

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ADAMS )

IN THE ADAMS SUPERIOR COURT

DECATUR, INDIANA

CASE NUMBER:

\_\_\_\_\_  
Plaintiff(s)

vs.

\_\_\_\_\_  
Defendant(s)

**EXEMPTION CLAIM AND REQUEST FOR HEARING**

I believe that all or part of the money in the account(s) that may have been frozen cannot be frozen since the account(s) contain(s) exempt funds. I would like a hearing at the earliest time.

CHECK ONE:

\_\_\_ I am the judgment debtor.

\_\_\_ I maintain a joint account with the judgment defendant.

\_\_\_ I am the legal representative for \_\_\_\_\_  
Name and Type of Party (Ex. "John Doe – Judgment Debtor")

I believe the money in the account(s) is / are exempt because \_\_\_\_\_

\_\_\_\_\_  
Street Address of Defendant

\_\_\_\_\_  
Signature of Defendant

\_\_\_\_\_  
City, State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Printed Name of Defendant

\_\_\_\_\_  
Telephone Number Supreme Court ID Number

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by \_\_\_\_\_  
(US Mail, E-Service, Sheriff, other manner allowed by IN Trial Rules).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

## **NOTICE OF CERTAIN EXEMPTIONS AND YOUR RIGHT TO A PROMPT HEARING**

It may be that the Plaintiff has or will give notice to your bank or other persons holding property or assets for you of the intent to put a hold on certain accounts held by you, either individually or jointly with another person, including but not limited to bank, share, and credit union accounts. Under Indiana law, this notice may already have resulted in the placing of a hold on those accounts.

UNDER FEDERAL AND STATE LAW, CERTAIN FUNDS ARE EXEMPT FROM GARNISHMENT. THIS MEANS THAT THESE FUNDS MAY NOT BE TAKEN BY CREDITORS EVEN IF THEY HAVE BEEN DEPOSITED INTO YOUR ACCOUNTS. SOCIAL SECURITY, SUPPLEMENTAL SECURITY INCOME, VETERANS BENEFITS, CERTAIN DISABILITY PENSION BENEFITS, AND BENEFITS UNDER ANY PENSION PAID FROM A TRUST QUALIFIED UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 CANNOT BE TAKEN. THERE MAY BE OTHER EXEMPTIONS UNDER STATE OR FEDERAL LAW. IF YOU OR ANOTHER PERSON WHO MAINTAINS A JOINT ACCOUNT WITH YOU BELIEVE THAT ALL OR SOME OF THE FUNDS IN THESE ACCOUNTS ARE EXEMPT, YOU OR YOUR JOINT DEPOSITOR ARE ENTITLED TO A PROMPT HEARING IN THIS COURT TO PRESENT EVIDENCE TO ESTABLISH EXEMPTIONS AND TO SEEK REMOVAL OF THE HOLD.

To obtain such a hearing, fill in the form entitled "Exemption Claim and Request for Hearing" and make two (2) copies of it (keep the original for your own records). One copy of this form should be filed with the Court. The other copy of this form should be sent to Plaintiff's attorney or to the Plaintiff, if the Plaintiff is not represented by an attorney, at the address set forth on the documents related to the Proceeding Supplemental in this matter. A prompt hearing will be scheduled by the Court as soon as possible, but generally no later than five (5) days (excluding Saturdays, Sundays, and legal holidays) after the completed form is received by the Court. If you call the Court to determine your hearing date, please use the case number located at the top right-hand side on the front of the "Order and Notice to Defendant."

After hearing, the Court will decide whether all or part of the funds in each account on which a hold has been placed or other accounts in which you have an interest may be taken by the Plaintiff. If a joint depositor or you do not request an early hearing, there will be hearing at the time when you are ordered to appear. At that hearing, you and a joint depositor are entitled to assert any exemptions. However, if a joint depositor or you do not request an early hearing, each account on which a hold has been placed may not be released until the time you are ordered to appear.