



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

Civil Actions Branch
500 Indiana Ave., N.W.
Room 5000
Washington, D.C. 20001
202-879-1133 | www.dccourts.gov

Landlord & Tenant Branch
510 4th Street, N.W.
Room 110
Washington, D.C. 20001
202-879-4879 | www.dccourts.gov

Small Claims & Conciliation Branch
510 4th Street, N.W.
Room 120
Washington, D.C. 20001
202-879-1120 | www.dccourts.gov

_____, Plaintiff
v. Case No. _____
_____, Defendant

Note: This form is intended for use by judgment debtors whose wages from work are being actively garnished or are about to be garnished and does not impact any other types of attachments.

Motion to Exempt (Protect) Wages and Request Hearing

I, _____, request exemption from garnishment of my wages due to financial hardship. A court hearing on this motion is requested.

1. I am presently
- employed.
 - unemployed. The last date I worked was _____, _____.
Month Year

2. I receive the following (check any that apply):
- Temporary Assistance for Needy Families Program (TANF)
 - Program on Work, Employment, and Responsibility (POWER)
 - General Assistance for Children (GAC)
 - Supplemental Security Income (SSI)
 - Interim Disability Assistance (IDA)
 - Medicaid or D.C. Healthcare Alliance

If you checked the "unemployed" box in question 1, or any of the boxes in question 2, you do not need to answer any more questions and may skip to the Declaration on page 3. Otherwise go to the next question.

3. I receive the following (*check any that apply*):

- | | |
|--|--|
| <input type="checkbox"/> Social Security | <input type="checkbox"/> Worker's Compensation |
| <input type="checkbox"/> Social Security Disability Insurance (SSDI) | <input type="checkbox"/> Retirement or pension |
| <input type="checkbox"/> Unemployment | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Veterans' Benefits | |

4. My total income over the past 12 months from all sources is \$ _____.

5. How many people depend on you for financial support? _____.

Of these people, how many are minor children or elderly? _____.

6. I have \$ _____ in cash, including money in bank accounts.

7. I own the following vehicles, real estate, or other valuable property: _____
_____.

8. This is my best estimate of the monthly expenses for me and the people who depend on me for financial support:

Housing (such as rent, mortgage, taxes, insurance):	
Utilities (such as gas, electric, water, phone, internet):	
Food and household necessities:	
Child-related expenses (such as childcare, diapers):	
Health (such as medical, prescriptions, dental, vision, insurance):	
Transportation (such as vehicle loan, gas, insurance, metro, buses):	
Clothing:	
Education:	
Other debt and expenses:	
Total Estimated Monthly Expenses:	

9. Explain any special circumstances that you want the judge to consider in support of your request, including any child support orders, large monthly expenses, debts, and/or judgments.

10. I declare under penalty of perjury that the forgoing is true and correct.

11. I request a hearing about whether my money is protected.

Signature of Defendant

Date

Print Name:	Address:
Telephone:	
Alternative Telephone:	Email Address:

<i>If you have a lawyer</i>	
Print Name of Lawyer:	Lawyer's Address
Bar Number:	
Lawyer's Telephone:	Lawyer's Email:
Lawyer's Signature:	Date:

After you file this motion, the Court will give you a hearing date and information. You must participate in your hearing. If you do not, your money may not be protected.

Be prepared to share with the Court documents (*like a bank statement, Social Security, retirement, or other statement of income*) and/or information to show your money falls into one of the checkbox categories above. Be prepared to swear or affirm that the information you give is the truth.

Certificate of Service (Complete this section *only* if you have a lawyer)

On _____, I mailed and/or e-served this motion on all self-represented parties and/or attorneys in this case, as listed below.

Name of Party or Party's Attorney

Name of Party or Party's Attorney

Address

Address

Signature

Hearing Information

If you file this motion in person, the clerk will give you a document with hearing information. If you file this motion in any other way, you will get an email or a letter to tell you when and where your hearing is. It may be held remotely or in-person. Please read the hearing notice carefully.

Please read this notice carefully. Your money may be taken to pay a debt, for example a medical or credit card bill.

What can I do if I think my money should be protected?

If you get some types of benefits (like Social Security), your bank might already be protecting your money automatically. Call your bank to find out. If your money is not already being protected, keep reading this form.

Ask to protect your money. You can file this form in two steps:

- 1) Fill out this form.**
- 2) File the form at the Court as soon as possible.**

If you wait too long, your money could be taken, even if your money should be protected.

You can also call the company that filed a lawsuit against you or their lawyer. Explain that your money is *exempt* (protected). Ask them to release your money. You may be asked to provide documentation proving that your money is exempt.

How can I file this Motion?

You can file this motion in any of these ways:

- File **in-person** at a Civil Division **Clerk's Office** in the Courthouse.
- File **online** by visiting www.dccourts.gov.
- **Mail** the document to: Superior Court of the District of Columbia, 500 Indiana Avenue NW, Civil Clerk's Office – Room 5000, Washington, DC 20001.

Does it cost money to file this Motion?

Yes. If you cannot pay, you can ask the Court to waive this fee by filing a Fee Waiver Application. You can get this online at <https://www.dccourts.gov/services/forms> or by calling (202) 879-1010. File the Fee Waiver Application at the same time as this Motion.

I filed this form with the Court. What happens next?

After you file this form, the Court will contact you to schedule a hearing. You will need to do two things to get ready for the hearing:

- 1) Get your documents ready.** You need to share documents with the Court to show that your money should be protected. *Learn more about what types of money are protected on the next page.*
- 2) Come to Court on the day of your hearing.** If you do not come to Court, you might lose your money, even if it should be protected.

What types of money can be protected?

Below is a list of some types of money that may be protected. This list is not complete, and you might be able to protect your money in other ways. See D.C. Code 15-501(a) for more protections and information. You may want to talk to a lawyer for more specific guidance.

- Social Security retirement, Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI)
- Disability Benefits
- Public Assistance / TANF Benefits
- Worker's Compensation
- Payments under retirement, pension and annuity plans*
- Federal Civil Service Retirement benefits
- Federal Civil Service Survivor Annuities
- Longshore and Harborworker's Compensation Act Benefits
- Unemployment Benefits
- Alimony, support or separate maintenance
- Payments awarded by a court in a civil or criminal case
- Veterans' Benefits
- Railroad Retirement Act Benefits
- Black Lung Benefits
- Seaman's or Master's or Fisherman's wages
- Any money or property up to \$850 or more (*if you own your home*)
- Any money or property up to \$8,925 (*if you do not own your home*)

I own my home, but I want to protect more than \$850. What do I do?

You might be able to protect more than \$850, but every situation is different. **You may want to talk to a lawyer.**

Do these protections apply if I owe alimony or child support?

These protections might not apply if you owe alimony or child support. If someone else pays alimony or child support to you, that money might be protected. **It may be helpful to speak with a lawyer.**

How can I get legal help?

You can find information about how to get free legal help online at the Court's website at <https://www.dccourts.gov/services/represent-yourself>.