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(Name, address of financial institution)

## IMPORTANT INFORMATION ABOUT

### YOUR ACCOUNT

Date: \_\_\_\_\_

Notice to: \_\_\_\_\_

Account Number: \_\_\_\_\_

Why am I receiving this notice?

On \_\_\_\_\_ (date on which garnishment order was served), \_\_\_\_\_ (name of financial institution) received a garnishment order from a court to garnish funds in your account. The amount of the garnishment order was for \$\_\_\_\_\_ (amount of garnishment order). We are sending you this notice to let you know what we have done in response to the garnishment order.

What is garnishment?

Garnishment is a legal process that allows a creditor to remove funds from your bank/credit union account to satisfy a debt that you have not paid. In other words, if you owe money to a person or company, they can obtain a court order directing your bank/credit union to take money out of your account to pay off your debt. If this happens, you cannot use that money in your account.

What has happened to my account?

On \_\_\_\_\_ (date of account review), we researched your account and identified that one or more payments identified by ORS 18.619 (1) has been deposited in the last two months (see below for a list of qualifying payments). In most cases, these payments are protected from garnishment. As required by state and federal regulations, therefore, we have established a 'protected amount' of funds that will remain available to you and that will not be frozen or removed from your account in response to the garnishment order.

(Conditional paragraph if funds have been frozen)

\_\_\_ (check if applicable) Your account contained additional money that may not be protected from garnishment. As required by law, we have placed a hold on or removed these funds in the amount of \$\_\_\_\_\_ (amount frozen) and may have to turn these funds over to your creditor as directed by the garnishment order.

The chart below summarizes this information about your account(s):

ACCOUNT SUMMARY AS OF \_\_\_\_\_ (DATE OF ACCOUNT REVIEW)

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Account Number	Amount in Account	Amount Protected	Amount Subject to garnishment (now frozen/ removed)	Garnishment fee charged
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

(If the account holder has multiple accounts, use a separate row for each account)

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Please note that these amount(s) may be affected by deposits or withdrawals after the protected amount was calculated on \_\_\_\_\_ (date of garnishment account review).

Do I need to do anything to access my protected funds?

You may use the protected amount of money in your account as you normally would.

There is nothing else you need to do to make sure that the protected amount is safe.

Who garnished my account?

The creditor who obtained a garnishment order against you is \_\_\_\_\_ (name of creditor).

What types of benefit payments are protected from garnishment?

In most cases, you have protections from garnishment if the funds in your account include one or more of the following benefit payments:

- \* Social Security benefits
- \* Supplemental Security Income benefits
- \* Veterans' benefits
- \* Railroad retirement benefits
- \* Railroad Unemployment Insurance benefits

- \* Civil Service Retirement System benefits
- \* Federal Employees Retirement System benefits
- \* Payments from a public or private retirement plan as defined in ORS 18.358
- \* Public assistance payments from the State of Oregon or an agency of the State of Oregon
- \* Unemployment compensation payments from the State of Oregon or an agency of the State of Oregon
- \* Black lung benefits payments from the United States Department of Labor
- \* Workers' compensation payments from a workers' compensation carrier

What should I do if I think that additional funds in my account are from protected benefit payments?

If you believe that funds in your account(s) should not have been frozen or removed, there are several things you can do:

You can fill out a Challenge to Garnishment form and submit it to the court.

You may contact the creditor that garnished your account and explain that funds are from protected benefit payments and should be released to you. The creditor may be contacted at \_\_\_\_\_ (address of creditor).

You may consult an attorney to help you prove to the creditor that garnished your account that additional funds are from protected benefit payments and cannot be taken. For information about how to find an attorney, contact the Oregon State Bar's Lawyer Referral Service at (800) 452-7636 or go online to [www.oregonlawhelp.org](http://www.oregonlawhelp.org).

This notice contains all the information that we have about the garnishment order. However, if you have a question about your account, you may contact us at \_\_\_\_\_ (telephone number of financial institution).

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