



Superior Court of the District of Columbia Civil Division

- ☐ **Civil Actions Branch** | 500 Indiana Ave, NW, Room 5000, Washington DC 20001 | 202-879-1133
- ☐ **Landlord & Tenant Branch** | 510 4th Street, NW, Room 110, Washington DC 20001 | 202-879-4879
- ☐ **Small Claims & Conciliation Branch** | 510 4th Street, NW, Room 120, Washington DC 20001 | 202-879-1120

Case Caption: _____

Case No.: _____

Writ of Attachment on a Judgment

(Garnishment of Wages, Earnings, Salary, Commissions, and Pensions)

To: _____

The Court has been informed that you currently employ, _____ who is the defendant in this case. The plaintiff has obtained a judgment against the defendant. This writ of Attachment requires you to (1) provide information about the defendant's employment by returning complete answers to all of the interrogatories, and (2) withhold a portion of any wages and pay that portion to the plaintiff until the judgment is paid in full, or until further order of the court.

Please read the included instructions and respond to the interrogatories also included. If you fail to return answers to the Interrogatories within ten (10) days of receiving this writ, judgment may be entered against you, the employer, for the entire amount of plaintiff's claims, plus interest and costs.

***The last document included with this Writ of Attachment is a Notice to Defendant (Judgment Debtor).**

Attorney for Plaintiff (Print Name):	
Address:	
Signature:	
Email Address:	
Telephone Number:	Attorney Bar Number:

CLERK OF THE COURT

Issued by: _____

Issued on: _____

D.C. Code §16-572.02 requires the plaintiff (judgment creditor) to mail a copy of this writ and the included **Notice to Defendant (Judgment Debtor) Regarding Wage Garnishment** to the defendant at their last known address, by certified and first-class mail, on the same date that the plaintiff serves the Writ of Attachment on an employer-garnishee.

Interrogatories to be Answered by Employer-Garnishee

Within ten (10) days of receiving this Writ of Attachment, you must (1) answer all of the following questions under the penalty of perjury, (2) file your answers in this court, and (3) serve a copy on the plaintiff and the defendant.

1. If you employ the defendant, state the amount of disposable wages (defined in Instruction 3) earned by the defendant and when it is paid.

2. If you employ the defendant and are already withholding his/her wages or earnings to satisfy a different attachment previously served upon you, state the name of the person or company to whom you are making payments, and all relevant information about the case in which the attachment was issued, including the name of the court and the case number.

3. If you do not currently employ the defendant, did you employ the defendant in the four-month period before this writ was served on you?

4. Employment of the Defendant was terminated on _____ .

Declaration

I declare under the penalty of perjury that the answers above are, to the best of my knowledge and belief, true and correct as to every material matter.

Employer-Garnishee Name (Please Print):	
Address:	
Signature:	
Email Address:	
Telephone No:	Title:



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division**

Instructions to Employer-Garnishee

1. Formula.

Withholding may be required if an employee earns more than 40 times the D.C. minimum hourly wage per week – in other words if an employee works more than the equivalent of 40 full-time hours at minimum wage. When garnishing, the employer generally must withhold 25% of the amount by which the employee's disposable wages for a week exceed 40 times the minimum hourly wage in effect at the time. If the pay period is not one week, the employer multiplies the minimum hourly wage by 40 and then multiplies the resulting number by the number of full and/or partial weeks which are included in the pay period. The court may reduce the amount if the employee proves financial hardship.

2. Timing and Duration.

The employer must withhold the specified amount from employee's wages and pay this amount within 15 days after the close of the last pay period of the employee ending in each calendar month, until judgment has been satisfied, or until otherwise instructed by the court.

3. Definitions.

"Wages" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program.

"Disposable wages" means that part of any individual's earnings remaining after the deduction of any amounts required by law to be withheld. (D.C. Code §16-571)

4. Calculating the Withholdings Amount.

To calculate the exact withholdings amount:

- (1) Determine the employee's disposable wages for the pay period.
- (2) Multiply the D.C. minimum wage in effect on the date wages are payable by 40.
 - In the case of wages for any pay period other than a week, multiply the minimum hourly wage by 40 and then multiply the resultant product by the number of full and/or partial weeks which are included in the pay period being considered.
- (3) If the amount from (1) is less than or equal to the amount from (2), the employer-garnishee

shall not withhold any wages.

- (4) If the amount from (1) exceeds the amount from (2), calculate the difference between the two amounts and multiply it by .25.

Note: The District of Columbia minimum hourly wage is \$17.50 per hour as of July 1, 2024. Any subsequent changes to the minimum hourly wage must be observed by the garnishee. Pursuant to D.C. Code §32-1003 (f-1), any adjustments to the minimum hourly wage shall be published in the District of Columbia Register and the Department of Employment Services website at least 30 days before an increase is scheduled to go into effect.

5. Effect of Defendant Leaving Employ.

In the event defendant leaves your employ for a period of 90 days or less, and then is reemployed, this attachment shall remain in full force and effect, and you are required to resume the withholdings. In the event defendant leaves your employ for a period of 91 days or more, this attachment shall terminate, and you shall return your copy of the completed interrogatories to the Court, setting forth the date of the termination in the space provided.

6. Priority of Multiple Attachments.

If other attachments against this employee have been served upon you and are still unsatisfied, you are required under the law to make withholdings to satisfy the attachments in the order in which they were received by you, before withholding or paying anything to satisfy this attachment. If you were served with two or more attachments at the same time, the one bearing the earlier time stamp of the United States Marshal is entitled to be satisfied first.

7. WARNING and Legal Authorities.

Sec. 6 of the D.C. Consumer Credit Protection Act of 1971 (P.L. 92-200) prohibits an employer from discharging an employee for the reason that unpaid earnings have been subjected or attempted to be subjected to garnishment for the purpose of paying a judgment. The Federal Wage Garnishment law restricts such discharge where an employee's earnings have been subjected to garnishment for any indebtedness and provides that a willful violation of said restriction may subject an employer to a fine of not more than \$1,000.00 or imprisonment for not more than one year, or both.



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division**

_____, Plaintiff

v.

Case No. _____

_____, Defendant.

Information for Employer-Garnishee

The following information is provided to assist in confirming the identity of defendant. Please contact the judgment creditor with any questions related to this verification.

Full Name	
Address	
Last 4-digits of SSN <i>Redact if filing with the court</i>	

The following information regarding the judgment in this case is accurate as of the date of issuance of this Writ. The total amount may change in the future based upon factors such as interest and credits. Please contact the judgment creditor to determine the updated balance.

Date of Judgment	
Amount of Judgment Principal	
Interest Rate	
Total Amount Due	

Judgment Creditor Contact Information	
Name	
Phone	
Email	



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Case Caption: _____

Case Number: _____

NOTICE TO DEFENDANT (JUDGMENT-DEBTOR) REGARDING WAGE GARNISHMENT AND EXEMPTIONS

There was a judgment entered against you. Your wages may be taken to pay a debt.

Read this notice carefully to protect your rights.

Why am I getting this notice?

You are receiving this notice because a company or a person (the plaintiff) filed a lawsuit against you and won a money judgment against you (see attached Writ of Attachment). A money judgment is a court's decision that you owe money to someone else (the "judgment creditor"). The plaintiff (the judgment creditor) is now seeking to garnish (take) some of your wages. Garnishment is a process in which a portion of an employee's wages are taken each pay period to pay money owed until the judgment is paid in full.

Will my wages be garnished? If so, by how much?

Possibly, D.C. Law (D.C. Code §16-572) protects part of your wages from garnishment. If you earn the equivalent of full-time hours at the D.C. minimum wage (40 times the hourly minimum wage per week or less), your wages are fully protected, and nothing will be taken from your paycheck.

If you earn more than that, a portion of your wages may be garnished. The exact amount your employer must withhold is calculated using a formula shown on the Writ of Attachment – the court order sent to your employer. Review that document to see how much may be taken.

Is there anything I can do?

If you are already fully protected from garnishment, or if you can afford the amount that will be taken out of your paycheck to pay the judgment creditor, you do not need to do anything. However, you have the right under D.C. Code §16-572.01 to request that the court adjust the amount of wages withheld based on your financial hardship. To make such a request, you or your attorney must file a written motion in the appropriate Civil Division Clerk's Office or via eFileDC (electronically). In addition, there may be circumstances under which you may be able to ask the court to vacate (remove) the judgment.

How do I protect my wages or ask the court to adjust the amount of wages withheld?

File a Motion to Exempt (Protect) Wages and Request Hearing. The motion form is attached with instructions at the end of this notice. You can also get a copy from the Clerk's Office or online at <https://www.dccourts.gov/services/forms>. If you file a motion to adjust the amount of wages subject to garnishment based on financial hardship, you should provide a copy of the motion to your employer immediately so that the garnishment can be put on hold until the court makes a decision.

Lawyers from legal services providers may be able to help you for free. For more information on finding legal help, you can visit: www.dccourts.gov/services/represent-yourself.

Please read these instructions for filing this motion carefully.

Hearing Information

If you file this motion in person, the clerk will give you a document with hearing information. If you file this motion by mail or online, you will get an email or a letter to tell you when your hearing is and how you can participate. It may be held remotely or in-person. Please read the hearing notice carefully.

How can I file this motion?

You can file this motion in any of these ways:

- File **in person** at the **Civil Clerk's Office** branch where the case was filed:
 - **Civil Actions Branch:** 500 Indiana Avenue, NW, Room 5000, Washington, D.C. 20001
 - **Small Claims & Conciliation Branch:** 510 4th Street, N.W., Room 120, Washington, D.C. 20001
 - **Landlord & Tenant Branch:** 510 4th Street, N.W., Room 110, Washington, D.C. 20001
- File **online** through the court's website: <https://www.dccourts.gov/superior-court/e-filing>
- **Mail** the document to the Clerk's Office for the appropriate branch:
 - Civil Actions Branch: Superior Court of the District of Columbia, Civil Clerk's Office – Room 5000, 500 Indiana Avenue, NW, Washington, D.C. 20001
 - Small Claims & Conciliation Branch: Superior Court of the District of Columbia, Small Claims Clerk's Office – Room 120, 510 4th Street, N.W., Washington, D.C. 20001
 - Landlord & Tenant Branch: Superior Court of the District of Columbia, Landlord & Tenant Clerk's Office – Room 110, 510 4th Street, N.W., Washington, D.C. 20001

Does it cost money to file this motion?

Yes. It costs **\$10** to file this motion in the Small Claims or Landlord & Tenant branches. It costs **\$20** to file this motion in the Civil Actions Branch. If you cannot pay, you can ask the court to **waive this fee** by filling out a form (called **Application to Waive Court Costs and Fees**).

You can get this form online at: <https://www.dccourts.gov/index.php/services/forms> or by calling (202) 879-1120. File the fee waiver application **at the same time** as this motion.

What wages can be protected?

D.C. Code §16-572.01 lists the wages from the types of public assistance that can be protected as detailed on page one (1) above. If you need more information, you may want to talk to a lawyer for more specific guidance.

I filed the motion to protect my wages. What happens next?

After you file this motion form, the court will schedule a hearing. The court will email or mail you notice of the date and time for the hearing and instructions about how to participate in the hearing. Make sure you include your mailing address and/or email address in your motion so that the court can send you the hearing notice.

You will need to do two things to get ready for the hearing:

- 1) Get your documents ready.** To prove that your wages should be protected, it is a good idea to show the court your financial hardship (for example, proof of income, and any public benefits you or your household members are receiving and proof of your monthly expenses).
- 2) Participate in your hearing.** If you do not participate in your hearing, your wages may be garnished even if you have financial hardship.

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>. If you need help with a debt collection case, you can contact a free lawyer by calling the **Debt Collection Defense Hotline** at (202) 851-3387.

What should I do if I have more questions?

You may contact the Civil Division branch where your case is filed:

- Small Claims Clerk's Office (202) 879-1120,
- Civil Actions Clerk's Office (202) 879-1133, or
- Landlord and Tenant Clerk's Office (202) 879-4879.



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Case Caption: _____ Case No.: _____

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 apply to any other types of attachments. If your bank account or other property is being attached (being taken), use the Motion to Exempt (Protect) Funds and Request a Hearing.*

Motion to Exempt (Protect) Wages and Request a Hearing

I, _____, request an exemption from garnishment of my wages due to financial hardship. I also request a court hearing on this motion.

1. I am presently:

- ☐ employed.
 - ☐ unemployed. The last date I worked was _____, _____.
- Month Year

2. I receive the following: *(check all that apply)*

- ☐ Temporary Assistance for Needy Families Program (TANF)
- ☐ Program on Work, Employment, and Responsibility (POWER)
- ☐ General Assistance for Children Program (GAC)
- ☐ Supplemental Security Income (SSI)
- ☐ Interim Disability Assistance (IDA)
- ☐ Medicaid or
- ☐ D.C. Healthcare Alliance or similar health benefits

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 all that apply)*

- ☐ Social Security Retirement Benefits
- ☐ Social Security Disability Insurance (SSDI)
- ☐ Unemployment Compensation
- ☐ Veteran’s Benefits
- ☐ Worker’s Compensation
- ☐ Retirement or Pension Payments
- ☐ Other: _____

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

5. The number of people who depend on me for financial support: _____
Of those, _____ are minor children or elderly.

6. I have a total of \$ _____ In cash, including money in bank accounts.

7. I own the following vehicles, real estate, or other valuable property: *(list all items)*

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

Expense	Monthly Amount
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. Other circumstances that I want the judge to consider in support of my request are: *(explain any other reasons, such as any child support orders, large monthly expenses, debts, wage or bank account garnishments, or judgments)*

Declaration

I declare under penalty of perjury that the information provided above is true and correct. Additionally, I request a hearing to determine whether my wages should be protected.

Defendant Name (Please Print)		Attorney for Defendant Name, if applicable (Please Print)	
Address:		Address:	
Signature:		Signature:	
Email Address:		Email Address:	
Telephone No:	Alternative Telephone No.:	Telephone No.:	Attorney Bar No.:

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 wages may not be protected.

Be prepared to share with the court documents/information to show your money falls into a checkbox category listed above (like a bank statement, Social Security or retirement statement, or other proof of your income or any public benefits that you or your dependents receive). Also be ready to show documentation of your monthly expenses. Be prepared to swear or affirm that the information you give is the truth.

Certificate of Service

You do not need to complete this section if you serve the motion through the court's e-File (electronic filing) system or if you represent yourself in a small claims or landlord/tenant case.

I hereby certify this _____, that a copy of this filing was ☐ eServed in
Date

accordance with Administrative Order 13-15 or ☐ served by first class mail, postage prepaid, on the plaintiff's attorney (or the plaintiff if unrepresented) and all other self-represented parties and/or attorneys in this case, as listed below.

Name

Email Address

Phone Number

Physical Address

Date

Name

Email Address

Phone Number

Physical Address

Signature of Defendant