

NOTICE REGARDING: [Case Number]

[Name of Garnishor]	§	Name of court
Garnishor	§	Address
Address	§	City, State, Zip Code
City, State, Zip Code	§	
email	§	
v.	§	
[Name of Garnishee]	§	
Garnishee	§	
Address	§	
City, State, Zip Code	§	
email	§	
[Name of Defendant or Judgment Debtor]	§	
Defendant or Judgment Debtor	§	Name of County, Texas

NOTICE TO [Name of Judgment Debtor], DEFENDANT OR JUDGMENT DEBTOR, OF YOUR RIGHTS TO GET BACK MONEY IN YOUR ACCOUNT OR PROPERTY THAT HAS BEEN FROZEN

You are receiving this notice because your money or property held at [name of garnishee] has been frozen by [name of garnishor] and may be seized to pay a debt judgment against you. This means that you cannot use the money or property in this account right now and it could be used to pay the debt judgment. **BUT, YOU MAY BE ABLE TO KEEP YOUR MONEY OR PROPERTY, SO READ THIS NOTICE CAREFULLY.**

State and federal law protects certain money and property from garnishment. **If your money or property held at [name of garnishee] was any of the following, it may be protected and you may be able to get the money or property back.**

Money that is Protected from Debt Collection:

1. Social Security Retirement income,
2. Social Security Disability Income (SSDI),
3. Supplemental Security Income (SSI),
4. Alimony, child support, or spousal support,
5. Veterans benefits,
6. Unemployment compensation benefits,
7. Workers' compensation benefits,
8. FEMA disaster benefits,
9. Railroad Retirement benefits,
10. Pension and retirement benefits,
11. Proceeds from the sale of a homestead (but only for six months after the sale),
12. Tax-deferred retirement accounts, like a 401(k) or an IRA account,
13. Education and health savings accounts, such as 529 accounts, an education savings account (ESA), or other qualified accounts,
14. Proceeds of a life, health, or accidental death insurance policy, including related annuities, or
15. Temporary Assistance for Needy Families (TANF).

Other Personal Property that is Protected from Debt Collection:

During garnishment, property other than money can be seized (for example: property placed in a safe deposit box). The list below of protected property is in addition to any protected money you may have from the list above of protected money. Personal property that is worth a total of \$50,000 for a single person or \$100,000 for a family is protected if it includes any combination of the following items:

1. One motor vehicle (whether two, three or four-wheeled) for each member of a family household or a single adult who holds a driver's license (or does not hold a license but relies on another person to drive the vehicle for the unlicensed person),
2. Home furnishings, including family heirlooms,
3. Food and other items to be consumed by you and your family,
4. Farming/ranching vehicles and implements,
5. Tools, equipment, books, apparatus, boats and motor vehicles used in a trade or profession,
6. Clothes,
7. Jewelry worth up to \$25,000 for a family and \$12,500 for a single person,
8. Two firearms,
9. Athletic and sporting equipment, including bicycles,
10. Two horses, mules or donkeys, together with a saddle, blanket and bridle for each (as well as food on hand for such animals),
11. Twelve (12) head of cattle (as well as food on hand for such cattle),
12. Sixty (60) head of other livestock (as well as food on hand for such livestock),
13. One-hundred and twenty (120) fowl, including chickens and turkeys (as well as food on hand for such birds),
14. Household pets and any food on hand to feed them,
15. Any bible or other book of sacred writings.

TO GET PROTECTED MONEY OR PROPERTY BACK, YOU MUST:

- Fill out the exemption claim form that is included with this notice, and
- File the form immediately with the court at the address listed on the first page of this notice, and
- Mail the form (or email it, if the email address is listed) to the garnishor, and the garnishee listed in the heading of this notice immediately after you file it with the court.

If you would like to talk with a lawyer, visit <https://www.txcourts.gov/programs-services/legal-aid> for information on free and low-cost services, or call the legal aid office that serves your area: Texas RioGrande Legal Aid at (800) 369-0574, Lone Star Legal Aid at (800) 733-8394, and Legal Aid of Northwest Texas at (800) 955-3959.

REMEMBER: FILE YOUR COMPLETED EXEMPTION CLAIM FORM IMMEDIATELY.

Garnishment Exemption Claim Form Instructions

The Garnishment Exemption Claim Form is a form that you can fill out and deliver to the court to get back protected money in your account that has been frozen. It is best to take the form to the court to make sure it is filed quickly and doesn't get lost in the mail. If you mail it to the court, it is best to send it certified mail with return receipt requested. **You are called the "Defendant or Judgment Debtor" on the form.**

To fill out the Garnishment Exemption Claim Form:

1. If the top of the form is not already filled out, copy the information from the top of the notice you received that told you of your rights to get back any protected money that was frozen and might be taken from you.
2. Check all the boxes of protected income that apply to you. If you check the "other" box, write your explanation down in the space provided.
3. Write your address (address, city, state, and zip code), your phone number, and your email address in the space provided.
4. Sign the form in the space marked "Your Signature," and print your name and the date in the spaces provided. **Keep a copy of the form.**
5. Fill out the **Certificate of Service** at the end of the form.
6. **Take the original form to the clerk of the court** at address listed at the top of the notice that you received with this form.
7. Mail copies of the form by first class mail (or email, if an email address is provided on the notice) to the garnishor and garnishee. Their addresses are also at the top of the notice that you received with this form.
8. You can call the clerk of the court for more information at [insert phone number of court clerk].

The court will hold a hearing within 10 days from the date it receives your claim form to decide if the money in your account is protected. The court will mail you the time and date of the hearing at the address that you provide on your claim form. Make sure to attend the hearing. If you do not attend, the court is likely to rule against you. You can attend with or without an attorney.

At the hearing, tell the court why your money is protected. Bring any supporting documents to the hearing, such as:

- A copy of pay stubs and account statements showing deposits of protected money
- A letter from a government agency awarding benefits such as social security or other protected benefit
- A divorce decree for alimony, child support, or spousal support
- Any other information or document(s) that shows that your money is protected.

Send the notice of any hearing on my claim to me at:

Address: _____

Phone Number: _____

E-mail Address: _____

The statements made in this claim form are true to the best of my knowledge and belief.

Your Signature

Print Your Name

Date

CERTIFICATE OF SERVICE

I certify that on this day, I have: (check all that apply)

- mailed
- emailed

the garnishor and the garnishee with a copy of this form.

Your Signature

Today's Date