

APPENDIX

*PETITION OF THE TENNESSEE GENERAL SESSIONS JUDGES CONFERENCE,
INCLUDING EXHIBIT A TO THE PETITION*

ORIGINAL

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

2011 JUN 15 AM 10:38
COURT CLERK
NASHVILLE

IN RE:

PETITION OF THE TENNESSEE)
GENERAL SESSIONS JUDGES)
CONFERENCE FOR THE)
ADOPTION OF UNVERSALLY)
ACCEPTABLE AND LEGALLY)
SUFFICIENT GENERAL SESSIONS)
COURT CIVIL FORMS)

No. M2011-01310-SC-RL1-RL

**PETITION OF THE TENNESSEE GENERAL SESSIONS JUDGES CONFERENCE
FOR THE ADOPTION OF UNIVERSALLY ACCEPTABLE AND LEGALLY
SUFFICIENT GENERAL SESSIONS COURT CIVIL FORMS**

In May 2010 the Tennessee General Sessions Judges Conference ("GSJC") Forms committee began meeting with members of the Tennessee Bar Association Creditors Practice Section, along with representatives of the Court Clerks and other interested persons to examine forms used in civil cases filed in Tennessee General Sessions Courts.

The goal of the committee was to work toward the creation of a uniform format for General Sessions Court civil forms that would be acceptable for use in all General Sessions Courts in the state. To be clear, this goal is different from the goal of the Access to Justice Committee's Forms Group, which may review these forms at a later date. The purpose of the Forms Committee of the GSJC was limited to the creation of a uniform standard format for these forms, to enhance the functionality of the forms for use by judges, court clerks and attorneys, and to establish the forms in an electronic interactive format that can be completed and printed when accessing these documents on the internet. The GSJC Forms Committee has completed the

"APPENDIX A"

creation of these documents, accomplishing its goals with the assistance and input of the organizations listed above.

Therefore, the Tennessee General Sessions Judges Conference petitions the Court to approve the uniform civil case forms for use in Tennessee General Sessions Courts, attached hereto as Exhibit A (a CD-Rom containing the forms has also been submitted to the court for consideration), as universally acceptable and legally sufficient for use in civil cases before the General Sessions Courts in Tennessee.

Respectfully submitted this the 15 day of June, 2011.

Thomas L. Moore, Jr. by Aaron J. Conkle w/permission
THOMAS L. MOORE, JR. #6554
President, Tennessee General Sessions Judges Conference
116 West Main Street
Room 203
Dresden, TN 38225

Larry D. Brandon by Aaron J. Conkle w/permission
LARRY D. BRANDON, #7299
GSJC Forms Committee Chairman
20 Public Square North
Suite 301
Murfreesboro, TN 37130

A. Ben Strand, Jr. by Aaron J. Conkle w/permission
A. BEN STRAND, JR., # 1418
GSJC Legislative Committee Chairman
Jefferson County Justice Center
Justice Center Drive
P.O. Box 669
Dandridge, TN 37725

WRIT OF POSSESSION

State of Tennessee, Select County _____ County

TO THE SHERIFF OF SUCH COUNTY:

Whereas, at a trial of forcible and unlawful detainer had in such county on the _____ day of _____, 20____, before the General Sessions Court of such county, judgment was given that

recover from

possession of a certain tract or parcel of land, bounded or known and described as follows:

WE THEREFORE COMMAND YOU, that you take with you the force of the County, if necessary, and cause the Plaintiff in such judgment, to have and be restored to the possession of such tract or parcel of land, and that you remove that Defendant in said judgment, therefrom, and give such Plaintiff peaceable possession of such premises, and make return to me in twenty (20) days how you have executed this writ.

SPECIAL INSTRUCTIONS TO SHERIFF:

Docket No. _____

Plaintiff

vs.

Defendant

WRIT OF POSSESSION

General Sessions Court

Select County _____ County

W

W

Issued _____ day of _____, 20____
(being after ten days from date of judgment)

GENERAL SESSIONS COURT CLERK

Deputy Clerk

Came to hand same day issued and executed in full as commanded.

This _____ day of _____, 20____.

Deputy Sheriff

Attorney for Plaintiff

Telephone

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is not a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public

My term expires: _____

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is not a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public

My term expires: _____

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA § 20-2-101, 26-2-115

**IN THE COURT OF GENERAL SESSIONS
SELECT COUNTY COUNTY, TENNESSEE**

 Plaintiff

vs.

Docket No. _____

 Defendant

AFFIDAVIT OF CLAIM OF EXEMPTIONS

I, _____, de fendant in this cause, having first been duly sworn according to law, make oath that the following is an itemization of personal property currently owned and possessed by me, and the value thereof, and further claim such property as exempt from execution pursuant to Tennessee law.

	ITEMS	VALUE
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
	TOTAL	<u>0</u>
	Defendant	(Not to exceed \$10,000)

Sworn to and subscribed before me this _____ day of _____, 20_____

 Deputy Clerk or Notary Public

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1st Class postage prepaid, to:

_____ on the _____ day of _____, 20_____

 Serving Officer/Clerk of Court

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff

vs.

Docket No. _____

Defendant

UNIFORM CIVIL AFFIDAVIT OF INDIGENCY

I, _____, having been duly sworn according to law, make oath that because of my poverty, I am unable to bear the expenses of this case and that I am justly entitled to the relief sought to the best of my belief. The following facts support my poverty:

1. Full Name: _____

2. Address: _____

3. Telephone Number: _____

4. Year of Birth _____

Names and Ages of all Dependents:

Relationship: _____

Relationship: _____

Relationship: _____

Relationship: _____

6. I am employed by: _____

My employer's address is: _____

My employer's telephone number is: _____

7. My present income, after federal income and social security taxes are deducted, is: \$ _____

8. I receive, or expect to receive, money from the following sources:

Families First \$ _____ Per month beginning _____

SSI \$ _____ Per month beginning _____

Retirement \$ _____ Per month beginning _____

Disability \$ _____ Per month beginning _____

Unemployment \$ _____ Per month beginning _____

Worker's Compensation \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Other \$ _____ Per month beginning _____

Total All Income \$ 0 _____

9. My Expenses Are:

Rent/House Payment	\$ _____ per month	Clothing	\$ _____ per month
Groceries	\$ _____ per month	Child Care or Court Ordered Child Support	\$ _____ per month
Electricity	\$ _____ per month	Other	\$ _____ per month
Water	\$ _____ per month	Other	\$ _____ per month
Gas	\$ _____ per month	Other	\$ _____ per month
Transportation	\$ _____ per month	Other	\$ _____ per month
Medical/Dental	\$ _____ per month	Other	\$ _____ per month
Telephone	\$ _____ per month	Other	\$ _____ per month
School Supplies	\$ _____ per month	Other	\$ _____ per month
		Total All Expenses	\$ 0 _____ per month

My Assets Are:

House	Fair Market Value	\$ _____
Automobile	Fair Market Value	\$ _____
Checking Account(s)		\$ _____
Savings Account(s)		\$ _____
Other		\$ _____
Other		\$ _____
Total All Assets		\$ 0 _____

My Debts Are:

Amount Owed	\$ _____	_____
Owed to Whom		Name of Creditor
Amount Owed	\$ _____	_____
Owed to Whom		Name of Creditor
Amount Owed	\$ _____	_____
Owed to Whom		Name of Creditor
Amount Owed	\$ _____	_____
Owed to Whom		Name of Creditor
Amount Owed	\$ _____	_____
Owed to Whom		Name of Creditor
Total All Debts		\$ 0 _____

I hereby declare under the penalty of perjury that the foregoing answers are true, correct, and complete and that I am financially unable to pay the costs of this action.

Plaintiff/Petitioner

Sworn and subscribed before me this _____ day of _____, 20____

Notary Public or Deputy Clerk

My Term Expires

ORDER ALLOWING FILING ON AFFIDAVIT OF INDIGENCY

It appears, based upon the Affidavit of Indigency filed in this cause and after due inquiry made, that the plaintiff is an indigent person and is qualified to file case upon a pauper's oath.

It is so ordered this the _____ day of _____, 20_____

Judge

DETERMINATION OF NON-INDIGENCY

It appearing, based upon the Affidavit of Indigency filed in this cause and after due inquiry made, that the plaintiff is not an indigent person because:

It is ordered and adjudged that the PLAINTIFF does not qualify for filing this case on a pauper's oath.

This the _____ day of _____, 20_____

Judge

NOTICE: If the judge determines that based upon your affidavit you are not eligible to proceed under a pauper's oath, you have the right to a hearing before the judge or, in those cases that can be appealed to Circuit Court, a hearing before the Circuit Court judge.

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is not _____ a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this day _____ of _____, 20____.

Notary Public

Term Expiration Date

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA § 20-2-101, 26-2-115

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff(s)

Gen. Sessions Case No. _____

VS.

Circuit Case No. _____

Defendant(s)

APPEAL BOND FOR COSTS

I/We, _____

as Principal(s), and _____

as Surety, are held and firmly bound unto the Circuit Court Clerk of Select County County, Tennessee, for payment of all costs awarded against the Principal(s). To that end, we bind ourselves, our heirs, executors, and administrators. If the Principal(s) shall pay all costs which are adjudged against them, then this obligation is void. If the Principal(s) fail(s) to pay, then the Surety shall undertake to pay all costs adjudged against the Principal(s). Mandated at T.C.A. 27-5-103.

PRINCIPAL(S)

Principal

Principal

Address

Address

City/State/Zip

City/State/Zip

Principal (signature), or by

Principal (signature), or by

Principal

Principal

Attorney (signature)

Attorney (signature)

SURETY

Surety

Address

BPR #

City

Signature of Surety

State/Zip

If you do not have a surety to sign your bond for costs: A cash deposit of \$250.00 is deemed sufficient instead of a surety bond, except as otherwise required by the Circuit Court Clerk.

A cash deposit of \$250.00 has been made by the Appellant with the General Sessions Clerk's Office on the _____ day of _____, 20____.

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff(s) _____

Gen. Sessions Case No. _____

vs:

Defendant(s) _____

Circuit Case No. _____

APPEAL BOND FOR DETAINER ACTION

I/We, _____

as Principal(s), and _____

as Surety, are held and firmly bound unto the Plaintiff(s) in the amount of one (1) year's rent for the property described in the Detainer Warrant which is the total sum of _____. To that end, we bind ourselves, our heirs, executors, and administrators. The Principal(s) and/or Surety(s) are obligated to pay all costs and damages accrued from the failure of the appeal, including rent and interest on the judgment as provided for herein, and to abide by and perform whatever judgment may be rendered by the Select County County Circuit Court in the final hearing of this cause. Mandated at T.C.A. 29-18-130.

Cash Bond in the amount of _____

Irrevocable Letter of Credit _____

Bonding/Insurance Company _____

Name of Institution

Name of Bonding or Insurance Co

Two (2) sufficient sureties

Real estate bond

PRINCIPAL(S)

Principal _____

Principal _____

Address _____

Address _____

City/State/Zip _____

City/State/Zip _____

Principal (signature), or by _____

Principal (signature), or by _____

Principal _____

Principal _____

Attorney (signature) _____

Attorney (signature) _____

SURETY

Surety _____

Address _____

BPR # _____

City _____

Signature of Surety _____

State/Zip _____

Surety _____

Address _____

BPR # _____

City _____

Signature of Surety _____

State/Zip _____

STATE OF TENNESSEE, COUNTY OF SELECT COUNTY

To any Lawful Officer to Execute and Return:

Summon _____

to appear before the Court of General Sessions of this County, Tennessee, to be held at the Courtrooms of said Court in said County on the _____ day of _____, 20____, at _____ a.m / p.m., then and there to answer in a civil action brought by:

for _____

Under _____ Dollars

This the _____ day of _____, 20____

Clerk of Court of General Sessions /Deputy Clerk

CIVIL SUMMONS

Judgment for: Plaintiff(s) / Defendant(s) _____
Against: Defendant(s) / Plaintiff(s) _____

for \$ _____, plus interest at the rate of _____ %
per annum and cost of suit, for which execution may issue.

Judgment: Default Agreement Trial

Dismissed: Failure to Prosecute Without prejudice With prejudice

Costs taxed to: Plaintiff Defendant

This the _____ day of _____, 20____.

General Sessions Court Judge, Div. _____

Defendant(s) _____
in court and admitted to the jurisdiction of the court.

JUDGMENT

Defendant to pay _____ per month week two weeks, beginning _____

General Sessions Court Judge, Div. _____

ORDER

Alias Amended Counter-claim

Docket No. _____

PLAINTIFF: _____

vs.

DEFENDANT: _____

C CIVIL WARRANT **C**
Court of General Sessions

_____, CLERK

By: _____

Deputy Clerk

Issued _____, 20____

Set for _____, 20____

at _____ a.m. / p.m. in Courtroom _____

Reset: _____ Bldg: _____

Reset: _____ Addr: _____

Reset: _____ Addr: _____

Served upon: All Named Defendants
 All Named Defendants Except:

Served _____, 20____.

Deputy Sheriff / Process Server

Attorney for Plaintiff: _____

Attorney for Defendant: _____

SERVICE

**NOTICE
TO THE DEFENDANT(S):**

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA §20-2-101, 26-2-115



If you have a disability and require assistance, please contact:

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

Plaintiff or Plaintiff's Attorney

Notary Public

My Commission Expires

_____, 20____.

ORDER

This the ____ day of _____, 20____.

General Sessions Court Judge, Div. _____

ORDER

This the ____ day of _____, 20____.

General Sessions Court Judge, Div. _____

Additional information may be added here:

IN THE COURT OF GENERAL SESSIONS

SELECT COUNTY COUNTY, TENNESSEE

Plaintiff(s)

vs. No. _____

Garnishee

CONDITIONAL JUDGMENT

It appearing to the Court that a garnishment in the amount of _____
(Total judgment balance, interest and costs)
dollars was issued against the Garnishee herein on the _____ day of _____, 20_____,
was served on _____ day of _____, 20_____, and has not been answered within the time allowed by
law, or has been answered improperly, to wit, _____

Conditional Judgment is hereby entered for the Plaintiff(s) against the Garnishee for:
_____dollars, for which Scire Facias may issue.
(Total judgment balance, interest and costs)

Entered on the _____ day of _____, 20_____

General Sessions Court Judge, Division _____, _____ Select County _____ County

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1st class postage
prepaid, to _____
on the _____ day of _____, 20_____

Serving Officer/Clerk of Court

RESET

State of Tennessee,
Select County _____ County

To the Sheriff or any Constable of such county:

Whereas, Complaint is made to me by

of a certain forcible and unlawful entry and
detainer, made by

into and of a certain tract or lot of land, situated
in the county aforementioned, and bounded or
known and described as follows:

which the said Plaintiff alleges Plaintiff is
entitled to the possession of, and the said
Defendant unlawfully detains from Plaintiff:
We, therefore, command you to summon
Defendant to appear before some judge of the
Court of General Sessions, in and for such
county, to answer the above complaint and
Plaintiff's claim for the arrearage of rent,
interest, and damages, if any, as follows:

PLAINTIFF'S BOND

We, _____, Principal,
and _____, Surety, do
hereby bind ourselves, our heirs and assigns to
the Defendant, to pay all costs and damages
which shall accrue to the Defendant for the
wrongful prosecution of this suit.
Entered: _____, 20____

Principal _____ Surety

JUDGMENT

- Default Agreed Trial
 - Dismissed for Failure to Prosecute
- It is hereby ordered and adjudged that:
POSSESSORY JUDGMENT

Plaintiff be restored to the possession of the land
described in the within warrant, and that a writ of
possession issue therefore, and also for all costs of
suit and taxes, for which execution may issue.

MONETARY JUDGMENT

Judgment is granted to Plaintiff against
Defendant

for \$ _____ and all costs of suit and
taxes, for which execution may issue.

NONSUIT / DISMISSAL

This case is nonsuited / dismissed, with / without
prejudice and all costs and taxes are adjudicated
against the Plaintiff / Defendant, for which
execution may issue.

RESET FOR AWARD OF MONETARY DAMAGES

The question of monetary damages is reset for
hearing on the _____ day of _____, 20____.

Entered this _____ day of _____, 20____.

General Sessions Judge, Div. _____

AWARD OF MONETARY DAMAGES

It is hereby ordered and adjudged that:

Judgment is granted for Plaintiff against
Defendant

for \$ _____ and all costs of suit and
taxes, for which execution may issue.

This question of monetary damages is nonsuited
/ dismissed, with / without prejudice and all costs
and taxes are adjudicated against the Plaintiff /
Defendant, for which execution may issue.

Entered this _____ day of _____, 20____.

General Sessions Judge, Div. _____

Alias Amended Counter-claim

Docket No. _____

Plaintiff: _____

vs.

Defendant: _____

D **DETAINER WARRANT** **D**
General Sessions Court

Issued this _____ day of _____, 20____.

_____, CLERK

By: _____
Deputy Clerk

Set for the _____ day of _____, 20____
at _____ a.m. / p.m. in Courtroom _____

Reset: _____ Bldg: _____
Reset: _____ Addr: _____
Reset: _____ Addr: _____

Service Attempts: _____

Posted and Mailed

Executed as commanded on: _____

Served this _____ day of _____, 20____.

Deputy Sheriff / Process Server

Attorney for Plaintiff

Attorney for Defendant

NOTICE

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA §20-2-101, 26-2-115.



If you have a disability and require assistance, please contact: _____

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is / is not a member of a military service.

Plaintiff or Attorney for Plaintiff

Notary Public
My Commission Expires _____

ORDER

Entered: _____, 20____
General Sessions Judge, Div. _____

ORDER

Entered: _____, 20____
General Sessions Judge, Div. _____

ORDER

Entered: _____, 20____
General Sessions Judge, Div. _____

NOTICE TO JUDGMENT DEBTOR [TCA 26-2-404(a)]

To collect a judgment against you in this lawsuit, your money or other property has been seized by execution or garnishment. An execution allows the sheriff to sell the property levied upon. A garnishment requires your bank (or other person holding your money or property) to transfer your property to the court or to hold it to satisfy the judgment.

READ THIS CAREFULLY. YOU MAY BE ABLE TO KEEP YOUR MONEY OR PROPERTY OR GET IT BACK. State and federal laws prevent certain types of money or property from being used to pay a judgment. Such money or property is "exempt." Examples of exempt money are: Social Security benefits, SSI, unemployment benefits, Veterans' benefits, AFDC, and most government pensions. Examples of exempt property are certain health care aids and "tools of trade." These examples of exempt money and property constitute only a partial list, and you may have other exemptions.

If you think you have exempt money or property that has been seized, you have the right to file a motion with the court clerk's office identified below claiming your exemption and asking for the release or return of your money or property.

You can get a form for filing this motion at the clerk's office below, or the clerk may have supplied such a form on the back of this notice. **YOU SHOULD ACT QUICKLY.** If you file a motion within twenty (20) days from the date this notice was mailed to you or was given to you, the court must hear and decide your motion promptly, and in no event later than fourteen (14) days from filing. The clerk will notify you of the time, date, and place of the hearing.

IF YOU DO NOT UNDERSTAND YOUR RIGHTS OR HOW TO EXERCISE THEM, YOU MAY WISH TO CONSULT WITH A LAWYER. IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR FREE LEGAL ASSISTANCE.

The court clerk's office can provide you with forms and with information about legal services in your area, but the clerk cannot give you legal advice.

NOTICE TO THE DEBTOR (EMPLOYEE) [TCA 26-2-216(b)(2)]: Your earnings have been subjected to a garnishment which has been served upon your employer. The garnishment creates a lien on a portion of your wages until the judgment is satisfied, or for six (6) months, whichever occurs first. You have the following rights:

Some of your wages are protected by state and federal law from garnishment. See the notices below [OR ON REVERSE] to the employer to find out how much of your wages are protected from garnishment.

IF YOUR EMPLOYER IS TAKING TOO MUCH MONEY FROM YOUR WAGES:

You may apply to the court at the clerk's office shown below within twenty (20) days from any improper withholding of your wages for a motion to stop the garnishment. The court clerk identified below shall provide you with a form for making such a motion, or may have supplied a form motion on the back of this notice. You may wish to seek the counsel of a lawyer. If you are unable to afford an attorney, you may be eligible for free legal services to assist you.

PLEASE NOTE: If you file a motion, the court must hear and decide your motion promptly, and in no event later than fourteen (14) days from filing. The clerk will notify you of the time, date, and the place of hearing. The court clerk's office can provide you with forms and with information about legal services in your area, but the clerk cannot give you legal advice.

IF THE RIGHT AMOUNT OF MONEY IS BEING TAKEN FROM YOUR WAGES BUT YOU WANT TO GET THE GARNISHMENT STOPPED THROUGH A PAYMENT PLAN:

You may apply to the court for an order suspending further garnishments by the same creditor upon your paying a certain sum of money weekly, biweekly, or monthly, to pay the judgment. If you file this motion, the garnishment of your wages will stop for as long as you make the payments ordered by the court.

The court clerk shall provide you with the necessary forms to make this application, or you may seek the counsel of an attorney. If you are unable to afford an attorney, you may be eligible for free legal services to assist you.

TO ALL FINANCIAL INSTITUTIONS:

Name: Clerk _____
Address: Court _____
Telephone: _____
THESE FUNDS ARE ATTACHED AND SHALL BE PAID INTO COURT WITHOUT FURTHER ORDER.

OFFICER'S RETURN (other than wage garnishment); executed as follows:
[OR] executed by LEVING on the following described property:

On this _____ day of _____, 20____.
Deputy Sheriff/Constable: _____
OFFICER'S RETURN (on wage garnishment) [TCA 26-2-216(b)(1)(A)]
I acknowledge receipt of 3 copies of the garnishment summons on the abovementioned employee on _____ day of _____, 20____.
Employer or Employer's Agent _____
Executed by serving _____
On this _____ day of _____, 20____.
Deputy Sheriff/Constable: _____

AFFIDAVIT FOR EXECUTION

Having first been duly sworn according to law, I hereby make oath that the following information is true to the best of my knowledge and belief:

Judgment Creditor's Address for mailing notices required by TCA 26-2-402: _____

Telephone No.: _____

Judgment Debtor's Name and Last Known Address: _____

Telephone No.: _____

Balance on Judgment including original Cost \$ _____

By: _____

Judgment Creditor/Agent

Sworn to and subscribed before me on _____ day of _____, 20____.

Deputy Clerk/Notary Public _____

My Commission Expires: _____

APPLICATION FOR EXECUTION

The Judgment Creditor hereby makes application to the Clerk of the _____ Court to have an Execution in the above styled case to satisfy a judgment against the Judgment Debtor(s) herein:

Date of Judgment \$ _____
Judgment Balance \$ _____
Plaintiff's Cost \$ _____
Interest \$ _____
Clerk's Fees \$ _____
Officer's Fee \$ _____
Total \$ 0

Judgment Creditor/Agent

Issued this _____ day of _____, 20____.

By _____

Case/Docket No: _____

EXECUTION

County: _____ Court _____

Garnishment Levy

Financial Institution/Bank

vs. Plaintiff

Defendant

Judgment Debtor's SSN/EIN _____

To Employer (if wage garnishment) or other garnishee

Address: _____

To: _____

Financial Institution/Bank

Account No: _____

Address: _____

Levy On: _____

AFFIDAVIT FOR OFFICER

WAGE GARNISHMENT

I, _____, Deputy Sheriff/Constable after being sworn, make oath that:

A garnishment summons was served on _____ employer garnishee on _____ day of _____, 20____, and that the employer garnishee refused to sign a receipt acknowledging service of said summons.

RE: COPY FURNISHED JUDGMENT DEBTOR

A copy of the execution by levy was mailed to the judgment debtor at the address provided pursuant to TCA 26-2-402 or was provided by actual hand delivery. [TCA 26-2-405]

Deputy Sheriff/Constable _____

My Commission Exp: _____

Notary _____

My Commission Exp: _____

EXECUTION, GARNISHMENT OR LEVY

STATE OF TENNESSEE
SELECT COUNTY
COUNTY
COURT
COURT

WRIT OF EXECUTION TO ANY
LAWFUL OFFICER OF
SELECT COUNTY
COUNTY

You are commanded to take and levy the judgment debtor's property, the balance of the below judgment, plus costs and interest thereon and hereby satisfy a judgment by this court, in favor of the judgment creditor. Have you said monies, together with this writ, ready to render this court 30 days from the date hereof, or within.

GARNISHMENT

To Employer or Other Garnishee:

By virtue of the above command (or an attachment in my hands), any funds or property in your hands owing to judgment debtor are hereby sequestered.

You are summoned to answer in writing within 10 days of service of this garnishment: [TCA 26-2-203(a), TCA 26-2-204, TRCP 69.]

(1) Whether you are, or were, at the time of the service of this garnishment indebted to the judgment debtor; if so, how and in what amount;

(2) Whether you had in your possession, or under your control, any property, debts, or effects belonging to the judgment debtor at the time of service of this notice, or at the time of answering, or at any time between the date of service and the time of answering; if so, the kind and amount.

(3) Whether there are, to your knowledge and belief, any and what property, debts, and effects in the possession or under the control of any other, and what person;

(4) Such other questions appearing on or attached to the original execution put to you by the court or the judgment creditor as may tend to elicit the information sought.

YOU ARE FURTHER NOTIFIED AND REQUIRED to pay no debt due by you, or to become due, to said judgment debtor, and to retain possession of all property of the judgment debtor, EXCEPT as to earnings in excess of the amount to be retained by this garnishment. This lien shall continue as to subsequent earnings until the total amount due upon the judgment and costs is paid or satisfied, OR until the expiration of the employer's payroll period immediately prior to SIX (6) CALENDAR MONTHS after service of the execution, whichever occurs first. A lien obtained hereunder shall have priority over any subsequent liens obtained hereunder. [TCA 26-2-214(b)(1).]

NOTICE TO EMPLOYER

YOU ARE REQUIRED TO WITHHOLD THE GARNISHMENT AMOUNT, OR PART THEREOF, FROM THE EMPLOYEE'S WAGES AND TO PAY THESE MONIES TO THE COURT NOT LESS THAN ONE TIME EACH CALENDAR THIRTY (30) DAYS, YOU ARE LIABLE FOR FAILURE TO WITHHOLD FROM THE EMPLOYEE'S WAGES AND FAILURE TO PAY THESE MONIES TO THE COURT. TO ENSURE PROPER CREDIT, INCLUDE THE JUDGMENT DEBTOR'S NAME AND THE DOCKET NUMBER ON THE PAYMENT AND MAIL TO: [TCA 26-2-216(b)(1)(C) & TCA 26-2-215.]

Clerk: Clerk Title:
Address

NOTICE TO GARNISHEE [TCA 26-2-203(b)]

NOTICE: Although you have a longer time in which to answer the court concerning this garnishment, you must do the following on the same day you receive the garnishment, or on the next working day. Determine if you possess or control money or property of the judgment debtor. If so, within that same time period, you shall furnish a copy of the garnishment summons and Notice to Judgment Debtor by mailing them first class, postage prepaid, to the judgment debtor's last known address as shown by your records, or by actual delivery to the judgment debtor. If the address shown by your records differs from that shown on this execution form, you shall also mail a copy of the garnishment and notice to the latter address.

ANSWER OF GARNISHEE (Non-Wage)

Docket/Case#
As of the day of, 20
Garnishee, who is NOT AN EMPLOYER, is holding the sum of \$ owned or belonging to Judgment Debtor. I certify under penalty of perjury that the above information is true and correct.

NOTICE TO THE GARNISHEE (EMPLOYER)

[TCA 26-2-216(b)(2)]

THE MAXIMUM PART OF THE AGGREGATE DISPOSABLE EARNINGS OF AN INDIVIDUAL FOR ANY WORK WEEK WHICH IS SUBJECTED TO GARNISHMENT MAY NOT EXCEED:

(a) Twenty-five percent (25%) of the garnishee's [sic "debtor's"] disposable earnings for that week, minus \$2.50 for each of the garnishee's [sic "debtor's"] dependent children under the age of sixteen (16) who resides in the State of Tennessee as provided in TCA 26-2-107; or

(b) The amount by which the garnishee's [sic "debtor's"] disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage at the time the earnings for any pay period become due and payable, minus \$2.50 for each of the garnishee's [sic "debtor's"] dependent children under the age of sixteen (16) who resides in the State of Tennessee, whichever is less.

"Disposable earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of any amounts required by law to be withheld.

In the case of earnings for a pay period other than a week, the weekly formula must be changed to apply to that pay period so as to exempt an equivalent percentage of disposable earnings. For example, the calculation concerning the federal minimum wage in subsection (b) should be computed as follows: WEEKLY: 30 times the federal minimum hourly wage (fmw) at the time the earnings for any pay period become due and payable; BIWEEKLY: 2 times 30 fmw; SEMI-MONTHLY: 2 and one sixth (2-1/6) times 30 fmw; and MONTHLY: 4 and one third (4-1/3) times 30 fmw equals the amount to be subtracted from disposable earnings for that pay period.

If the judgment orders alimony and the person in whose favor the judgment was rendered has remarried, the above exemption applies. If the judgment orders the debtor to pay support for the debtor's minor child or children, or alimony and the person in whose favor the alimony judgment was rendered has not remarried, different standards apply under 15 USCS § 1673(b). If the debtor is supporting a spouse or dependent child other than those for whom the order was entered, then fifty percent (50%) of the debtor's disposable earnings may be garnished. If the debtor is not supporting such additional dependents, a maximum of sixty percent (60%) may be garnished. These figures rise to fifty-five percent (55%) and sixty-five percent (65%), respectively, if the support order is for a period more than twelve (12) weeks before the pay period to be garnished.

If the judgment is for state or federal taxes, no disposable earnings are exempt under 15 USCS § 1673(b).

GARNISHMENT CALCULATION FOR:

(Name of employee)

ANSWER OF GARNISHEE (Employer) Docket/Case #
(Garnishment Calculation: TCA 26-2-404(b), as defined in TCA 26-2-216)

Pay period from to

(1) IF THE JUDGMENT IS FOR ANY DEBT OTHER THAN FOR ALIMONY OR CHILD SUPPORT:

(A) What is the total gross pay before any deductions? \$ (b)(1)(A)

(B) How much is deducted from pay for social security and federal income tax? \$ (b)(1)(B)

(C) Subtract subdivision (b)(1)(B) from subdivision (b)(1)(A) \$ (b)(1)(C)

(D) This is disposable earnings. \$ (b)(1)(D)

(E) Are wages paid once every week, once every two (2) weeks, once a month or two (2) times per month? (fmw = federal minimum hourly wage)

If once every week, enter 30 X fmw. \$ (b)(1)(D)

If once every two (2) weeks, enter 30 X fmw X 2. \$ (b)(1)(D)

If two (2) times per month, enter 30 X fmw X 2.166667. \$ (b)(1)(D)

If once per month, enter 30 X fmw X 4.333334. \$ (b)(1)(D)

(F) Subtract subdivision (b)(1)(D) from subdivision (b)(1)(C). \$ (b)(1)(E)

If subdivision (b)(1)(E) is \$0 or less, STOP. NO WAGES MAY BE WITHHELD.

If subdivision (b)(1)(E) is more than \$0, go on to (F).

(G) Divide subdivision (b)(1)(C) by 4. \$ (b)(1)(F)

(H) Enter the lesser of subdivision (b)(1)(E) or subdivision (b)(1)(F). \$ (b)(1)(G)

(I) How many children does the debtor have under sixteen (16) years of age living in Tennessee? \$ (b)(1)(H)

(J) Multiply subdivision (b)(1)(H) by \$2.50 per week [\$.00 if wages are paid every two (2) weeks; \$.42 if paid two (2) times per month, and \$10.83 if paid once per month]. \$ (b)(1)(I)

(K) Subtract subdivision (b)(1)(I) from subdivision (b)(1)(G). \$ (b)(1)(J)

This is the amount of wages to withhold. If this amount is \$0 or less, nothing should be withheld from wages.

(2) IF THE JUDGMENT IS FOR CHILD SUPPORT OR ALIMONY:

(A) If the judgment is for alimony and the ex-spouse has remarried, withhold the amount in subdivision (b)(1)(J) \$

(B) If the judgment is for child support, or the judgment is for alimony and the ex-spouse has not remarried, multiply disposable earnings (subdivision (b)(1)(C)) by: .50 if the employee is supporting another spouse or child and the arrearage is less than twelve (12) weeks old; .55 if the employee is supporting another spouse or child and the arrearage is more than twelve (12) weeks old; .60 if the employee is NOT supporting another spouse or child and the arrearage is less than twelve (12) weeks old; .65 if the employee is NOT supporting another spouse or child and the arrearage is more than twelve (12) weeks old.

Withhold this amount (in preceding blank) from wages, or the amount actually ordered to be paid for alimony or child support, whichever is less \$

Nothing Due Employee No Longer Employed

Other day of 20

As of day of 20, Garnishee,

is holding the sum of \$

I certify under penalty of perjury that the above information is true and correct.

Date:

IN THE COURT OF GENERAL SESSIONS
SELECT COUNTY COUNTY, TENNESSEE

Docket No. _____

TO: _____
Garnishee

_____ vs. _____

NOTICE TO REINSTATE GARNISHMENT

Pursuant to TCA § Section 26-2-217, notice is hereby given that the judgment debtor has failed to comply with the previous Order of _____ which allowed the judgment to be paid in installments. The stay of garnishment provided for in the previous Order against judgment debtor _____ is hereby null and void and the existing garnishment served _____ is reinstated as per its original terms and conditions, with a new total balance now owing of _____ (see below).

This _____ day of _____, 20_____

Clerk

By _____
Deputy Clerk

Judgment Balance:	_____
Interest:	_____
Plaintiff Paid Cost:	_____
Unpaid Cost:	_____
Commission	_____
Total Due:	_____ 0

ATTACHMENT BOND

We, Principal and _____

Surety, do hereby bind ourselves, our heirs, and assigns to _____

defendant(s), in the penal sum of \$ _____ Dollars, upon condition that the plaintiff(s) will prosecute the within attachment with effect, or in case of failure, pay the defendant(s) all costs that may be adjudged against him, and also, all such damages as defendant(s) may sustain by the wrongful suing out of the attachment.

This _____ day of _____, 20____.

By, _____
Principal(s)

Address _____

By, _____
Surety(ies)

Address _____

**JUDICIAL ATTACHMENT
TO THE SHERIFF OF _____ COUNTY**

Whereas, a summons was issued by me on the _____ day of _____, 20____ to the Sheriff of _____ County,

directing him to summon _____ to appear before the Court of General Sessions, _____ County, Tennessee to answer the complaint of _____ in an action for _____

which summons was placed in the hands of _____

PPSV/Deputy Sheriff of _____ County and which has been returned with the following endorsement thereon _____ to be found diligent search made by me, and the defendant not to be found in my County _____ Sheriff, _____

Whereupon it was ordered by the Honorable _____, Judge presiding over Division _____ of the Court of the General Sessions, _____ County, Tennessee, on motion of the plaintiff, that a judicial attachment issued against the estate of the said _____

and such estate, unless replevied, so to secure that the same may be liable to further proceeding thereon, to be had before me on _____, 20____ at the courthouse of _____ County, Tennessee, when and where you will return this writ and make known how you have executed the same.

Witness, of our said Court, at office, of the City of _____, _____ County, Tennessee,

this _____ day of _____, 20____, Clerk

By _____, Deputy Clerk

**IN THE COURT OF GENERAL SESSIONS
Select County _____ COUNTY
STATE OF TENNESSEE
ORDER AWARDING JUDICIAL ATTACHMENT**

Plaintiff(s) _____

vs. _____

vs. Docket Number: _____

Defendant(s) _____

Address _____

In this cause the plaintiff moved for a judicial attachment against the estate of the defendant, and it appears that a summons issued against the defendant to the Sheriff of _____

County _____, returnable to the Court of General Sessions of _____ County, has been duly returned and that the defendant is not to be found in my county is ordered that a judicial attachment be issued accordingly, conditioned upon the plaintiff posting bond as prescribed by TCA 29-6-116.

In the amount of \$ _____

Judge _____ Division _____

This _____ day of _____, 20____
Came to hand same day issued and executed as commanded on: _____

Served: _____, 20____

Sheriff
Attorney for Plaintiff(s)

Telephone

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is not a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this _____ day of _____, 20_____.

Notary Public

My term expires:

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA § 20-2-101, 26-2-115

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff	Court Date	Time
Attorney for Plaintiff	Reset Date	Time
vs.	Review Date	Time
Defendant	Courtroom	
Attorney for Defendant	Court: _____	
	Address: _____	
	State, Zip & Phone: _____	

MOTION AND AFFIDAVIT FOR INSTALLMENT PAYMENTS

Comes the Defendant, pursuant to Tennessee Code Annotated 26-2-216, and would move this Honorable Court to reduce the judgment heretofore entered in this case to installment payments in the amount of \$ _____ to be paid weekly, bi-weekly, or monthly beginning _____ (Date).
 In support of this Motion, the Defendant would offer the Affidavit of Income and Property attached hereto. Defendant would further allege that the payment schedule is the maximum payment Defendant can reasonably make on said judgment. Defendant would allege there are no other sources of income other than the wages from the employer set forth in said Affidavit.

Sworn and subscribed before me this _____ day of _____, 20____

_____ Defendant Signature

_____ Deputy Clerk/Notary Public Signature

ORDER REGARDING INSTALLMENT PAYMENTS

This cause came to be heard upon Defendant's Motion for Installment Payments on the judgment entered in this cause, and upon

- Agreement of the parties
 Hearing
 Default

Defendant having shown good cause that he/she is entitled to the relief sought, the judgment in this cause is commuted to installment payments in the sum of \$ _____ to be paid weekly, bi-weekly, or monthly beginning _____ and further execution by garnishment is hereby stayed.

- Payments to be made directly to the Plaintiff or Plaintiff's attorney/agent.
 Payments to be made through the Clerk of the Court.

A review hearing is set for _____, at _____ in Courtroom _____.

- Defendant's Motion is hereby dismissed because:
 Defendant failed to show good cause for the Motion; or
 Defendant failed to appear and support the Motion.

Date: _____

_____ General Sessions Judge Part _____

REVIEW – INSTALLMENT PAYMENT ORDER

This cause came before this Court upon review of the above Installment Payment Order.

The Order is modified and the Defendant is commuted to installment payments in the sum of \$ _____ to be paid each _____ beginning _____, and further execution by garnishment is hereby stayed.

Other _____.

Date: _____

General Sessions Judge Part _____

AFFIDAVIT OF INCOME AND PROPERTY

Comes now the Defendant and, subject to the penalty of perjury, makes oath and says that the following facts are true and that there is NO OTHER source of income or property other than that described below:

Full Name _____

Address: _____

Phone Number: _____

Last four digits of Soc. Sec. #: _____

Employer: _____

Address: _____

Employer's Phone Number: _____

List all Dependents:

Name	Age	Relationship

List all monthly household expenses:

Rent/Mortgage \$ _____

Utilities: \$ _____

Health Insurance: \$ _____

Transportation: \$ _____

Groceries: \$ _____

Clothing: \$ _____

Other: \$ _____

Other: \$ _____

Other: \$ _____

\$ Other \$ _____

\$ Total monthly Expenses \$ 0

List all land/house/real estate/property you own:

Describe: Value:

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Land/House/Real Estate/Property \$ 0

List all personal property, cars, trucks, furniture, stocks, bonds, tools, and equipment you own and its total value:

Describe Value

Car(s) \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

List all income from any source:

\$ _____
from _____

\$ _____
from _____

\$ _____
from _____

\$ _____
from _____

I receive Child Support in the sum of \$ _____

<input type="checkbox"/>	<input type="checkbox"/>
Per wk	Per mo
<input type="checkbox"/>	<input type="checkbox"/>
Per wk	Per mo
<input type="checkbox"/>	<input type="checkbox"/>
Per wk	Per mo
<input type="checkbox"/>	<input type="checkbox"/>
Per wk	Per mo
<input type="checkbox"/>	<input type="checkbox"/>
Per wk	Per mo

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff	Court Date	Time
Attorney for Plaintiff	Reset Date	Time
vs.	Review Date	Time
Defendant	Courtroom	
Attorney for Defendant	Court: _____	
	Address: _____	
	State, Zip & Phone: _____	

MOTION AND AFFIDAVIT TO REINSTATE/MODIFY INSTALLMENT PAYMENT ORDER

Comes the Defendant, pursuant to Tennessee Code Annotated 26-2-217, and would move this Honorable Court to Reinststate, or Modify the previous Installment Payment Order of _____, 20____, for the following reason: _____

Defendant would move this Honorable Court to be allowed to make installment payments in the amount of \$ _____ to be paid weekly, bi-weekly, or monthly beginning _____ (Date). In support of this Motion, the Defendant would offer the Affidavit of Income and Property attached hereto. Defendant would further allege that the payment schedule is the maximum payment Defendant can reasonably make on said judgment. Defendant would allege there are no other sources of income other than the wages from the employer set forth in said Affidavit.

Sworn and subscribed before me this _____ day of _____, 20____

Defendant Signature

Deputy Clerk/Notary Public Signature

ORDER TO REINSTATE OR MODIFY INSTALLMENT PAYMENT ORDER

This cause came to be heard upon Defendant's Motion for Reinststate/Modify the previous Installment Payment Order on the judgment entered in this cause, and upon

Agreement of the parties
 Hearing
 Default

Defendant having shown good cause that he/she is entitled to the relief sought, the judgment in this cause is commuted to installment payments in the sum of \$ _____ to be paid weekly, bi-weekly, or monthly beginning _____ (Date), and further execution by garnishment is hereby stayed.

Payments to be made directly to the Plaintiff or Plaintiff's attorney/agent.
 Payments to be made through the Clerk of the Court.
 A review hearing is set for _____, at _____ in Courtroom _____.
 Defendant's Motion is hereby dismissed because:
 Defendant failed to show good cause for the Motion; or
 Defendant failed to appear and support the Motion.
 Date: _____

General Sessions Judge Part _____

REVIEW – INSTALLMENT PAYMENT ORDER

This cause came before this Court upon review of the above Installment Payment Order.

The Order is modified and the Defendant is commuted to installment payments in the sum of \$ _____ to be paid each _____ beginning _____ (Date) and further execution by garnishment is hereby stayed.

Other _____
 Date: _____
 General Sessions Judge Part _____

AFFIDAVIT OF INCOME AND PROPERTY

Comes now the Defendant and, subject to the penalty of perjury, makes oath and says that the following facts are true and that there is NO OTHER source of income or property other than that described below:

1. Full Name _____
 Address: _____

 Phone Number: _____
 Last four digits of Soc. Sec. #: _____
 Employer: _____
 Employer's Phone Number: _____

List all monthly household expenses:

Rent/Mortgage	\$ _____
Utilities:	\$ _____
Health Insurance:	\$ _____
Transportation:	\$ _____
Groceries:	\$ _____
Clothing:	\$ _____
Other:	\$ _____
Total monthly Expenses:	\$ _____ 0

2. List all Dependents:

Name	Age	Relationship

List all land/house/real estate/property you own:

Describe:	Value:
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Land/House/Real Estate/Property	\$ _____ 0

List all income from any source:

\$ _____	<input type="checkbox"/>	<input type="checkbox"/>	
from _____	Per wk	Per mo	
\$ _____	<input type="checkbox"/>	<input type="checkbox"/>	
from _____	Per wk	Per mo	
\$ _____	<input type="checkbox"/>	<input type="checkbox"/>	
from _____	Per wk	Per mo	

List all personal property, cars, trucks, furniture, stocks, bonds, tools, and equipment you own and its total value:

Describe	Value
Cars	\$ _____
Trucks	\$ _____
Other	\$ _____
_____	\$ _____
_____	\$ _____

I receive Child Support in the sum of:
 \$ _____ Per _____

List all bank accounts:

Account	Balance
Checking: _____	\$ _____
Savings: _____	\$ _____
Other: _____	\$ _____
Other: _____	\$ _____
Other: _____	\$ _____

List all debts:

Creditor/Address	Balance
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

VERIFICATION AND OATH: Comes now the Defendant and makes oath, subject to the penalty of perjury, that the information in this Motion for Installment Payments is true to the best of Defendant's knowledge, information and belief.

Other Cont'd: _____	\$ _____
_____	\$ _____
Total Value Personal Property	\$ _____ 0

List all assets/property sold or transferred in the last six months:

Describe	Value
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Assets/Property Sold or Transferred in the last six months	\$ _____ 0

Defendant Signature

***You are required to bring check stubs, payment stubs, and receipts for any income or expense claimed on this Affidavit.**

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1st class postage prepaid, via facsimile, or via telephone, to

_____ on the _____ day of _____, 20____.

Serving Officer/Clerk of Court

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE
MOTION TO QUASH GARNISHMENT/EXECUTION AND CLAIM EXEMPTION RIGHTS

Comes now _____ and moves this Honorable Court for an order to quash the execution or garnishment of the Judgment Debtor's money or property and to compel the return of his/her money or property. As grounds for the release/return of the money or property, the Judgment Debtor would show that said property is exempt under federal or state law because it is one or more of the following (check each applicable item):

<input type="checkbox"/>	Social Security Benefits	<input type="checkbox"/>	SSI (Supplemental Security Income) Benefits
<input type="checkbox"/>	Unemployment Benefits	<input type="checkbox"/>	TANF Benefits
<input type="checkbox"/>	Veteran's Benefits	<input type="checkbox"/>	Exempt Government Pension
<input type="checkbox"/>	Exempt Health Care Aids	<input type="checkbox"/>	Exempt Insurance Benefits
<input type="checkbox"/>	Exempt "Tools of Trade"	<input type="checkbox"/>	Wages Garnished Exceed Allowable Amounts Under Law
<input type="checkbox"/>	Other		

The Judgment Debtor further states that the above money or property was garnished from the following bank _____ and last four (4) digits of the bank account number _____

To assist the Court in making a proper decision, the Judgment Debtor shall provide the Court with adequate documents of proof of (a) the amount of the exempt benefits; (b) the source of the exempt benefits; (c) judgment debtor's last two (2) bank statements (if the exempt benefits were deposited in any bank account); and/or (d) proof of excessive garnishment of wages by providing check stubs indicating the amount of wages and all deductions.
Failure to provide the above documentation at the time of your hearing could result in the debtor's hearing being continued or dismissed.

Judgment Debtor _____

ORDER

This cause came to be heard upon Defendant's Motion to Quash Garnishment/Execution upon Agreement of the parties Hearing Default

Defendant having shown good cause he/she is entitled to the relief sought, the motion is granted;

Defendant's motion is denied:
 Defendant having failed to show good cause for the motion; or
 Defendant having failed to appear and support the motion;

Date: _____, 20____ General Session Judge, Part _____

Case No. _____
 Plaintiff(s) _____

vs.
 Defendant(s) _____

Address/Telephone Number _____
 City/State/Zip _____

MOTION TO QUASH GARNISHMENT/ M EXECUTION AND CLAIM EXEMPTION RIGHTS

MOTION SET FOR HEARING

Set for _____ on _____, 20____
 Time _____ Date _____
 Courtroom _____

Address _____
 City/State/Zip _____

Attorney for Plaintiff _____
 Attorney for Defendant _____

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1st class postage prepaid, to:

on the _____ day of _____, 20____

Serving Officer/Clerk of Court _____

**IN THE COURT OF GENERAL SESSIONS
SELECT COUNTY COUNTY, TENNESSEE**

Plaintiff(s)

vs.

Defendant(s)

Docket No. _____

**NOTICE TO GENERAL SESSIONS COURT CIVIL DIVISION
OF JUDGMENT SATISFIED**

This is to certify that a judgment in the amount of \$ _____ was entered in the General Sessions Court of Select County County, Tennessee, against _____

the defendant(s) in the above styled case on the ____ day of _____ year _____.

I, _____, attorney and/or plaintiff do hereby notify the clerk of the court that the above referenced case has been satisfied as to the judgment creditor.

Additional costs or commissions may be due to General Sessions Court Clerk.

I hereby instruct the court clerk to adjust all court records to reflect that all judgment amounts due plaintiff are satisfied as of this _____ day of _____ year _____.

I certify that the facts contained herein are true and accurate.

Plaintiff's Signature

Attorney's Signature

Today's Date

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1st class postage prepaid, to:

on the _____ day of _____, 20____

Serving Officer/Clerk of Court

IN THE COURT OF GENERAL SESSIONS
SELECT COUNTY _____ COUNTY, TENNESSEE

<p>_____ Plaintiff(s)</p> <p style="text-align: center;">vs.</p> <p>_____ Defendant(s)</p>	<p>Docket No. _____</p>
--	-------------------------

ORDER TO TURN OVER FUNDS

It appears to the court that the garnishee, _____ is holding the sum of _____ in accordance with its answer of _____ year _____, in this cause.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the garnishee, _____ pay the sum of _____ into the General Sessions Court.

Judge

Division

Date

Attorney for Plaintiff

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

Plaintiff(s) _____ _____ _____ vs. _____ Defendant(s) _____ _____	Docket No. _____
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**PAUPER'S OATH IN LIEU OF APPEAL BOND
(COURT COSTS)**

I, _____, do so lemnly swear that I am a resident of the State of Tennessee, and that owing to my poverty, I am not able to bear the expense of an appeal from the judgment of the Court in the above styled case and that I am justly entitled to the relief sought to the best of my belief.

Defendant's Signature

Sworn to and subscribed before me, this _____ day of _____, 20_____.

Deputy Clerk

Notice: Loss of appeal results in obligation to pay court costs.

Attorney for Plaintiff

Attorney's Address

City/State/Zip

Plaintiff(s)

Home Address/Telephone

City/State/Zip

Place of Employment

Work Telephone

Attorney for Defendant

Attorney's Address

City/State/Zip

Defendant(s)

Home Address/Telephone

City/State/Zip

Place of Employment

Work Telephone

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE

To Any Lawful Officer of Said County:

You are hereby commanded to notify the Garnishee that a conditional judgment was entered by the General Sessions Court of Select County County, Tennessee, against said Garnishee for the sum of _____ plus costs, due to _____

Within the time prescribed by law, and the same will be made final unless Garnishee appears in this Court on _____ day of _____, 20____, at _____, in Courtroom, _____

and show cause, if any, why the judgment should not be made final.

JUDGMENT

Judgment for _____
against _____

for _____ dollars and cost of suit, for which Execution may issue.

Entered this _____ day of _____, 20_____.

Judge, General Sessions Court

Division

Case No. _____

Plaintiff(s) _____

vs.

Defendant(s) _____

To: _____

Garnishee _____

Address _____

City/State/Zip _____

SCIRE FACIAS

Issued: _____ day of _____, 20_____

By: _____ Clerk

Set for _____ on _____ Deputy Clerk

Time _____ Date _____

Courtroom _____

Address _____

City/State/Zip _____

Reset for: _____

Came to hand same day issued and executed as commanded on: _____

Served: _____ day of _____, 20_____

Sheriff/Process Server

Attorney for Plaintiff/Telephone

Attorney for Defendant/Telephone



If you have a disability and require assistance, please contact _____

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE
ORDER TO SHOW CAUSE

Plaintiff requests that the Court issue an Order to Show Cause to:

for failure to _____

It is ordered that _____ appear in
the General Sessions Court in _____ County, Tennessee, on
_____ 20_____ at _____ in Courtroom _____,

_____ Address

to show cause why he/she should not be held in contempt of this Court. It is further ordered that
the Sheriff serve a copy of this Order on the person(s) named above.

Entered this _____ day of _____, 20_____.

**A party being served must appear and that failure to appear may put such party in
contempt of court. Contempt of court may result in an attachment for your arrest.**

APPROVED FOR ENTRY

(Signature)

(Print)

Address

City/State/Zip

Judge, General Sessions Court

Division

Case No. _____

Plaintiff(s)

vs.

Defendant(s)

Serve:

Address:

City/State/Zip

SHOW CAUSE ORDER

Issued: _____, 20_____

Clerk

By: _____ Deputy Clerk

Set for _____ on _____
Time Date

Courtroom

Address

City/State/Zip

Reset for:

Came to hand same day issued and executed as
commanded on:

Served: _____, 20_____

Sheriff

Attorney for Plaintiff/Telephone

Attorney for Defendant/Telephone

IN THE GENERAL SESSIONS COURT OF SELECT COUNTY COUNTY, TENNESSEE
To Any Lawful Officer of Said County:

**SUBPOENA TO TESTIFY/DUCES TECUM
(TO BRING RECORDS)**

To: _____ (Name of Witness)
You are hereby commanded to appear personally before the General Sessions Court _____

for the purpose of giving testimony. In addition, if indicated, you are further commanded to bring with you the following: _____

A party being served must appear and that failure to appear may put such party in contempt of court. Contempt of court may result in an attachment for your arrest.

This subpoena is being issued on behalf of
 Plaintiff Defendant

Attorney or Party's Name _____

Address/Telephone Number _____

City/State/Zip _____

RETURN ON SERVICE:

An attorney's return must be sworn to:

I certify that on the date indicated below, I served a copy of this subpoena on the witness stated herein by: _____

I failed to serve a copy of this subpoena on the witness because: _____

Sworn to and subscribed before me this _____ day of _____, 20_____.

Deputy Clerk/Notary Public

Commission Expiration Date

Case No. _____

Plaintiff _____

vs.

Defendant _____

To: _____

Name of Witness

Address/Telephone Number _____

City/State/Zip _____

S SUBPOENA TO TESTIFY S

Issued: _____, 20_____

By: _____ Clerk

Set for _____ on _____ Deputy Clerk

Time _____ Date _____

Courtroom _____

Address _____

City/State/Zip _____

Reset for: _____

DATE OF SERVICE:

Signature of Officer, Attorney, or Attorney's Designee _____



If you have a disability and require assistance, please contact _____

IN THE GENERAL SESSIONS COURT FOR SELECT COUNT COUNTY, TENNESSEE

Plaintiff

Docket No. _____

vs.

Defendant

SWORN DENIAL ON ACCOUNT

Comes the Defendant, after being duly sworn according to law, and says he/she does not owe the account on which the Plaintiff has sued him/her and that the same is not true, just, nor correct for the following reason(s):

Defendant

Defendant's Address

Defendant's Phone Number

Sworn to and subscribed before me this the
_____ day of _____, 20_____ .

Name

Notary Public/Deputy Court Clerk in and for Select County _____ County, Tennessee.

My Commission expires on _____ .

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent via U.S. Mail, 1ST class postage prepaid, to:

on the _____ day of _____, 20_____
_____ .

Serving Officer/Clerk of Court

STATE OF TENNESSEE, COUNTY OF SELECT COUNTY

To Any Lawful Officer to Execute and Return:

Summon each Defendant to appear before the Judge of the General Sessions Court of

Select County _____ County on _____, 20____, at _____

to be held in Courtroom _____, _____ and possession of the described property _____ and possession of the described property _____ having a value of _____ Plaintiff(s) claim(s) possession because _____

A copy of the writing, if any, upon which Plaintiff's claim is founded must be attached. Plaintiff(s) make(s) oath that the foregoing is true to the best of the Plaintiff's knowledge and belief.

Sworn to and subscribed on _____, 20____. Plaintiff/Affiant Deputy Clerk/Notary Public _____ Commission Expiration Date _____

Judgment is granted to Plaintiff(s) against Defendant(s) _____ in the amount of _____ and all costs and taxes, and for possession of the described property for which a writ of possession shall be issued on Plaintiff's request.

and for possession of the described property for which a writ of possession shall be issued on Plaintiff's request. If this action is governed by the Uniform Commercial Code Provisions of state law, Plaintiff(s) shall dispose of said property in accordance with the applicable provisions of said law and shall notify Defendant(s) of the amount to be credited against this judgment prior to the issuance of any writ of execution.

Judgment is based on: Default of Defendant Agreement of parties Trial in Court

Case is dismissed and all costs and taxes are to be paid by Plaintiff(s), for which execution may issue.

Dismissal is based on:

- Failure to prosecute the suit by Plaintiff(s)
 Non-suit by Plaintiff(s)
 Finding in favor of Defendant(s)
Date: _____, 20____.

Judge, Division _____, General Sessions Court



If you have a disability and require assistance, please contact _____

COURTROOM _____

Original Alias
 Amended Counter-Claim

Docket No. _____

Plaintiff(s) _____

Address/Phone _____ vs. _____

Defendant(s) _____

Address/Phone: _____

Defendant(s) _____

Address/Phone _____

WARRANT TO RECOVER PERSONAL PROPERTY

Issued: _____, 20____

By: _____ Clerk

Set on _____ for _____ Deputy Clerk

Courtroom _____ Date _____ Time _____

Address _____

City/State/Zip _____

Reset for: _____ Date _____ Time _____

Came to hand same day issued and executed as commanded on:

Served: _____, 20____

Sheriff/Constable (Process Server)

Attorney for Plaintiff/Telephone

Attorney for Defendant/Telephone

ORDER

This the _____ day of _____, 20____

Judge

BOND

PLAINTIFF'S BOND FOR RESTRAINING ORDER: We hereby bind ourselves, our heirs, and assigns to Defendant(s) in the penal sum of _____, being the value of the described property, this obligation to be void should Plaintiff(s) abide by and perform the judgment of the Court in this manner.

Date: _____

Principal: _____

Surety: _____

NOTICE

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA §20-2-101, 26-2-115

FIAT

Upon posting bond of _____, Defendant(s) are hereby restrained from damaging, concealing, or removing the described property from the jurisdiction of this Court.

IF THIS RESTRAINING ORDER IS VIOLATED, DEFENDANT(S) COMMIT(S) A CLASS C MISDEMEANOR AND IS/ARE SUBJECT FOR EACH VIOLATION TO A FINE NOT TO EXCEED FIFTY DOLLARS (\$50) AND/OR IMPRISONMENT UP TO THIRTY (30) DAYS

Date: _____

Defendant(s): _____

AFFIDAVIT

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant _____ is not _____ a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this

day _____ of _____, 20____.

Notary Public

Term Expiration Date

WAIVER

I/We, the Defendant(s) herein, acknowledge that the Plaintiff(s) is /are entitled to possession of the described property, and I/we here voluntarily waive any right to a hearing by tendering the property herewith to the officer, and I/we acknowledge that if I/we do not appear and answer as to the merits of the matter on the date specified herein, that a default judgment may be entered against me/us. I/we, the Defendant(s), herein acknowledge that the process server has read and explained to me/us that I/we have a constitutional right to a hearing and that I/we are not required to sign this document of waiver and that I/we have signed this document of waiver voluntarily.

Date: _____

Defendant(s): _____

RESET

STATE OF TENNESSEE, COUNTY OF _____ SELECT COUNTY

To Any Lawful Officer to Execute and Return:

Summon each Defendant to appear before the Judge of the General Sessions Court of
Select County _____ County on _____, 20____, at _____

to be held in Courtroom _____
to answer the claim by Plaintiff(s) for a money judgment of _____ and possession
of the described property _____

having a value of _____. Plaintiff(s) claim(s) possession because _____

A copy of the writing, if any, upon which Plaintiff's claim is founded must be attached. Plaintiff(s)
make(s) oath that the foregoing is true to the best of the Plaintiff's knowledge and belief.

Sworn to and subscribed on _____, 20____, at _____
Deputy Clerk/Notary Public _____ Plaintiff/Affiant

_____ Commission Expiration Date

Judgment is granted to Plaintiff(s) against Defendant(s) _____

and for possession of the described property for which a writ of possession shall be issued on
Plaintiff's request. If this action is governed by the Uniform Commercial Code Provisions of state
law, Plaintiff(s) shall dispose of said property in accordance with the applicable provisions of said
law and shall notify Defendant(s) of the amount to be credited against this judgment prior to the
issuance of any writ of execution.

Judgment is based on: Default of Defendant Agreement of parties

Trial in Court

Case is dismissed and all costs and taxes are to be paid by Plaintiff(s), for which execution
may issue.

Dismissal is based on:

Failure to prosecute the suit by Plaintiff(s)

Non-suit by Plaintiff(s)

Finding in favor of Defendant(s) Date: _____, 20____.

after trial

Judge, Division _____, General Sessions Court

If you have a disability and require assistance, please contact _____



COURTROOM

Original Alias

Amended Counter-Claim

Docket No. _____

Plaintiff(s) _____

Address/Phone _____ vs. _____

Defendant(s) _____

Address/Phone: _____

Defendant(s) _____

Address/Phone _____

WARRANT TO RECOVER PERSONAL PROPERTY
FOR IMMEDIATE POSSESSION

Issued: _____, 20____

By: _____ Clerk

Set on _____ Date _____ Deputy Clerk

for _____ Time _____

Courtroom _____

Address _____

City/State/Zip _____

Reset for: _____ Date _____ Time _____

Came to hand same day issued and executed as commanded on:

Served: _____, 20____

Sheriff/Constable (Process Server) _____

Attorney for Plaintiff/Telephone _____

Attorney for Defendant/Telephone _____

SUMMONS

HEARING

JUDGMENT

ORDER

Return of Bond in the Amount of \$ _____.

This the _____ day of _____, 20____

Judge

BOND

PLAINTIFF'S BOND FOR RESTRAINING ORDER: We hereby bind ourselves, our heirs, and assigns to Defendant(s) in the penal sum of _____, being the value of the described property, this obligation to be void should Plaintiff(s) abide by and perform the judgment of the Court in this manner.

Date: _____

Principal: _____

Surety: _____

Upon posting bond of _____,

Defendant(s) are hereby restrained from damaging, concealing, or removing the described property from the jurisdiction of this Court.

NOTICE

TO THE DEFENDANT(S):

Failure to appear and answer this Civil Warrant will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property and five thousand (\$5,000) homestead exemption from execution or seizure to satisfy a judgment. Additional homestead exemptions may be available under statute. Refer to jurisdiction for exact amount, or as further directed by code. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Legal Authority: TCA §20-2-101, 26-2-115

FBI

IF THIS RESTRAINING ORDER IS VIOLATED, DEFENDANT(S) COMMIT(S) A CLASS C MISDEMEANOR AND IS/ARE SUBJECT FOR EACH VIOLATION TO A FINE NOT TO EXCEED FIFTY DOLLARS (\$50) AND/OR IMPRISONMENT UP TO THIRTY (30) DAYS

Date: _____

Defendant(s): _____

I/We, the Defendant(s) herein, acknowledge that the Plaintiff(s) is /are entitled to possession of the described property, and I/we here voluntarily waive any right to a hearing by tendering the property herewith to the officer, and I/we acknowledge that if I/we do not appear and answer as to the merits of the matter on the date specified herein, that a default judgment may be entered against me/us. I/we, the Defendant(s), herein acknowledge that the process server has read and explained to me/us that I/we have a constitutional right to a hearing and that I/we are not required to sign this document of waiver and that I/we have signed this document of waiver voluntarily.

Date: _____

Defendants): _____

WAIVER

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant

is not _____ a member of a military service.

Attorney for Plaintiff or Plaintiff

Sworn to and subscribed before me this

day _____ of _____, 20_____.

Notary Public

Term Expiration Date

AFFIDAVIT