

CLAIM OF EXEMPTION WAGE GARNISHMENT



**LEGAL AID
FOUNDATION
OF LOS ANGELES**

Forms

Self-Help Legal Access Centers

Santa Monica

1725 Main St.,
Room 210
Santa Monica, CA 90401

Inglewood

1 East Regent St.,
Room 107
Inglewood, CA 90301

Torrance

825 Maple Ave.,
Room 160
Torrance, CA 90503

Long Beach

275 Magnolia Ave.,
Room 3101
Long Beach, CA 90802

March 2017

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice nor strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for professional legal advice from an attorney.

Please type or print in black ink

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR LEVYING OFFICER USE ONLY (Levying Officer Name and Address)
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	LEVYING OFFICER FILE NUMBER: _____
PLAINTIFF/PETITIONER: _____ DEFENDANT/RESPONDENT: _____	FOR COURT USE ONLY
CLAIM OF EXEMPTION (Wage Garnishment)	
<p style="text-align: center;">READ EMPLOYEE INSTRUCTIONS (FORM WG-003) BEFORE COMPLETING THIS FORM</p> <p><i>Copy all the information required above (except the top left space) from the Earnings Withholding Order. The top left space is for your name or your attorney's name and address. The original and one copy of this form with the Financial Statement attached must be filed with the levying officer. DO NOT FILE WITH THE COURT.</i></p>	
CASE NUMBER: _____	

1. My name is:

2. I need the following earnings to support myself or my family (check a or b):

- a. All earnings.
- b. \$ _____ each pay period.

3. Please send all papers to

- me.
 - my attorney
- at the address shown above following (specify):

4. I am willing for the following amount to be withheld from my earnings each pay period during the withholding period. I understand that the judgment creditor can accept this offer by not opposing the Claim of Exemption, which will result in the following sum being withheld each pay period (check a or b):

- a. None
- b. Withhold \$ _____ each pay period.

5. I am paid

- daily
- weekly
- every two weeks
- twice a month
- monthly
- other (specify): _____

NOTE: You must attach a properly completed Financial Statement form to this Claim of Exemption.

The Financial Statement form is available without charge from the levying officer.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

_____ _____

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

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SHORT TITLE:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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FINANCIAL STATEMENT

(Wage Garnishment - Enforcement of Judgment)

NOTE: If you are married, this form must be signed by your spouse unless you and your spouse are living separate and apart. If this form is not signed by your spouse, check the applicable box on the reverse in item 9.

1. The following persons other than myself depend, in whole or in part, on me or my spouse for support:

	NAME	AGE	RELATIONSHIP TO ME	MONTHLY TAKE-HOME INCOME & SOURCE
a.			Spouse	
b.				
c.				
d.				
e.				

2. My monthly income

a. My gross monthly pay is:	2a. \$ _____
b. My payroll deductions are (<i>specify purpose and amount</i>):	
(1) Federal and state withholding, FICA, and SDI.....	\$ _____
(2) _____	\$ _____
(3) _____	\$ _____
(4) _____	\$ _____
My TOTAL payroll deduction amount is (<i>add (1) through (4)</i>):	b. \$ _____
c. My monthly take-home pay is (<i>a minus b</i>):	c. \$ _____
d. Other money I get each month from (<i>specify source</i>): _____ is	d. \$ _____

e. TOTAL MONTHLY INCOME (<i>c plus d</i>)	e. \$ _____
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3. I, my spouse, and my other dependents own the following property:

a. Cash	3a. \$ _____
b. Checking, savings, and credit union accounts (<i>list banks</i>):	
(1) _____	\$ _____
(2) _____	\$ _____
(3) _____	\$ _____
b. \$ _____	
c. Cars, other vehicles, and boat equity (<i>list make, year of each</i>):	
(1) _____	\$ _____
(2) _____	\$ _____
(3) _____	\$ _____
d. Real estate equity	d. \$ _____
e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.) (<i>list separately</i>):	
	e. \$ _____

SHORT TITLE:	LEVYING OFFICER FILE NO.:	COURT CASE NO.:
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4. The monthly expenses for me, my spouse, and my other dependants

- a. Rent or house payment and maintenance 4a. \$ _____
- b. Food and household supplies b. \$ _____
- c. Utilities and telephone c. \$ _____
- d. Clothing d. \$ _____
- e. Medical and dental payments e. \$ _____
- f. Insurance (life, health, accident, etc.) f. \$ _____
- g. School, child care g. \$ _____
- h. Child, spousal support (prior marriage) h. \$ _____
- i. Transportation & auto expenses (insurance, gas, repair) *(list car payments in item 5)* i. \$ _____
- j. Installment payments *(insert total and itemize below in item 5)* j. \$ _____
- k. Laundry and cleaning k. \$ _____
- l. Entertainment l. \$ _____
- m. Other *(specify):*

m. \$ _____

n. TOTAL MONTHLY EXPENSES <i>(add a through m):</i>	n. \$ _____
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5. I, my spouse, and my other dependents owe the following debts:

CREDITOR'S NAME	FOR	MO. PAYMENTS	BALANCE OWED	OWED BY <i>(State person's name)</i>
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6. Other facts which support this Claim of Exemption (i.e., unusual medical needs, school tuition, expenses for recent family emergencies, or other unusual expenses to help your creditor and the judge understand your budget) *(describe):*
(If more space is needed, attach page labeled Attachment 6.)

7. An earnings withholding order is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount):*

8. A wage assignment for support is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount):*

- 9. My spouse has signed below.
- I have no spouse.
- My spouse and I are living separate and apart.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE)
_____ (TYPE OR PRINT NAME OF SPOUSE)	▶	_____ (SIGNATURE OF SPOUSE)