

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

Address

CASE NO. _____

v.

_____, Defendant

Address

TO BE SERVED ON THE JUDGMENT DEBTOR WITH THE WRIT OF GENERAL EXECUTION FOR MONEY JUDGMENT.

NOTICE TO JUDGMENT DEBTOR

You are notified that on _____ (date) the Court issued an order called a Writ of General Execution for Money Judgment in favor of _____ (name of judgment creditor), directing that any of your property that is not exempt under the law be used or sold to satisfy your debt to the judgment creditor.

The laws of Kansas and the United States provide that certain property cannot be taken from you to pay a debt. This property is commonly referred to as exempt property. Examples of exempt property that cannot be taken from you to pay a debt are:

- (1) Social Security disability and retirement benefits;
- (2) Supplemental Security Income (SSI) benefits;
- (3) Veteran's benefits;
- (4) Black lung benefits;
- (5) Cash assistance payments under the Temporary Assistance for Families (TAF) program;
- (6) Cash assistance payments under the General Assistance (GA) program;

- (7) Unemployment compensation payments;
- (8) Workers compensation payments;
- (9) Certain pension benefits and retirement funds, including KPERS;
- (10) Furnishings, equipment and supplies in your possession and reasonably necessary at your principal residence;
- (11) Personal jewelry and other ornaments, up to \$1,000 in total value;
- (12) One vehicle regularly used for transportation, up to \$20,000 in value;
- (13) Tools and equipment used in your principal trade or business, up to \$7,500 in total value;
- (14) Homestead (usually, your residence).

This Notice does not list all exempt property, only the most common exemptions. Other state and federal exemptions may apply to you. Certain exemptions may not apply to support orders or to back taxes. These exemptions generally apply only to an individual and not to an entity such as a corporation. An attorney can help you determine if your property is exempt.

If you believe some or all property that has been taken is exempt, you should ask for a court hearing as soon as possible. At the hearing, the burden is on you to prove that some or all of your property that has been taken is exempt property. You must present evidence to show the property is exempt. You may wish to consult an attorney to represent you at this hearing.

To ask for a court hearing, you must:

1. contact the Clerk of the Court to schedule a date and time for hearing;
2. fill out the attached Notice of Hearing;
3. file the Notice of Hearing with the Clerk of the Court; and
4. immediately deliver a copy of the Notice of Hearing to the judgment creditor or judgment creditor's attorney, if the judgment creditor is represented by an attorney. You can hand-deliver or mail the copy of the Notice of Hearing. If you mail the copy, you must use first-class mail and send it to the last-known address of the judgment creditor or judgment creditor's attorney.

DISTRICT COURT OF _____ COUNTY, KANSAS

_____, Plaintiff

Address

CASE NO. _____

v.

_____, Defendant

Address

NOTICE OF HEARING

You are notified that a court hearing has been scheduled regarding a claim by _____ (name of judgment debtor) that _____ (describe property) is exempt property, because

(reason property is exempt).

The hearing will be held on _____ (date), at _____ m.

Signature of Judgment Debtor or Judgment Debtor's Attorney

Printed Name: _____

Attorney Registration #: _____

Address: _____

City, State, Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____

CERTIFICATE OF SERVICE

I certify that a true copy of this Notice was sent by first class mail, postage prepaid, or by hand delivery, on _____ (date), to the judgment creditor or judgment creditor's attorney, if judgment creditor is represented by an attorney, to:

_____ at the address(es) set forth above.

Method of delivery: Hand-delivery First-class mail

Signature of Judgment Debtor or Judgment Debtor's Attorney

Printed Name: _____

Attorney Registration #: _____

Address: _____

City, State, Zip: _____

Phone #: _____

Fax # (if you have one): _____

Email address: _____