

LACKAWANNA COUNTY SHERIFF'S OFFICE

WHEN FILING YOUR MAGISTRATE'S JUDGEMENT PLEASE FOLLOW THE FOLLOWING STEPS:

YOU MUST PICK UP THE PRAECIPE & WRIT OF EXECUTION FORM AT THE CLERK OF JUDICIAL RECORDS OFFICE LOCATED ON THE FIRST FLOOR OF THE COURTHOUSE.

YOU MUST ALSO PICK UP THE CLAIM FOR EXEMPTION FORM AT THE SHERIFF'S OFFICE LOCATED DIRECTLY ACROSS THE HALL FROM THE CLERK'S OFFICE.

WHEN YOU COMPLETE FILLING OUT THESE FORMS IN THEIR ENTIRETY, THE PRAECIPE AND WRIT OF EXECUTION FORMS ARE FILED WITH THE CLERK'S OFFICE AND A TERM NUMBER IS ASSIGNED.

WHEN RETURNING TO THE SHERIFF'S OFFICE YOU MUST HAVE THE FOLLOWING:

THE WRIT OF EXECUTION FROM THE CLERK'S OFFICE WHICH HAS A LACKAWANNA COUNTY TERM NUMBER AND SIGNED BY THE CLERK OF JUDICIAL RECORDS.

ON THIS WRIT THE PLAINTIFF'S NAME AND ADDRESS, PHONE # OR ATTY'S NAME HAS TO BE LISTED.

DEFENDANTS NAME AND ADDRESS WHERE LEVY IS TO BE MADE.

ALL COSTS MUST BE LISTED SEPARATELY POUNDAGE IS 2 % OF THE DEBT FIGURE AND PAYABLE TO THE SHERIFF UPON SETTLEMENT OF THE WRIT.

A RETURN ENVELOPE (LEGAL SIZE) MUST BE ADDRESSED TO YOUR CORP. OR YOURSELF WITH THE PROPER POSTAGE. ALSO WE NEED LEGAL SIZE ENVELOPES TO EACH DEFENDANT WITH PROPER POSTAGE ON THEM.

AN EXEMPTION FORM MUST BE INCLUDED WITH A COPY OF THE WRIT

FOR EACH DEFENDANT. ON THE NOTICE AND CLAIM FOR EXEMPTION FORM PROVIDED YOU BY THE SHERIFF'S OFFICE THE ONLY THINGS YOU MUST COMPLETE ARE THE FIRST AND SECOND SHEETS WHERE YOU MUST LIST THE PLAINTIFF, DEFENDANT AND

TERM NUMBER.

THE COST FOR FILING YOUR WRIT IN THE SHERIFF'S OFFICE WILL BE _____, (TO BE CALCULATED BY SHERIFF'S OFFICE), THIS IS DUE (IN CASH – NO PERSONAL CHECKS ACCEPTED) AT THE TIME OF FILING.

ANY QUESTIONS PLEASE CALL THE SHERIFF'S OFFICE AT (570) 963-6719.

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY CIVIL ACTION

PLAINTIFF

VS.

DEFENDANT

TERM NO.

NOTICE

THIS PAPER IS A WRIT OF EXECUTION. IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGEMENT AGAINST YOU. IT MAY CAUSE YOUR PROPERTY TO BE HELD OR TAKEN TO PAY THE JUDGEMENT. YOU MAY HAVE LEGAL RIGHTS TO PREVENT YOUR PROPERTY FROM BEING TAKEN. A LAWYER CAN ADVISE YOU MORE SPECIFICALLY OF THESE RIGHTS. IF YOU WISH TO EXERCISE YOUR RIGHTS. YOU MUST ACT PROMPTLY.

THE LAW PROVIDES THAT CERTAIN PROPERTY CANNOT BE TAKEN. SUCH PROPERTY IS SAID TO BE EXEMPT. THERE IS A DEBTOR'S EXEMPTION OF \$300. THERE ARE OTHER EXEMPTIONS WHICH MAY BE APPLICABLE TO YOU. ATTACHED IS A SUMMARY OF SOME OF THE MAJOR EXEMPTIONS. YOU MAY HAVE OTHER EXEMPTIONS OR RIGHTS.

IF YOU HAVE AN EXEMPTION, YOU SHOULD DO THE FOLLOWING PROMPTLY:

- (1) FILL OUT THE ATTACHED CLAIM FORM AND DEMAND FOR A PROMPT HEARING.
- (2) TAKE TO THE COURT ADMINISTRATOR'S OFFICE – 2ND FLOOR OF THE COURTHOUSE – WHERE THEY WILL GIVE YOU A HEARING DATE.
- (3) DELIVER THE FORM TO THE SHERIFF'S OFFICE ALONG WITH THE \$12.00 FILING FEE. (SHERIFF'S OFFICE IS LOCATED ON THE FIRST FLOOR OF THE COURTHOUSE, 200 N WASHINGTON AVE., SCRANTON PA).

YOU SHOULD COME TO COURT READY TO EXPLAIN YOUR EXEMPTION. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

PLAINTIFF:

VS.

DEFENDANT:

TERM NO.:

CLAIM FOR EXEMPTION

TO THE SHERIFF OF LACKAWANNA COUNTY:

I _____ THE ABOVE NAMED DEFENDANT CLAIM EXEMPTION OF PROPERTY FROM LEVY OR ATTACHMENT:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON.

(A) I DESIRE THAT MY \$300 STATUTORY EXEMPTION BE _____ SET ASIDE IN KIND (SPECIFY PROPERTY TO BE SET ASIDE IN KIND):

_____ PAID IN CASH FOLLOWING THE SALE OF THE PROPERTY LEVIED UPON: OR

(B) I CLAIM THE FOLLOWING EXEMPTION (SPECIFY PROPERTY AND BASIS OF EXEMPTION):

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY CIVIL ACTION

PLAINTIFF:

VS.

DEFENDANT:

TERM NO.:

CLAIM FOR EXEMPTION

TO THE SHERIFF OF LACKAWANNA COUNTY:

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EXEMPTION OF PROPERTY FROM LEVY OR ATTACHMENT:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN
LEVIED UPON.

(A) I DESIRE THAT MY \$300 STATUTORY EXEMPTION BE
_____ SET ASIDE IN KIND (SPECIFY PROPERTY TO BE SET ASIDE
IN KIND):

_____ PAID IN CASH FOLLOWING THE SALE OF THE PROPERTY
LEVIED UPON: OR

(B) I CLAIM THE FOLLOWING EXEMPTION (SPECIFY PROPERTY AND
BASIS OF EXEMPTION):

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY.
I CLAIM THE FOLLOWING EXEMPTIONS:

(A) MY \$300 STATUTORY EXEMPTION:

_____ IN CASH

_____ IN KIND (SPECIFY PROPERTY):

(B) SOCIAL SECURITY BENEFITS ON DEPOSIT IN THE AMOUNT OF
\$ _____.

(C) OTHER (SPECIFY AMOUNT AND BASIS OF EXEMPTION):

I REQUEST A PROMPT COURT HEARING TO DETERMINE THE EXEMPTION. NOTICE
OF THE HEARING SHOULD BE GIVEN TO ME AT THE FOLLOWING:

DEFENDANTS NAME: _____

DEFENDANTS ADDRESS: _____

DEFENDANTS TELEPHONE NUMBER: _____

I VERIFY THAT THE STATEMENTS MADE IN THIS CLAIM FOR EXEMPTION ARE
TRUE AND CORRECT. I UNDERSTAND THAT FALSE STATEMENTS HEREIN ARE
MADE SUBJECT TO THE PENALTIES OF 18 PA.C.S. 1904 RELATING TO UNSWORN
FALSIFICATION TO AUTHORITIES.

DATE: _____

SIGNATURE OF DEFENDANT

TAKE THIS CLAIM ALONG WITH \$12.00 FILING FEE TO THE SHERIFF OF
LACKAWANNA COUNTY, THEIR OFFICE IS LOCATED IN THE COURTHOUSE, 200 N.
WASHINGTON AVE., SCRANTON, PA. (CASH NO PERSONAL CHECKS ARE
ACCEPTED).

SHERIFF'S OFFICE TELEPHONE NO. (570) 963-6719

MAJOR EXEMPTIONS UNDER PENNSYLVANIA LAW AND FEDERAL LAW

1. \$300 STATUTORY EXEMPTION
2. BIBLES, SCHOOL BOOKS, SEWING MACHINES, UNIFORMS, AND EQUIPMENT
3. MOST WAGES AND UNEMPLOYMENT COMPENSATION
4. SOCIAL SECURITY BENEFITS
5. CERTAIN RETIREMENT FUNDS AND ACCOUNTS
6. CERTAIN VETERAN AND ARMED FORCES BENEFITS
7. CERTAIN INSURANCE PROCEEDS
8. SUCH OTHER EXEMPTIONS AS MAY BE PROVIDED BY LAW