

STATE OF MINNESOTA  
COUNTY OF ANOKA

DISTRICT COURT  
10<sup>TH</sup> JUDICIAL DISTRICT

\_\_\_\_\_  
Judgment Creditor

\_\_\_\_\_  
Judgment Debtor

\_\_\_\_\_  
Financial Institution

**EXEMPTION NOTICE**

**IMPORTANT NOTICE**  
**YOUR FUNDS HAVE BEEN LEVIED**

The Creditor has frozen money in your account at your financial institution.

**Your account balance is \$** \_\_\_\_\_

**The amount being held is \$** \_\_\_\_\_

**The amount being held will be frozen for 14 days from the date of this notice.**

**Some of your money in your account may be protected (the legal word is exempt). You may be able to get it sooner than 14 days if you act quickly and follow the instructions on the next page.**

The attached exemption form lists some different sources of money in your account that may be protected. If your money is from one or more of these sources, place a check on the line on the form next to the sources of your money. If it is from one of these sources, the Creditor cannot take it.

**BUT, you must follow the instructions and return the exemption form and copies of your bank statements from the last 60 days** to have the bank unfreeze your money. If you do not follow the instructions, your financial institution will give the money to the Creditor. If that happens and it is protected, you can still get it back from the Creditor later, but that is not as easy to do as filling in the form now. See the next pages for instructions and the exemption form

**INSTRUCTIONS**

**Note:** The creditor is who you owe the money to. You are the debtor.

1. Fill out both of the attached exemption forms in this packet.

**If you check one of the boxes, you should also give proof that shows that some or all of the money in your account is from one or more of the protected sources. Creditors may ask for a hearing if they question your exemptions. To avoid a hearing: Case numbers should be added to the form. Copies of documents should be sent with the form.**

**NOTICE: YOU MUST SEND TO THE CREDITOR’S ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) COPIES OF YOUR BANK STATEMENTS FOR THE PAST 60 DAYS BEFORE THE LEVY.** Keep a copy of your bank statements in case there are questions about your claim. If you do not send to the creditor’s attorney (or to the creditor, if no attorney) bank statements with your exemption claim, the financial institution may release your money to the creditor.

2. **Sign** the exemption forms. **Make one copy to keep for yourself.**
3. **Mail or deliver the other copies of the form by \_\_\_\_\_.**

**BOTH COPIES MUST BE MAILED OR DELIVERED THE SAME DAY.**

One copy of the form and the copies of your bank statements go to:

\_\_\_\_\_  
Creditor or Creditor’s Attorney

\_\_\_\_\_  
Address of Creditor or Creditor’s Attorney

**One copy goes to:**

\_\_\_\_\_  
Bank

\_\_\_\_\_  
Address of Bank

## **HOW THE PROCESS WORKS**

### **If You Do Not Send in the Exemption Form and Bank Statements:**

14 days after the date of this letter, some or all of your money may be turned over to the creditor pursuant to Minnesota statute.

### **If You Send in the Exemption Form and Bank Statements:**

Any money that is NOT protected can be turned over to the creditor.

### **If the Creditor Does Not Object:**

The financial institution will unfreeze your money six business days after the institution gets your completed form.

### **If the Creditor Objects:**

The money you have said is protected on the form will be held by the bank. The creditor has six business days to object (disagree) and ask the court to hold a hearing. You will receive a Notice of Objection and Notice of Hearing.

The financial institution will hold the money until a court decides whether your money is protected or not. Some reasons a creditor may object are because you did not send copies of your bank statements or other proof of the benefits you received. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income, you can call Legal Aid.

## **PENALTIES:**

If you claim that your money is protected and the court decides you made that claim in bad faith, the court can order you to pay costs, actual damages, attorney fees, and an additional amount of up to \$100. For example, it may be bad faith if you claim you receive government benefits that you do not receive.

If the creditor made a bad faith objection to your claim that your money is protected, the court can order them to pay costs, actual damages, attorney fees, and an addition amount of up to \$100.

STATE OF MINNESOTA  
COUNTY OF ANOKA

DISTRICT COURT  
10<sup>TH</sup> JUDICIAL DISTRICT

\_\_\_\_\_  
(Creditor)

Vs.

**EXEMPTION FORM**  
Minn. Stat. §§550.143, subd. 3c;  
551.05, subd. 1d; and 571.912,  
subd. 3

\_\_\_\_\_  
(Debtor)

\_\_\_\_\_  
(Financial Institution)

**A. HOW MUCH MONEY IS PROTECTED**

I claim ALL of the money being frozen by the bank is protected.

I claim SOME of the money is protected. The amount I claim is protected is \$ \_\_\_\_\_

**B. WHY THE MONEY IS PROTECTED**

My money is protected because I get it from one or more of the following places: *(Check all that apply)*

Government Benefits - Government benefits include, but are not limited to, the following:

- MFIP – Minnesota family investment program,
- MFIP Diversionary Work Program,
- Work participation cash benefit,
- GA – general assistance,
- EA – emergency assistance,
- MA – medical assistance
- GAMC – general assistance medical care,
- EGA– emergency general assistance,
- MSA – Minnesota supplemental aid,
- MSA-EA–MSA emergency assistance,
- Food Support,
- SSI – Supplemental Security Income,
- MinnesotaCare,
- Medicare part B premium payments,
- Medicare part D extra help,
- Energy or fuel assistance,

The source(s) of funding in my account is the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the source is a type of relief based on need, list the case number and county:

Case Number: \_\_\_\_\_ County: \_\_\_\_\_

Government benefits also include:

Social Security benefits

Unemployment benefits

Workers' compensation

Veterans benefits

If you receive any of these government benefits, include copies of any documents you have that show you receive Social Security, unemployment, workers' compensation, or veterans benefits.

I receive other assistance based on need from another source that is not on the list. (*Include copies of any documents you have that show the source of this money*) The source of funding in my account is the following: \_\_\_\_\_

\_\_\_\_\_

### C. EARNINGS

ALL or SOME of my earnings (wages) may also be protected.

All of your earnings (wages) are protected because:

I get government benefits (see list of government benefits)

I currently receive other assistance based on need

I have received government benefits in the last six months

I was in jail or prison in the last six months

If you check one of these boxes above, your wages are only protected for 60 days after they are deposited in your account so you **MUST send the creditor a copy of BANK STATEMENTS** that show what was in your account **for the 60 days right before the bank froze your money.**

If all of your earnings are not exempt, then some of your earnings are still protected for 20 days after they were deposited in your account. The amount protected is the larger amount of:

75% of your wages (after taxes are taken out); or

\$290 (this amount represents the sum of the current federal minimum wage multiplied by 40)

D. OTHER EXEMPT FUNDS

The money from the following are also completely protected after they are deposited in my account.

An accident, disability, or retirement pension or annuity

Payments to me from a life insurance policy

Earnings of my child who is under 18 years of age

Child support

Money paid to me from a claim for damage or destruction of property (property includes household goods, farm tools or machinery, tools for my job, business equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or appliances)

Death benefits paid to me

I give my permission to any agency that has given me cash benefits to give information about my benefits to the above-named creditor, or its attorney. The information will **ONLY** concern whether I get benefits or not, or whether I have gotten them in the past six months. If I was an inmate in the last six months, I give my permission to the correctional institution to tell the above-named creditor that I was an inmate there.

**You must sign and send this form back to the creditor’s attorney (or to the creditor, if no attorney) and the bank. Remember to include a copy of your bank statements for the past 60 days. Fill in the blanks below and go back to the instructions to make sure you do it correctly.**

I have mailed or delivered a copy of this form to the creditor or creditor's attorney if represented at the address listed below.

\_\_\_\_\_  
Creditor or Creditor’s Attorney

\_\_\_\_\_  
Address of Creditor or Creditor’s Attorney

I have also mailed or delivered a copy of this exemption form to my bank at the address listed below:

\_\_\_\_\_  
Address of Bank/Financial Institution

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Debtor

\_\_\_\_\_  
Debtor’s name

\_\_\_\_\_  
Debtor’s Address

Debtor's phone number