571.912 FORM OF NOTICE, INSTRUCTIONS, AND EXEMPTION NOTICE.

Subdivision 1. **Form of notice.** The notice, instructions, and exemption notice informing a debtor that a garnishment summons has been used to attach funds of the debtor to satisfy a claim must be a separate notice and must be substantially in the following form:

State of Minnesota **District Court**

County of: ..... Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name

.....

Debtor's full name

.....

Third Party (bank, employer, or other)

.....

Important Notice

Money in Your Account Has Been Frozen

The Creditor has frozen money in your account at your bank.

Your account balance is $.....

The amount being held is $.....

The amount being held is frozen for 14 days from the date of this notice.

Some of your money in your account may be protected (the legal word is exempt). You may be able to get it sooner than 14 days if you act quickly and follow the instructions on the next page.

The attached exemption form lists some different ways money in your account may be protected. If your money comes from a benefit on the list, put a check on the line next to it. The creditor can't take it.

BUT, if you want the bank to unfreeze your money, **you must follow the instructions and return the exemption form with copies of your bank statements from the last 60 days**. Instructions and the form are attached. If you don't follow the instructions your bank gives the money to your creditor. If your creditor gets an order from the court or writ of execution, your bank gives the money to them. If that happens and your money is protected, you can still get it back from the creditor later. But filling out the form now is easiest.

See next pages for instructions and the exemption form.

Subd. 2. **Form of instructions.** The instructions required must be in a separate form and must be substantially in the following form:

Instructions

Note: The creditor is who you owe the money to. You are the debtor.

1. Fill out **both** of the attached exemption forms in this packet.

If you check one of the lines, you should also give proof. Use proof that shows that some or all of the money in your account is from one or more of the protected sources. This might be letters or account statements. Creditors may ask for a hearing if they question your exemptions.

To avoid a hearing:

(i) Case numbers should be added to the form.

(ii) Copies of documents should be sent with the form.

Notice: You must send copies of your bank statements for the past 60 days before the garnishment. Send them to the creditor (or to the creditor's lawyer). Keep a copy of your bank statements in case there are questions about your claim. If you don't send bank statements to the creditor (or to the creditor's lawyer) along with your exemption claim, the financial institution may give your money to the creditor. They would do this once the creditor gives them a court order saying they have to turn over the funds.

2. **Sign** the exemption forms. **Make a copy to keep for yourself.**

3. **Mail or deliver** the other copies of the form by (insert date).

Both Copies Must Be Mailed or Delivered the Same Day.

One copy of the form and the copies of your bank statements go to:

Creditor's Name: .....

(or creditor's lawyer's name)

Street Address: .....

City/State/Zip: .....

Phone: ..... Fax: .....

Email: .....

One copy goes to:

Bank's Name: .....

Street Address: .....

City/State/Zip: .....

Phone: ..... Fax: .....

Email: .....

How The Process Works

If You Don't Send in the Exemption Form and Bank Statements:

14 days after the date of this letter some or all of your money may be turned over to the creditor. This happens once they get an order from the court telling the bank to do this.

If You Do Send in the Exemption Form and Bank Statements:

Any money that is NOT protected can be turned over to the creditor once they get an order from the court.

If the Creditor Does Not Object to Your Claimed Exemptions:

The bank should unfreeze your money 6 business days after they get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a release letter to the bank.

If the Creditor Objects to Your Claimed Exemptions:

The money you said is protected on the form is held by the bank. The creditor has 6 business days to object (disagree) and ask the court to hold a hearing. You get a Notice of Objection and a Notice of Hearing.

The bank holds the money until a court decides if your money is protected or not. Some reasons a creditor may object are because you didn't send copies of your bank statements or other proof of the benefits you got. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income you can call Legal Aid statewide at 1(877) 696-6529.

Warnings and Fines

If you claim that your money is protected and a court decides you made that claim in bad faith, they can order you to pay costs, actual damages, lawyer fees, and a fine up to $100. Bad faith is when someone does something wrong on purpose. For example, it may be bad faith if you claim you get government benefits and you don't.

If the creditor made a bad faith objection to your claim that your money is protected, the court can order them to pay costs, actual damages, lawyer fees, and a fine up to $100.

Subd. 3. **Exemption notice.** The exemption notice must be a separate form and must be in substantially the following form:

State of Minnesota **District Court**

County of: ..... Judicial District: .....

Court File Number: .....

Case Type: .....

Creditor's full name

..... **Exemption Form**

vs.

Debtor's full name

.....

Bank's name

.....

A. **How Much Money is Protected (exempt)**

... I claim ALL of the money being frozen by the bank is protected.

... I claim SOME of the money is protected. The amount I claim is protected is $.....

B. **Why The Money is Protected**

My money is protected because I get it from one or more of the following places: **(Check all that apply)**

Earnings (Wages)

ALL or SOME of my wages may be protected.

... **Some** of my wages are protected because they were only deposited in my account in the last 20 days.

For wages that were deposited in your account within the last 20 days, the amount protected is whichever is more:

(i) 75% of your wages or more (after taxes are taken out), or

(ii) The current minimum wage times 40 per week. You can find the current minimum wage here: https://www.dli.mn.gov/minwage.

All of my wages are protected because:

... I get government benefits (a list of government benefits is on the next page)

... I am getting other assistance based on need

... I have gotten government benefits in the last 6 months

... I was in jail or prison in the last 6 months

If you check one of these 4 boxes, your wages are only protected for 60 days after they are deposited in your account. You **MUST send the creditor copies of bank statements** that show what was in your account **for the 60 days right before the bank froze your money.**

Government Benefits

Government benefits can include many things. For example:

... **MFIP** - Minnesota Family Investment Program

... **DWP** - MFIP Diversionary Work Program

... **SNAP** - Supplemental Nutrition Assistance Program

... **GA** - General Assistance

... **EGA** - Emergency General Assistance

... **MSA** - Minnesota Supplemental Aid

... **MSA-EA** - MSA Emergency Assistance

... **EA** - Emergency Assistance

... **Energy or Fuel Assistance**

... **Work Participation Cash Benefit**

... **MA** - Medical Assistance

... **MinnesotaCare**

... **Medicare Part B** - Premium Payments help

... **Medicare Part D** - Extra

... **SSI** - Supplemental Security Income

... **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working Family Credit

... **Renter's Refund** (also called Renter's Property Tax Credit)

List the case number and county for every box you checked:

Case Number: ..... County: .....

Case Number: ..... County: .....

Case Number: ..... County: .....

Government benefits also include:

... Social Security benefits

... Unemployment benefits

... Workers' compensation

... Veterans' benefits

If you get any of these government benefits, include copies of any documents that show you get them.

... I get other assistance based on need that is not on the list. It comes from:.....

.....

Make sure you include copies of any documents that show this.

C. Other Protected Funds

The money from these things are also completely protected after they are deposited in my account.

... Child Support

... A retirement, disability, or accident pension or annuity

... Earnings of my child who is under 18 years of age

... Payments to me from a life insurance policy

... Money paid to me from a claim for damage or destruction of property. Property includes household goods, farm tools or machinery, tools for my job, business equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or appliances

... Death benefits paid to me

I give my permission to any agency that has given me benefits to give information about my benefits to the creditor named above or to the creditor's lawyer. The information will **ONLY** be if I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the last 6 months, I give my permission to the correctional institution to tell the creditor named above or the creditor's lawyer that I was an inmate there.

You must sign this form and send it back to the creditor's lawyer (or to the creditor, if there is no lawyer) and the bank. Remember to include a copy of your bank statements for the past 60 days. Fill in the blanks below and go back to the instructions to make sure you did it correctly.

I mailed or delivered a copy of this form to the creditor (or to the creditor's lawyer) at the address listed below.

Creditor's Signature: .....

(or creditor's lawyer's signature)

Creditor's Name: .....

(or creditor's lawyer's name)

Street Address: .....

City/State/Zip: .....

Phone: ..... Fax: .....

Email: .....

I also mailed or delivered a copy of this exemption form to my bank at the address listed below:

Bank's Name: .....

Street Address: .....

City/State/Zip: .....

Phone: ..... Fax: .....

Email: .....

Date: .....

Debtor's Signature: .....

Debtor's Name: .....

Street Address: .....

City/State/Zip: .....

Phone: .....

Email: .....

History: *1990 c 606 art 3 s 24; 1992 c 464 art 1 s 56; 1993 c 156 s 17; 1994 c 488 s 8; 1999 c 107 s 66; 1999 c 159 s 149; 2000 c 343 s 4; 2000 c 405 s 22; 2009 c 31 s 8; 2015 c 21 art 1 s 109; 1Sp2019 c 9 art 1 s 42; 2025 c 18 s 16*