

JUDGMENT DEBTOR(S)'S MOTION FOR RETURN/RELEASE OF WAGES FROM GARNISHMENT; NOTICE OF HEARING; CERTIFICATE OF SERVICE; GARNISHMENT CALCULATION WORKSHEET; EXHIBIT "A"

IN THE DISTRICT COURT OF THE SECOND CIRCUIT _____ DIVISION STATE OF HAWAI'I	
Plaintiff(s)	Reserved for Court Use
	Civil No.
Defendant(s)	Filing Party(ies)/Filing Party(ies)' Attorney (Name, Attorney Number, Firm Name (if applicable), Address, Telephone and Facsimile Numbers)

JUDGMENT DEBTOR(S)'S MOTION

FOR RETURN/RELEASE OF WAGES EXEMPT FROM GARNISHMENT

Filing Party(ies) moves this Court for an Order returning or releasing to the filing party all or a portion of wages which have been garnished because:

1. The amount garnished or withheld was excessive as the Federal Law State Law was more favorable to the filing party.
2. The Garnishee should have deducted \$ _____, rather than \$ _____ according to the Garnishment Calculation Worksheet, Form# DC27C, and a copy of applicable pay stub attached as Exhibit "A".
3. Other (specify) _____

Date:	Signature of Judgment Debtor(s)'/Declarant:
	Print/Type Name:

NOTICE OF HEARING

TO: _____

Please take notice that this Motion will be heard before the Presiding Judge of this Court in his/her Courtroom, at the address on the next page on _____, _____, 20____, at _____ a.m. or as soon thereafter as parties may be heard.

COURT ADDRESS(ES):

- | | |
|--|--|
| <input type="checkbox"/> Wailuku Division (Regular Claims) | 2145 Main Street, Courtroom 3C, Third Floor, Wailuku, HI 96793 |
| <input type="checkbox"/> Wailuku Division (Small Claims) | 2145 Main Street, Courtroom 3D, Third Floor, Wailuku, HI 96793 |
| <input type="checkbox"/> Lahaina Division | 1870 Honoapi'ilani Highway, Lahaina, HI 96761 |
| <input type="checkbox"/> Hana Division | 4974 Uakea Road, Hana, HI 96713 |
| <input type="checkbox"/> Moloka'i Division | 55 Makaena Place, Kaunakakai, Moloka'i, HI 96748 |
| <input type="checkbox"/> Lana'i Division | 312 8th Street, Lana'i City, Lana'i, HI 96793 |

Mailing address for the above Courts: 2145 Main Street, Rm. 106, Wailuku, HI 96793

CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on (date) _____ by Hand-delivery or Mail, at the following address(ies):

Judgment Creditor: _____ Employer/Garnishee

Signature of Filing Party(ies)/Filing Party(ies)' Attorney:

Date:

Print/Type Name:

RESPONSE TO MOTION/CERTIFICATE OF SERVICE

- I DO NOT OBJECT to this Motion.
- I DISAGREE with this Motion for the following reasons:
(Attache continuation page, if necessary).

I have read this Response, know the contents and verify that the statements are true to my personal knowledge and belief. **I DECLARE UNDER PENALTY OF PERJURY THAT THE FOLLOWING IS TRUE AND CORRECT.**

CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served at the last known address(es) of the Opposing Party(ies) or Opposing Party(ies)' attorney on (date) _____ by Hand-delivery or Mail at the following address(ies):

Judgment Creditor: _____ Employer/Garnishee

Signature of Respondent Party(ies)/Responding Party(ies)/ Attorney:

Date:

Print/Type Name



In accordance with the Americans with Disabilities Act if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 244-2800, FAX 244-2849, or email adarequest@courts.hawaii.gov at least ten (10) working days in advance of your hearing or appointment date. For all civil matters, please call 244-2706 or visit the Service Center at 2145 Main Street, Room 141, Wailuku, HI 96793.