

**CENTER TOWNSHIP of
MARION COUNTY SMALL CLAIMS COURT**

Julia M. Carson Government Center
300 E. Fall Creek Parkway N. Drive Suite 130
Indianapolis, IN 46205
Phone: (317) 920-4530

You are hereby notified to put a hold on any account which you now have for

_____ ,
by the following citation: 122 App., 101 N.E. (2d) 724.

ORDER TO ANSWER INTERROGATORIES

STATE OF INDIANA, COUNTY OF MARION,
CENTER TOWNSHIP OF
MARION COUNTY SMALL CLAIMS COURT

PLAINTIFF:

CAUSE NO. 49K01- _____ -SC- _____

DEFENDANT: JUDGEMENT DEBTOR:

JUDGEMENT AMOUNT: _____

COURT COSTS: _____

Name

DEFENDANT'S SS NUMBER: _____

Address

EXECUTION DEBTOR AND COURT ORDER TO:

NAME

ADDRESS

(Indiana Acts of 1943, Chapter 163)

To the proper official of the above named Execution Debtor: You are hereby ordered, by this registered mail, to answer the following interrogatories, as propounded by the Plaintiff, or his attorney, in the above entitled cause of action, for proceedings supplementary to execution:

1. Does your bank have an account in the name of:

2. Is it a savings and/or checking account and what is the number?

3. What is the current balance?

4. State any other property which your bank holds for the Judgement-Debtor.

These interrogatories must be certified as true by you, the Copy retained by you, and the Original returned by registered mail to the court, as required by law, on or before _____, at 11:00 A.M., "Such court shall have full power to enforce answers thereto".

DATED: _____

JUDGE

To the above named Judge of the Small Claims Court, Center Township Division: I hereby certify that the above **answers** are true, without equivocation or evasion.

DATED: _____

PROPER OFFICIAL

EXEMPTION CLAIM AND REQUEST FOR HEARING

(Send this part to the Court)

TO: **CENTER TOWNSHIP of
MARION COUNTY SMALL CLAIMS COURT
Julia M. Carson Government Center
300 E. Fall Creek Parkway N. Drive Suite 130
Indianapolis, IN 46205
Phone: (317) 920-4530**

CAUSE NO. 49K01- _____ -SC- _____

I believe that all or part of the money in my account(s) that may have been frozen cannot be frozen since the account(s) contain exempt funds. I would like a hearing at the earliest time.

DATE

SIGNATURE

PRINTED NAME

ADDRESS

PHONE DURING BUSINESS HOURS

Check One:

_____ I am the judgment defendant.

_____ I maintain a joint account with the judgment defendant.

**NOTICE OF CERTAIN EXEMPTIONS AND YOUR
RIGHT TO A PROMPT HEARING**

It may be that the plaintiff has or will give notice to your Bank or any other persons holding property or assets for you of the intent to put a hold on certain accounts held by you, either individually or jointly with another person, including, but not limited to Bank, Share, and Credit Union Accounts. Under Indiana law, this Notice may already have resulted in the placing of a hold on those accounts. UNDER FEDERAL AND STATE LAW, CERTAIN FUNDS ARE EXEMPT FROM GARNISHMENT. THIS MEANS THAT THESE FUNDS MAY NOT BE TAKEN BY CREDITORS EVEN IF THEY HAVE BEEN DEPOSITED INTO YOUR ACCOUNTS. SOCIAL SECURITY, SUPPLEMENTAL SECURITY INCOME, VETERANS BENEFITS, CERTAIN DISABILITY PENSION BENEFITS AND BENEFITS UNDER ANY PENSION PAID FROM A TRUST QUALIFIED UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 CANNOT BE TAKEN. THERE MAY BE OTHER EXEMPTIONS UNDER STATE OR FEDERAL LAW. IF YOU OR ANOTHER PERSON WHO MAINTAINS A JOINT ACCOUNT WITH YOU BELIEVE THAT ALL OR SOME OF THE FUNDS IN THESE ACCOUNTS ARE EXEMPT, YOU OR YOUR JOINT DEPOSITOR ARE ENTITLED TO A PROMPT HEARING IN THIS COURT TO PRESENT EVIDENCE TO ESTABLISH EXEMPTIONS AND TO SEEK REMOVAL OF THE HOLD.

To obtain such a hearing, fill in the form marked "Exemption claim and Request for Hearing" attached hereto and return it to this Court either by mail or by personally bringing it to the Court. A copy of that form should also be sent to plaintiff's attorney. A prompt hearing will be scheduled by the court as soon as possible, but generally no later than 5 days (excluding Saturdays, Sundays, and legal holidays) after the completed form is received by the Court. Please call the Court to find out when the hearing is scheduled. When calling the Court, please have the cause number handy. The cause number is located on the reverse side of this document at the top on the right-hand side. After the hearing, the Court will decide whether all or part of the funds in each account on which a hold has been placed or other accounts in which you have an interest may be taken by the plaintiff.

If a joint depositor or you do not request an early hearing, there will be a hearing at the time when you are ordered to appear. At that hearing, you and a joint depositor are entitled to assert any exemptions. However, if a joint depositor or you do not request an early hearing, each account on which a hold has been placed may not be released until the time you are ordered to appear.