

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached corrective amendments to the Wage Execution Form, including in the Rules of Court as Appendix XI-J, are adopted effective retroactive to September 1, 2020.

For the Court,



Chief Justice

Dated: September 30, 2020

Wage Execution

Superior Court of New Jersey
Law Division, Special Civil Part

Order and Execution Against Earnings
Pursuant to 15 U.S.C. 1673 and N.J.S.A. 2A:17-56

_____ County

Telephone Number _____

Docket Number _____

Judgment Number _____

Writ Number _____ Issued _____

Name and Address of Employer Ordered to Make Deductions

Plaintiff

vs

Designated Defendant
(Address)

Unless the designated defendant is currently subject to withholding under another wage execution, 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, if paid weekly, or \$435.00 or less, if paid every two weeks, or \$471.25 or less, if paid twice per month, or \$942.50, or less, if paid monthly then no amount shall be withheld under this execution. In no event shall more than 10% of gross salary be withheld and only one execution against the wages of the designated defendant shall be satisfied at a time. Please refer to the section of this form titled "How to Calculate Proper Garnishment Amount".

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 Award.	\$ _____
Court Costs & Stat Atty. Fees	\$ _____
Total Judgment Amount	\$ _____
Interest from Prior Writs	\$ _____
Costs from Prior Writs	\$ _____
Subtotal A	\$ _____
Credits from Prior Writs	\$ _____
Subtotal B	\$ _____
New Miscellaneous Costs	\$ _____
New Interest on this Writ	\$ _____
New Credits on this Writ	\$ _____
Execution Fees & Mileage	\$ _____
Subtotal C	\$ _____
Court Officer Fee	\$ _____
Total due this date	\$ _____

Plaintiff's Attorney and Address:

Date _____

Judge

Michelle M. Smith
Clerk of the Superior Court

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

Court Officer

I RETURN this execution to the Court

Unsatisfied Satisfied Partly Satisfied

Amount Collected \$ _____

Fee Deducted \$ _____

Amount Due to Attorney \$ _____

Date _____

Court Officer

How to Calculate Proper Garnishment Amount

1. Gross pay per pay period	\$
2. Less amounts legally required to be deducted:	
a. Federal Income Tax	\$ _____
b. Social Security (FICA or OASDI)	\$ _____
c. Medicare	\$ _____
d. State Income Tax	\$ _____
e. Unemployment Insurance (SUI)	\$ _____
f. Temporary Disability Insurance (TDI)	\$ _____
g. Family Leave Insurance (FLI)	\$ _____
h. Workforce Development Fund/Supplement Workforce (WFD/SWF)	\$ _____
i. Other	\$ _____
3. Total allowable deductions (add lines a - i)	\$
4. Net pay (Subtract line 3 from line 1)	\$
5. Exemption Amount	
If salary is paid:	Subtract
Weekly	\$217.50
Every two weeks	\$435.00
Twice per month	\$471.25
Monthly	\$942.50
(Federal law prohibits any garnishment when ["total allowable deductions" are] net pay is smaller than the exemption amount on line 5)	- _____
6. Equals the amount potentially subject to garnishment (subtract line 5 from line 4 and if less than zero, enter zero)	= _____
7. Take ["total allowable deductions"] net pay (line [3] 4) and multiply by .25	\$ _____ x .25 = _____
8. Take "gross pay" (line 1) and multiply by .10	\$ _____ x .10 = _____
9. Compare lines 6, 7 and 8 - the amount which may lawfully be deducted is the smallest amount on line 6, line 7, or line 8.	\$

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

[Note: Former Appendix XI-I adopted effective January 2, 1989; amended June 29, 1990, effective September 4, 1990; amended July 14, 1992, effective September 1, 1992; redesignated as Appendix XI-J and amended July 13, 1994, effective September 1, 1994; amended September 27, 1996, effective October 1, 1996; amended July 30, 1997, effective September 1, 1997; amended July 28, 2004 to be effective September 1, 2004; amended July 3, 2007, to be effective July 24, 2007; amended July 2, 2008, to be effective July 24, 2008; amended July 9, 2009 to be effective July 24, 2009; amended November 6, 2013 to be effective November 25, 2013; amended July 22, 2014 to be effective September 1, 2014; amended August 1, 2016 to be effective September 1, 2016; amended March 7, 2017 to be effective immediately; amended July 31, 2020 effective September 1, 2020; incorrect language that was adopted July 31, 2020 corrected September 30, 2020 to be effective retroactive to September 1, 2020.