

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, SPECIAL CIVIL PART

\_\_\_\_\_ County  
Street Address of Court  
Town, NJ ZIP  
Tel. No. of Court

ORDER, CERTIFICATION AND  
EXECUTION AGAINST EARNINGS  
PURSUANT TO 15 U.S.C. 1673  
AND N.J.S.A. 2A:17-56

Docket No. \_\_\_\_\_

Plaintiff,

vs.

Designated Defendant,  
(Address)

Name and Address of Employer Ordered to Make Deductions

The employer is ordered to deduct from the earnings which the designated defendant receives and to pay over to the court officer named below, the lesser of the following: (a) 10% of the gross weekly pay; or (b) 25% of disposable earnings for that week; or (c) the amount, if any, by which the designated defendant's disposable weekly earnings exceed \$217.50 per week, until the total amount due has been deducted or the complete termination of employment. Upon either of these events, an immediate accounting is to be made to the court officer. Disposable earnings are defined as that portion of the earnings remaining after the deduction from gross earnings of any amounts required by law to be withheld. In the event the disposable earnings so defined are \$217.50 or less, no amount shall be withheld under this execution. In no event shall more than 10% of gross salary be withheld. According to law, no employer may terminate an employee because of a garnishment.

The employer shall immediately give the designated defendant a copy of this order. The designated defendant may object to the wage execution or apply for a reduction in the amount withheld at any time. To object or apply for a reduction, a written statement of the objection or reasons for a reduction must be filed with the Clerk of the Court and a copy must be sent to the creditor's attorney or directly to the creditor if there is no attorney. A hearing will be held within 7 days after filing the objection or application for a reduction. According to law, no employer may terminate an employee because of a garnishment.

Judgment Date ..... \_\_\_\_\_  
Judgment Amount \$ \_\_\_\_\_  
Costs and Atty. Fees \$ \_\_\_\_\_  
Subsequent Costs . \$ \_\_\_\_\_  
Total ..... \$ \_\_\_\_\_  
Credits, if any ..... \$ \_\_\_\_\_  
Subtotal A ..... \$ \_\_\_\_\_  
Interest ..... \$ \_\_\_\_\_  
Execution cost and  
mileage ..... \$ \_\_\_\_\_  
Costs of Application \$ \_\_\_\_\_  
Subtotal B ..... \$ \_\_\_\_\_  
Court officer fee... \$ \_\_\_\_\_  
(10% of first \$5,000;  
5% of excess)  
Total due this date \$ \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Clerk of Special Civil Part

Make payments at least monthly to  
Court Officer as set forth:

\_\_\_\_\_  
Court Officer

\_\_\_\_\_  
Address

I CERTIFY that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Typed name of signator)

Firm Name: \_\_\_\_\_

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

I RETURN this execution to the Court

( ) Unsatisfied

( ) Satisfied ( ) Partly Satisfied

Amount Collected \$ \_\_\_\_\_

Fee Deducted \$ \_\_\_\_\_

Amount Due to Atty \$ \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Court Officer

## HOW TO CALCULATE PROPER GARNISHMENT AMOUNT

(1)Gross Salary per pay period..... \_\_\_\_\_

(2)Less:

Amounts Required by Law to be Withheld:

(a)U.S. Income Tax ..... \_\_\_\_\_

(b)FICA (social security) \_\_\_\_\_

(c)State Income Tax, ETT, etc. \_\_\_\_\_

(d)N.J. SUI ..... \_\_\_\_\_

(e)Other State or Municipal

Withholding..... \_\_\_\_\_

(f) Total ..... - \_\_\_\_\_

(3)Equals “disposable earnings” ..... = \_\_\_\_\_

(4)If salary is paid:

- weekly, then subtract \$217.50

- every two weeks, then subtract \$435.00

- twice per month, then subtract \$471.25

- monthly, then subtract \$942.50

(Federal law prohibits any garnishment when “disposable earnings” are smaller than the amount on line 4) ..... - \_\_\_\_\_

(5)Equals the amount potentially subject to garnishment (if less than zero, enter zero) ..... = \_\_\_\_\_

(6)Take “disposable earnings” (Line 3) and multiply by .25:

\$\_\_\_\_\_ x .25=\$\_\_\_\_\_

(7)Take the gross salary (Line 1) and multiply by .10

\$\_\_\_\_\_ x .10=\$\_\_\_\_\_

(8)Compare lines 5, 6, and 7 - the amount which may lawfully be deducted is the smallest amount on line 5, line 6, or line 7, i.e.,

Source:15 U.S.C. 1671 et seq.; 29 C.F.R. 870; N.J.S.A. 2A:17-50 et seq.