



PLAINTIFF:	LEVYING OFFICER FILE NO.:	COURT CASE NUMBER:
DEFENDANT:		

**— INSTRUCTIONS TO JUDGMENT CREDITOR —**

3. (Continued)

**WHAT DO I FILE WITH THE LEVYING OFFICER?**

d. Give the following documents to the LEVYING OFFICER whose name and address are on the front of this form:

- (1) The **original** *Notice of Opposition to Claim of Exemption* with **original** signature, and
- (2) A copy of the *Notice of Hearing on Claim of Exemption*.

**The levying officer must receive the *Notice of Opposition to Claim of Exemption* within 10 days of the mailing date in item 1 on the front of this form, or the *Earnings Withholding Order* will be released or changed as requested in the *Claim of Exemption*.**

**WHAT DO I FILE WITH THE COURT?**

e. File the **original** *Notice of Hearing on Claim of Exemption* with **original** signature with the COURT:

Make sure that the Proof of Service on the reverse has been completed as indicated in item 3g below and that the necessary signature on the Proof of Service is original.

**The court must receive this document within 10 days of the mailing date shown in item 1 on the front of this form.**

Before the hearing, **the levying officer** will file the original *Claim of Exemption* and the original *Notice of Opposition to Claim of Exemption* with the court.

**WHAT DO I SERVE ON THE JUDGMENT DEBTOR?**

f. Have one copy each of the

- (1) *Notice of Opposition to Claim of Exemption*, and
- (2) *Notice of Hearing on Claim of Exemption*

served on the judgment debtor (employee) or the debtor's attorney at the address shown in item 2 on the *Claim of Exemption*. They must be served at least 21 calendar days before the hearing if they are personally served. If they are sent by fax, express mail, or other method of overnight delivery, the required 21-day notice period shall be increased by 2 days. If they are served by mail from and to an address within California, they must be mailed at least 26 calendar days before the hearing. For more information on the time to serve the notices, you should see Code of Civil Procedure sections 706.105(e) and 1005.

**Complete the Proof of Service as shown in item 3g below.**

g. Service of the *Notice of Opposition to Claim of Exemption* and *Notice of Hearing on Claim of Exemption* must be made by first class mail or personal delivery. Service must be made by someone **not** a party to the action (not the judgment creditor). After the notices are served, the person making the service must complete and sign the appropriate Proof of Service on the reverse of the signed **original** *Notice of Hearing on Claim of Exemption*, which will be filed with the court.

4. Take a copy of each form and the *Claim of Exemption* with you to the court hearing.

***If you will not attend the court hearing, check item 3 on the *Notice of Hearing on Claim of Exemption*.***