

NYS CHILD SUPPORT PROCESSING CENTER  
PO BOX 15368  
ALBANY NY 12212-5368

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE STATE OF NEW YORK, COUNTY OF**

**Petitioner (Judgment Creditor/Obligee)**

**against**

**Respondent (Judgment Debtor/Obligor)**

**Social Security Number:**

**NOTICE TO JUDGMENT DEBTOR/OBLIGOR  
OF RESTRAINING NOTICE  
PURSUANT TO NEW YORK CIVIL PRACTICE  
LAW AND RULES, SECTION 5222 (d) AND  
(e) of CHILD SUPPORT DEBT**

**New York Case Identifier:  
Worker Code:**

**ATTENTION:  
Respondent (Judgment Debtor/Obligor)**

**NOTICE TO JUDGMENT DEBTOR OR OBLIGOR**

Money belonging to you may have been taken or held (restrained) in order to satisfy the debt or past-due support which is owed and unpaid from the support order(s) entered against you and noted in the enclosed "Restraining Notice". The money may be restrained legally due to your accumulation of debt at least equal to the amount directed by your court order to be paid for two (2) months [See 18 NYCRR 346.11(b)(1)]. **Read this carefully.**

**YOU MAY ASSERT A MISTAKE OF FACT OR CLAIM THE MONEY IS EXEMPT**

You may assert a mistake of fact if you think you **do not** owe the debt or past-due support which is unpaid. You may also claim that the money is exempt from collection. Mistake of fact means that you think that we have made an error in the amount of child support debt which is owed or, in the identity of the debtor or, that the order of support does not exist or, has been vacated. Exempt money is described on the next page. An execution will be served to seize your money unless you assert a mistake of fact or an exemption by writing to the Support Collection Unit. You may also use the enclosed "CLAIM FORM". You may write or mail the completed claim form to the Support Collection Unit at:

within **fifteen (15) days from the day this notice was mailed to you.** You should also submit documents and additional information or evidence by mail to support your assertion of a mistake of fact within the **fifteen (15) day period.** Examples of documents supporting your claim that the money is exempt includes: an award letter from the government; pay stubs; copies of checks; bank records showing the last two months of account activity; or other papers showing that the money in your financial account is exempt.

Thereafter, the Support Collection Unit will determine the merits of your assertion and will notify you in writing of its determination within forty-five (45) days of the date of this notice. If the assertion is upheld you will also receive a copy of the *Notice to Vacate Restraining Notice or Execution* that is sent to the financial institution. If the assertion is denied, you will also receive a copy of the Child Support Execution and Notice that will be served upon the financial institution to seize the money.

**IMPORTANT NOTICE ABOUT CHILD SUPPORT ENFORCEMENT AND EXEMPT MONEY****YOU MAY BE ABLE TO GET YOUR MONEY BACK**

Money belonging to you may have been taken or held in order to satisfy a **child support** judgment or order which has been entered against you. **Read this carefully.**

State and Federal laws prevent certain money from being taken to satisfy judgments or orders. Such money is said to be "exempt." For your information, the following types of money are always exempt from the payment of a judgment or order for a **child support debt**:

1. Supplemental Security Income (SSI);
2. Public assistance (welfare); and
3. Spousal support, maintenance, alimony, or child support payments.

**NOTICE TO JUDGMENT DEBTOR OWING OTHER THAN A CHILD SUPPORT DEBT**

Money belonging to you may have been taken or held in order to satisfy a judgment or order which has been entered against you. **Read this carefully.**

**YOU MAY BE ABLE TO GET YOUR MONEY BACK**

State and Federal Laws prevent certain money from being taken to satisfy judgments or orders. Such money is said to be "exempt." **The following is a *partial* list of money that *may* be exempt:**

1. Supplemental Security Income (SSI);
2. Social Security;
3. Public assistance (welfare);
4. Spousal support, maintenance, alimony, or child support payments;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans benefits;
10. Ninety percent of your wages or salary earned in the last sixty days;
11. Two thousand-five hundred dollars (\$2,500) of any bank account containing statutorily exempt payments that were deposited electronically or by direct deposit within the last forty-five days, including, but not limited to, your Social Security, Supplemental Security Income, veterans benefits, public assistance, workers' compensation, unemployment insurance, public or private pensions, railroad retirement benefits, black lung benefits, and child support payments;
12. Railroad retirement benefits; and/or
13. Black lung benefits.

**TO ALL DEBTORS:** If you think that any of your money that has been taken or held is exempt, you must act promptly because the money may be applied to the child support judgment or order. If you claim that any of your money that has been taken or held is exempt, you must contact, in writing, the Support Collection Unit or you may complete the CLAIM FORM enclosed with this notice.

Also, **YOU MAY CONSULT AN ATTORNEY, INCLUDING ANY FREE LEGAL SERVICES ORGANIZATION, IF YOU QUALIFY.** You can also go to court without an attorney to get your money back. Bring this notice with you when you go. You are allowed to try to prove to a judge that your money is exempt from collections under New York Civil Practice Law and Rules, Sections 5222-a, 5239 and 5240. If you do not have an attorney, the clerk of the courts may give you forms to help you prove your account contains exempt money that the creditor cannot collect. New York Civil Practice Law and Rules, Article 4, and Sections 5239 and 5240, provide a procedure for determination of a claim to an exemption.

Dated:

Supervisor,  
County Support Collection Unit

Enclosures: Restraining Notice and Claim Form

