

STATE OF VERMONT

SUPERIOR COURT

Unit

CIVIL DIVISION

Case No. _____

Plaintiff Name	vs.	Defendant Name
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MOTION FOR TRUSTEE PROCESS (Wage Garnishment)

- I obtained a judgment against _____ (name) on _____ (date) in the amount of \$_____.
- The judgment has not been paid in full. A total of \$_____ has been paid towards the judgment.
- I wish to garnish the debtor's wages to pay the judgment. I believe they are employed by:
Name of employer: _____
Address of employer: _____

4. The total amount currently due is as follows:
- Judgment amount not paid: \$ _____
 - Costs of filing this motion: \$ _____
 - Interest since date of judgment: \$ _____
 - Total due: \$ _____

I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I will be subject to the penalty of perjury or to other sanctions in the discretion of the court.

Date _____ Signature _____

Printed Name _____

Mailing Address _____

Home/Cell Phone _____

Work Phone _____

Email Address _____

Definitions

- A party who gets a judgment is called the '**creditor**' or '**judgment creditor**'. 'The creditor is the person who is *owed* money.
- A party who owes the money is called the '**debtor**' or '**judgment debtor**'. The debtor is the person who *owes* money.
- A third party holding the assets of the debtor – such as the debtor's employer – is called a '**trustee**'.

INSTRUCTIONS FOR CREDITOR

Required Documents

The following documents must be given to (served on) the debtor and the trustee:

- Trustee Summons (from the court)
- A copy of the filed Motion for Trustee Process (Wage Garnishment) (form 100-00506)
- Notice of the date and time of the hearing
- Employer Disclosure (form 100-00508)
- List of Exemptions (form 100-00511)

Service

The documents must be served on the debtor and trustee by a sheriff. Give the sheriff two sets of the documents listed above – one for the debtor, one for the trustee.

Once the sheriff has served the papers, they will give you a document called a Return of Service for each person served. File the Return of Service forms and a Certificate of Service (form 100-00260) with the court to show they were served.

More Information

Find forms and more information on the Vermont Judiciary's website: www.vermontjudiciary.org Search **small claims** and choose the **Collecting a Small Claims Judgment** link.