

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.

**REQUEST FOR HEARING –
GARNISHMENT/LIEN EXEMPTION CLAIM**

Commonwealth of Virginia VA. CODE § 8.01-512.4

Case No. 1

2
COURT NAME

3
JUDGMENT CREDITOR

v.

4
JUDGMENT DEBTOR

and 5
GARNISHEE

I claim that the exemption(s) from garnishment or lien which are checked below apply in this case:

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.

Exemptions 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 maintenance (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 of child 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).
- 19. Proceeds from funeral trusts (§ 54.1-2823, 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). To claim this exemption, an affidavit that complies with the requirements of subsection B of § 34-4.2 and two items of proof showing entitlement to this exemption must be attached to this exemption form. (The affidavit, form DC-449, AFFIDAVIT CONCERNING DEPENDENT CHILDREN AND HOUSEHOLD INCOME, is available at www.courts.state.va.us/forms/district/civil.html or the clerk's office.)
- 23. Other (describe exemption): \$

6

I request a court hearing to decide the validity of my claim. Notice of hearing should be given to me at:

7
ADDRESS

7
TELEPHONE NUMBER

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

8
DATE

9
SIGNATURE OF JUDGMENT DEBTOR

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.