

Agenda

Committee on Resources for Self-represented Parties

June 13, 2008
12:00 to 1:30 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street
Judicial Council Room, Suite N31

Approval of minutes	Tab 1	Judge John Baxter
Introduction of Christina Micken		Judge John Baxter
Report on Self Help Conference		Mary Jane Ciccarello
Self Help Center budget request		Tim Shea
Motion for Temporary Order Forms; Garnishment Forms	Tab 2	Tim Shea

Committee Web Page: <http://www.utcourts.gov/committees/ProSe/>

Meeting Schedule: Matheson Courthouse, 12:00 to 1:30, Judicial Council Room

August 8, 2008

October 10, 2008

December 12, 2008

Tab 1

**STANDING COMMITTEE ON
RESOURCES FOR SELF-REPRESENTED PARTIES
Meeting Minutes**

**April 11, 2008
Matheson Courthouse
Salt Lake City, Utah**

Members Present: Hon. John L. Baxter, Chair; Fred Anderson; Prof. James H. Backman; Pat Bartholomew; Mary Jane Ciccarello; Joe Derring; Christine James; Jay Kessler; Jose Lazaro; Stewart Ralphs; Hon. James Shumate; Prof. Linda Smith; Jessica Van Buren.

Members Excused: Hon. Christine S. Decker; Rep. Neil Hansen; Robert Jeffs; Hon. Rodney Page.

Guest: Doug Butts

Staff Present: Marianne O'Brien; Tim Shea; Carolyn Carpenter

Welcome and Review of Minutes

Judge Baxter welcomed all present. The minutes of 2/8/08 were approved as prepared.

Report on Attorney Pilot Program

Jessica Van Buren indicated the Judicial Council is considering the committee's request for one more year of pilot funding. Dan Becker has recommended the funding go through, but the outcome will not be known until April 28.

Mary Jane Ciccarello reported that the pilot project is going well. Positive feedback has been received from the patrons, court clerks and community organizations. The self-help phone line now accepts calls from any type of phone. A small, but increasing number, of email contacts are being received.

Ms. Ciccarello reviewed a week of survey results with the committee, as well as the statistics that have been gathered. Following the review, she noted that she has visited all the courts in the pilot districts, as well as some of the justice courts, and has a good working relationship with the court clerks. There is a need for standardized forms, and that is being worked on. On the court website, there are now three lists from various local bar associations of lawyers who have self-identified as being willing to provide limited legal services in Davis, Utah and Washington counties. Ms. Ciccarello has visited Uintah county about getting local lawyers there to participate.

There has been good publicity for the self-help center through various publications. Ms. Ciccarello continues to work with community groups, including Legal Services and Legal Aid. She has made contacts with the State Department of Human Services and their various organizations. On a national level, Ms. Ciccarello will be attending the Equal Justice Conference in early May in Minneapolis.

Linda Smith suggested that it may be useful to know if people are being referred to Legal Services or Legal Aid because they appear to be eligible vs. referring them to a private attorney. If x% of the referrals are to Legal Services or Legal Aid, that says something to the private Bar.

Judge Baxter noted that there needs to be a balance in what is the best use of Ms. Ciccarello's time, and doing that kind of tracking is time consuming. Three calls are being lost for every call received. Following discussion, the group agreed it is not necessary right now to obtain this information.

Tim Shea indicated that the next step for the pilot program is to figure out a formula to project how many lawyers will be needed to cover the whole state.

Forms Development Blog Page

Mr. Shea indicated the district court judges have asked to be kept informed of the forms being developed, and in the end, will approve them. They have committed not to tinker with them, but have asked to have the opportunity to contribute to the development itself. Some will take that opportunity, others will not. With Jason Ralston in Court Services, Mr. Shea prepared a blog page that will allow draft forms to be reviewed and comments about them posted. He will send an email to this committee, the forms subcommittee, clerks of court, TCEs, Board of District Court Judges, commissioners if the forms affect them, and any others that may want to be involved. Once they receive the email, they can view and comment on the forms or not, as they wish.

Mr. Bachman asked if the website can be forwarded to others not in Mr. Shea's email group. Mr. Shea responded the website should not be circulated to others, but that Mr. Bachman can download a particular form to his computer drive and send it to others for comments if he would like.

Ms. Ciccarello, Ms. Van Buren, Ms. O'Brien and Mr. Shea meet every two weeks to talk about forms, the website, and to make sure they are working collaboratively.

Before any forms are taken to the District Board of Judges, they will be presented to this committee. Ms. Smith suggested that a time limit be set for comments. Mr. Shea agreed and will give some thought to that. He will soon send an email to the committee with a link to the website which members can bookmark. After the initial email explaining how the blog will work, he will send an email whenever there is a new form added to the list.

Mr. Bachman suggested the forms subcommittee could be dissolved. Fred Anderson suggested dissolving the pilot subcommittee as well, stating that the intention of the subcommittees as originally created is now not needed. Judge Shumate made a motion that the forms subcommittee be dissolved in favor of the blog approach. The motion was seconded and carried unanimously. Judge Shumate made a motion to dissolve the pilot subcommittee. The motion was seconded and carried unanimously.

Ms. Smith wondered if it would be wise to broadly solicit the Bar sections that might be interested in a set of forms, like the family law section. Stewart Ralphs indicated that the point people from the family law section are already involved in the process. Outside of that small group of people, the family law section would not likely volunteer anyone else's time.

Judge Baxter said that the control issues on the forms that have been a major feature in the committee's discussion would become problematic with a broader distribution.

Mr. Shea indicated there was a considerable problem with version control on the protective order forms at the end of that project, even though they were forms that went through an approval process. It is best to keep it at a small group level of involvement for the time being.

2008 Equal Justice Conference, May 6-9

Mr. Shea provided the committee the website address for registration to the Equal Justice Conference that is being held in May in Minneapolis. A self-help preconference will be held there on May 6. Ms. Ciccarello will be attending the preconference and the conference.

Other Business

Mr. Shea reviewed the Self-Help Resources brochure with the group. The information on it will not change on a regular basis. Distribution of the brochures is limited to the 2nd and 8th districts for the time being. When the Self-Help Center becomes a statewide program, brochures will be provided statewide to courthouses and through community networks.

Judge Baxter and Tim Shea will be meeting to decide where the committee should go from here. There will be some proposals given at the next meeting.

Judge Baxter and Judge Shumate will be teaching at the Justice Court Judges Conference the information they received at the Harvard conference run by Richard Zorza. Chief Justice Durham has asked us to make a presentation to the appellate judges.

Doug Butts, guest at the meeting, introduced himself, indicating he is pro se and has worked with many pro se litigants. He stated he has recommendations to make that he would like to present at some future time. He asked the committee to think about providing a link to let pro se litigants know what their rights are that they are entitled to.

Judge Baxter indicated that could possibly be part of a future discussion.

The meeting was adjourned.

Tab 2

My Name _____
Address _____
Phone _____
E-mail _____

I am the ☐ Petitioner
☐ Respondent
☐ Attorney for the ☐ Petitioner ☐ Respondent and my Utah Bar number is _____.

In the District Court of Utah, _____ Judicial District
_____ County

Court Address _____

Petitioner _____ v. _____ Respondent _____	Motion for Temporary Order Case Number _____ Judge _____ Commissioner _____
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Instructions: You must attach the following records and forms if they are not already filed with the court.

- ☐ Continuation Pages (If any, completing paragraphs that don't have enough space. Write the paragraph number on the continuation page.)
- ☐ Statement Supporting Motion for Temporary Order
- ☐ Parenting Plan (If requesting joint legal custody and/or joint physical custody.)
- ☐ Statutory Parent-time Schedule (Utah Code Section 30-3-35 or Section 30-3-35.5)
- ☐ Parent Location Form (If child support is requested.)
- ☐ Child Support Obligation Worksheet (If child support is requested.)
- ☐ Financial Declaration Form (If *any* money payment (child support, alimony, attorney fees, etc.) from the other party is requested, attach the Financial Declaration form and its supporting documents.)
- ☐ Order on Motion for Temporary Order

(1) I request that the court enter the temporary orders in the Paragraphs I have marked.

(2) ☐ **Child custody.** Order custody as we agree in the parenting plan. If there is no parenting plan or if we cannot agree on a parenting plan, order the following custody: (Complete (a) or (b).)

(a) ☐ Order that my proposed parenting plan be approved.

OR

(b) ☐ Order sole physical and legal custody of the children as follows:

Child's Initials	Year and Month of Birth	Order custody to:
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

(3) ☐ **Parent-time.** Order parent-time as we agree in the parenting plan. If there is no parenting plan or if we cannot agree on a parenting plan, order the following parent-time: (Complete (a), (b), or (c).)

(a) ☐ Order that my proposed parenting plan be approved

OR

(b) ☐ Statutory parent-time schedule (Attach Utah Code Section 30-3-35 or Section 30-3-35.5)

OR

(c) ☐ Other (Describe the parent-time schedule you want.)

(4) ☐ **How to exchange children for parent-time.** Order exchange of the children for parent-time as we agree in the parenting plan. If there is no parenting plan or if we cannot agree on a parenting plan, order the following exchange procedure: (Complete (a) or (b).)

(a) ☐ Curbside pick-up and drop-off by ☐ Petitioner ☐ Respondent at the following address:

OR

(b) ☐ Other (Describe the procedure you want to exchange the children.)

(5) ☐ **Child support.** The sole custody worksheet was used to calculate child support.

(A) Order the other party to pay \$_____ per month for our children. This amount conforms to the Uniform Child Support Guidelines, and it is reasonable and proper under Utah Code Title 78B, Chapter 12, Part 2. (Attach Child Support Obligation Worksheet.)

(B) Petitioner's base child support is \$_____ per month. Respondent's base child support is \$_____ per month. Except during parent-time, if the living arrangements of a child change from residing with the custodial parent to residing with the non-custodial parent, then the parent the child is not residing with must pay that parent's "base child support" to the parent the child is residing with without the need to modify the child support order.

(C) If approved by court order or written agreement signed by the parties, the base child support should be reduced

(i) by 50% for each child who resides with the non-custodial parent for at least 25 of any 30 consecutive days; and

(ii) by 25% for each child who resides with the non-custodial parent for at least 12 of any 30 consecutive days.

Parent-time with the custodial parent should not be considered an interruption of the consecutive-day requirement for the non-custodial parent.

(D) The obligation should be effective immediately upon entry of the order and last until a final order is entered or;

(i) a child becomes 18 years of age, or has graduated from high school during the child's normal year of graduation, whichever occurs later; or

(ii) a child dies, marries, becomes a member of the armed forces of the United States, or is emancipated under Utah law.

(E) ☐ (Check only if you are asking for child support for more than one child.) When a child no longer qualifies to receive child support, the base child support for the remaining children shall be automatically adjusted to the base child support in the table for that number of children using the appropriate calculation and worksheet under Utah Code Title 78B, Chapter 12, Part 2.

(Check (F) or (G), whichever is being requested. If requesting direct payments under (G) check the box that qualifies you for direct payments and attach evidence of your claim.)

(F) ☐ I request mandatory income withholding from the salary and wages of the non-custodial parent. Income withholding should apply to existing and future payors. Unless the Office of Recovery Services gives notice that payments should be sent elsewhere, all child support payments should be made to the Office of Recovery Services, P.O. Box 45011, Salt Lake City, UT 84145-011. All administrative fees and costs of income withholding assessed by the Office of Recovery Services should be paid by the non-custodial parent. Child support should be due on or before the first day of each month and delinquent on the first day of the following month.

OR

(G) ☐ I request that child support should be paid directly to me. The other party has paid other court ordered support on time, (attach evidence of timely payments) and income withholding for this child support would not be in the children's best interest because:

In addition the other party: (Check the box that qualifies you for direct payments and attach evidence of your claim.)

☐ and I have signed the attached written agreement, which provides for a different payment arrangement;

☐ has obtained a bond, deposited money in trust for the children, or made other arrangements to guarantee child support payments for at least 2 months;

☐ has arranged to deposit all child support payments into an account belonging to me; (I will provide the information necessary for the other party to set up direct deposit through his or her employer. Upon receipt of the information, the other party should have his or her employer establish direct deposit to an account of my choice.)

☐ has made arrangements insuring that a reliable and independent record of the date and place of child support payments will be maintained; or

☐ has arranged for electronic transfer of funds on a regular basis.

Child support not paid on or before the due date should be delinquent on the day after the due date. Child support should be due:

☐ one-half on or before the 5th day of each month, and one-half on or before the 20th day of each month.

☐ other (describe)

(H) ☐ The children are recipients of cash assistance from the state of Utah through the Temporary Aid to Needy Families (TANF) program or Family Employment Program (FEP). If a child receives cash assistance from the state of Utah through the TANF or FEP programs, any agreement by the parties to reduce child support under (5)(B) or (5)(C) should be approved by the Office of Recovery Services.

(I) Each party should notify the other within 10 days of any change in income.

(J) Child support arrearages should be determined by further judicial or administrative process. Any federal or state tax refund or rebate due to the non-custodial parent should be intercepted by the state of Utah and applied to child support arrearages.

(6) ☐ Child care expenses. Order both parties to share equally the reasonable child care expenses related to the custodial parent's work or training. The parent who incurs child care expenses should provide to the other parent written verification of the child care provider's expense and identity:

(A) upon initial engagement of the provider;

- (B) within 30 calendar days after a change in the provider or the expense; and
- (C) upon the request of the other parent.

If the parent incurring the expenses fails to comply with these provisions, the parent should be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses. Immediately after receiving written verification, the other parent should, on a monthly basis, reimburse the parent who incurred the child care expenses one-half of the amount.

(7) ☐ Health insurance. If health insurance for the minor children is available to either party, order that party should to maintain the insurance. Both parties should share equally:

- (A) the cost of the premium actually paid by a parent for the children's portion of insurance; and
- (B) all reasonable and necessary uninsured medical expenses incurred for the children and actually paid by a parent, including deductibles and co-payments.

The children's portion of the premium shall be calculated by dividing the premium amount by the number of people covered by the policy and multiplying the result by the number of minor children of the parties. The parent ordered to maintain insurance should provide written verification of coverage to the other parent and the Office of Recovery Services:

- (D) upon initial enrollment of the children;
- (E) on or before January 2, of each calendar year; and
- (F) upon any change of insurance carrier, premium, or benefits within 30 calendar days after the date that parent knew or should have known of the change.

If the parent ordered to maintain insurance fails to provide written verification of coverage to the other parent or to the Office of Recovery Services, or if the parent incurring medical expenses fails to provide written verification of the cost and payment of the expenses to the other parent within 30 days of payment, that parent may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses. The parent receiving written verification should reimburse the parent who incurred the medical expenses one-half of the amount within 30 days after receiving the written verification.

(8) ☐ Alimony. I am or was married to the other party, and I request that the court order the other party to pay me \$_____ each month for alimony. (Complete only if you are or were married to the other party.)

(9) ☐ **Attorney fees.** Order the other party to pay \$_____ to the lawyer retained by me.

(10) ☐ **Payment of bills and debts.** (Such as, mortgage or rent, credit cards, utilities, household expenses, tuition, medical expenses, car payments, etc.)

☐ Order me to pay the following bills and debts:

☐ Order the other party to pay the following bills and debts:

(11) ☐ **Possession of property.** Award each party possession of his or her essential personal belongings, and divide the following property needed for daily living as indicated. (List only major items, such as house, car, appliances, equipment, etc.)

I should have

The following essential personal belongings:

The following property needed for daily living:

The other party should have

The following essential personal belongings:

The following property needed for daily living:

Describe when, where and how each party should take possession of the property.

Petitioner: _____

Respondent: _____

☐ I request that neither party be permitted to sell, transfer or dispose of any property without a court order or written agreement signed by both parties.

(12) ☐ **Other.** I request that the court enter the following orders:

(13) ☐ **Hearing.** I request a hearing on this motion.

(14) ☐ **Expedited Hearing.** I request hearing on this motion as soon as possible because:

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Motion for Temporary Order is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Motion for Temporary Order on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

My Name _____
Address _____
Phone _____
E-mail _____

I am the ☐ Petitioner
☐ Respondent
☐ Attorney for the ☐ Petitioner ☐ Respondent and my Utah Bar number
is _____

In the District Court of Utah, _____ Judicial District
_____ County

Court Address _____

Petitioner v. Respondent	Statement Supporting Motion for Temporary Order Case Number _____ Judge _____ Commissioner _____
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(1) ☐ **I declare** under criminal penalty of Utah Code Section 78B-5-705 that this Statement Supporting my Motion for Temporary Order is true and correct.

(2) ☐ **Child custody.** It is in the children's best interest that the custody order I have requested in Paragraph (2) of the Motion be granted because:

(3) ☐ **Parent-time.** It is in the children's best interest that the parent-time requested in Paragraph (3) of the Motion be granted because:

(4) ☐ **How to exchange children for parent-time.** It is in the children's best interest that the exchange for parent-time requested in Paragraph (4) of the Motion be granted because:

(5) ☐ **Child support.** The child support requested in Paragraph (5) of the Motion is based on our income or is imputed based on our work history. It agrees with the Child Support Obligation Worksheet attached to the Motion for Temporary Order.

(6) ☐ **Child care expenses.** I request that the other party pay the day-care expenses described in Paragraph (6) of the Motion because:

(7) ☐ **Health insurance.** The other party should provide medical and dental insurance for me and our children as requested in Paragraph (7) of the Motion because it is reasonably available through:

I request that the other party pay the percentage of uninsured medical and dental expenses on behalf of me and our children described in Paragraph (6) of the Motion because:

(8) ☐ **Alimony.** I request that the other party pay the alimony described in Paragraph (8) of the Motion because: (Complete only if you are or were married to the other party.)

My ability to support myself each month is \$_____ based on (specify what information is used to calculate this figure and attach verification).

My monthly needs are \$_____ (refer to budget statement in attached financial declaration).

The other party's monthly needs are \$_____ (refer to budget statement in attached financial declaration).

The other party's ability to pay alimony is \$_____ based on (specify what information is used to calculate this figure and attach verification).

Provide any additional information that will help the court decide whether and how much alimony should be paid:

(9) ☐ **Attorney fees.** I request that the other party pay the attorney fees described in Paragraph (9) of the Motion because:

(10) ☐ **Payment of bills and debts.** I request that the other party and I pay the bills and debts described in Paragraph (10) because:

(11) ☐ Possession of Property. I request that the possession of property described in Paragraph (11) of the Motion be granted because:

(a) It is fair that each party have his or her essential personal belongings.

(b) Reasons for requesting the division of property shared during the marriage:

(12) ☐ Other. I request that the court include the other orders described in Paragraph (12) of the Motion because:

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Statement Supporting Motion for Temporary Order is true and correct.

Date _____ Sign here ► _____
Typed or printed name _____

Certificate of Service

I certify that I served a copy of this Statement Supporting Motion for Temporary Order on the following people.

Person's Name	Method of Service	Served at this Address	Served on this Date
---------------	-------------------	------------------------	---------------------

Certificate of Service			
I certify that I served a copy of this Statement Supporting Motion for Temporary Order on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

My Name _____
Address _____
Phone _____
E-mail _____

I am the ☐ Petitioner
☐ Respondent
☐ Attorney for the ☐ Petitioner ☐ Respondent and my Utah Bar number
is _____

In the District Court of Utah, _____ Judicial District
_____ County

Court Address _____

Petitioner

v.

Respondent

Financial Declaration

Case Number _____

Judge _____

Commissioner _____

Instructions: You must attach the following records and forms.

- ☐ Continuation pages (If any, completing paragraphs that don't have enough space. Write the paragraph number on the continuation page.)
- ☐ Records supporting every item listed (Suggested records are listed with each paragraph. You may delete all but the last 4 digits of account numbers.)

(1) I declare under criminal penalty of Utah Code Section 78B-5-705 that this Financial Declaration is true and correct to the best of my information and belief, and that I have omitted nothing that is relevant to my financial status.

(2) Social Security Number.

The last 4 digits of my Social Security Number are: _____.

(3) Employment Status.(A) ☐ I am employed by:

Legal Name of Employer	Doing Business As (DBA)	Address

(B) ☐ I am self employed by:

Legal Name of Employer	Doing Business As (DBA)	Address

(C) ☐ I am unemployed.

(4) Monthly Income. (If only one party receives income in a category, enter the amount in that party's column and enter \$0 in the other party's column. Attach evidence of items listed, such as most recent pay stubs, tax returns, W-2 forms, or a work history report from the Department of Workforce Services.)

Petitioner's Income	Source of Income	Respondent's Income
\$	Work (Including self employment, wages, salaries, commissions, bonuses, and tips)	\$
\$	Rental Income	\$
\$	Business Income	\$
\$	Interest and Dividends	\$
\$	Retirement Income (Including pensions, 401(k), IRA, etc.)	\$
\$	Worker's Compensation	\$
\$	Social Security Disability (SSDI and SSI)	\$
\$	Private Disability Insurance	\$
\$	Social Security (Do not include SSDI or SSI)	\$
\$	Unemployment Benefits	\$

Petitioner's Income	Source of Income	Respondent's Income
\$	Education Benefits	\$
\$	Veteran's Benefits	\$
\$	Alimony	\$
\$	Child Support	\$
\$	Payments from Civil Litigation	\$
\$	Victim Restitution	\$
\$	Public Assistance (Including AFDC, welfare, etc.)	\$
\$	Support from household members	\$
\$	Support from non-household members	\$
\$	Other (Describe)	\$
\$	Other (Describe)	\$
\$	Total	\$

☐ I have no income for the following reasons:

(5) Monthly Deductions. (If only one party has a deduction in a category, enter the amount in that party's column and enter \$0 in the other party's column. Attach evidence of claims, such as most recent pay stubs, tax returns, W-2 forms, or a work history report from the Department of Workforce Services.)

Petitioner's Deductions	Type of Deduction	Respondent's Deductions
\$	Federal Income Tax	\$
\$	State Income Tax	\$
\$	FICA	\$
\$	Health Insurance Premiums	\$
\$	Life Insurance Premiums	\$
\$	Union and other dues	\$
\$	Garnishment or Income Withholding Order	\$
\$	Retirement Deposits (Including pensions, 401(k), IRA, etc.)	\$
\$	Other (Describe)	\$

Petitioner's Deductions	Type of Deduction	Respondent's Deductions
\$	Other (Describe)	\$
\$	Total	\$

(6) Net Income.

Petitioner		Respondent
\$	Income (from (4)) minus Deductions (from (5))	\$

(7) Real Property. (Attach evidence of items listed, such as mortgage statements, loan documents, etc.)

Property	Lien Holder (Name & Address)	In Whose Name?	Current Value	Amount Owed
Home (Address)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
Other Real Property (Address)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$

(8) Personal Property. (Attach evidence of items listed, such as receipts, loan documents, etc)

Property (Such as vehicles, boats, trailers, major equipment, etc.)	Lien Holder (Name & Address)	In Whose Name?	Current Value	Amount Owed
Vehicle (Year, Make, Model)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
Vehicle (Year, Make, Model)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$

Property (Such as vehicles, boats, trailers, major equipment, etc.)	Lien Holder (Name & Address)	In Whose Name?	Current Value	Amount Owed
Other (Describe)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
Other (Describe)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$

(9) Business interests.

Business Name	Address & Phone	Nature of Business	Percent Owned By	Current Value	Monthly Payments
			___% Petitioner ___% Respondent	\$	\$
			___% Petitioner ___% Respondent	\$	\$

(10) Financial Assets. (Attach evidence of items listed, such as bank statements, contracts, etc.)

Asset	Holder (Name & Address)	In Whose Name?	Current Value
Bank or Credit Union Account Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$
Bank or Credit Union Account Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$
Stocks, Bonds, Securities, Money Market Fund Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$
Stocks, Bonds, Securities, Money Market Fund Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$

Asset	Holder (Name & Address)	In Whose Name?	Current Value
Retirement Account (Pension, 401(k), IRA, etc.) Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Retirement Account (Pension, 401(k), IRA, etc.) Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Profit Sharing Plan Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Profit Sharing Plan Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Annuity Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Annuity Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Money Owed to Parties		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Cash		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Other (Describe)		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____
Life Insurance Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	Face Value \$ _____ Cash Value \$ _____
Life Insurance Last 4 digits of acct number: _____		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	Face Value \$ _____ Cash Value \$ _____

(11) Debts. (Do not include amount owed on property reported in Paragraphs (7) and (8). (Attach evidence of items listed, such as credit card statements, loan documents, leases, bills, etc.)

Debt Owed To (Name & Address)	Purpose of Debt (Such as credit card, cash loan, installment payment, etc.)	In Whose Name?	Amount Owed	Monthly Payments
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$ _____	\$ _____

Debt Owed To (Name & Address)	Purpose of Debt (Such as credit card, cash loan, installment payment, etc.)	In Whose Name?	Amount Owed	Monthly Payments
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both	\$	\$

(12) Monthly Expenses. (If only one party has an expense, enter the amount in that party's column and enter \$0 in the other party's column. Attach evidence of items listed, such as credit card statements, loan documents, leases, bills, receipts, etc.)

Petitioner's Expenses	Monthly Expense	Respondent's Expenses
\$	Rent or mortgage	\$
\$	Food and Household Supplies	\$
\$	Clothing	\$
\$	Transportation (Such as public transportation, automobile payments, insurance, gas, maintenance)	\$
\$	Utilities (Such as electricity, gas, water, sewer, garbage)	\$
\$	Telephone	\$
\$	Credit Card Payments	\$
\$	Alimony	\$
\$	Child Support	\$
\$	Child Care	\$
\$	Education	\$
\$	Health Care Insurance (Excluding premium deductions listed in Paragraph (5))	\$
\$	Health Care Expenses (Excluding insurance listed above or in Paragraph (5))	\$
\$	Real Property Taxes	\$
\$	Real Property Insurance	\$

Petitioner's Expenses	Monthly Expense	Respondent's Expenses
\$	Real Property Maintenance	\$
\$	Other Insurance (Describe)	\$
\$	Entertainment	\$
\$	Laundry and Dry Cleaning	\$
\$	Donations	\$
\$	Gifts	\$
\$	Other (Describe)	\$
\$	Other (Describe)	\$
\$	Total	\$

(13) Dependents. Dependents claimed on income tax return. (Attach tax return.)

Name (If person is under 18, use only initials)	Age	Relationship to		Claimed By
		Petitioner	Respondent	
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both
				<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Both

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Financial Declaration is true and correct, to the best of my information and belief, and that I have omitted nothing that is relevant to my financial status.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Financial Declaration on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Typed or printed name _____

My Name _____
Address _____
Phone _____
Email _____

I am the ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Attorney for the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent and my
Utah Bar number is _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Request for Verification of
Employment**

Case Number _____

Judge _____

Commissioner _____

Instructions to the judgment creditor: You must attach the following records and forms.

- ☐ Copy of the judgment
- ☐ Copy of the Judgment Information Statement
- ☐ Response to Request for Verification of Employment

(1) To _____ (Name of presumed employer)

(2) This Request for Verification of Employment and the attached forms are being sent to you under Utah Code Section 78A-2-216. Do you currently employ the judgment debtor?

Certificate of Service			
I certify that I served a copy of this Request for Verification of Employment on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Presumed Employer)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

My Name _____
Address _____
Phone _____
Email _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Response to Request for
Verification of Employment**

Case Number _____

Judge _____

Commissioner _____

Instructions to the presumed employer. You are required to respond within 10 days after receipt of the Request for Verification of Employment.

☐ Yes, I currently employ the person identified in the Request as the judgment debtor.

☐ No, I do not employ the person identified in the Request as the judgment debtor.

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Response to Request for Verification of Employment is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Response to Request for Verification of Employment on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Judgment Creitor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Judgment Debtor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

My Name _____
 Address _____
 Phone _____
 Email _____

I am the ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Attorney for the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent and my
 Utah Bar number is _____

In the District Court of Utah, _____ Judicial District
 _____ County

Court Address _____

Plaintiff/Petitioner v. Defendant/Respondent	Application for Writ of Garnishment Case Number _____ Judge _____ Commissioner _____
--	--

Instructions: You must attach the following records and forms if they are not already filed with the court.

- ☐ Continuation pages (If any, completing paragraphs that don't have enough space. Write the paragraph number on the continuation page.)
- ☐ Writ of Garnishment and ☐ Answers to Interrogatories for Property Other than Earnings
- ☐ Writ of Continuing Garnishment and ☐ Answers to Interrogatories for Earnings
- ☐ Notice of Garnishment and Exemptions
- ☐ Reply and Request for Hearing (2 copies)
- ☐ Check payable to the Garnishee for the fee required by statute (If this Application is electronically filed, the fee must be delivered to the Garnishee when the Writ is served.)
- ☐ Check payable to the Sheriff, Constable or Private Investigator for serving the Writ
- ☐ Check payable to the court for the filing fee.

(1) If this is an Application for a Writ of Continuing Garnishment, have you served on the Garnishee a Request for Verification of Employment? (Check one.)

- ☐ This is not an Application for a Writ of Continuing Garnishment.
☐ The Garnishee has verified the employment of the debtor.
☐ That Garnishee has not responded to my Request for Verification of Employment.
☐ I have not requested verification of employment from the Garnishee.

(2) I request that a

- ☐ Writ of Garnishment
☐ Writ of Continuing Garnishment
☐ Writ of Continuing Garnishment for Child Support

be issued and served upon each of the Garnishees named below, along with the attached forms.

(3) The amount due is:

Amount of Original Judgment	\$
Post Judgment Interest	\$
Cost to file Application for Writ	\$
Cost to serve this Writ	\$
Garnishee's fee	\$
Subtotal	\$
Less Payments Made	\$
Total Amount Due	\$

(4) The judgment debtor is:

Name	
Address	
Social security number (Last 4 digits only, if known)	
Driver's license number	

and state of issuance (Last 4 digits only, if known)	
Year and month of birth (if known)	

(5) I believe that the following people hold property of the judgment debtor.

Person Holding Property (name, address, phone number)	Property Description (If an account, include the location and last four digits of account number.)	Estimated Value of Property	Is the Property Earnings?
		\$	<input type="checkbox"/> Yes <input type="checkbox"/> No
		\$	<input type="checkbox"/> Yes <input type="checkbox"/> No

(6) I believe that the following people claim an interest in the property, and I request that the Writ of Garnishment be served upon each, along with the attached forms:

Name of Person Claiming Property Interest	Address	Phone Number

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Application for Writ of Garnishment is true and correct.

Date _____ Sign here ► _____
 Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Application for Writ of Garnishment on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Writ of Garnishment and
Instructions**

Case Number _____

Judge _____

Commissioner _____

To:

Garnishee's Name _____

Address _____

(1) Under the Utah State Code, the judgment creditor should have included with this Writ of Garnishment a fee to you. If the fee was not included, sign here and return the forms to the judgment creditor (or judgment creditor's attorney). _____.

(2) A judgment for \$_____ has been entered against the judgment debtor, and the judgment debtor still owes \$_____. Papers filed with the court show that you may possess or control some of the judgment debtor's property. (Property includes real and personal property. Property includes money, including earnings not yet paid.) The property is being garnished (seized) in order to pay the judgment. If you are the Garnishee, (holder of the property) you are required to take certain steps to deliver the property or to hold and protect it. You may be held liable if you fail to do so. You should keep for your records a copy of everything that you prepare and everything that is served on you.

(3) For more information about writs of garnishment, go to the court's website at: <http://www.utcourts.gov/howto/civil/>

(4) The judgment debtor is:

Name	
Address	
Social security number (Last 4 digits only, if known)	
Driver's license number and state of issuance (Last 4 digits only, if known)	
Year and month of birth (if known)	

(5) Within 7 business days after this writ is served on you, you must:

- (A) answer the attached Interrogatories;
- (B) file with the clerk of the court your original Answers to Interrogatories.
- (C) serve a copy of your Answers to Interrogatories on the judgment creditor (or judgment creditor's attorney);
- (D) serve a copy of the following papers on the judgment debtor and on any other person shown by your records to have an interest in the property. The papers to be served are:
 - one copy of this Writ of Continuing Garnishment;
 - one copy of your Answers to Interrogatories;
 - one copy of the Notice of Garnishment and Exemptions form; and
 - two copies of the Reply and Request for Hearing form.

(6) You may serve the court, the judgment creditor (or judgment creditor's attorney), the judgment debtor and any other person by hand delivery or by first class mail. The addresses of the clerk of court and judgment creditor (or judgment creditor's attorney) are at the top of the first page of this Writ.

(7) What to do with the property.

- (A) DO NOT SEND THE PROPERTY TO THE COURT. You are to withhold from the judgment debtor the amount shown in your Answers to Interrogatories. You are to hold the property for 20 calendar days after you serve the judgment debtor.
- (B) If you do not receive from the judgment debtor a Reply and Request for Hearing within 20 days after serving the judgment debtor, you are to deliver the

property to the judgment creditor (or judgment creditor's attorney). You are then relieved from any liability unless it is shown that your Answers to Interrogatories are incorrect.

(C) If you do receive a Reply and Request for Hearing, you must hold the property until you receive further orders from the court directing you how to proceed.

(8) If you fail to take these steps, the court may hold you liable for the value of the property you should have withheld.

(9) You may deliver to the judgment debtor in the normal course any property greater than you are required to withhold.

(10) Multiple Writs of Garnishment for the same judgment debtor may be served on you, but only one Writ of Garnishment may be in effect at one time. You must satisfy the writs in the order in which they are served. When an earlier Writ of Garnishment expires or is satisfied, you must then satisfy the next writ. However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first. Also, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues indefinitely until fully satisfied, placing earlier writs on hold. These instructions do not apply to writs or orders entered by other courts or governmental agencies.

Date _____ Clerk of Court _____
By _____

Certificate of Service			
I certify that I served a copy of this Writ of Garnishment and Instructions on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service			
I certify that I served a copy of this Writ of Garnishment and Instructions on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Garnishee)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Person Claiming Interest in Property)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Typed or printed name _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Writ of Continuing Garnishment and
Instructions for**

☐ **Child Support**

☐ **Other**

Case Number _____

Judge _____

Commissioner _____

To:

Garnishee Name's _____

Address _____

(1) Under the Utah State Code, the judgment creditor should have included with this Writ of Garnishment a fee to you. If the fee was not included, sign here and return the forms to the judgment creditor (or judgment creditor's attorney). _____.

(2) A judgment for \$_____ has been entered against the judgment debtor, and the judgment debtor still owes \$_____. Papers filed with the court show that you may possess or control some of the judgment debtor's property. (Property includes real and personal property. Property includes money, including earnings not yet paid.) The property is being garnished (seized) in order to pay the judgment. If you are the Garnishee, (holder of the property) you are required to take certain steps to deliver the property or to hold and protect it. You may be held liable if you fail to do so. You should keep for your records a copy of everything that you prepare and everything that is served on you.

(3) For more information about writs of garnishment, go to the court's website at:
<http://www.utcourts.gov/howto/civil/>

(4) The judgment debtor is:

Name	
Address	
Social security number (Last 4 digits only, if known)	
Driver's license number and state of issuance (Last 4 digits only, if known)	
Year and month of birth (if known)	

(5) Within 7 business days after this writ is served on you, you must:

- (A) answer the attached Interrogatories;
- (B) file with the clerk of the court your original Answers to Interrogatories.
- (C) serve a copy of your Answers to Interrogatories on the judgment creditor (or judgment creditor's attorney);
- (D) serve a copy of the following papers on the judgment debtor and on any other person shown by your records to have an interest in the property. The papers to be served are:
 - one copy of this Writ of Continuing Garnishment;
 - one copy of your Answers to the Interrogatories;
 - one copy of the Notice of Garnishment and Exemptions form; and
 - two copies of the Reply and Request for Hearing form.

(6) You may serve the court, the judgment creditor (or judgment creditor's attorney), the judgment debtor and any other person by hand delivery or by first class mail. The addresses of the clerk of court and judgment creditor (or judgment creditor's attorney) are at the top of the first page of this writ.

(7) If you are an employer who is garnishing earnings, the Utah courts have prepared an interactive worksheet that will calculate the amount to be withheld and prepare the Answers to Interrogatories form ready for filing. To use the worksheet, go to the Utah courts' website at https://www.utcourts.gov/ocap/emp_garnishment/. Note your session number. You may return to it for up to 180 days.

(8) This Writ of Continuing Garnishment is effective for 120 calendar days after the date on which it was served on you or 120 calendar days after the date of expiration of

an earlier writ, whichever is later. Within 7 business days after the close of each pay period occurring within that time, you must:

- (A) answer the attached Interrogatories;
 - (B) file with the clerk of the court your original Answers to the Interrogatories.
 - (C) serve a copy of your Answers to Interrogatories on the judgment creditor (or judgment creditor's attorney); the judgment debtor and on any other person shown by your records to have an interest in the property; and
- (9) What to do with the property.
- (A) DO NOT SEND THE PROPERTY TO THE COURT. You are to withhold from the judgment debtor the amount shown in your Answers to Interrogatories. You are to hold the property for 20 calendar days after you serve the judgment debtor.
 - (B) If you do not receive from the judgment debtor a Reply and Request for Hearing within 20 days after serving the judgment debtor, you are to deliver the property to the judgment creditor (or judgment creditor's attorney). You are then relieved from any liability unless it is shown that your Answers to the Interrogatories are incorrect.
 - (C) If you do receive a Reply and Request for Hearing, you must hold the property until you receive further orders from the court directing you how to proceed.
- (10) If you fail to take these steps, the court may hold you liable for the value of the property you should have withheld.
- (11) You may deliver to the judgment debtor in the normal course any property greater than you are required to withhold.
- (12) Multiple Writs of Garnishment for the same judgment debtor may be served on you, but only one Writ of Garnishment may be in effect at one time. You must satisfy the writs in the order in which they are served. When an earlier Writ of Garnishment expires or is satisfied, you must then satisfy the next writ. However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first. Also, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues indefinitely until fully satisfied, placing earlier writs on hold. These instructions do not apply to writs or orders entered by other courts or governmental agencies.

Date _____ Clerk of Court _____

By _____

Certificate of Service			
I certify that I served a copy of this Writ of Continuing Garnishment and Instructions on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Garnishee)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Person Claiming Interest in Property)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Typed or printed name _____

My Name _____
 Address _____
 Phone _____
 Email _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

 Plaintiff/Petitioner

v.

 Defendant/Respondent

**Garnishee's Answers to
 Interrogatories for Property other
 than Earnings**

Case Number _____

Judge _____

Commissioner _____

(1) Write your answers in the spaces provided. Attach additional sheets if necessary.

(2) Do you possess or control any property in which judgment debtor has an interest? (Property includes real and personal property, including money.)

ANSWER: ☐ Yes ☐ No

(3) If "no," skip the remaining questions, sign the form, and mail it as indicated. If "yes," explain in the table below.

Describe the Property	Nature of Judgment Debtor's Interest In the Property	The Property Is Due to the Judgment Debtor on: (Date)	Value of Judgment Debtor's Interest in the Property
			\$
			\$

Describe the Property	Nature of Judgment Debtor's Interest In the Property	The Property Is Due to the Judgment Debtor on: (Date)	Value of Judgment Debtor's Interest in the Property
			\$
Total*			\$

(*Unless you deduct an amount under paragraph (4), this is the amount you must withhold from the judgment debtor. The Writ of Garnishment directs what to do with the property.)

(4) You may deduct from the amount to be withheld money owed to you by the judgment debtor or the judgment creditor, if the amount of money owed is not disputed.

ANSWER: Undisputed amount owed to you: \$ _____
 Person indebted to you: ☐ Judgment Debtor ☐ Judgment Creditor

(5) Do you know about any of the judgment debtor's other property or other debts to judgment debtor?

ANSWER: ☐ Yes ☐ No

(6) If yes, please explain in the table below.

ANSWER:

Description of Property	Name and Address of Person with Possession	Nature and Value of Judgment Debtor's Interest

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Garnishee's Answers to Interrogatories for Property other than Earnings is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Garnishee's Answers to Interrogatories for Property other than Earnings on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Judgment Creditor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Judgment Debtor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Person Claiming Interest in Property)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service			
I certify that I served a copy of this Garnishee's Answers to Interrogatories for Property other than Earnings on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date

Date _____ Sign here ► _____
Typed or printed name _____

My Name _____
Address _____
Phone _____
Email _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Garnishee's Answers to
Interrogatories for Earnings**

Case Number _____

Judge _____

Commissioner _____

(1) Do you employ the judgment debtor?

ANSWER: ☐ Yes ☐ No

If "no," skip the remaining questions, sign the form, and mail it as indicated. If "yes," answer the remaining questions.

(2) Are there other Writs of Continuing Garnishment in effect?

ANSWER: ☐ Yes ☐ No

(3) If yes, when will they expire?

ANSWER: _____

(4)(a) What is the judgment debtor's pay period?

ANSWER:

☐ Weekly
☐ Biweekly

☐ Semi-monthly

☐ Monthly

☐ Other (Describe): _____

(4)(b) What is the pay date to which these answers relate?

ANSWER: _____

(4)(c) What is the pay period to which these answers relate?

ANSWER: Start Date: _____ End Date: _____

(5) Is this Writ of Continuing Garnishment in effect on the last day of this period? (The Writ is in effect for 120 days after the date of service on you or for 120 days after the date the previous writ expired, whichever is later.)

ANSWER: ☐ Yes ☐ No

(6) Calculate the amount to be withheld from the judgment debtor. (Assume you are calculating this on the last day of the pay period for which these answers apply.)

(6)(a) Gross earnings from all sources payable to the judgment debtor (Including wages, salaries, commissions, bonuses, or earnings from a pension or retirement program. Tips are generally not considered earnings for the purposes of the wage garnishment law.)	\$
(6)(b) Deductions required by law	
(6)(b)(i) Federal income tax	\$
(6)(b)(ii) State income tax	\$
(6)(b)(iii) Social security tax (FICA)	\$
(6)(b)(iv) Medicare tax (FICA)	\$
(6)(b)(v) Other amounts required by law to be deducted (Please describe reason for deduction.)	\$
(6)(c) Total deductions (Calculate & record the sum of (6)(b)(i) through (6)(b)(v).)	\$
(6)(d) Disposable earnings (Calculate and record Line (6)(a) minus Line (6)(c).)	\$
(6)(e) Calculate:	
(6)(e)(i) 25% of the amount in Line (6)(d); or, if this is a judgment for child support, 50% of the amount in Line (6)(d)	\$
(6)(e)(ii) The difference between Line (6)(d) and the federal minimum hourly wage (\$5.85) times 30 times the number of weeks in this pay period For example: (Weekly): Line (6)(d) minus (\$5.85 X 30 X 1 week) (Biweekly): Line (6)(d) minus (\$5.85 X 30 X 2 weeks) (Semi-monthly): Line (6)(d) minus (\$5.85 X 30 X 2.16 weeks) (Monthly) Line (6)(d) minus (\$5.85 X 30 X 4.33 weeks)	\$
(6)(f) Of Line (6)(e)(i) and Line (6)(e)(ii), record the lesser amount	\$

(6)(g) Amount of any income withholding order	\$
(6)(h) Calculate and record Line (6)(f) minus Line (6)(g)	\$
(6)(i) Amount deducted for an undisputed debt owed to you by the <input type="checkbox"/> judgment creditor <input type="checkbox"/> judgment debtor (check one, both or neither)	\$
(6)(j) Total amount withheld* (Calculate and record Line (6)(h) minus Line (6)(i).)	\$

* Do not withhold more than the balance the judgment debtor owes on the judgment.
 (You may contact the judgment creditor or judgment creditor's attorney to obtain the outstanding balance.)

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Garnishee's Answers to Interrogatories for Earnings is true and correct.

Date _____ Sign here ► _____
 Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Garnishee's Answers to Interrogatories for Earnings on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Judgment Creditor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Judgment Debtor or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service			
I certify that I served a copy of this Garnishee's Answers to Interrogatories for Earnings on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Person Claiming Interest in Property)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Typed or printed name _____

NOTICE OF GARNISHMENT AND EXEMPTIONS

NOTICE: YOUR PROPERTY MAY BE TAKEN TO PAY A CREDITOR.

PLEASE READ THIS CAREFULLY.

1. If you are the judgment debtor in this action, your rights may be affected. You should read this notice and take steps to protect your rights.

2. If you are not the judgment debtor in this action, papers filed with the court indicate that you may have an interest in the judgment debtor's property. Your rights may be affected, and you should read this notice and take steps to protect your rights.

3. The Garnishee (someone who possesses your property) has been ordered to hold your property. This means that you cannot obtain the property and it may be used to pay a judgment creditor.

4. Certain property and money are exempt from execution (cannot be garnished). The following is a partial list of exempt property and money, but some of these exemptions might not apply to judgments for alimony or child support.

- (A) A burial plot for you and your family.
- (B) Health aids.
- (C) Benefits because of disability, illness or unemployment.
- (D) Medical care benefits.
- (E) Veteran's benefits.
- (F) Social security benefits.
- (G) Supplemental security income benefits (SSI).
- (H) Workers' compensation benefits.
- (I) Certain retirement benefits.
- (J) Public assistance.
- (K) Money or property for child support, alimony or separate maintenance.
- (L) Certain furnishings, appliances, carpets, animals, books, musical instruments, and heirlooms.
- (M) Provisions for 12 months.
- (N) Wearing apparel, not including jewelry or furs.
- (O) Beds and bedding.
- (P) Certain works of art.
- (Q) Compensatory damages from bodily injury or wrongful death.
- (R) The proceeds of certain life insurance contracts and trusts.
- (S) Books, implements and tools of a trade.
- (T) A personal motor vehicle.
- (U) A motor vehicle used in trade or business.

(V) Part of your wages.

(W) Property of a person who did not have a judgment entered against him or her, such as the co-owner of the property being held.

5. You should consult [Utah Code Title 78B, Chapter 5, Part 5, Utah Exemptions Act](#) for full information about exemptions. There is no exemption solely because you are having difficulty paying your debts.

6. If you believe that the Writ of Garnishment was issued improperly, that the Answers to Interrogatories are inaccurate, that the judgment creditor owes you money, or that you are entitled to an exemption, DO THE FOLLOWING IMMEDIATELY. You have a deadline of 10 business days from the date the Garnishee mailed or delivered this notice to you.

(A) Complete the attached "Reply and Request for Hearing" form.

(B) Sign your name in the space provided and write the address at which the court clerk should notify you of the hearing.

(C) Mail or deliver the form to: the court clerk, the judgment creditor, (or judgment creditor's attorney) and the Garnishee. Keep a copy for your records. The name and address of the clerk of the court, the judgment creditor, (or judgment creditor's attorney) and the Garnishee are on the Writ of Garnishment.

7. The court clerk will schedule the matter for hearing and notify you. You should file with the Reply and Request for Hearing form or bring to the hearing any documents that help you prove your property is exempt.

8. If you fail to take these steps, the property being held may be used to pay a judgment creditor.

9. You may consult an attorney and have the attorney represent you at the hearing.

My Name _____
Address _____
Phone _____
Email _____

I am the ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Attorney for the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent and my
Utah Bar number is _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

_____ Plaintiff/Petitioner	Reply and Request for Hearing Case Number _____ Judge _____ Commissioner _____
v.	
_____ Defendant/Respondent	

Instructions: You must attach the following records and forms if they are not already filed with the court.

- ☐ Continuation pages (If any, completing paragraphs that don't have enough space.
Write the paragraph number on the continuation page.)
☐ Any documents supporting your claims

- (1) ☐ I have read the Notice of Garnishment and Exemptions form.
(2) ☐ I request that this matter be scheduled for a hearing.
(3) Funds in my account were garnished. ☐ Yes ☐ No

If you answered "yes" to number (3), answer (A) through (E) if they apply.

(A) The Writ of Garnishment was issued improperly because:

(B) The Answers to Interrogatories are inaccurate because:

(C) All [or this part: \$ _____] of the funds in my account are exempt because they are:

- ☐ Benefits because of disability, illness or unemployment.
 - ☐ Medical care benefits.
 - ☐ Veteran's benefits.
 - ☐ Social security benefits.
 - ☐ Supplemental security income benefits (SSI).
 - ☐ Workers' compensation benefits.
 - ☐ Retirement benefits.
 - ☐ Public assistance.
 - ☐ Money for child support, alimony or separate maintenance.
 - ☐ Compensatory damages from bodily injury or wrongful death.
 - ☐ The proceeds of a life insurance contract or trust.
 - ☐ Exempt wages.
 - ☐ Owned by another person.
 - ☐ Other. Explain.
-
-
-

(D) The judgment creditor owes me money because:

(E) I claim ownership of all or part of the money or property taken, and I am not one of the persons against whom a judgment was entered. Explain.

(4) My wages were garnished. ☐ Yes ☐ No

If you answered "yes" to number (4), answer (A) through (D) if they apply.

(A) The Writ of Garnishment was issued improperly because:

(B) The Answers to Interrogatories are inaccurate because:

(C) All [or this part: \$_____] of my wages are exempt from garnishment because:

(D) The judgment creditor owes me money because:

(5) My property was garnished. ☐ Yes ☐ No

If you answered "yes" to number (5), answer (A) through (D) if they apply.

(A) The Writ of Garnishment was issued improperly because:

(B) The Answers to Interrogatories are inaccurate because:

(C) All or part of the property is exempt from garnishment because the property is:

- ☐ A burial plot for me or my family.
- ☐ Health aids.
- ☐ Property for child support, alimony or separate maintenance.
- ☐ Furnishings, appliances, carpets, animals, books, musical instruments, or heirlooms.
- ☐ Provisions for 12 months.
- ☐ Wearing apparel, not including jewelry or furs.
- ☐ Beds and bedding.
- ☐ Works of art.
- ☐ Books, implements or tools of a trade.
- ☐ A personal motor vehicle.
- ☐ A motor vehicle used in a trade or business.
- ☐ Owned by another person.
- ☐ Other. Explain.

(D) The judgment creditor owes me money because:

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Reply and Request for Hearing is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Reply and Request for Hearing on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Certificate of Service			
I certify that I served a copy of this Reply and Request for Hearing on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date

Typed or printed name _____

My Name _____
Address _____
Phone _____
Email _____

I am the ☐ Plaintiff/Petitioner
☐ Defendant/Respondent
☐ Attorney for the ☐ Plaintiff/Petitioner ☐ Defendant/Respondent and my
Utah Bar number is _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

**Motion for Order to Garnishee to
Show Cause**

Case Number _____

Judge _____

Commissioner _____

Instructions: You must attach the following records and forms if they are not already filed with the court.

- ☐ Continuation pages (If any, completing paragraphs that don't have enough space.
Write the paragraph number on the continuation page.)
- ☐ Certificate of Service showing service upon the Garnishee of the Writ of
Garnishment
- ☐ Order to Garnishee to Show Cause

(1) ☐ I am the Judgment Creditor, and I have caused to be served on
_____, the Garnishee, a Writ of Garnishment

(2) ☐ The deadline for compliance with the Writ of Garnishment was
_____ (date), which has passed. The Garnishee has not
complied with the Writ of Garnishment by failing to:

(3) ☐ Therefore, I request that the court Order the Garnishee to Show Cause why s/he should not be held in contempt and for other appropriate relief, including costs of this motion.

I declare under criminal penalty of Utah Code Section 78B-5-705 that this Motion for Order to Garnishee to Show Cause is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____

Certificate of Service			
I certify that I served a copy of this Motion for order to Garnishee to Show Cause on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Certificate of Service			
I certify that I served a copy of this Motion for order to Garnishee to Show Cause on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____ Sign here ► _____

Typed or printed name _____

In the ☐ District ☐ Justice Court of Utah

_____ Judicial District _____ County

Court Address _____

Plaintiff/Petitioner

v.

Defendant/Respondent

Order to Garnishee to Show Cause

Case Number _____

Judge _____

Commissioner _____

The State of Utah to _____, Garnishee:

(1) It appears from court records that you were served with a Writ of Garnishment and ordered to complete interrogatories.

(2) A motion has been filed requesting that you show cause why you should not be held in contempt for failing to comply with the Writ. The moving party has alleged that you

(3) Disobedience of a lawful court order is contempt of court and may be punished by up to \$1000 in fines or up to 30 days in jail or both. You may also be held liable for the amount of property that you should have garnished or the amount of the judgment, whichever is less, plus the costs and attorney fees of the plaintiff.

(4) The court has scheduled a hearing on the Motion for Order to Show Cause at the above court at the following date and time. You should appear and bring with you all relevant evidence and witnesses. You may be represented by a lawyer. **If you fail to appear, an order may be entered against you.**

Date _____ Time _____ : _____ ☐ a.m. ☐ p.m.

Room _____ Judicial Officer _____

Disability Accommodation. If you need accommodation of a disability, contact the clerk's office at least 5 days before the hearing.

Date _____

Sign here ► _____

Judge _____

Certificate of Service			
I certify that I served a copy of this Order to Garnishee to Show Cause on the following people.			
Person's Name	Method of Service	Served at this Address	Served on this Date
(Other Party or Attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Clerk of Court)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Fax (Person agreed to service by fax.) <input type="checkbox"/> Email (Person agreed to service by email.) <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

Date _____

Sign here ► _____

Typed or printed name _____

