

NOTICE TO THE BAR

Amendments to “Notice to Debtor” (Rules Appendix VI)

On July 23, 2010 the Supreme Court approved changes to the form Notice to Debtor, which is Appendix VI to the Rules of Court, with those changes to be effective September 1, 2010. That amended form accompanies this Notice. The Rules of Court require both Special Civil Part Officers and the Sheriff to send the Notice to Debtor to a judgment-debtor when they have levied upon personal property to satisfy a judgment pursuant to a writ of execution. The Notice advises the debtor what property has been levied upon, informs the debtor about exemptions from levy that the debtor might be able to claim, and explains how to go about asserting those claims. Questions regarding the amended Notice to Debtor may be directed to the Civil Practice Division of the Administrative Office of the Courts, P.O. Box 981, Trenton, NJ 08102.

/s/ Glenn A. Grant

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: August 17, 2010

APPENDIX VI – NOTICE TO DEBTOR (Rules 4:59-1(g) and 6:7-1(b))

Re:

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, SPECIAL CIVIL PART**
_____ County

v.

Docket No: _____

NOTICE TO DEBTOR

To: _____, designated defendant:

Your asset, in an amount not to exceed \$ _____ has been levied upon at the instruction of: _____ to satisfy in whole or in part the judgment against you in the above matter. If you are an individual rather than a business entity, some property may be exempt from execution by Federal and State law, including but not limited to clothing and a total of \$1,000.00 of cash and personal property, except for goods purchased as part of the transaction, which led to the judgment in this case. In addition, welfare benefits, social security benefits, S.S.I. benefits, V.A. benefits, unemployment benefits, workers' compensation benefits and child support you receive are exempt, even if the funds have been deposited in a bank account.

If the levy is against a bank account, the bank has already been notified to place a hold on your account. However, the funds will not be taken from your account until the court so orders. If you are entitled to an exemption as an individual, you may claim your exemption by notifying the clerk of the court and the person who ordered this levy of your reasons why your property is exempt. This claim must be in writing and if it is not mailed within 10 days of service of this notice, your property is subject to further proceedings for execution. The address of the court is:

_____.

A Levy has been served on the following:

1. _____
2. _____
3. _____
4. _____
5. _____

The name and address of the person who ordered this levy is:

CERTIFICATION OF SERVICE

I mailed a copy of this notice to the defendant(s) and the person who requested the levy on _____, 20____, the same day this levy was made. I certify that the foregoing statements made by me are true. I am aware that if the foregoing statements made by me are willfully false, I am subject to punishment.

Date: _____

(Signature)

(Court Officer)

Note: Amended July 14, 1992, effective September 1, 1992; amended July 13, 1994, effective September 1, 1994; amended July 5, 2000, effective September 5, 2000; amended July 27, 2006 to be effective September 1, 2006; amended July 23, 2010 to be effective September 1, 2010.