REQUEST FOR HEARING – GARNISHMENT/LIEN EXEMPTION CLAIM

Using This Revisable PDF Form

- 1. Copies
 - a. Same number as copies of GARNISHMENT SUMMONS, form DC-451, issued in a case.
- 2. Prepared by judgment debtor.
- 3. Attachments
 - a. Form DC-451, GARNISHMENT SUMMONS
 - b. Form DC-449, AFFIDAVIT CONCERNING DEPENDENT CHILDREN AND HOUSEHOLD INCOME, should be attached to this form, in addition to two items of proof showing entitlement, if judgment debtor is claiming exemption No. 22 on the form.
- 4. Preparation details judgment debtor completes entire form.
- 5. This form is on the reverse of the NOTICE TO JUDGMENT DEBTOR HOW TO CLAIM EXEMPTIONS FROM GARNISHMENT AND LIEN.

DISTRICT COURT FORMS
PDF INSTRUCTIONS
JULY 2012

Major Exemptions Under Federal and State Law 1. Social Security benefits and Supplemental Security Income (SSI) (42 U.S.C. § 407). 2. Veterans' benefits (38 U.S.C. § 5301). 3. Federal civil service retirement benefits (5 U.S.C. § 8346). 4. Annuities to survivors of federal judges (28 U.S.C. § 376(n)). 5. Longshore and Harbor Workers' Compensation Act (33 U.S.C. § 916). 6. Black Lung benefits. emptions listed under 1 through 6 above may not be applicable in child support and alimony cases (42 U.S.C. § 659 7. Seaman's, master's or fisherman's wages, except for child support or spousal support and maintenan (46 U.S.C. § 11109). 8. Unemployment compensation benefits (§ 60.2-600, Code of Virginia). This exemption may not be applicable in child support cases (§ 60.2-608, Code of Virginia). 9. Amounts in excess of portions of wages subject to garnishment (§ 34-29, Code of Virginia). 10. Public assistance payments (§ 63.2-506, Code of Virginia). 11. Homestead exemption of \$5,000 in cash, or \$10,000 if the householder is 65 years of age or older. (§ 34-4, Code of Virginia). This exemption may not be claimed in certain cases, such as payment or spousal support (§ 34-5, Code of Virginia). 12. Property of disabled veterans – additional \$10,000 cash (§ 34-4.1, Code of Virginia). 13. Worker's Compensation benefits (§ 65.2-531, Code of Virginia). 14. Growing crops (§ 8.01-489, Code of Virginia). 15. Benefits from group life insurance policies (§ 38.2-3339, Code of Virginia). 16. Proceeds from industrial sick benefits insurance (§ 38.2-3549, Code of Virginia). 17. Assignments of certain salary and wages (§ 55-165, Code of Virginia). 18. Benefits for victims of crime (§ 19.2-368.12, Code of Virginia). 20. Certain retirement benefits (§ 34-34, Code of Virginia). 21. Child support payments (§ 20-108.1, Code of Virginia). 22. Support for dependent children (§ 34-4.2, Code of Virginia). 22. Support for dependent children (§ 34-4.2, Code of Virginia). 23. Other (describe exemption): \$ 24. Other (describe exe		2
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7		
	ADDRESS are statements made in this request are true to the best of	TELEPHONE NUMBER f my knowledge and belief.

REQUEST FOR HEARING – GARNISHMENT/LIEN EXEMPTION CLAIM

Data Elements, reverse

- 1. Court case number. Retains number of garnishment case; does not receive a separate unique number.
- 2. Court name.
- 3. Name of judgment creditor.
- 4. Name of judgment debtor.
- 5. Name of garnishee.
- 6. Check the appropriate line.
- 7. Judgment debtor's mailing address and telephone number.
- 8. Date of signing.
- 9. Judgment debtor's signature.

DISTRICT COURT FORMS
PDF INSTRUCTIONS
JULY 2012