



# Pokagon Band of Potawatomi Indians Tribal Court

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<b>CASE NO.</b>		
<b>Petitioner name, address, telephone:</b>   <b>Petitioner's Attorney name, bar no., firm, address, telephone:</b>	<b>v.</b>	<b>Respondent name, address, telephone:</b>   <b>Respondent's Attorney name, bar no., firm, address, telephone:</b>
<b>MOTION TO REDUCE GARNISHMENT AMOUNT DUE TO EXTRAORDINARY FINANCIAL HARDSHIP AND REQUEST FOR HEARING</b>		

I, \_\_\_\_\_, am the Respondent and file this motion **to reduce the amount subject to garnishment** from the *Garnishee Calculation Worksheet* amount based on the following:

1. A *Petition for Order of Garnishment* was filed against me on \_\_\_\_\_.
2. The approximate balance due on the underlying judgment is \$\_\_\_\_\_.
3. A *Garnishee Calculation Worksheet* was completed by my employer calculating an amount subject to garnishment of \$\_\_\_\_\_ each pay period.
4. I have no other disposable funds to pay the underlying foreign judgment other than wages for personal work and labor and the calculated maximum allowable garnishment would create an extraordinary financial hardship.
5. I ask this Court to reduce the amount of garnishment to \$\_\_\_\_\_ each pay period and that this *Motion* be heard at the earliest date and time convenient to the Court.
6. For further information as to my household, I state the following:

a. List all in household:

Name	Age	Relationship	Income Earner (Y/N)

b. Legal dependents not within my household:

Name	Age	Relationship

7. **INCOME.** Please provide the Court with the following information and **list all sources of your personal** and any other **household income.**

a. **Personal Income.**

MONTHLY TOTALS

1) Employer Name: \_\_\_\_\_

Employer Address: \_\_\_\_\_

Length of Employment	Average Gross Pay	Average Net Pay
	<input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly	<input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly

Average Net Pay Per Month: \$ \_\_\_\_\_

2) Employer Name: \_\_\_\_\_

Employer Address: \_\_\_\_\_

Length of Employment	Average Gross Pay	Average Net Pay
	<input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly	<input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly

Average Net Pay Per Month: \$ \_\_\_\_\_

3) List **ANY** and **ALL** other **personal** income (e.g., per capita payments, elders stipend, public assistance, etc.)

_____	\$
_____	\$
_____	\$
_____	\$
_____	\$

Total for Other Personal Income per Month: \$ \_\_\_\_\_

b. **Household Income.**

List **ANY** and **ALL** other **household** income.

_____	\$
_____	\$
_____	\$
_____	\$
_____	\$

Total for Other Household Income per Month: \$ \_\_\_\_\_

**NET MONTHLY TOTAL:** \$ \_\_\_\_\_

**8. ASSETS.** Please state below the value of your car, home, bank deposits, bonds, stocks, etc. Please also list any outstanding debt against the asset:

Asset	Value	Outstanding Debt/Mortgage Against the Asset	Asset	Value	Outstanding Debt/Mortgage Against the Asset
Home			Stocks/Bonds		
Car(s)			Other:		
Bank deposits			Other:		

**9. LIABILITIES AND MONTHLY OBLIGATIONS.**

a. The amount of my monthly obligations is the following. (Itemize **in detail and include supporting documentation** of monthly mortgage payments, rent, utilities, food, installment payments, credit card payments, etc.)

Monthly Obligation	Obligation Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Obligations: \$ _____	

b. List **ALL** child support orders:

Court Name	Case Number	Obligation Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
Total Monthly Child Support: \$ _____		

c. List **ALL** garnishments:

Court Name	Case Number	Obligation Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
Total Monthly Garnishments: \$ _____		

**TOTAL MONTHLY LIABILITIES AND OBLIGATIONS: \$ \_\_\_\_\_**

**10. DOCUMENTATION TO SUPPORT MOTION.**

I have attached the following documentation to support my *Motion*:

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**WHEREFORE**, I request that the Court grant this *Motion* and order an amount less than the amount calculated on the *Garnishee Calculation Worksheet* (maximum allowable amount) to be deducted from my wages due to extraordinary financial hardship.

**I swear that the above information is true to the best of my information, knowledge and belief.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Affiant