

**COLLECTION OF
JUDGMENT FOR MONEY
(GARNISHING WAGES OR
ATTACHING BANK ACCOUNTS)**

CV-2

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731

www.washoecourts.com

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**COLLECTING JUDGMENT
FOR MONEY
(GARNISHING WAGES OR
ATTACHING BANK ACCOUNTS)
PACKET CV-2**

Use this packet only if all of the following statements are true:

- There is a judgment from the Second Judicial District Court that awards money to you, a notice of entry of judgment has been filed with the court, served upon the judgment debtor, and at least 10 days have passed.

-OR-

There is a judgment from a court outside of the State of Nevada that awards money to you, the foreign judgment has been domesticated in the Second Judicial District Court, and 30 days have passed.

- The judgment debtor has not paid all the money due.
- The identified personal property to be collected is not exempt. Exempt property is listed in NRS 21.090.
- The funds or assets to be collected are personal property in the form of bank accounts or wages.
- The judgment is still valid and enforceable.

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INSTRUCTIONS FOR COMPLETING FORMS

Carefully read all instructions before starting to fill out any of the forms.

Use **black or blue ink only**. Neatly print the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

Part A

1. Writ of Execution
2. Notice of Execution
3. Instructions for Washoe County Sheriff

Part B

(Only use this section if the judgment debtor files a claim of exemption)

4. Objection to Claim of Exemption from Execution
5. Notice of Hearing on Objection to Claim of Exemption from Execution
6. Proof of Service

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.

N.R.S. §199.145

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PART A

INSTRUCTIONS: STEP 1

Complete Page One of the Writ of Execution as Shown:

1) Print the names of the parties, the Case No., and the Department No. just as they appear on all other documents in this case.

2) Print the date the judgment was filed with the Second Judicial District Court.

3) Print your name.

4) Print the judgment debtor's name.

5) List the awarded amount, if applicable, of:
- the principal
- attorney's fees
- interest
- costs
- total judgment

The total will add up to the judgment awarded.

Code: 1685

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Plaintiff / Petitioner,

Case No. _____

vs. _____
Defendant / Respondent.

Dept. No. _____

EXECUTION - NRS 21.025

THE PEOPLE OF THE STATE OF NEVADA:
To the Sheriff of Washoe County:
Greetings:

To FINANCIAL INSTITUTIONS: This judgment is for the recovery of money for the support of a person.

On _____, a judgment was entered by the above-entitled Court in the
(Date judgment was entered)

above-entitled action in favor of _____ as judgment
(Your name)

creditor and against _____ as judgment debtor for:
(The other party's name)

List: the principal amount, attorney's fees, interest, and costs. The totaled amount will be the amount of the judgment on the entry date.

Principal \$ _____,
Attorney's fees \$ _____,
Interest \$ _____, and
Costs \$ _____,
MAKING A TOTAL OF \$ _____ the judgment as entered, and

REV 4/2018 JCB 1 WRIT OF EXECUTION

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INSTRUCTIONS: STEP 2

Complete Page Two of the Writ of Execution as Shown:

1) Fill out the requested information *if* interests, costs, or fees have accrued since the entry of the judgment. If there are none write in "N/A".

2) Print the remaining information requested. Refer to the information in parenthesis on the page for more instruction.

WHEREAS, according to an affidavit or a memorandum of costs after judgment, or both, filed herein, it appears that further sums have accrued since the entry of judgment, to wit:

List: the amount of interest, costs, and fees for the issuance of this writ that have accumulated since the entry of the judgment. Total those amounts on the last line.

Accrued interest \$ _____, and
Accrued costs \$ _____, together with
Fee for the issuance of this writ \$ _____,
MAKING A TOTAL OF \$ _____, as accrued costs,
accrued interest and fees.

CREDIT must be given for payments and partial satisfactions in the amount of
\$ _____ (Amount of judgment already paid)
which is to be first credited against the total accrued costs and accrued interest, with any excess
credited against the judgment as entered, leaving a net balance of
\$ _____ (Judgment + accrued costs – payments)
actually due on the date of the issuance of this writ, of which
\$ _____ (Amount of judgment that is collecting interest)
bears interest at
_____ (Yearly interest rate)
percent per annum, in the amount of
\$ _____ (Amount of interest accumulating per day)
per day, from the date of judgment to the date of levy, to which must be added the commissions and
costs of the officer executing this writ.

//
//
//
//
//

REV 4/2018 JCB 2 WRIT OF EXECUTION

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INSTRUCTIONS: STEP 3

Page Three of the Writ of Execution and the Notice of Execution

Do not date or sign page three of the Writ of Execution.

You do not need to fill out any information on the Notice of Execution.

The Notice of Execution *must* be provided along with the Writ of Execution.

NOW, THEREFORE, SHERIFF OF WASHOE COUNTY, you are here by commanded to satisfy this judgment with interest and costs as provided by law, out of the personal property of the judgment debtor, except that for any work week, 82 percent of the disposable earnings of the debtor during that week if the gross weekly salary or wage of the debtor on the date the most recent writ of garnishment was issued was \$770 or less, 75 percent of the disposable earnings of the debtor during that week if the gross weekly salary or wage of the debtor on the date the most recent writ of garnishment was issued exceeded \$770, or 50 times the minimum hourly wage prescribed by section 206(a)(1) of the Federal Fair Labor Standards Act of 1938, 29 U.S.C. §§ 201 et seq., and in effect at the time of earnings are payable, whichever is greater, is exempt from any levy on execution pursuant to this writ, and if sufficient personal property cannot be found, then out of the real property belonging to the debtor in the aforesaid county, and make return to this writ within not less than 10 days or more than 60 days endorsed thereon with what you have done.

Date: _____ JACQUELINE BRYANT
CLERK OF THE COURT

By: _____
Deputy Clerk

REV 4/2018 JCB 3 WRIT OF EXECUTION

SECOND JUDICIAL DISTRICT COURT
NOTICE OF EXECUTION
NRS 21.075

**YOUR PROPERTY IS BEING ATTACHED OR
YOUR WAGES ARE BEING GARNISHED**

A court has determined that you owe money to the person or the company, the judgment creditor, listed on the Writ of Execution included with this Notice of Execution. The judgment creditor has begun the procedure to collect that money by garnishing your wages, bank account, and other personal property held by third persons or by taking money or other property in your possession.

Certain benefits and property owned by you may be exempt from execution and may not be taken from you. The following is a partial list of exemptions:

1. Payments received pursuant to the federal Social Security Act, including, without limitation, retirement and survivors' benefits, supplemental security income benefits, and disability insurance benefits.
2. Payments for benefits or the return of contributions under the Public Employees' Retirement System.
3. Payments for public assistance granted through the Division of Welfare and Supportive Services of the Department of Health and Human Services or a local governmental entity.
4. Proceeds from a policy of life insurance.
5. Payments of benefits under a program of industrial insurance.
6. Payments received as disability, illness, or unemployment benefits.
7. Payments received as unemployment compensation.
8. Veteran's benefits.
9. A homestead in a dwelling or a mobile home, including, subject to the provisions of section 6.5 of this act, the proceeds from the sale of such property, not to exceed \$605,000, unless:
 - a. The judgment is for a medical bill, in which case all the primary dwelling, including a mobile or manufactured home, may be exempt.
 - b. Allodial title has been established and not relinquished for the dwelling or mobile home, in which case all of the dwelling or mobile home and its appurtenances are exempt, including the land on which they are located, unless a valid waiver executed pursuant to NRS 115.010 is applicable to the judgment.
10. All money reasonably deposited with a landlord by you to secure an agreement to rent or lease a dwelling that is used by you as your primary residence, except that such money is not exempt with respect to a landlord or landlord's successor in interest who seeks to enforce the terms of the agreement to rent or lease the dwelling.
11. A vehicle, if your equity in the vehicle is less than \$15,000.
12. Eighty-two percent of the take-home pay for any workweek if your gross weekly salary or wage was \$770 or less on the date the most recent writ of garnishment was issued, or seventy-five percent of the take-home pay for any workweek if your gross weekly salary or wage exceeded \$770 on the date the most recent writ of garnishment was issued, unless the weekly take-home pay is less than 50 times the federal minimum hourly wage, in which case the entire amount may be exempt.
13. Money, not to exceed \$1,000,000 in present value, held in:
 - a. An individual retirement arrangement which conforms with the applicable limitations and requirements of section 408 or 408A of the Internal Revenue Code, 26 U.S.C. § 408 and 408A.

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INSTRUCTIONS: STEP 4

Issuing and Filing the Documents

You must bring or mail the original of the Writ of Execution and the Notice of Execution to the Resource Center to be filed into your case and issued by the Court. The Resource Center will give you the original and two certified copies back.

There may be a filing fee charged when the documents are filed. You can call the Resource Center at (775) 325-6731 to confirm the amount of the fee.

The Resource Center is located on the third floor of the courthouse at 1 South Sierra Street, Reno, Nevada 89501.

INSTRUCTIONS: STEP 5

Complete the Washoe County Sheriff's Office Instructions for Execution:


1) Print your case and party information as requested.

2) Select the type of execution you are asking for.

3) Identify the property.

If you are garnishing wages, you will also need to complete a Writ of Garnishment. That document is available at the Washoe County Sheriff's Office.

WASHOE COUNTY SHERIFF'S OFFICE CIVIL SECTION
INSTRUCTIONS FOR EXECUTION
PLEASE FILL OUT COMPLETELY



DATE: _____ CASE # _____
PLAINTIFF _____ vs. DEFENDANT _____
PLAINTIFF ADDRESS: _____ DEFENDANT ADDRESS: _____
c/o (if applicable) _____ c/o (if applicable) _____
Number & Street Name _____ Number & Street Name _____
City _____ State _____ Zip _____ City _____ State _____ Zip _____
PLAINTIFF PHONE: _____ DEFENDANT SS#: _____

ATTACH THE WAGES OF: _____
Last First Middle
Defendant's Place of Employment: _____
Work Address: _____
Number & Street Name City State Zip Code
OR
 EXECUTE ON THE BANK OF: _____
Bank / Credit Union: _____
Address of Bank / Credit Union: _____
Number & Street Name City State Zip Code
Account Number (s): _____
OR
 TAP THE TILL OF BUSINESS KNOWN AS: _____
Located at: _____
Number & Street Name City State Zip Code

INCLUDE: 1) Original and three (3) copies of Execution
2) Check made payable to the Washoe County Sheriff's Office for fees.
3) \$5.00 check made payable to the Garnishee (Employer or Bank/Credit Union)

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INSTRUCTIONS: STEP 6

Bring the Documents to the Washoe County Sheriff's Office

Once you have filed the Writ of Execution with the court you will need to bring the documents and copies to the Washoe County Sheriff's Office at 911 Parr Blvd, Reno, Nevada 89512.

You will need to bring:

- (3) Copies of the Writ of Execution
- The Notice of Execution
- The Washoe County Sheriff's Office instructions for execution
- A check made payable to the Washoe County Sheriff's Office for fees.
- A \$5.00 check made payable to the garnishee (the employer, bank, etc.)

If you are garnishing the wages of the judgment debtor you will need to fill out an additional form, a Writ of Garnishment, which is available at the Washoe County Sheriff's Office.

For fee information, please contact the Washoe County Sheriff's Office Civil Division at (775) 328-3310.

What happens now?

The Sheriff will serve the writ on the garnishee (the employer, bank, etc.) and collect the available funds or property as instructed in the writ. They will also send the Notice of Execution to the judgment debtor's last-known address.

The judgment debtor has ten judicial days to file a Claim of Exemption from Execution with the court if they believe their funds or property are legally exempt. If this happens, you will have eight judicial days to file an objection. See Part B.

If the Sheriff's Office does not receive a filed Claim of Exemption from Execution from the judgment debtor within 25 calendar days after levy, the funds or property will be released to you.

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PART B

Only use the instructions and forms in part B if the judgment debtor has filed a Claim of Exemption from Execution.

INSTRUCTIONS: STEP 7

Complete the Objection to Claim of Exemption from Execution as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the names of the parties, the Case No., and the Department No. just as they appear on all other documents in this case.

3) Date, sign, and print your name.

| | | |
|----|---|------------------------|
| 1 | Code: | |
| 2 | Name: | _____ |
| 3 | Address: | _____ |
| 4 | Telephone: | _____ |
| 5 | Email: | _____ |
| 6 | Self-Represented Litigant | |
| 7 | | |
| 8 | IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA | |
| 9 | IN AND FOR THE COUNTY OF WASHOE | |
| 10 | | |
| 11 | _____ | |
| 12 | Plaintiff / Petitioner, | Case No. _____ |
| 13 | | |
| 14 | vs. | Dept. No. _____ |
| 15 | _____ | |
| 16 | Defendant / Respondent, | |
| 17 | | |
| 18 | <u>OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION</u> | |
| 19 | | |
| 20 | I hereby object to the Claim of Exemption from Execution filed in this case and move this Court | |
| 21 | for a hearing, to be held within seven judicial days, to determine whether judgment debtor is | |
| 22 | entitled to the exemptions claimed therein. | |
| 23 | This document does not contain the personal information of any person as defined by | |
| 24 | NRS 603A.040. | |
| 25 | | |
| 26 | Date: _____ | Your Signature: _____ |
| 27 | | |
| 28 | | Print Your Name: _____ |
| | REV 3/2018 JCB | 1 |
| | | OBJECTION |

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INSTRUCTIONS: STEP 8

Electronically Filing the Objection to Claim of Exemption from Execution

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Objection to Claim of Exemption from Execution.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Law Library and the Resource Center.

There may be a filing fee charged when documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

INSTRUCTIONS: STEP 9

Getting the Hearing

You will need a hearing date on the Notice of Hearing on Objection to Claim of Exemption from Execution (*see*: INSTRUCTIONS: STEP 10). The hearing must be set with the department your case is being heard in. Department information is available at www.washoecourts.com.

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INSTRUCTIONS: STEP 10

Complete the Notice of Hearing on Objection to Claim of Exemption from Execution as Shown:

1) Print the names of the parties, the Case No., and the Department No. just as they appear on all other documents in this case.

Leave this section blank.

Do not date or sign the document.

| | | |
|----|--|---|
| 1 | Code: _____ | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA | |
| 6 | IN AND FOR THE COUNTY OF WASHOE | |
| 7 | | |
| 8 | _____ | |
| 9 | Plaintiff / Petitioner, | Case No. _____ |
| 10 | vs. | Dept. No. _____ |
| 11 | _____ | |
| 12 | Defendant / Respondent, | |
| 13 | | |
| 14 | <u>NOTICE OF HEARING ON OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION</u> | |
| 15 | | |
| 16 | PLEASE TAKE NOTICE THAT the foregoing Objection to Claim of Exemption from | |
| 17 | Execution filed in this case shall be heard on _____ at _____ | |
| 18 | <input type="checkbox"/> a.m. -OR- <input type="checkbox"/> p.m., in Department _____ | (Date of hearing) (Time of hearing) |
| 19 | located at 75 Court Street, Reno, NV 89501. (Department number) | |
| 20 | The hearing date is not later than seven judicial days after the filing of the Objection to Claim of | |
| 21 | Exemption of Execution. | |
| 22 | This document does not contain the personal information of any person as defined by | |
| 23 | NRS 603A.040. | |
| 24 | | |
| 25 | Date: _____ | JACQUELINE BRYANT CLERK OF THE COURT |
| 26 | | |
| 27 | By: _____ | Deputy Clerk |
| 28 | | |
| | REV 3/2018 JCB | 1 NOTICE OF OBJECTION |

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INSTRUCTIONS: STEP 11

Electronically Filing the Notice of Hearing on Objection to Claim of Exemption from Execution

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, in the Law Library and the Resource Center.

Sign into your eFlex account using the username and password you created and electronically file the:

- Notice of Hearing on Objection to Claim of Exemption from Execution.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Law Library and the Resource Center.

There may be a filing fee charged when documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

INSTRUCTIONS: STEP 12

Serving the Documents

You will need to send a copy of the documents to the Sheriff, the garnishee, and the judgment debtor. If the party is not an electronic filer, you can send the copies by mail either postage prepaid or certified mail, return-receipt requested or serve the documents by personal service. To see which parties are electronic filers, view the service list for your case on eFlex.

You must send:

- 1) The Objection to Claim of Exemption from Execution; and
- 2) The Notice of Hearing on Objection to Claim of Exemption from Execution.

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INSTRUCTIONS: STEP 13

Complete Page One of the Proof of Service as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the names of the parties, the Case No., and the Department No. just as they appear on all other documents in this case.

3) Print the date you filed the documents.

4) Print the judgment debtor's name, the date of service, select how service was made, and where.

| | |
|----|---|
| 1 | Code: 3720 |
| 2 | Name: _____ |
| 3 | Address: _____ |
| 4 | Telephone: _____ |
| 5 | Email: _____ |
| 6 | Self-Represented Litigant |
| 7 | |
| 8 | IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA |
| 9 | IN AND FOR THE COUNTY OF WASHOE |
| 10 | |
| 11 | _____ |
| 12 | Plaintiff / Petitioner, Case No. _____ |
| 13 | vs. Dept. No. _____ |
| 14 | |
| 15 | _____ |
| 16 | Defendant / Respondent |
| 17 | <u>PROOF OF SERVICE</u> |
| 18 | |
| 19 | Pursuant to Nevada Rules of Civil Procedure 5(b), I served a true and correct copy of the Claim |
| 20 | of Exemption from Execution filed on _____ in the manner(s) |
| 21 | (Date of filing) |
| 22 | and at the location(s) described below. A copy of this Proof of Service has been mailed or |
| 23 | personally delivered to all parties or their lawyer. |
| 24 | A copy of the above-named document(s) was served upon the following people: |
| 25 | 1. Judgment Creditor's Name: _____ Date: _____ |
| 26 | By: <input type="checkbox"/> Personal Service -OR- <input type="checkbox"/> Service by U.S. Mail, postage prepaid -OR- <input type="checkbox"/> Certified |
| 27 | mail, return receipt attached -OR- <input type="checkbox"/> Other: _____ |
| 28 | Address where service occurred: _____ |
| | _____ |
| | REV 3/2018 JCB 1 CLAIM PROOF OF SERVICE |

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INSTRUCTIONS: STEP 14

Complete Page Two of the Proof of Service as Shown:

- 1) Print the date the Sheriff's Office was served, select how service was made, and where.
- 2) Print the name of the garnishee (employer, bank, etc.), the date of service, select how service was made, and where.
- 3) Print the name, date, how service was made, and where for any other party served, if any.
- 4) Date, sign, and print your name.

| | | |
|----|---|--------------------------|
| 1 | 2. Washoe County Sheriff's | Date: _____ |
| 2 | By: <input type="checkbox"/> Personal Service –OR– <input type="checkbox"/> Service by U.S. Mail, postage prepaid –OR– <input type="checkbox"/> Certified | |
| 3 | mail, return receipt attached –OR– <input type="checkbox"/> Other: _____ | |
| 4 | Address where service occurred: 911 Parr Blvd., Reno, Nevada 89512 | |
| 5 | | |
| 6 | 3. Garnishee Name: _____ | Date: _____ |
| 7 | By: <input type="checkbox"/> Personal Service –OR– <input type="checkbox"/> Service by U.S. Mail, postage prepaid –OR– <input type="checkbox"/> Certified | |
| 8 | mail, return receipt attached –OR– <input type="checkbox"/> Other: _____ | |
| 9 | Address where service occurred: _____ | |
| 10 | _____ | |
| 11 | | |
| 12 | 4. Name: _____ | Date: _____ |
| 13 | By: <input type="checkbox"/> Personal Service –OR– <input type="checkbox"/> Service by U.S. Mail, postage prepaid –OR– <input type="checkbox"/> Certified | |
| 14 | mail, return receipt attached –OR– <input type="checkbox"/> Other: _____ | |
| 15 | Address where service occurred: _____ | |
| 16 | _____ | |
| 17 | | |
| 18 | This document does not contain the personal information of any person as defined by | |
| 19 | NRS 603A.040. | |
| 20 | | |
| 21 | Date: _____ | Your Signature: _____ |
| 22 | | |
| 23 | Print Your Name: _____ | |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |
| | REV 3/2018 JCB | 2 CLAIM PROOF OF SERVICE |

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INSTRUCTIONS: STEP 15

Filing the Proof of Service

To file the Proof of Service with the court you will need to upload the original documents to eFlex.

Please make sure to keep the original copies of all the documents you file for your personal records.

If you need further assistance filing the documents, please visit the Resource Center or the Law Library.

Legal Assistance Information

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>