

INSTRUCTIONS
FORM 14
REQUEST FOR HEARING ON NONEXEMPT EARNINGS STATEMENT
(A.R.S. § 12-1598.16(J)&(K))

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment debtor.

USE FORM 14 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to object to statements appearing in a Garnishee's Nonexempt Earnings Statement you received from your employer because you believe that the amount of your nonexempt earnings has been incorrectly calculated for this pay period or that no amount should be withheld because the Writ of Garnishment or underlying judgment is invalid, satisfied, or superseded.

TO COMPLETE FORM 14 YOU WILL NEED:

- Information on the Garnishee's Nonexempt Earnings Statement.

HOW TO COMPLETE FORM 14:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishee's Nonexempt Earnings Statement.

- (1) Type or print the name, mailing address and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

If you are representing a judgment debtor but you are not an attorney and you are permitted by law to do so, check the box before "Other." A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented either by an attorney or by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.

- (3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.

- (4) If you checked this box, type or print the name of the county in which the Court is located.
- (5) Type or print the petitioner/plaintiff's name as it appears on the Garnishee's Nonexempt Earnings Statement, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Garnishee's Nonexempt Earnings Statement, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Garnishee's Nonexempt Earnings Statement, mailing address, phone number(s) and attorney (if known).
- (8) Type or print the case number appearing on the Garnishee's Nonexempt Earnings Statement.
- (9) Check all boxes that apply.
- (10) If you checked this box, type or print your reason for believing either that no amount of money should have been withheld from your paycheck for this pay period, or that the garnishment or underlying judgment is invalid, satisfied or superseded, or some other reason for objecting to the Nonexempt Earnings Statement.
- (11) Complete the information under this box indicating the date and manner in which you provided a copy of your Request for Hearing to the judgment creditor.
- (12) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.
- (13) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.
- (14) Sign the Request for Hearing form and type or print the date on which you signed this document.

WHEN YOU HAVE COMPLETED THE HEARING REQUEST:

- ✓ Attach a copy of the Garnishee's Nonexempt Earnings Statement to which you are objecting to this form and file it with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Earnings) (FORM 9).
- ✓ Immediately after filing, you must mail or deliver a copy of this Request for Hearing (FORM 14) to the judgment creditor and the garnishee.
- ✓ The Court should contact you regarding your hearing request within ten (10) days.