



## STATE OF RHODE ISLAND

### SUPERIOR COURT

#### NOTICE AND MOTION TO ATTACH WAGES

|                                        |                                                                               |
|----------------------------------------|-------------------------------------------------------------------------------|
| <b>Plaintiff/Creditor</b>              | <b>Civil Action File Number</b>                                               |
| <b>Defendant/Debtor</b>                | <b>Attorney for the Plaintiff/Creditor or the Plaintiff/Creditor</b>          |
| <b>Address of the Defendant/Debtor</b> | <b>Address of the Plaintiff/Creditor's Attorney or the Plaintiff/Creditor</b> |

|                                                                                                                                                         |                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Murray Judicial Complex<br>Newport County<br>45 Washington Square<br>Newport, Rhode Island 02840-2913<br>*(401) 841-8330       | <input type="checkbox"/> Noel Judicial Complex<br>Kent County<br>222 Quaker Lane<br>Warwick, Rhode Island 02886-0107<br>*(401) 822-6900                      |
| <input type="checkbox"/> McGrath Judicial Complex<br>Washington County<br>4800 Tower Hill Road<br>Wakefield, Rhode Island 02879-2239<br>*(401) 782-4121 | <input type="checkbox"/> Licht Judicial Complex<br>Providence/Bristol County<br>250 Benefit Street<br>Providence, Rhode Island 02903-2719<br>*(401) 222-3230 |

| DATE, TIME, AND LOCATION OF HEARING                                                                 |              |                   |
|-----------------------------------------------------------------------------------------------------|--------------|-------------------|
| <b>HEARING DATE:</b><br><b>A HEARING WILL BE HELD ONLY IF</b><br><b>YOU FILE A TIMELY OBJECTION</b> | <b>TIME:</b> | <b>COURTROOM:</b> |

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| <b>OBJECTION DATE:</b><br><b>YOU MUST FILE AN OBJECTION BY THIS DATE OR THERE WILL BE NO HEARING</b> |
|------------------------------------------------------------------------------------------------------|

The above-named Plaintiff/Creditor has obtained a judgment against the Defendant/Debtor and now requests permission from the court to attach your wages.

Some or all of your wages may be exempt from attachment under federal or state law. For example, a state exemption provides that wages cannot be attached if you received public assistance within the last year, nor can any wages be attached if you are now receiving any form of public assistance. You have a right to be heard in court if you claim to have been on public assistance within the last year or claim any other exemption.



## STATE OF RHODE ISLAND

### SUPERIOR COURT

A federal exemption provides that you must receive from your disposable weekly earnings an amount equal to at least thirty (30) times the federal minimum hourly wage. Also, if your disposable weekly earnings are less than forty (40) times the minimum hourly wage, only the amount greater than thirty (30) times the minimum hourly wage can be attached. If your disposable weekly earnings are greater than forty (40) times the minimum wage, the first 75% is exempt. The term “disposable earnings” means that part of your earnings remaining after the deduction from those earnings of any amounts required by law to be withheld, such as Social Security, federal and state income taxes, and unemployment and temporary disability insurance contributions.

The federal exemption is automatically granted without the necessity of a court appearance by you. However, you must file an objection and appear in court to claim all other exemptions.

#### **TO THE DEFENDANT/DEBTOR: HOW TO OBJECT TO ATTACHMENT**

If you claim an exemption, you must complete the attached Defendant/Debtor’s Objection to Wage Attachment and file it with the clerk on or before the Objection Date (listed above). You are also required to mail a copy of your objection to the Plaintiff/Creditor’s attorney or to the Plaintiff/Creditor directly if self-represented. If you file a timely objection, you must appear in court on the Hearing Date listed above. If you do not file an objection, the Plaintiff/Creditor will be allowed to attach your wages to the extent permitted by law without further notice to you.

If you need language assistance, please contact the Office of Court Interpreters at (401) 222-8710 or by email at [interpreterfeedback@courts.ri.gov](mailto:interpreterfeedback@courts.ri.gov) before your court appearance.

\* If an accommodation for a disability is necessary, please contact the Superior Court Clerk’s Office at the telephone number listed above as soon as possible. TTY users can contact the Superior Court through Rhode Island Relay at 7-1-1 or 1-800-745-5555 (TTY) to voice number.

**FAILURE TO FILE AN OBJECTION BY THE ASSIGNED OBJECTION DATE MAY RESULT IN THE CONTINUED ATTACHMENT OF YOUR PROPERTY.**



## STATE OF RHODE ISLAND

### SUPERIOR COURT

#### CERTIFICATE OF SERVICE

I hereby certify that, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_:

☐ I filed and served this document through the electronic filing system on the following parties:

\_\_\_\_\_.  
The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

☐ I served this document through the electronic filing system on the following parties:

\_\_\_\_\_.  
The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

☐ I mailed or ☐ hand-delivered this document to the attorney for the opposing party and/or the opposing party if self-represented, whose name is \_\_\_\_\_ at the following address \_\_\_\_\_.

/s/ \_\_\_\_\_  
Name



## STATE OF RHODE ISLAND

### SUPERIOR COURT

#### DEFENDANT/DEBTOR'S OBJECTION TO WAGE ATTACHMENT

|                                        |                                                                               |
|----------------------------------------|-------------------------------------------------------------------------------|
| <b>Plaintiff/Creditor</b>              | <b>Civil Action File Number</b>                                               |
| <b>Defendant/Debtor</b>                | <b>Attorney for the Plaintiff/Creditor or the Plaintiff/Creditor</b>          |
| <b>Address of the Defendant/Debtor</b> | <b>Address of the Plaintiff/Creditor's Attorney or the Plaintiff/Creditor</b> |

|                                                                                                                                                        |                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Murray Judicial Complex<br>Newport County<br>45 Washington Square<br>Newport, Rhode Island 02840-2913<br>(401) 841-8330       | <input type="checkbox"/> Noel Judicial Complex<br>Kent County<br>222 Quaker Lane<br>Warwick, Rhode Island 02886-0107<br>(401) 822-6900                      |
| <input type="checkbox"/> McGrath Judicial Complex<br>Washington County<br>4800 Tower Hill Road<br>Wakefield, Rhode Island 02879-2239<br>(401) 782-4121 | <input type="checkbox"/> Licht Judicial Complex<br>Providence/Bristol County<br>250 Benefit Street<br>Providence, Rhode Island 02903-2719<br>(401) 222-3230 |

| DATE, TIME, AND LOCATION OF HEARING                                                                 |              |                   |
|-----------------------------------------------------------------------------------------------------|--------------|-------------------|
| <b>HEARING DATE:</b><br><b>A HEARING WILL BE HELD ONLY IF</b><br><b>YOU FILE A TIMELY OBJECTION</b> | <b>TIME:</b> | <b>COURTROOM:</b> |

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| <b>OBJECTION DATE:</b><br><b>YOU MUST FILE AN OBJECTION BY THIS DATE OR THERE WILL BE NO HEARING</b> |
|------------------------------------------------------------------------------------------------------|

Listed below are several possible defenses to the motion to attach your wages which the Plaintiff/Creditor has filed against you. If one or more of these defenses apply to your case, check the appropriate box(es) below and sign the form. There may be other defenses not listed here. You may consult an attorney and seek representation before filling out this Objection.

#### DEFENDANT/DEBTOR'S OBJECTION

- ☐ I am presently receiving some form of public assistance in addition to my wages
- ☐ I received some form of public assistance within the last year
- ☐ I am presently not working and have no wages to attach
- ☐ I have other defenses as follows: \_\_\_\_\_



## STATE OF RHODE ISLAND

### SUPERIOR COURT

#### DEFENDANT/DEBTOR'S OBJECTION TO WAGE ATTACHMENT

**WHEREFORE:** Because of the defense(s) indicated above, I ask that the court deny the Plaintiff/Creditor's motion and not order that my wages be attached.

#### CERTIFICATE OF SERVICE

I hereby certify that, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I filed this Objection with the court at the address listed above and:

☐ I filed and served this document through the electronic filing system on the following parties:

\_\_\_\_\_  
The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

☐ I served this document through the electronic filing system on the following parties:

\_\_\_\_\_  
The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

☐ I mailed or ☐ hand-delivered this document to the attorney for the opposing party and/or the opposing party if self-represented, whose name is \_\_\_\_\_ at the following address \_\_\_\_\_.

/s/ \_\_\_\_\_  
Signature of the Defendant/Debtor's Attorney or the Defendant/Debtor

#### **TO DEFENDANT/DEBTOR: NOTE THE FOLLOWING**

1. This Objection is your response to the Plaintiff/Creditor's attempt to attach your wages.
2. ON or BEFORE the above Objection Date, the court and the Plaintiff/Creditor's attorney or the Plaintiff/Creditor, must receive your Objection.
3. If you file an Objection, you must appear in court on the Hearing Date listed above to claim your objection.
4. If you do not file an Objection and appear, your wages will be attached.

**FAILURE TO FILE AN OBJECTION BY THE ASSIGNED OBJECTION DATE MAY RESULT IN THE ATTACHMENT OF YOUR WAGES.**