

INSTRUCTIONS FOR FILING A WAGE GARNISHMENT ACTION ONEIDA JUDICIARY

1. This packet explains the wage garnishment process at the Oneida Judiciary and contains the necessary forms for starting a wage garnishment action.
2. Fill out the enclosed Petition. A few things to remember:
 - a. You must have a copy of the proof of judgment showing how much the debtor owes.
 - b. Post judgment interest will be included in accordance with section 204.5-6(d).
 - c. Please be precise and as accurate as possible with the information you provide.
3. Wage garnishments are governed by Chapter 204 of the Oneida Code of Laws. **DO NOT FILE A SEPARATE WAGE GARNISHMENT ACTION IN STATE COURT.** It will not be recognized and you will not be able to claim the state court filing fee as an expense. Read Chapter 204 so you are aware of the Oneida Nation's laws.
4. File the original Petition form include a copy of the proof of judgment and your \$25 filing fee with your filing. (Your \$25 filing fee is required to be reimbursed by the Debtor and if a garnishment is enacted, the filing fee will be included in the total due to the Creditor.)
5. Upon filing the Clerk will mail a copy of your Petition along with the Debtor's answer form to the Debtor.
6. You will be notified when a hearing date is set. You may appear by phone at this hearing by contacting the court with arrangements in advance.

ONEIDA JUDICIARY

Case No. _____

Petitioner/Creditor:

Enter the name,
address and
daytime phone
number of the
petitioner/creditor
from the original
case file.

First name Middle name Last name

Current Mailing Address

City State Zip Daytime Phone Number

vs.

Respondent/Debtor:

Enter the name,
address, and
daytime phone
number of the
respondent/debtor
from the original
case file.

First name Middle name Last name

Current Mailing Address Social Security #

City State Zip Daytime Phone Number

Oneida Nation _____,
Employer / Garnishee

PETITION FOR WAGE GARNISHMENT

Pursuant to Chapter 204 of the Oneida Code of Laws, the Petitioner files this Petition for Wage Garnishment and alleges as follows:

I am the Creditor in this action.

A. I am providing the following information about the debtor:

Enter social
security
number

SSN: _____

1. Reason for Claim:

2. Amount of Claim: _____

3. Court where judgment was obtained (attach proof of judgment):

4. Post judgment interest you are claiming, if any (please see section 204.5-6(d)):

5. Other costs you are claiming in addition to the balance on the judgment:

6. Summary of amounts claimed:

Judgment amount:	
Post Judgment Interest	
Filing Fee:	\$25.00
TOTAL:	

7. Please make check payable to and remit payment to:

7. JURISDICTION SUBMISSION STATEMENT: As required by Sec. 204.4-1 of the Wage Garnishment Ordinance, the Creditor is submitting to the jurisdiction of the Oneida Nation in this particular action.

Dated this ____ day of _____, 20 ____

BY: Petitioner/Creditor or Petitioner's Attorney/Advocate

Signature

Printed

Phone #