should fill out the appropriate form below, sign it, and send it to the judgment creditor's attorney.

You may wish to contact the attorney for the judgment creditor in order to arrange for a settlement of the debt or contact an attorney to advise you about exemptions or other rights.

PENALTIES

- (1) Be advised that even if you claim an exemption, an execution levy may still be served on your employer. If your earnings are levied on after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the judgment creditor disregarded your claim of exemption in bad faith, you will be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.

- (2) HOWEVER, BE WARNED if you claim an exemption, the judgment creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$100.
- (3) If, after receipt of this notice, you in bad faith take action to frustrate the execution levy, thus requiring the judgment creditor to petition the court to resolve the problem, you will be liable to the judgment creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100.

Dated: _____

(Judgment Creditor or Attorney)

Address

Telephone Number

JUDGMENT DEBTOR'S EXEMPTION CLAIM NOTICE

I hereby claim that my earnings are exempt from execution because:

- (1) I am presently a recipient of relief based on need. (Specify the program, case number, and the county from which relief is being received.)

Program Case Number (if known) County

- (2) I am not now receiving relief based on need, but I have received relief based on need within the last six months. (Specify the program, case number, and the county from which relief has been received.)

Program Case Number (if known) County

- (3) I have been an inmate of a correctional institution within the last six months. (Specify the correctional institution and location.)

Correctional Institution Location

I hereby authorize any agency that has distributed relief to me or any correctional institution in which I was an inmate to disclose to the above-named judgment creditor or the judgment creditor's attorney only whether or not I am or have been a recipient of relief based on need or an inmate of a correctional institution within the last six months. I have mailed or delivered a copy of this form to the judgment creditor or judgment creditor's attorney.

Dated: _____

Debtor

Address

Telephone Number