

**Pursuant to MN Statutes § 491A and § 550.011 (Judgment Debtor Financial Disclosure):**

**If the case originated in District Court**, unless the parties have otherwise agreed, if a judgment has been docketed in District Court for at least thirty (30) days, and the judgment is not satisfied, the District Court in the County in which the judgment originated shall, upon request of the judgment creditor, proceed to the Disclosure process. **If the case originated in Conciliation Court**, the thirty (30) days does not apply, but the judgment must be docketed and not satisfied before proceeding to the financial disclosure process.

1. If your case originated in District Court, your judgment must have been docketed in the District Court for at least thirty (30) days. If your case originated in Conciliation Court, your judgment must be docketed in District Court. The Court will mail you a notice with the docketing date.
2. Complete all of the information on **ONE (1) copy of the REQUEST form and THREE (3) copies of the ORDER form**. The only areas you **DO NOT complete** are the signature/date blanks in the lower/right area of the Order. **NOTE:** Forms and instructions are available on our website at [www.mncourts.gov/district/4](http://www.mncourts.gov/district/4). (Click the link for **Forms** on the left side of the webpage.)
3. Use the **District Court** file number. This number was assigned when you filed your case from Conciliation Court into District Court. **NEVER USE THE CONCILIATION COURT FILE NUMBER.**
4. Print all of your information clearly and legibly on the forms using a ball point pen.
5. Orders can only be sent to an individual person:
  - If there are **joint defendants**, you must submit **ONE** Request form and **THREE** Order forms for **EACH** person. Do not use titles such as Mr., Mrs., Rev., etc. First names are required.
  - If the debtor is a business or company, you **MUST** indicate the name and title of an officer/authorized person. **Example:** ABC Co. c/o Joe Doe, President. \*\* State Law does not permit Orders to be served directly upon a company. \*\*
6. Return the court forms along with a check for \$5.00 for **EACH** request, payable to:

District Court Administrator  
Civil Filing Department  
Hennepin County Government Center, MC 332  
Minneapolis, MN 55487-0332
7. The Court will process your forms and return a copy of the Order for Disclosure to you indicating the date the Order was mailed.
8. Please wait sixteen (16) days after you have received your copy of the Order for Disclosure. If the Judgment Debtor has not responded to you and if you have not been notified by the Court that the Post Office has returned the other party's copy as "undeliverable," then you **may proceed with the Order to Show Cause procedure**. Get the forms and instructions at the Civil Filing Counter on the 2<sup>nd</sup> floor (PSL) of the Hennepin County Government Center. This procedure requires the signature of the "signing Judge" and needs to be done between the hours of 9:00 a.m.-12:15 p.m. and 1:30 p.m.-4:30 p.m. Monday through Friday by coming in person to the court – not through the mail.

<b>State of Minnesota</b>	<b>District Court</b>
County _____	Judicial District _____ Case No. _____
_____	
_____	
_____ Plaintiff	
	<b>Request for Order for Disclosure</b>
	Minn. Stat. §§491A.02, subd. 9, 550.011
_____	
_____	
_____ Defendant	

TO: The Court Administrator Concerning: \_\_\_\_\_

Judgment Debtor's Name

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Address

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City/State \_\_\_\_\_ Zip \_\_\_\_\_

The Judgment Creditor states that:

1. The Judgment Creditor has won a Judgment in this lawsuit against the Judgment Debtor.
2. The case began in District Court and the Court Administrator docketed the judgment more than thirty (30) days ago OR the case began in Conciliation Court and the Court Administrator has docketed the judgment,
3. The Judgment Debtor has not paid all of the money which is owed to the Judgment Creditor, and
4. The Judgment Creditor and the Judgment Debtor have not agreed to some other way to settle the debt.

The Judgment Creditor requests that the Court order the Judgment Debtor to fill out a Financial Disclosure form, and mail it to the Judgment Creditor at the address shown below.

The statements made in this request are true and correct to the best of my knowledge.

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

\_\_\_\_\_ Judgment Creditor's Authorized signature and title

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Print Judgment Creditor's Name

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Address

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City/State \_\_\_\_\_ Zip \_\_\_\_\_

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Telephone

**STATE OF MINNESOTA**

**DISTRICT COURT**

County of Hennepin

Judicial District: 4th  
 Court File Number: \_\_\_\_\_  
 Case Type: Civil

\_\_\_\_\_  
 Plaintiff  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 City, State, Zip

vs.

\_\_\_\_\_  
 Defendant  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 City, State, Zip

**ORDER FOR DISCLOSURE**  
 MN Statute § 491A.02 subd. 9;  
 MN Statute § 550.011

**THIS IS AN OFFICIAL COURT ORDER THAT REQUIRES YOU TO PROVIDE CERTAIN INFORMATION. READ IT CAREFULLY.**

TO: \_\_\_\_\_  
 JUDGMENT DEBTOR

Within 10 days after service of this Order, you must:

1. Fill out the attached Financial Disclosure Form describing your personal finances.
2. Mail this completed form to the JUDGMENT CREDITOR at the address stated in the box below.  
 (Note: Certified mail is required unless the case began in Conciliation Court. MN Statute § 550.011.)

**WARNING: If you do not complete and mail the disclosure form to the Judgment Creditor within 10 days AFTER SERVICE OF THIS ORDER, the Judgment Creditor may ask the Court to hold you in "civil contempt of court." If the Court decides that you intentionally disobeyed this Order, the Court may fine you, put you in jail, or both.**

This order was issued because:

1. The JUDGMENT CREDITOR has won a Judgment in the lawsuit against you.
2. The case began in District Court and the Court Administrator docketed the judgment more than thirty (30) days ago, OR the case began in Conciliation Court and the Court Administrator has docketed the judgment;
3. You have not paid the JUDGMENT CREDITOR all of the money which the Judgment says you owe; and
4. You and the JUDGMENT CREDITOR have not agreed to some other way to settle the debt you owe.

Mail the Financial Disclosure Form to:

\_\_\_\_\_  
 JUDGMENT CREDITOR'S Name  
 \_\_\_\_\_  
 Address  
 \_\_\_\_\_  
 City/State Zip  
 \_\_\_\_\_  
 Telephone

\_\_\_\_\_  
 Date

**BY THE COURT:**  
 \_\_\_\_\_  
Mark Thompson  
 Court Administrator

By: \_\_\_\_\_  
 Deputy

Original for File. Second copy for Debtor (\_\_\_ mailed \_\_\_ delivered on \_\_\_\_\_) Third copy for Creditor (\_\_\_ mailed \_\_\_ delivered on \_\_\_\_\_)

## SUMMARY OF EXEMPT PROPERTY (MINN. STAT. §§ 510.02, 550.37)

“Exempt property” means property or money that by law cannot be taken from you to pay a judgment or debt. This summary is provided to help you claim your exemptions on the Financial Disclosure Form. Most exemptions apply only to debtors who are individuals (not corporations). Because this is only a summary, you may find that a specific piece of your property or type of income is not covered. If you have any questions about whether something is exempt, seek legal advice.

**PENALTIES: IF THE COURT FINDS THAT YOU CLAIMED AN EXEMPTION IN BAD FAITH, YOU MAY BE ASSESSED COSTS, REASONABLE ATTORNEYS FEES, AND AN AMOUNT NOT TO EXCEED \$100.** (Minn. Stat. § 550.135, subd. 12)

### **1. Homestead (residence owned and occupied by the debtor) is exempt to a value of \$390,000, or if used primarily for agricultural purposes, \$975,000.**

- a. The Homestead may include up to 160 acres of land if located in a rural area. If located in the laid out or platted portion of a city, the exempt area cannot exceed one-half acre.
- b. The proceeds of a sale of a homestead are exempt for one year after sale; does not apply to child support and maintenance arrearages.
- c. A mobile home that you live in as a home is exempt.
- d. The Homestead exemption does not apply to mortgages, tax liens, mechanics liens, and certain claims against an estate. (See Minn. Stat. § 510.05).

### **2. Wages and Earnings**

- a. All of your after tax earnings below 40 times the federal minimum wage or seventy-five percent (75%) of your after tax earnings, whichever is greater. For child support judgments, the exemption is based on the date of the judgment and other support obligations. (See Minn. Stat. § 571.922) This money remains exempt for 20 days after deposit in a bank or other financial institution.
- b. Earnings of your minor child and any child support paid to you.
- c. All of your earnings if you receive or have received public assistance based on need within the past six months, or if you have been an inmate of a correctional institution within the last six months. These funds remain exempt for 60 days after deposit in a bank or other financial institution.

### **3. Business Assets (combined value of property in a and b not to exceed \$13,000)**

- a. Farm equipment, livestock, produce, and standing crops, if your main occupation is farming, not exceeding \$13,000.
- b. Tools, machines, office furniture, and inventory reasonably necessary in your trade or business, not to exceed \$11,500.
- c. (Builders) Proceeds of payments received by a person for improvements to real estate within meaning of Minn. Stat. § 514.01.

### **4. Various benefits, pensions, and insurance**

- a. Relief based on need (this includes programs like MFIP, Work First, General Assistance, Supplemental Social Security Income, Medical Assistance, and Minnesota Supplemental Assistance).
- b. Social Security benefits (Old Age, Survivors, or Disability Insurance).
- c. Reemployment compensation, workers' compensation, veteran's benefits (remain exempt for one year after receipt), and benefits payable for accident or disability.
- d. A stock bonus, pension, individual retirement account, or annuity or similar plan or contract received on account of illness, disability, death, age, or length of service to the extent your aggregate interest under all plans and contracts does not exceed a present value of \$69,000 plus an additional amount reasonably necessary for the support of the debtor or debtor's dependents. (Note: ERISA qualified benefits are not exempt after disbursement or if withdrawn prior to retirement, and exemptions in paragraph d. do not apply to support orders. Minn. Stat. § 518A.26, subd. 21.)
- e. Insurance money received by surviving spouse or child as a result of the death of a spouse or parent, not exceeding \$46,000. Add \$11,500 for each additional dependent. Debtor's value in unmaturing life insurance contract not exceeding \$9,200.
- f. Rights to sue for personal injury.

### **5. Personal Property (Note: personal goods are not exempt from secured claims to collect the purchase price.)**

- a. One motor vehicle not exceeding \$4,600 in value, or \$46,000 if the vehicle has been modified at a cost of not less than \$3,450 to accommodate a physical disability making a disabled person eligible for a parking certificate under Minn. Stat. § 169.345.
- b. All money received on a claim on account of damage to or destruction of exempt property.
- c. All wearing apparel, one watch, utensils and food stuffs without regard to value. Household furniture, appliances and furnishings not exceeding \$10,350.
- d. A pew in church and a burial plot.