Judicial Council *of* California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-147
For business meeting on October 24, 2025

Title
Civil Practice and Procedure: Implementation of Assembly Bill 2837

Rules, Forms, Standards, or Statutes Affected
Adopt forms WG-015/EJ-135, WG-017/EJ-137, WG-018/EJ-138; revise forms EJ-130, EJ-157-INFO, EJ-160, MC-012, MC-013-INFO, SER-001A, WG-002, WG-003, WG-004, WG-006, WG-010/EJ-175, WG-022, and WG-030

Recommended by
Civil and Small Claims Advisory Committee
Hon. Samantha P. Jessner, Chair

Report Type
Action Required

Effective Date
January 1, 2026

Date of Report
October 9, 2025

Contact

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Executive Summary

Assembly Bill 2837 (Stats. 2024, ch. 514) made numerous changes to the laws regarding enforcement of judgment, including a new requirement to verify the judgment debtor's address before the sheriff can serve papers related to enforcement of a judgment for personal debt, changes to the start of the earnings withholding period, and new requirements for orders on claims of exemption from enforcement of judgment. The Civil and Small Claims Advisory Committee recommends adopting 3 forms and revising 13 forms to implement AB 2837.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, take the following actions to implement changes made by AB 2837 to the laws regarding enforcement of judgment:

1. Adopt the following forms:

   - *Declaration of Address Verification* (form WG-015/EJ-135)
   - *Application to Stay Levy or Garnishment* (form WG-017/EJ-137)
   - *Order on Application to Stay Levy or Garnishment* (form WG-018/EJ-138)

2. Revise the following forms:

   - *Writ of Execution* (form EJ-130)
   - *Instructions for Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157-INFO)
   - *Claim of Exemption* (form EJ-160)
   - *Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest* (form MC-012)
   - *Information Sheet for Calculating Interest and Amount Owed on a Judgment* (form MC-013-INFO)
   - *Special Instructions for Writs and Levies—Attachment* (form SER-001A)
   - *Earnings Withholding Order* (form WG-002)
   - *Employee Instructions* (form WG-003)
   - *Earnings Withholding Order for Support* (form WG-004)
   - *Claim of Exemption* (form WG-006)
   - *Notice of Hearing on Claim of Exemption* (form WG-010/EJ-175)
   - *Earnings Withholding Order for Taxes* (form WG-022)
   - *Earnings Withholding Order for Elder or Dependent Adult Financial Abuse* (form WG-030)

The proposed new and revised forms are attached at pages 13–42.

Relevant Previous Council Action

The council approved form EJ-130 in January 1978 and last revised it effective September 1, 2020, to implement the statutory exemption from enforcement of judgment for deposit accounts.

Form EJ-157-INFO was approved on September 1, 2020, to implement the same statutory exemption and has not been revised since then.

The council approved form EJ-160 effective July 1, 1983, and last revised it effective January 1, 2009, to reformat the form header. The council adopted form MC-012 effective July 1, 1999, and approved form MC-013-INFO effective January 1, 2018. Both forms were last revised effective January 1, 2024, to implement Senate Bill 1200, which changed renewal procedures for judgments related to personal or medical debt.

The council adopted form SER-001A effective January 1, 2024, to comply with a statutory mandate to create forms for civil litigants to request that a sheriff's office serve their court papers. Form SER-001A has not been revised since it was adopted.

The council adopted forms WG-002, WG-003, and WG-022 and approved form WG-004 effective January 1, 1980, and adopted form WG-030 effective January 1, 2012. Form WG-003 was last revised effective September 1, 2023, to implement a change in the law regarding calculation of earnings withholding. Forms WG-002, WG-004, WG-022, and WG-030 were last revised effective February 22, 2025, to reflect the change made by AB 2837 to the start of the withholding period for an earnings withholding order.

The council approved form WG-006 effective January 1, 1980, and last revised it effective January 1, 2009, to add a box for the court's stamp. The council approved form WG-010/EJ-175 effective January 1, 1980, and last revised it effective January 1, 2007, to change the form number to the current number.

Analysis/Rationale

AB 2837, enacted September 24, 2024,[1] made numerous changes to the laws regarding enforcement of judgment. AB 2837 became effective on January 1, 2025.

Some of AB 2837's provisions apply to the enforcement of any judgment, but others apply only if the judgment is for personal debt. "Personal debt" means "money due or owing or alleged to be due or owing from a natural person arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for the debtor's personal, family, or household purposes" and does not include "debts incurred due to or obtained by tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee."[2]

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[1] See Link A.

[2] Code Civ. Proc., § 683.110(d)(2), (3). AB 2837's definition of "personal debt" is the same as the one used in Senate Bill 1200 (Stats. 2022, ch. 833), which affected enforcement of judgments for personal debt and medical debt and required revision of several forms. Judicial Council of Cal., Advisory Com. Rep., *Civil Practice and Procedure: Form Revisions to Implement Senate Bill 1200* (Aug. 23, 2023), *https://jcc.legistar.com/View.ashx?M=F&ID=12248158&GUID=10DD7229-59E8-4C5E-89FE-09C9996D358F*.

To implement AB 2837, the Civil and Small Claims Advisory Committee recommends adopting 3 forms and revising 13 forms.

Previously approved revisions to wage garnishment forms

AB 2837 changed the date on which an employer should begin withholding earnings if served with an earnings withholding order. Withholding should now begin on the 30th day after the employee is served with the earnings withholding order, rather than 10 days after the employer is served with the order.[3] Or, if a claim of exemption is filed with the levying officer and the employer is given actual notice of the claim before the close of business on the 29th day after the employee is served with the earnings withholding order on the judgment debtor, the withholding period commences on the 45th day after the employee is served.[4]

Effective February 22, 2025, the Judicial Council approved revisions to the following forms to reflect the new start of the withholding period and to make technical corrections:

- *Earnings Withholding Order* (form WG-002)
- *Earnings Withholding Order for Support* (form WG-004)
- *Earnings Withholding Order for Taxes* (form WG-022)
- *Earnings Withholding Order for Elder or Dependent Adult Financial Abuse* (form WG-030)[5]

The council determined that prompt revision was warranted to ensure the forms did not incorrectly state the law and approved the forms prior to their circulation for public comment.

In response to the public comments, the committee recommends revising several portions of the instructions on forms WG-002, WG-004, and WG-030 to make them easier to understand.

Address verification before service by a levying officer

AB 2837 provides that if the levying officer is "required by any provision of this title" to serve "any writ, order, notice, or other paper" related to enforcement of a judgment for personal debt,[6] the judgment creditor must provide a declaration stating that the judgment debtor's address has been verified using reasonable diligence within the past 12 months and describing the methods

[3] Code Civ. Proc., § 706.022(a).

[4] *Ibid.*

[5] Judicial Council of Cal., Staff Rep., *Rules and Forms: Calculation of Earnings Withholding Period* (Jan. 23, 2025), *https://jcc.legistar.com/View.ashx?M=F&ID=13703452&GUID=5CE276B4-D5EA-48AC-B824-41F57E479E19*.

[6] "This title" means title 9 of part 2 of the Code of Civil Procedure (sections 680.010 through 724.260). Documents the levying officer is statutorily required to serve under title 9 include notices of levy, writs of execution, and writs of possession. (Code Civ. Proc., §§ 700.010(a) (writs of execution and notices of levy), 715.020(a) (writs of possession).)

used to complete the verification.[7] Within five business days after delivering the declaration to the levying officer, the judgment creditor must file the signed declaration with the court.[8] If the judgment debtor notifies the court that the verification requirement has not been met, the court must stay the notice of levy or earnings withholding order until the requirement is met.[9] The judgment creditor is not entitled to recover the cost of the verification.[10]

The committee recommends creating three forms and revising five forms to implement the address verification requirement.

The committee recommends creating *Declaration of Address Verification* (form WG-015/EJ-135) for the judgment creditor to provide to the levying officer and file with the court. The committee considered adding the declaration to an existing form but determined that it could not do so because the judgment creditor is required to file the verification with the court within five business days after delivering it to the levying officer and there are no existing enforcement of judgment forms filed within that time period.

To aid judgment debtors in determining whether the address verification requirement applies, the committee recommends revising *Writ of Execution* (form EJ-130) to add a "personal debt" checkbox to item 22 to require the judgment creditor to confirm whether the judgment is for personal debt. This item instructs the judgment creditor to complete *Declaration of Address Verification* if the box is checked. The committee also recommends adding a notice to the judgment debtor on page 3 informing them that they can move to stay the levy or garnishment if the address verification requirement is not met. In addition to the AB 2837 revisions, the committee recommends renumbering item 24's subitems, adding "form CP10.5" in item 25a(1) and changing "CCP" to "Code of Civil Procedure" throughout the form where space permits.

The committee recommends revising *Special Instructions for Writs and Levies—Attachment* (form SER-001A) to add item 5 to explain the address verification requirement and confirm that the judgment creditor has attached *Declaration of Address Verification* if applicable. Form SER-001A is an attachment to *Request to Sheriff to Serve Court Papers* (form SER-001) and is used to provide statutorily mandated instructions to the sheriff or marshal whenever they are asked to serve documents, including *Writ of Execution* (form EJ-130). In addition to the AB 2837 revisions, the committee recommends revising the explanation of the term "judgment debtor" in item 3c(3) and revising item 4b to ask whether the property is in the defendant's name, rather than the judgment debtor's name, if the document being served is a writ of attachment.

The committee recommends revising *Employee Instructions* (form WG-003) to add information about the judgment debtor's right to seek a stay if the address verification is not completed. In

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[7] Code Civ. Proc., § 684.130(b)(2).

[8] *Id.*, § 684.130(b)(6).

[9] *Id.*, § 684.130(b)(4).

[10] *Id.*, §§ 684.130(b)(5), 685.070(a).

addition to the AB 2837 revisions, the committee recommends revising the last sentence in the "One of Two Things Will Happen…" section on page 2 to correctly reflect the requirements of Code of Civil Procedure section 706.105(g) by stating that the levying officer "must serve your employer with the changed EWO or a notice that the EWO has ended."

The committee recommends creating *Application to Stay Levy or Garnishment* (form WG-017/EJ-137) and *Order on Application to Stay Levy or Garnishment* (form WG-018/EJ-138) to aid the judgment debtor in seeking a stay of a levy or garnishment if the verification requirement is not met. These forms will also be used to handle applications and orders for stays pending a hearing on the judgment debtor's claim of exemption, as described in the next section of this report.

To implement the statutory provision prohibiting judgment creditors from recovering costs for address verification, the committee recommends revising the "Costs After Judgment" section on page 1 of *Information Sheet for Calculating Interest and Amount Owed on a Judgment* (form MC-013-INFO) to include a citation to Code of Civil Procedure section 684.130(b)(5) and revising the "Requesting Costs and Interest" section to explain that the judgment creditor can only recover postjudgment costs in the categories listed in item 1a(1)–(8) on form MC-012.

The committee recommends revising the heading of item 1 on *Memorandum of Costs After Judgment, Acknowledgement of Credit, and Declaration of Accrued Interest* (form MC-012) to refer readers to form MC-013-INFO for information on which postjudgment costs are recoverable. In addition to the AB 2837 revisions, the committee recommends adding an instruction in item 3 explaining that the boxes for a second unpaid principal amount and interest rate should be completed "if different interest rates apply to different unpaid principal amounts." This revision is intended to make item 3 less confusing. The committee also recommends putting the Notice to the Judgment Debtor in plain language to the extent the language in the notice is not statutorily mandated, as well as removing the proof of service page to align with current guidelines for drafting Judicial Council forms.

Stays pending determination of claims of exemption

In personal debt cases, AB 2837 requires the court to stay a levy or garnishment upon request of the judgment debtor if the judgment creditor has opposed the judgment debtor's claim of exemption and the hearing on the judgment creditor's motion is set more than 30 days after the notice of motion is filed.[11] The court must stay the levy or garnishment until the hearing on the judgment creditor's motion occurs.[12] As explained in the previous section of this report, the committee recommends creating *Application to Stay Levy or Garnishment* (form WG-017/EJ-137) and *Order on Application to Stay Levy or Garnishment* (form WG-018/EJ-138) to implement this procedure.

[11] *Id.*, §§ 703.570(a), 706.105(e).

[12] *Ibid.*

The committee also recommends revising *Notice of Hearing on Claim of Exemption* (form WG-010/EJ-175) to add a notice to the judgment debtor about their right to seek a stay. In addition to the AB 2837 revisions, the committee recommends removing the proof of service page from form WG-010/EJ-175 to align with current guidelines for drafting Judicial Council forms.

Exemptions for deposit accounts

Existing law provides that a certain amount of money in a judgment debtor's deposit account is exempt from enforcement of judgment without making a claim of exemption.[13] This exemption applies per debtor, not per account, and if the judgment debtor has multiple accounts at the same financial institution, the law creates a procedure for the judgment creditor or judgment debtor to ask the court to determine how and to which account the exemption should be applied.[14]

AB 2837 requires financial institutions to protect money in multiple accounts in certain circumstances instead of protecting only one account.[15] Specifically, if the judgment debtor's accounts cumulatively contain an amount less than or equal to the exemption amount specified in Code of Civil Procedure section 704.220(a), the financial institution must protect the full amount in all the accounts. If there is no single account containing the full exemption amount but the accounts cumulatively contain more than that amount, then the financial institution must protect an aggregate amount equal to the full exemption amount.

The committee recommends revising *Instructions for Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157-INFO) to implement this change in law. Form EJ-157-INFO explains the exemption, how it is applied, and how the judgment creditor or judgment debtor can ask the court for an order applying the exemption to a specific account. The committee recommends revising item 1 on form EJ-157-INFO to state that the exemption "is applied to one or more of the judgment debtor's accounts as necessary to ensure the entire exempted amount is protected" and revising item 2 to include citations to include Code of Civil Procedure sections 704.220(e)(4) and (5) and state that "the bank must automatically protect the exempted amount in one or more of the judgment debtor's accounts as necessary to ensure the entire amount is protected." In addition to AB 2837 revisions, the committee recommends revising item 4 to discuss remote appearances and provide information about California Rules of Court, rule 3.672, revising several items to make them easier to understand, and adding an introductory sentence to the form.[16]

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[13] *Id.*, § 704.220.

[14] *Id.*, § 704.220(e).

[15] *Id.*, § 704.220(e)(4) & (5).

[16] Item 4 on form EJ-157-INFO currently refers to rule 3.670(c), the telephone appearances rule, but that rule has been suspended in favor of rule 3.672. In a separate proposal, staff have recommended that the Judicial Council amend rule 3.670(c) to continue the suspension through January 1, 2027, to match the sunset date in Code of Civil Procedure section 367.75. Judicial Council of Cal., Staff Rep., *Civil Practice and Procedure: Rules Regarding Telephonic Appearances* (Sept. 18, 2025).

The committee considered revising *Ex Parte Application for Order on Deposit Amount Exemption* (form EJ-157) and *Order on Application for Designation of Deposit Account Exemption* (form EJ-159) but determined that revisions were unnecessary because AB 2837 only changes what financial institutions must do when a customer's accounts have been levied and does not change the process for asking for and ordering the exemption to be applied to a specific deposit account. Additionally, item 5 on form EJ-157 and item 9 on form EJ-159 can be used to spread the exemption across multiple deposit accounts if necessary.

Requirements for orders on claims of exemption

AB 2837 provides that when ruling on a judgment creditor's motion opposing the judgment debtor's claim of exemption, the court must make findings on the judgment debtor's financial statement in support of the claim of exemption if the judgment debtor asserts that money in their deposit account is exempt under Code of Civil Procedure section 704.225 because it is necessary for support of the judgment debtor and their spouse and dependents.[17]

AB 2837 also provides that when ruling on a judgment creditor's motion opposing the judgment debtor's claim of exemption from a levy in a personal debt case, the court must order the levying officer, judgment creditor, or anyone else holding the property to return to the judgment debtor any property (1) that was exempt without the need for a claim and that was levied upon within the 12 months preceding the date of the order on the claim of exemption, or (2) that the judgment debtor has demonstrated would have been exempt by claim of exemption and that was levied upon within the six months preceding the date of the order on the claim of exemption.[18] Similar requirements apply to orders on claims of exemption from an earnings withholding order.[19]

To implement these changes in law, the committee recommends revising *Claim of Exemption* (form EJ-160) and *Claim of Exemption* (form WG-006) to include items identifying any property or wages that are exempt without making a claim of exemption. These revisions will aid courts in determining whether it is necessary to order the return of such property or wages.

In addition to the AB 2837 revisions, the committee recommends revising form WG-006 to add item 3a, which asks whether the judgment debtor makes less than the statutory minimum required for withholding.[20] Judgment debtors might not know this statutory provision exists or that they do not need to file *Financial Statement* (form EJ-165) if they claim they are statutorily exempt from withholding. The committee also recommends revising the instructions and several other items on forms EJ-160 and WG-006 to improve their readability and clarity.

[17] Code Civ. Proc., § 703.580(c).

[18] *Id.*, § 703.580(d).

[19] *Id.*, § 706.105(g).

[20] *Id.*, § 706.050. An employee's earnings cannot be withheld unless their disposable earnings each pay period exceed a multiple of the current California minimum wage. The multiplier varies depending on the employee's pay period.

Policy implications
The recommended form adoptions and revisions will ensure that Judicial Council forms correctly reflect the law. The recommendations are therefore consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

Comments
The proposed form revisions to implement AB 2837 circulated for public comment from April 14 to May 23, 2025, as part of the regular spring invitation-to-comment cycle. The proposal received fourteen comments: five from superior courts, one from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, one from a legal aid organization, one from a county bar association, two from sheriffs' offices or organizations, one from the California Department of Child Support Services, one from a legal nonprofit, and two from individuals. Three commenters approved of the proposal, three approved if modified, and eight did not indicate a position. A chart with the full text of the comments received and the committee's responses is attached beginning at page 43.

Form EJ-130
A commenter suggested deleting the "personal debt" checkbox in item 22 on *Writ of Execution* (form EJ-130), arguing that it is duplicative of item 5 on form SER-001A. However, this checkbox was added to item 22 primarily to help the judgment debtor determine whether the address verification requirement applies so they can seek a stay if the judgment creditor does not file the address verification with the court. The judgment debtor does not see form SER-001A. The committee therefore recommends including a "personal debt" checkbox in item 22.

A commenter suggested revising item 22c to reflect that some judgments could be partially for personal debt and partially for debts that do not qualify as personal debt. The committee agrees that Code of Civil Procedure section 684.130 is unclear about whether the address verification requirement applies to judgments that are only partially for personal debt. However, the committee determined that item 22c should use the statutory language and state that "the judgment is for personal debt." There is not enough information in the statute to justify adding an explanation or instructions regarding the possibility of a partial judgment.

Form SER-001A
In the invitation to comment, item 5 on *Special Instructions for Writs and Levies—Attachment* (form SER-001A) explained the address verification requirement but did not include a checkbox confirming that the requirement has been met. The committee was concerned that including a checkbox might be confusing because item 5 would not be applicable to many people using form SER-001A, but if item 5 did not include a checkbox, some people would skip over the item without reading it. The committee asked for specific comments about whether to add a checkbox to item 5.

Four commenters agreed with the suggestion to add a checkbox to this item to make it clearer whether the judgment creditor has complied with the requirement. Two commenters opposed adding a checkbox because doing so could create confusion. After considering the comments, the committee recommends that item 5 ask, "Is this an action related to enforcement of a judgment for personal debt?" with checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (WG-015/EJ-135) and attached it to this form."

Form WG-015/EJ-135

In the invitation to comment, *Declaration of Address Verification* (form WG-015/EJ-135) was numbered EJ-135 without a corresponding WG number. A commenter pointed out that the form should have a WG number because it is used in wage garnishment actions, and the committee therefore recommends numbering the form as WG-015/EJ-135. This revision required renumbering *Application to Stay Levy or Garnishment* as WG-017/EJ-137 and *Order on Application to Stay Levy or Garnishment* as WG-018/EJ-138 to allow *Declaration of Address Verification* to come before them in the list of wage garnishment forms.

In response to the comments, the committee also revised items 2 and 4 and added item 3 to form WG-015/EJ-135. As proposed, item 2 asked the judgment creditor to identify the forms being served, but several commenters pointed out that these checkboxes were unnecessary and could cause confusion. Item 2 now states, "I am asking the levying officer to serve *Writ of Execution* (form EJ-130), *Notice of Levy* (form EJ-150), or other documents related to enforcement of a judgment for personal debt." Item 3 asks the judgment creditor to list the address they have verified. Item 4 now states, "I verified the address in item 3."

A commenter suggested that form WG-015/EJ-135 should be optional instead of mandatory. The committee considered this suggestion and determined that the form should be mandatory to ensure it contains the statutorily required information. Making the form optional could increase the number of address verifications rejected for failure to meet the statutory requirements. Additionally, because the statutory requirements are straightforward, it is unlikely that court users will need to include information that the form does not cover.

Form WG-017/EJ-137

A commenter suggested revising *Application to Stay Levy or Garnishment* (form WG-017/EJ-137) to include instructions regarding California Rules of Court, rules 3.1203 and 3.1204, which create notice procedures for ex parte applications. The commenter was concerned that courts might sometimes reject form WG-017/EJ-137 because the ex parte rules were not followed.

The committee considered this suggestion but decided not to recommend including instructions regarding the ex parte rules at this time. It is unclear whether the ex parte rules apply to some of the stays covered by the form. Under Code of Civil Procedure section 684.130(b)(4), the court "shall" stay a notice of levy or wage garnishment "upon notice by the judgment debtor" that the judgment creditor has not filed an address verification that meets certain statutory requirements. By contrast, Code of Civil Procedure sections 703.570(a) and 706.105(e) state that the judgment debtor can "seek by ex parte application" a stay of the levy or garnishment if the court is unable to hold a hearing on the judgment debtor’s claim of exemption within 30 days. It is unclear how frequently the form will be used to seek stays under section 684.130(b)(4) versus sections 703.570(a) and 706.105(e), and it is similarly unclear how frequently courts will require court users who file form WG-017/EJ-137 to follow the ex parte rules. If the rules do not apply by law, or are not applied by courts, then including the instructions would be confusing and could result in unnecessary delays in filing the form. The committee determined that it would be more appropriate to revise the form in the future if necessary, after it is clearer whether the ex parte rules are affecting court users who file form WG-017/EJ-137.

Earnings Withholding Order for Taxes **(form WG-022)**
During the public comment period, a member of the public contacted committee staff to ask whether form WG-022 should have been revised to state that the employer should begin withholding “with the first pay period that ends on or after the 30th day after this order is served.” This revision was made to implement AB 2837’s change to Code of Civil Procedure section 706.022(a). However, Code of Civil Procedure section 706.078(a) states that “the employer shall not withhold pursuant to a withholding order for taxes from earnings of the employee payable for any pay period of such employee that ends prior to the 10th day after service of the order.” Thus, the question is whether only section 706.078(a) applies to earnings withholding orders for taxes, or whether both sections apply.

The committee considered this issue and determined that the previous revisions to form WG-022 were appropriate because section 706.022(a) appears to apply to earnings withholding orders for taxes. Code of Civil Procedure section 706.073 states, “Except as otherwise provided in this article, the provisions of this chapter govern the procedures and proceedings concerning a withholding order for taxes.” The article containing section 706.022 is in the same chapter as the article containing section 706.078. Additionally, an employer could follow the directives in sections 706.022(a) and 706.078(a) at the same time: they could begin withholding 30 days after service of the order, and they could avoid withholding earnings from any pay period that ends prior to the 10th day after service of the order.

Alternatives considered
The committee did not consider the alternative of taking no action because new and revised forms are needed to comply with AB 2837. To the extent the proposed revisions were not required by the terms of AB 2837, the committee considered taking no action but ultimately determined the revisions were warranted in light of the benefits the revisions would provide to the courts and court users. As discussed above, the committee considered several alternatives while drafting the proposal and in response to the public comments and concluded that the current recommendations best satisfy the statutory mandate.

Fiscal and Operational Impacts

The statutory changes will require training of court staff and judicial officers. The new and revised forms are intended to facilitate courts’ and parties’ implementation of the changes in statute and will require education and possibly some changes to computerized case management systems. These impacts are a necessary effect of the legislative action.

The Superior Court of San Bernardino County commented that two months between Judicial Council approval of these recommendations and their effective date might not provide sufficient time for the court to update its procedures and complete the necessary training. However, the committee recommends a January 1, 2026, effective date because the proposal implements changes in law that have already taken effect.

Attachments and Links

1. Forms EJ-130, EJ-157-INFO, EJ-160, MC-012, MC-013-INFO, SER-001A, WG-002, WG-003, WG-004, WG-006, WG-010/EJ-175, WG-015/EJ-135, WG-017/EJ-137, WG-018/EJ-138, WG-022, and WG-030, at pages 13–42
2. Chart of comments, at pages 43–86
3. Link A: Assem. Bill 2837, *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2837*

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	FOR COURT USE ONLY
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*): ☐ ATTORNEY FOR ☐ ORIGINAL JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
WRIT OF ☐ **EXECUTION (Money Judgment)** ☐ **POSSESSION OF** ☐ **Personal Property** ☐ **Real Property** ☐ **SALE**	☐ **Limited Civil Case** (including Small Claims) ☐ **Unlimited Civil Case** (including Family and Probate)

1. **To the Sheriff or Marshal of the County of:**
   You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
2. **To any registered process server:** You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.
3. (Name):
   is the ☐ original judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.
4. **Judgment debtor** *(name, type of legal entity if not a natural person, and last known address):*

   ☐ Additional judgment debtors on next page
5. **Judgment entered** on *(date):*
   (See type of judgment in item 22.)
6. ☐ Judgment renewed on *(dates):*
7. **Notice of sale** under this writ:
   a. ☐ has not been requested.
   b. ☐ has been requested *(see next page).*
8. ☐ Joint debtor information on next page.

9. ☐ Writ of Possession/Writ of Sale information on next page.
10. ☐ This writ is issued on a sister-state judgment.

For items 11–17, see form MC-012 and form MC-013-INFO.

11. Total judgment *(as entered or renewed)* $
12. Costs after judgment *(CCP 685.090)* $
13. Subtotal *(add 11 and 12)* $ ______
14. Credits to principal *(after credit to interest)* $
15. Principal remaining due *(subtract 14 from 13)* $ ______
16. Accrued interest remaining due per CCP 685.050(b) *(not on GC 6103.5 fees)* $
17. Fee for issuance of writ (*per GC 70626(a)(l)*) $
18. **Total amount due** *(add 15, 16, and 17)* $ ______
19. **Levying officer:**
    a. Add daily interest from date of writ *(at the legal rate on 15) (not on GC 6103.5 fees)* . . . . $
    b. Pay directly to court costs included in 11 and 17 *(GC 6103.5, 68637; CCP 699.520(j))* . . . . $
20. ☐ The amounts called for in items 11–19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

[SEAL]

Date: ______________ Clerk, by ______________________, Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:

21. ☐ Additional judgment debtor(s) *(name, type of legal entity if not a natural person, and last known address):*

22. The judgment is for *(check one):*
   a. ☐ wages owed.
   b. ☐ child support or spousal support.
   c. ☐ personal debt, as defined in Code of Civil Procedure section 683.110(d). (*If this box is checked, the judgment creditor must complete* Declaration of Address Verification *(form WG-015/EJ-135) before asking the sheriff to serve this form on the judgment debtor.*)
   d. ☐ other *(describe):*

23. ☐ Notice of sale has been requested by *(name and address):*

24. ☐ Joint debtor was declared bound by the judgment (Code Civ. Proc., §§ 989–994)
   a. *on (date):*
   b. name, type of legal entity if not a natural person, and last known address of joint debtor:
   c. *on (date):*
   d. name, type of legal entity if not a natural person, and last known address of joint debtor:
   e. ☐ Additional costs against certain joint debtors are itemized: ☐ below ☐ on Attachment 24c.

25. ☐ (Writ of Possession or Writ of Sale) **Judgment** was entered for the following:
   a. ☐ Possession of real property: The complaint was filed on *(date):*
   (Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)
      (1) ☐ The *Prejudgment Claim of Right to Possession* (form CP10.5) was served in compliance with Code of Civil Procedure section 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
      (2) ☐ The *Prejudgment Claim of Right to Possession* was NOT served in compliance with Code of Civil Procedure section 415.46.
      (3) ☐ The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a *Claim of Right to Possession* at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a *Prejudgment Claim of Right to Possession* was served.) *(See Code Civ. Proc., §§ 415.46 & 1174.3(a)(2).)*
      (4) If the unlawful detainer resulted from a foreclosure (item 25a(3)), or if the *Prejudgment Claim of Right to Possession* was not served in compliance with Code of Civil Procedure section 415.46 (item 25a(2)), answer the following:
         (a) The daily rental value on the date the complaint was filed was $
         (b) The court will hear objections to enforcement of the judgment under Code of Civil Procedure section 1174.3 on the following dates *(specify):*

Plaintiff/Petitioner: Defendant/Respondent:	CASE NUMBER:

25. b. ☐ Possession of personal property.
   ☐ If delivery cannot be had, then for the value *(itemize in 25e)* specified in the judgment or supplemental order.
   c. ☐ Sale of personal property.
   d. ☐ Sale of real property.
   e. The property is described ☐ below ☐ on Attachment 25e.

NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with Code of Civil Procedure section 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month to month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

JUDGMENTS FOR PERSONAL DEBT. If you are the judgment debtor identified in item 4 on this form, and if item 22 on this form says the judgment is for personal debt, the judgment creditor is required to verify your address before asking the levying officer to serve this *Writ of Execution*. The judgment creditor must give the levying officer a completed copy of *Declaration of Address Verification* (form WG-015/EJ-135) and must file completed form WG-015/EJ-135 with the court within five business days of giving a copy of the form to the levying officer. If the judgment creditor doesn't take these steps, you can ask the court to stay any wage garnishment order, bank account levy, or other levy related to this *Writ of Execution*. You can use *Application for Stay of Levy or Garnishment* (form WG-017/EJ-137) to ask the court to stay the levy or garnishment until the address verification has been completed.

INSTRUCTIONS FOR EX PARTE APPLICATION FOR ORDER ON DEPOSIT ACCOUNT EXEMPTION

This information sheet explains how to use forms EJ-157, EJ-158, and EJ-159 to ask for a court order applying the deposit account exemption to the judgment debtor's deposit accounts.

1. **Applicable Law.** Code of Civil Procedure section 704.220 requires financial institutions (banks) to apply an automatic exemption (protection) when served a *Notice of Levy* (form EJ-150) on a judgment debtor's deposit accounts (bank accounts) if the judgment being enforced by the *Notice of Levy* is not based on wages owed or child or spousal support. The exemption amount is stated on *Current Dollar Amounts of Exemptions from Enforcement of Judgments* (form EJ-156) and is applied to one or more of the judgment debtor's accounts as necessary to ensure the entire exempted amount is protected. (Code Civ. Proc., § 704.220(e)(2), (4), (5).) The exemption is automatically applied, and the judgment debtor does not need to do anything to have the exempted amount protected.

2. **Multiple Accounts.**
   - If the judgment debtor has multiple deposit accounts at a single bank, either the judgment debtor or judgment creditor can apply for a court order deciding how to apply the exemption to those accounts. The bank must automatically protect the exempted amount in one or more of the judgment debtor's accounts as necessary to ensure the entire amount is protected. Without a court order, the bank will choose the accounts to which the exemption applies. (Code Civ. Proc., § 704.220(e)(2), (4), (5).)
   - If the judgment debtor has multiple deposit accounts at multiple financial institutions, the judgment creditor is required to apply for a court order deciding how to apply the exemption to those accounts. The judgment debtor can also make an application. (Code Civ. Proc., § 704.220(e)(3).)

3. **If you are the judgment debtor or the judgment creditor and you want the court to decide how to apply the exemption to the judgment debtor's accounts, you should apply for a court order as soon as you receive a notice of a levy or memorandum of garnishment. If you wait to file the application, the financial institution might take money from the accounts and send it to the levying officer.**

4. **Rules for Applying for a Court Order**. You must file the application in the court where the judgment was issued. You must check with that court for local rules and timing about when and where you have to appear at court to have the court consider the application. You must follow the rules for ex parte applications described in California Rules of Court, rules 3.1203–3.1207. The requirements include:

   Notice of the application. The other party in the case usually must be given notice of the application. You can give notice in person or by phone, fax, or overnight mail, or by email if email notice is already allowed in the case. The other party must be informed by 10:00 a.m. the day before the application is scheduled to be considered by the court, unless there is a good reason that the notice was not or could not be given. You must describe how the notice was given, or why it was not, on *Declaration Regarding Notice and Service for Ex Parte Application for Order on Deposit Account Exemption* (form EJ-158).

   Service of papers. You must give copies of the application and all related papers to the other party as soon as reasonable and before the court appearance, if possible. You must describe how this was done, or why it was not done, on form EJ-158.

   Appearance at court. You must be available when the court considers your application. The court may allow you to appear remotely or may require in person appearance. Read California Rules of Court, rule 3.672 for more information about how to tell the court you want to appear remotely and how to notify the other party of your remote appearance.

5. **Forms to Complete.** Before the time the court is scheduled to consider the application, you must complete and file the following forms with the court:
   - *Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157);
   - *Declaration Regarding Notice and Service for Ex Parte Application for Order on Deposit Account Exemption* (form EJ-158); and
   - *Order on Application for Designation of Deposit Account Exemption* (form EJ-159) (complete caption and item 1 only).

   When completing form EJ-157:
   - You must give the information under penalty of perjury.
   - If you have good cause for why the court should act immediately, with no further hearing or briefing, you should check the "Without Hearing" box under the title of form EJ-157, and you should complete item 6b to explain why. Otherwise, you should check the "Hearing on shortened time" box under the title and the box for item 6a.
   - When you file your application form, you must include copies of the *Writ of Execution* (form EJ-130) and any *Notice of Levy* (EJ-150) that was issued to a financial institution.
   - Item 5 must include the specific account or accounts to which the court is being asked to apply the exemption. If the judgment debtor is asking for the exemption to be split among multiple accounts, the total amount split between those accounts cannot be more than the total amount of the exemption. (See form EJ-156 for the amount.)

INSTRUCTIONS FOR EX PARTE APPLICATION FOR ORDER ON DEPOSIT ACCOUNT EXEMPTION

6. **Filing With the Court.** You must file the completed forms with the court clerk. There will be a filing fee unless you are eligible for a fee waiver. (If you cannot afford the fee and have not already received a fee waiver, you may file a *Request to Waive Court Fees* (form FW-001) with the other forms.) Take extra copies of all the forms to the court so the clerk can give back a stamped copy.

7. **What to Do With the Order.** The court may rule on your application immediately, or it may hold a hearing to consider the application and any opposition from the other party.
   - Once the court issues an order on form EJ-159, you should serve the order on all other parties in the case as soon as possible. If the order sets a hearing date, the order must be served by the date in item 4b on the order.
   - If the order sets a hearing date, you should appear at the hearing either in person or remotely (if you want to appear remotely, you must give notice in advance to the court and other parties).
   - If the order decides which deposit account or accounts the exemption applies to, you should serve the order on the financial institution and the other parties and give a copy to the levying officer. You should do so as soon as possible.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:
NAME:
FIRM NAME:
STREET ADDRESS:
CITY: STATE: ZIP CODE:
TELEPHONE NO.: FAX NO.:
EMAIL ADDRESS:
ATTORNEY FOR (*name*):

FOR LEVYING OFFICER USE ONLY
(Levying Officer Name and Address)

DRAFT
08/26/2025
NOT APPROVED
BY COUNCIL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF
STREET ADDRESS:
MAILING ADDRESS:
CITY AND ZIP CODE:
BRANCH NAME:

PLAINTIFF/PETITIONER:
DEFENDANT/RESPONDENT:

LEVYING OFFICER FILE NUMBER:

CLAIM OF EXEMPTION
(Enforcement of Judgment)

FOR COURT USE ONLY

Instructions for completing this form:

- Read *Exemptions from the Enforcement of Judgments* (form EJ-155) and *Current Dollar Amounts of Exemptions from Enforcement of Judgments* (form EJ-156) to help you figure out whether your property is exempt.
- If you check the box for item 4, **you must attach** a completed *Financial Statement* (form EJ-165) to this *Claim of Exemption*. You can get a copy of form EJ-165 for free by asking the levying officer or going to courts.ca.gov/rules-forms/find-your-court-forms or your court's self-help center.
- You must give the levying officer this original completed form and one copy of the completed form. You should save at least one copy of the form for your records. **Do not file this form with the court.**

CASE NUMBER:

1. My name is:
2. Papers should be sent to:

☐ me.
☐ my attorney (I have filed with the court and served on the judgment creditor a request to have papers sent to my attorney, and my attorney has consented in writing to receive these papers.)

at ☐ the address shown above ☐ another address *(specify):*

3. ☐ I am not the judgment debtor named in the notice of levy. The name and last known address of the judgment debtor is *(specify):*

4. ☐ Some or all of my property is exempt because it is needed to support me and my spouse and dependents. A completed *Financial Statement* (form EJ-165) is attached to this claim. *(As used in this form, "spouse" includes a registered domestic partner. (Code Civ. Proc., § 17(b)(12).))*

5. Some or all of my property is exempt without making a claim of exemption. That property is *(describe; if more space is needed, check here* ☐ *and attach a page labeled Attachment 5)*:

SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.

6. The property I claim to be exempt is *(describe; if more space is needed, check here* ☐ *and attach a page labeled Attachment 6)*:

7. My property is exempt under the following laws *(specify code and section, for example "Code of Civil Procedure section 703.140(b)"; if more space is needed, check here* ☐ *and attach a page labeled Attachment 7)*:

8. The facts supporting my claim of exemption are *(describe; if more space is needed, check here* ☐ *and attach a page labeled Attachment 8)*:

9. ☐ The property I claim to be exempt is *(if more space is needed to complete any of the lettered subdivisions below, check here* ☐ *and attach a page labeled Attachment 9, and label the information on the attachment with the relevant subdivision letter):*

a. ☐ a motor vehicle, the proceeds of an execution sale of a motor vehicle, or the proceeds of insurance or other indemnification for the loss, damage, or destruction of a motor vehicle. I own other property of the same type, either alone or with other people, and that property is *(describe)*:

b. ☐ tools, implements, materials, uniforms, furnishings, books, equipment, a commercial motor vehicle, a vessel, or other personal property used in the trade, business, or profession of the judgment debtor or spouse. I own other property of the same type, either alone or with other people, and that property is *(describe)*:

c. ☐ the loan value of unmatured life insurance policies (including endowment and annuity policies) or benefits from matured life insurance policies (including endowment and annuity policies). My spouse or I own, either alone or with other people, other property of the same type, and that property is *(describe)*:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: ____________________

(TYPE OR PRINT NAME)	▶ *(SIGNATURE)*

ATTORNEY OR PARTY WITHOUT ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:		DRAFT
FIRM NAME:		08/26/2025
STREET ADDRESS:		NOT APPROVED BY COUNCIL
CITY:	STATE: ZIP CODE:	
TELEPHONE NO.:	FAX NO.:	
EMAIL ADDRESS:		
ATTORNEY FOR (*name*):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PLAINTIFF:		
DEFENDANT:		
MEMORANDUM OF COSTS AFTER JUDGMENT, ACKNOWLEDGMENT OF CREDIT, AND DECLARATION OF ACCRUED INTEREST		CASE NUMBER:

1. ☐ **Postjudgment costs** *(Read form MC-013-INFO for information on which costs are recoverable.)*
   a. I claim the following costs after judgment incurred within the last two years *(indicate if there are multiple items in any category):*

	Dates Incurred	Amount
(1) Preparing and issuing abstract of judgment	______	$ ______
(2) Recording and indexing abstract of judgment	______	$ ______
(3) Filing notice of judgment lien on personal property	______	$ ______
(4) Issuing writ of execution, to extent not satisfied by Code Civ. Proc., § 685.050 *(specify county):*	______	$ ______
(5) Levying officers fees, to extent not satisfied by Code Civ. Proc., § 685.050 or wage garnishment	______	$ ______
(6) Approved fee on application for order for appearance of judgment debtor, or other approved costs under Code Civ. Proc., § 708.110 et seq.	______	$ ______
(7) Attorney fees, if allowed by Code Civ. Proc., § 685.040	______	$ ______
(8) Other: ______ *(statute authorizing cost):* ______		$
(9) Total of claimed costs for current memorandum of costs *(add (1)–(8))*		$

   b. All previously allowed postjudgment costs $
   c. **Total** of all postjudgment costs *(add a and b)* $ ______

2. ☐ **Credits to interest and principal**
   a. I acknowledge total payments to date in the amount of: $______ (including returns on levy process and direct payments). The payments received are applied first to the amount of accrued interest, and then to the judgment principal (including postjudgment costs allowed) as follows: credit to accrued interest: $______ ; credit to judgment principal $______ .
   b. **Principal remaining due.** The amount of judgment principal remaining due is $______. *(See Code Civ. Proc., § 680.300)*

3. ☐ **Accrued interest remaining due.** Accrued interest remains due in the amount of $______ , which was calculated by applying interest accruing at the legal rate of ____ % on the unpaid principal amount of $______ and (*if different interest rates apply to different unpaid principal amounts*) interest accruing at the legal rate of ____ % on the unpaid principal amount of $______. Interest is calculated from the date of the judgment or its renewal and also on any remaining balance after applying any partial payments or credits. (*Read form MC-013-INFO for information on calculating interest.*)

4. I am the: ☐ judgment creditor ☐ agent for the judgment creditor ☐ attorney for the judgment creditor.
   I have knowledge of the facts concerning the costs claimed above. To the best of my knowledge and belief, the costs claimed are correct, reasonable, and necessary, and have not been satisfied.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: ______

______ (TYPE OR PRINT NAME) ▶ ______ (SIGNATURE)

NOTICE TO THE JUDGMENT DEBTOR

If this memorandum of costs is filed at the same time as an application for a writ of execution, the writ of execution can include any statutory costs that have not already been allowed by the court and that do not exceed a combined total of $100. The fees sought under this memorandum may be disallowed by the court upon a motion to tax filed by the debtor, notwithstanding the fees having been included in the writ of execution. (Code Civ. Proc., § 685.070(e).) A motion to tax the costs claimed in this memorandum must be filed no later than 10 days after service of this memorandum. (Code Civ. Proc., § 685.070(c).)

INFORMATION SHEET FOR CALCULATING INTEREST AND AMOUNT OWED ON A JUDGMENT

What can the judgment creditor recover?

Under California law, the amount recoverable by a judgment creditor (the party to whom money is owed) includes:

- The total amount of the judgment entered by the court (principal), plus costs;
- Costs after judgment under Code of Civil Procedure section 685.070; and
- Accrued interest on the total amount.

Costs After Judgment

A judgment creditor is entitled to reimbursement for the "reasonable and necessary" costs of enforcing a judgment. These costs must be reported to the court within two years of the date incurred. The judgment amount includes costs ordered by the court after the judgment. (For information on recovering costs and a detailed list of costs that can be recovered, see Code of Civil Procedure sections 684.130(b)(5), 685.040, 685.050 et seq., 685.070(b), and 685.090; see also "Requesting Costs and Interest" below).

Accrued Interest (*See Code Civ. Proc., §§ 685.010 & 685.020(a) and Cal. Const., art. XV, § 1.)*

Interest accrues on the unpaid principal of a judgment at the following legal rates:

- The rate of interest is 10% per year unless one of the following lower interest rates applies.
- The rate of interest is 7% per year if the judgment debtor (the party who owes the money) is a state or local government entity.
- The rate of interest is 5% per year if the judgment debtor is a natural person and the judgment meets all of the following requirements:
  - The judgment was entered or renewed after January 1, 2023.
  - The judgment is on a claim related to either personal debt (and the unpaid principal amount is under $50,000) or medical expenses (and the unpaid principal amount is under $200,000).
  - The judgment is not based on tortious or fraudulent conduct or for unpaid wages, damages, or penalties owed to an employee.

  For judgments renewed after January 1, 2023, the 5% interest rate applies only to unpaid principal remaining after renewal. Note, for judgments that otherwise meet the above requirements and are renewed after January 1, 2023, the interest rate will change from 10% to 5% for any remaining unpaid principal if the unpaid principal has fallen below the above amounts.

Interest generally accrues from the date the judgment is entered. Interest begins to accrue on the amount of costs added to a judgment from the date ordered by the court or from the date costs are allowed following expiration of the time to object. If the judgment is payable in installments, interest accrues from the date each installment is due. On renewal of a judgment, unpaid interest that has accrued is added to the principal of the judgment, and interest begins to accrue on the total renewed amount on the day the renewed judgment is entered.

Requesting Costs and Interest

To have costs and interest added to the enforceable amount owed, the judgment creditor must file and serve *Memorandum of Costs After Judgment* (form MC-012). On that form, the judgment creditor must include the exact amount of all costs and accrued interest. This means the judgment creditor is responsible for calculating the amount of interest that accrues on the judgment. It is useful to update this calculation after receiving payments. The judgment creditor can only recover postjudgment costs in the categories listed in item 1a(1)–(8) on form MC-012. Recovery of costs listed in item 1a(8) on form MC-012 must be authorized by statute.

Crediting Payments Received

Any payments received by the judgment creditor must be "credited" in a specific order. (Code Civ. Proc., § 695.220.) After specific costs go directly to the levying officer and to the court for fees, the judgment creditor is required to credit payments received first toward *accrued interest* and then toward the *judgment principal* (including costs approved by the court after entry of the judgment).

Calculation of Interest on Judgment and Amount Due

The following are various formulas and examples to assist with the calculation of interest on a judgment using both a 5% and a 10% interest rate.

- **Calculating the *Total Amount Due, Including Interest*, on the date of payment, if there have been no prior payments or credits**

Step 1: Calculate the daily interest on a judgment. This is the amount of interest earned per day on a judgment. To calculate the daily interest, use the following formula:

Formula: (Total amount of judgment owed) × (applicable interest rate) = interest earned per year. That number divided by 365 = amount of daily interest.

Example: Judgment debtor owes the judgment creditor $5,000 (the "judgment principal").

5% Interest Rate	10% Interest Rate
$5,000 × 0.05 = $250 $250/365 = $0.69 daily interest The amount of interest earned will be $0.69 per day as long as the unpaid amount remains $5,000.	$5,000 × 0.10 = $500 $500/365 = $1.37 daily interest The amount of interest earned will be $1.37 per day as long as the unpaid amount remains $5,000.

Step 2: Count the total number of days that have passed since the court entered the final judgment up to the day of payment. Then calculate the amount of interest owed on the date of payment using the following formula.

Formula: (Total number of days since judgment was entered) × (amount of interest per day, calculated in Step 1) = amount of interest owed on the date of payment.

Example: A $5,000 judgment was entered on June 1 and the judgment debtor paid the judgment on September 8; 100 days from the entry of the judgment have passed.

5% Interest Rate	10% Interest Rate
The daily interest is $0.69 (see above). $0.69 per day × 100 days = $69 interest owed on the date of payment The judgment debtor owes $69 in interest on the principal of $5,000 on the date of payment.	The daily interest is $1.37 (see above). $1.37 per day × 100 days = $137 interest owed on the date of payment. The judgment debtor owes $137 in interest on the principal of $5,000 on the date of payment.

Step 3: Add the amount of interest that has accrued to the amount of the judgment.

5% Interest Rate	10% Interest Rate
$5,000 judgment + $69 interest = $5,069 The judgment debtor owes a total of $5,069 on the 100th day after the court entered judgment.	$5,000 judgment amount + $137 interest = $5,137 The judgment debtor owes a total of $5,137 on the 100th day after the court entered judgment.

- **Crediting partial payments and recalculating the amount due**

  If the judgment debtor does not pay all that is owed at one time, the partial payments the debtor makes are credited to the interest *first* and then to the judgment amount (the principal) owed.

  Example: The judgment principal is $5,000. After 200 days, the judgment debtor pays $1,000.

Step 1: Calculate the amount of interest owed on the date of payment

5% Interest Rate	10% Interest Rate
The daily interest is $0.69 (see above). $0.69 per day × 200 days = $138 interest owed on the date of payment	The daily interest is $1.37 (see above). $1.37 per day × 200 days = $274 interest owed on the date of payment.

Step 2: Apply payment to interest

5% Interest Rate	10% Interest Rate
The judgment debtor paid $1,000, which first must be used to credit the $138 of accrued interest. That leaves a balance of $862 ($1,000 - $138 = $862) to be credited toward the $5,000 principal.	The judgment debtor paid $1,000, which first must be used to credit the $274 of accrued interest. That leaves a balance of $726 ($1,000 - $138 = $726) to be credited toward the $5,000 principal.

Step 3: Apply remainder to principal

5% Interest Rate	10% Interest Rate
The remaining credit of $862 is applied to the judgment principal. The judgment debtor now owes $4,138 on the judgment principal ($5,000 - $862 = $4,138).	The remaining credit of $726 is applied to the judgment principal. The judgment debtor now owes $4,274 on the judgment principal ($5,000 - $726 = $4,274).

Step 4: Calculate the new daily interest rate

5% Interest Rate	10% Interest Rate
$4,138 (new principal) × 5% = $206.90 interest per year $206.90/365 days = $0.57 interest earned per day	$4,274 (new principal) × 10% = $427.40 interest per year $427.40/365 days = $1.17 interest earned per day

Example: After 100 days, the judgment debtor makes a second payment of $500. (Recalculate using steps 1–4.)

5% Interest Rate	10% Interest Rate
Amount of accrued interest over 100 days: 100 days × $0.57 daily interest = $57 total interest **$500 payment credited to interest first:** $500 payment - $57 interest = $443 remaining **Remainder credited to principal:** $4,138 principal - $443 remainder = $3,695 new principal **Calculate new daily interest:** $3,695 × 5% = $184.75/365 = $0.51 interest per day	**Amount of accrued interest over 100 days:** 100 days × $1.17 daily interest = $117 total interest **$500 payment credited to interest first:** $500 payment - $117 interest = $383 remaining **Remainder credited to principal:** $4,274 principal - $383 remaining = $3891 new principal **Calculate new daily interest:** $3,891 × 10% = $389.10/365 = $1.07 interest per day

SER-001A Special Instructions for Writs and Levies—Attachment

CONFIDENTIAL

Sheriff File Number *(for sheriff to complete, if needed):*

Fill in case number:

Court Case Number:

Instructions

Generally, you **will not** need to complete this form if you are asking the sheriff to serve a complaint (unless with a writ of attachment) or a restraining order.

- Complete this form if you want the sheriff or marshal to enforce a writ. You must complete this form and form SER-001, *Request for Sheriff to Serve Court Paper*, and turn both forms in to the sheriff or marshal.
- You must include any writ and related order you want the sheriff to enforce.

This form is attached to form SER-001, *Request for Sheriff to Serve Court Papers.*

All information is required unless it is listed as optional or does not apply to your case.
For more information about what may be required in your case, go to selfhelp.courts.ca.gov/sheriff-serves.

DRAFT
08/28/2025
NOT APPROVED
BY COUNCIL

1 Additional Information About You (Person Requesting Service)

Are you a judgment creditor (person awarded money or property by the court)?

☐ Yes
☐ No *(complete the section below):*

(a) What is your role in the case?: ______________________________

(b) Is there a judgment creditor in your case?
☐ No
☐ Yes *(list the names of all judgment creditors):*

____
____
____

2 Additional Information About Person or Entity You Want Served

The person or entity you want served (listed in item 3 of form SER-001):
(check one)

☐ Owes you money in this case (judgment debtor).
☐ Is not a party in this case but has the property.
☐ Is a person who lives on the property.
☐ Other *(explain):*

____
____
____

CONFIDENTIAL

This is not a court form. Do not file with the court.

Court Case Number:

③ Information About the Writ and Judgment

a. Date writ was issued: ______________________

b. The writ included with this request is *(check one):*

☐ An original writ.

☐ A copy of the original writ issued by the court as an electronic record and has not already been given to the levying officer (sheriff or marshal).

☐ A copy of the original writ that has already been given to the levying officer (sheriff or marshal).

c. Has a judgment been issued by the court?

☐ No

☐ Yes *(complete section below):*

(1) Date judgment was issued: ______________________

(2) If it is a money judgment, give amount: ______________________

(3) List all judgment debtors *(the people or organizations that owe money)* if there are any in this case. If the judgment debtor is an organization (such as a business), include the type of organization *(example: corporation):*

____

____

____

____

____

④ Information About the Property to Levy

a. Describe the property in as much detail as possible. For example:

- For bank accounts, give account number (if known).
- For personal property, describe property and give the address where property is located.
- For vehicles, give license plate number and address where vehicle is located.
- For evictions, give address and any information needed to access the property.
- For real property (other than evictions), give legal description, address, and assessor's parcel number.
- If requester is not the person receiving the property, give clear instructions on who will receive the property and how.

____

____

____

____

____

☐ Check here if you are including a map or other document to describe property.

CONFIDENTIAL

This is not a court form. Do not file with the court.

4 b. Is the property in the judgment debtor's name, or in the defendant's name if the writ described in 3 is a writ of attachment?

☐ Yes

☐ No *(list the names of owners and explain their interest in the property, including any leasehold interest):*

(Note: You may also need to have the people listed above served with your court papers. Check the Code of Civil Procedure for service requirements or talk with a lawyer. Your local court self-help center may be able to help you for free. To find your local self-help center, go to selfhelp.courts.ca.gov/find.)

c. Are you asking the sheriff to levy on property that is a dwelling *(a place someone can live in)*?

☐ No

☐ Yes *(complete the section below):*

The dwelling is *(check one):*

☐ Real property *(examples: house, condo, other building attached to land)*

☐ Personal property *(examples: houseboat, RV)*

5 Enforcement of a Judgment for Personal Debt

If you are the judgment creditor and you are asking the sheriff to serve a writ, levy, or other document related to enforcement of a judgment for personal debt (as defined in Code of Civil Procedure section 683.110(d)), you must verify the judgment debtor's address before the sheriff can serve your papers.

Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?

☐ No

☐ Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form.

6 Special Instructions for Sheriff

In some situations, you will have to give detailed instructions on how you want the sheriff to enforce the order. Use the space below to list any instructions. Some examples of when instructions may be needed include:

- Instructions to serve the summons and complaint with a writ of attachment, if not previously served (see Code Civ. Proc., § 488.020(c)).
- Instructions that the levying officer must place a keeper in charge of the property (see Code Civ. Proc., §§ 700.070 & 700.080).
- Instructions to seize personal property from a private place (see Code Civ. Proc., § 699.030).

☐ Check here if you need more space to list instructions. Use a separate piece of paper and write "SER-001A, Special Instructions for Sheriff" at the top. Turn it in with this form.

CONFIDENTIAL

This is not a court form. Do not file with the court.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	LEVYING OFFICER (*name and address*): DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY: ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
EARNINGS WITHHOLDING ORDER (Wage Garnishment) — LEVYING OFFICER FILE NO.:	COURT CASE NO.:

EMPLOYEE: *KEEP YOUR COPY OF THIS LEGAL PAPER.* **EMPLEADO:** *GUARDE ESTE PAPEL OFICIAL.*

EMPLOYER: Enter the following date to assist your recordkeeping.
Date this order was received by employer (specify the date of personal delivery by levying officer or registered process server or the date mail receipt was signed):

TO THE EMPLOYER REGARDING YOUR EMPLOYEE:

Name and address of employer

Name and address of employee

Social Security No. ☐ on form WG-035 ☐ unknown

1. A judgment creditor has obtained this order to collect a court judgment against your employee. You are directed to withhold part of the earnings of the employee (*see instructions on page 2 of this form).* Pay the withheld sums to the **levying officer** *(name and address above*).

   If the employee works for you now, you must **give the employee a copy of this order and *Employee Instructions* (form WG-003)** within 10 days after receiving this order.

   Complete *Employer's Return* (form WG-005) and **mail it to the levying officer** within 15 days after receiving this order. You must do so even if the employee no longer works for you.

2. The total amount due is: $

   Count 30 calendar days from the date when the employee was served with this order. **Do not** withhold earnings payable for any pay period that ends before the 30th day. **Do** withhold from earnings that are payable for any pay period ending on or after that 30th day. If you receive notice that the employee has filed a claim of exemption, read the Instructions to Employer on page 2 of this form for more information about calculating the start of the withholding period.
   Continue withholding for all pay periods until you withhold the amount due. The levying officer will notify you of an assessment you should withhold in addition to the amount due. Do not withhold more than the total of these amounts. Never withhold any earnings payable before the beginning of the earnings withholding period.

3. The judgment was entered in the court on *(date):*

   The judgment creditor *(if different from the plaintiff)* is *(name):*

4. The Instructions to Employer on page 2 of this form tell you how much of the employee's earnings to withhold each payday and answer other questions you may have.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

☐ LEVYING OFFICER ☐ REGISTERED PROCESS SERVER

INSTRUCTIONS TO EMPLOYER ON EARNINGS WITHHOLDING ORDERS

The instructions in paragraph 1 on page 1 of this form describe your initial duties to provide information to your employee and the levying officer.

Your other duties are TO WITHHOLD THE CORRECT AMOUNT OF EARNINGS (if any) and PAY IT TO THE LEVYING OFFICER during the *withholding period.*

The withholding period is the period covered by *Earnings Withholding Order* (this order). The withholding period begins 30 calendar days after the employee was served with the order and continues until you have withheld the total amount due, plus additional amounts for costs and interest (which will be listed in a levying officer's notice). However, if the employee files a claim of exemption and notifies you of the filing no later than 29 days after the employee was served with *Earnings Withholding Order*, then the withholding period begins 45 days after the date the employee was served with *Earnings Withholding Order*.

The withholding period may end sooner if (1) you receive a written notice signed by the levying officer specifying an earlier termination date, or (2) you receive an order of higher priority (explained on page 2 of *Employer's Return* (form WG-005)).

You are entitled to rely on and must obey all written notices signed by the levying officer.

Employer's Return (form WG-005) describes several situations that could affect the withholding period for this order. If you receive more than one *Earnings Withholding Order* during a withholding period, review form WG-005 for instructions.

If the employee stops working for you, the *Earnings Withholding Order* ends after no amounts are withheld for a continuous 180-day period. If withholding ends because the earnings are subject to an order of higher priority, the *Earnings Withholding Order* ends after a continuous two-year period during which no amounts are withheld under the order. **Return the Earnings Withholding Order to the levying officer with a statement explaining why it is being returned.**

WHAT TO DO WITH THE MONEY

The amounts withheld during the withholding period must be paid to the levying officer by the 15th day of the next month after each payday. If you wish to pay more frequently than monthly, each payment must be made within 10 days after the close of the pay period.

Include the case number, levying officer's file number (if different from the case number), and the employee's name on each payment to ensure the money is applied to the correct account.

WHAT IF YOU STILL HAVE QUESTIONS?

The garnishment law is contained in the Code of Civil Procedure beginning with section 706.010. Sections 706.022, 706.025, 706.050, and 706.104 explain the employer's duties.

The Federal Wage Garnishment Law and federal rules provide the basic protections on which the California law is based. Inquiries about the federal law will be answered by mail, telephone, or personal interview at any office of the Wage and Hour Division of the U.S. Department of Labor. The Wage and Hour Division's contact information is available at dol.gov/agencies/whd/contact.

COMPUTATION INSTRUCTIONS

Code of Civil Procedure section 706.050 explains how to determine the amount to withhold (if anything) depending on the employee's disposable earnings, which are calculated based on the employee's pay period and the applicable hourly minimum wage. This calculation is summarized in the next section of this form and on the California Courts self-help website (selfhelp.courts.ca.gov/guide-earnings-withholding-orders-employers).

THESE COMPUTATION INSTRUCTIONS APPLY UNDER NORMAL CIRCUMSTANCES. THEY DO NOT APPLY TO ORDERS FOR THE SUPPORT OF A SPOUSE, FORMER SPOUSE, OR CHILD.

State law limits how much of an employee's earnings can be withheld. These limits are based on the employee's disposable earnings, not their gross pay or take-home pay.

(A) To determine the CORRECT AMOUNT OF EARNINGS TO BE WITHHELD (if any), first compute the employee's *disposable earnings.*

Earnings include any money (whether called wages, salary, commissions, bonuses, or anything else) that is paid by an employer to an employee for personal services. Vacation or sick pay is subject to withholding as it is received by the employee. Tips are generally not included as earnings because they are not paid by the employer.

Disposable earnings are the earnings left after subtracting the part of the earnings a state or federal law requires an employer to withhold. Generally these required deductions are (1) federal income tax, (2) federal social security, (3) state income tax, (4) state disability insurance, and (5) payments to public employee retirement systems. Disposable earnings will change when the required deductions change.

(B) After the employee's disposable earnings are known, calculate the withholding amount as shown in Code of Civil Procedure section 706.050. You can follow the directions below in (C) or on the California Courts Self-Help website (selfhelp.courts.ca.gov/guide-earnings-withholding-orders-employers). You will need to know the amount of the minimum wage in the location where the employee works.

(C) Calculate the maximum amount that may be withheld from the employee's disposable earnings, which is the *lesser* of the following two amounts:

- 20 percent of disposable earnings for that week; **or**
- 40 percent of the amount by which the employee's disposable earnings that week exceed the applicable minimum wage. If there is a local minimum wage in effect in the location where the employee works that exceeds the state minimum wage at the time the earnings are payable, the local minimum wage is the applicable minimum wage.

To calculate the correct amount, follow the steps below:

Step 1: Determine the applicable minimum wage per pay period.

- For a daily or weekly pay period, multiply the applicable hourly minimum wage by 48.
- For a biweekly pay period, multiply the applicable hourly minimum wage by 96.
- For a semimonthly pay period, multiply the applicable hourly minimum wage by 104.
- For a monthly pay period, multiply the applicable hourly minimum wage by 208.

Step 2: Subtract the amount from Step 1 from the employee's disposable earnings during that pay period.

Step 3: If the amount from Step 2 is less than zero, do not withhold any money from the employee's earnings.

Step 4: If the amount from Step 2 is greater than zero, multiply that amount by 0.40.

Step 5: If the amount from Step 4 is lower than 20 percent of the employee's disposable earnings, withhold this amount. If it is greater than 20 percent of the employee's disposable earnings, withhold 20 percent of the disposable earnings.

Occasionally, the employee's earnings will also be subject to a *Wage and Earnings Assignment Order,* an order available from family law courts for child, spousal, or family support. The amount required to be withheld for that order should be deducted from the amount to be withheld for this order.

IMPORTANT WARNINGS

1. IT IS AGAINST THE LAW TO FIRE THE EMPLOYEE BECAUSE OF *EARNINGS WITHHOLDING ORDERS* FOR THE PAYMENT OF ONLY ONE INDEBTEDNESS. No matter how many orders you receive, so long as they all relate to a single judgment (no matter how many debts are represented in that judgment), the employee may not be fired.
2. IT IS ILLEGAL TO AVOID AN *EARNINGS WITHHOLDING ORDER* BY POSTPONING OR ADVANCING THE PAYMENT OF EARNINGS. The employee's pay period must not be changed to prevent the order from taking effect.
3. IT IS ILLEGAL NOT TO PAY AMOUNTS WITHHELD FOR THE *EARNINGS WITHHOLDING ORDER* TO THE LEVYING OFFICER. Your duty is to pay the money to the levying officer who will pay the money in accordance with the law that applies to this case.

   IF YOU VIOLATE ANY OF THESE LAWS YOU MAY BE HELD LIABLE TO PAY CIVIL DAMAGES AND YOU MAY BE SUBJECT TO CRIMINAL PROSECUTION!

EMPLOYEE INSTRUCTIONS

-NOTICE-

IMPORTANT LEGAL NOTICE TO EMPLOYEE
ABOUT EARNINGS WITHHOLDING ORDERS
(Wage Garnishment)

The **Earnings Withholding Order** requires your employer to pay part of your earnings to the sheriff or other levying officer. The levying officer will pay the money to a creditor who has a court judgment against you. The information below may help you protect the money you earn.

-NOTICIA-

NOTICIA LEGAL IMPORTANTE RESPECTO
A LAS ÓRDENES DE RETENCIÓN DE SUELDO

La **Orden de Retención de Sueldo** requiere que su empleador pague una parte de su sueldo a un oficial de embargo. El oficial le pagará el dinero retenido a su acreedor que ha conseguido una decisión judicial en contra de usted. Pida usted que un amigo o su abogado le lea este papel oficial. Esta información le puede ayudar a proteger su sueldo.

CAN YOU BE FIRED BECAUSE OF THIS?

NO. You cannot be fired unless your earnings have been withheld before for a different court judgment. If this is the first judgment for which your wages will be withheld and your employer fires you because of this, the California Labor Commissioner (dir.ca.gov/dlse/DistrictOffices.htm) can help you get your job back.

HOW MUCH OF YOUR PAY WILL BE WITHHELD?

The Earnings Withholding Order (abbreviated in this notice as **EWO**) that applies to you contains Employer Instructions. These explain how much of your earnings can be withheld. Generally, the amount is about 20 percent of your take-home pay until the amount due has been withheld. The levying officer will notify the employee of an additional assessment charged for paying out money collected under this order, and that amount will also be withheld.

If you have trouble figuring this out, ask your employer for help.

IS THERE ANYTHING YOU CAN DO?

YES. There are several possibilities.

1. See an attorney. An attorney may be able to help you make an agreement with your creditor or help you stop your earnings from being withheld. You may wish to consider bankruptcy or asking the bankruptcy court to help you pay your creditors. These possibilities may stop your wages from being withheld. An attorney can help you decide what is best for you. Take your **EWO** to the attorney to help you get the best advice and the fastest help. Read California Courts self-help website for information about finding an attorney (selfhelp.courts.ca.gov/hire-lawyer).

2. Try to work out an agreement yourself with your creditor. Call the creditor or the creditor's attorney, listed on the **EWO**. If you make an agreement, the withholding of your wages will stop or be changed to a smaller amount you agree on. *(See item 4 on page 2 of this form for another way to make an offer to your creditor.)*

3. You can ask for an EXEMPTION. An exemption will protect more, or maybe even all, of your earnings. You can get an exemption if you need your earnings to support yourself or your family, **but you cannot get an exemption if:**
   a. You use some of your earnings for luxuries and they aren't really necessary for support; ***OR***
   b. You owe money to an attorney because of a court order in a family case; ***OR***
   c. You owe the debt for past due child support of spousal support (alimony); ***OR***
   d. You owe the debt to a former employee for wages.

HOW DO YOU ASK FOR AN EXEMPTION?

See the other side of this form for instructions about claiming an exemption.

IS THE EWO RELATED TO PERSONAL DEBT?

If the EWO is being used to enforce a judgment for personal debt, the judgment creditor is required to verify your address before asking the levying officer to serve the EWO. The judgment creditor must give the levying officer a completed copy of *Declaration of Address Verification* (form WG-015/EJ-135) and must file a completed form WG-015/EJ-135 with the court within five business days of giving a copy of the form to the levying officer. If the judgment creditor doesn't take these steps, you can ask the court to stay (pause) the wage garnishment order until the address verification is complete. You can use *Application for Stay of Levy or Garnishment* (form WG-017/EJ-137) to ask the court for a stay.

HOW DO YOU ASK FOR AN EXEMPTION?

1. Call or write the levying officer for three copies each of *Claim of Exemption* (form WG-006) and *Financial Statement* (form WG-007). Or go to courts.ca.gov/rules-forms/find-your-court-forms to download copies of the forms. These forms are free.
2. Fill out both forms. If an item on the form has a box ☐ in front of it, only check the box if the item applies to your case.
3. It is ***your*** job to prove with the *Financial Statement* form that your earnings are needed for support. Write down the details about your needs. For example, if your child has special medical expenses, tell which child, what illnesses, who the doctor is, how often the doctor must be visited, the cost per visit, and the costs of medicines. These details should be listed in item 6 on *Financial Statement*. If you need more space, write "See Attachment 6" in item 6 and attach a separate piece of paper labeled "Attachment 6" where you can explain your expenses in detail.
4. You can use *Claim of Exemption* (form WG-006) to make an offer to the judgment creditor to have a specified amount withheld each pay period. Complete item 3 on the form to indicate the amount you agree to have withheld **each payday during the withholding period.** (Be sure it's less than the amount to be withheld otherwise.) If your creditor accepts your offer, he will not oppose your claim of exemption. (See item (1) in the "ONE OF TWO THINGS WILL HAPPEN**"** section below.)
5. Sign *Claim of Exemption* and *Financial Statement*. Be sure *Claim of Exemption* shows the address where you receive mail.
6. Mail or deliver two copies of each of the two forms to the levying officer. Keep one copy for yourself in case there is a court hearing.

Do not use *Claim of Exemption* (form WG-006) or *Financial Statement* (form WG-007) to seek a modification of child support or alimony payments. These payments can be modified only by the family law court that ordered them.

FILE YOUR CLAIM OF EXEMPTION AS SOON AS POSSIBLE FOR THE MOST PROTECTION.

ONE OF TWO THINGS WILL HAPPEN AFTER YOU ASK FOR AN EXEMPTION

(1) The judgment creditor will not oppose (object to) your claim of exemption. If this happens, after 10 days the levying officer will tell your employer to stop withholding or withhold less from your earnings. The part (or all) of your earnings needed for support will be paid to you or paid as you direct. And you will get back earnings the levying officer or your employer were holding when you asked for the exemption.

—OR—

(2) The creditor will oppose (object to) your claim of exemption. If this happens, you will receive *Notice of Opposition to Claim of Exemption* (form WG-009) and *Notice of Hearing on Claim of Exemption* (form WG-010), where the creditor explains why your exemption should not be allowed. A box in the middle of form WG-010 tells you the time and place of the court hearing, which will be about 10 days after the creditor files form WG-010 with the court. Be sure to go to the hearing if you can.

If the judgment creditor has checked the box in item 3 on *Notice of Hearing on Claim of Exemption*, the creditor will not be in court. You do not have to go to the hearing if you are willing to have the court make its decision based on your *Financial Statement* and the creditor's *Notice of Opposition to Claim of Exemption*.

If you go to the hearing, take any bills, paycheck stubs, canceled checks, or other evidence (including witnesses) that will help you prove your *Claim of Exemption* and *Financial Statement* are correct and your earnings are needed to support you or your family. And bring any evidence that *Notice of Opposition to Claim of Exemption* is wrong. For example, if the notice says the judgment was for wages for a past employee, you might be able to give evidence that the person was not an employee or the debt was not for wages.

If the judge at the hearing agrees with you, your employer will be ordered to stop withholding your earnings or withhold less money. The judge can even order that the **EWO** end before the hearing (so you would get some earnings back).

If the judge does not agree with you, the withholding will continue unless you **appeal** to a higher court. The rules for appeals are complex, so you should see an attorney if you want to appeal.

If you have one court hearing, you should not file another *Claim of Exemption* about the same **EWO** unless your finances have gotten worse in an important way.

If your **EWO** is changed or ended, the levying officer must serve your employer with the changed **EWO** or a notice that the **EWO** has ended.

WHAT HAPPENS TO YOUR EARNINGS IF YOU FILE A CLAIM OF EXEMPTION?

Your employer must continue to hold back part of your earnings for the **EWO** until they receive a notice signed by the levying officer to change the order or end it early. The levying officer will keep your withheld earnings until your *Claim of Exemption* is denied or takes effect. At that time your earnings will be paid according to the law that applies to your case.

REGARDING CHILD SUPPORT

If you are obligated to make child support payments, the local child support agency may help you to have an Order Assigning Salary or Wages entered. This order has the top priority claim on your earnings. When it is in effect, little or no money may be available to be withheld for an **EWO**. And, if the local child support agency is involved in collecting this support from you, it may agree to accept less money if this special order is entered.

WHAT IF YOU STILL HAVE QUESTIONS?

If you cannot see an attorney, or don't want to see an attorney, you might be able to answer some of your questions by reading sections 706.050 and 706.105 of the California Code of Civil Procedure (available at leginfo.legislature.ca.gov or your local law library). Other sections of the code, beginning with section 706.010 may also answer some of your questions.

Also, the office of the Wage and Hour Division of the U.S. Department of Labor may be able to answer some of your questions. The Wage and Hour Division's contact information is available at dol.gov/agencies/whd/contact.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	LEVYING OFFICER (*name and address*): DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	COURT CASE NUMBER:
EARNINGS WITHHOLDING ORDER FOR SUPPORT **(Wage Garnishment)**	LEVYING OFFICER FILE NUMBER:

EMPLOYEE: *KEEP YOUR COPY OF THIS LEGAL PAPER.* ***EMPLEADO:*** *GUARDE ESTE PAPEL OFICIAL.*

EMPLOYER: Enter the following date to assist your recordkeeping.
Date this order was received by employer (specify the date of personal delivery by levying officer or registered process server or the date mail receipt was signed):

TO THE EMPLOYER REGARDING YOUR EMPLOYEE:

Name and address of employer	Name and address of employee

Social Security No. ☐ on form WG-035 ☐ unknown

1. A judgment creditor has obtained this order to collect a court judgment against your employee. You are directed to withhold part of the earnings of the employee *(see instructions on page 2 of this form).* Pay the withheld sums to the **levying officer** *(name and address above).*

   If the employee works for you now, you must **give the employee a copy of this order and *Employee Instructions* (form WG-003)** within 10 days after receiving this order.

   Complete *Employer's Return* (form WG-005) and mail it to the levying officer within 15 days after receiving this order. You must do so even if the employee no longer works for you.

2. The total amount due is: $

   Count 30 calendar days from the date when the employee was served with this order. **Do not** withhold earnings payable for any pay period that ends before the 30th day. **Do** withhold from earnings that are payable for any pay period ending on or after that 30th day. If you receive notice that the employee has filed a claim of exemption, read the Employer's Instructions on page 2 of this form for more information about calculating the start of the withholding period.

   Continue withholding for all pay periods until you withhold the amount due. The levying officer will notify you of an assessment you should withhold in addition to the amount due. Do not withhold more than the total of these amounts. Never withhold any earnings payable before the beginning of the earnings withholding period.

3. The judgment was entered in the court shown above. The judgment creditor is *(name):*

4. The Employer's Instructions on page 2 of this form tell you how much of the employee's earnings to withhold each payday and contain special rules that apply to *Earnings Withholding Order for Support* (form WG-004). Follow those instructions unless you receive a court order or order from the levying officer giving you other instructions.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

☐ LEVYING OFFICER ☐ REGISTERED PROCESS SERVER

EMPLOYER'S INSTRUCTIONS
(EARNINGS WITHHOLDING ORDERS FOR SUPPORT)

The instructions apply only to *Earnings Withholding Orders for Support* (this order). Applicable instructions appear on other types of Earnings Withholding Orders.

The instructions in paragraph 1 on page 2 of this form describe your initial duties to provide information to your employee and the levying officer.

Your other duties are TO WITHHOLD THE CORRECT AMOUNT OF EARNINGS (if any) and PAY IT TO THE LEVYING OFFICER during the *withholding period.*

The usual *withholding period* begins 30 calendar days after the employee is served with *Earnings Withholding Order for Support*. However, if the employee files a claim of exemption and notifies you of the filing no later than 29 days after the employee is served with *Earnings Withholding Order for Support*, then the withholding period begins 45 days after the date the employee was served with *Earnings Withholding Order for Support*.

The withholding period for this order continues until one of two things happens:
(1) You have withheld the total amount specified in the order, plus any amounts listed in a notice from the levying officer; or
(2) You receive a court order or notice signed by the levying officer specifying a termination date.

You are entitled to rely on and must obey all written notices signed by the levying officer.

Employer's Return (form WG-005) describes several situations that could affect the withholding period for this order. If you receive more than one Earnings Withholding Order during a withholding period, review *Employer's Return* for instructions.

Your duty to withhold does not end merely because the employee no longer works for you. Withholding for *Earnings Withholding Order for Support* does not automatically terminate until one year after the employment of the employee by the employer ends.

WHAT TO DO WITH THE MONEY

The amounts withheld during the withholding period must be paid to the levying officer by the 15th day of the next month after each payday. If you wish to pay more frequently than monthly, each payment must be made within 10 days after the close of the pay period.

Include the case number, levying officer's file number (if different from the case number), and the employee's name on each payment to ensure the money is applied to the correct account.

WHAT IF YOU STILL HAVE QUESTIONS?

The garnishment law is contained in the Code of Civil Procedure beginning with section 706.010. Sections 706.022, 706.025, and 706.104 explain the employer's duties.

The Federal Wage Garnishment Law and federal rules provide the basic protections on which the California law is based.

Inquiries about the federal law will be answered by mail, telephone or personal interview at any office of the Wage and Hour Division of the U.S. Department of Labor. The Wage and Hour Division's contact information is available at dol.gov/agencies/whd/contact.

COMPUTATION INSTRUCTIONS

State and federal law limit how much of an employee's earnings can be withheld. These limits are based on the employee's disposable earnings, not their gross pay or take-home pay.
To determine the CORRECT AMOUNT OF EARNINGS TO BE WITHHELD (if any), first compute the employee's *disposable* earnings.

(A) Earnings include any money, (whether called wages, salary, commissions, bonuses or anything else) that is paid by an employer to an employee for personal services. Vacation or sick pay is subject to withholding as it is received by the employee. Tips are generally not included as earning since they are not paid by the employer.

(B) *Disposable earnings* are the earnings left after subtracting the part of the earnings a state or federal law requires an employer to withhold. Generally these required deductions are (1) federal income tax, (2) federal social security, (3) state income tax, (4) state disability insurance, and (5) payments to public employees' retirement systems. Disposable earnings will change when the required deductions change.

WITHHOLD 50 PERCENT of the *disposable earnings* for the *Withholding Order for Support*. For example, if the employee has monthly disposable earnings of $1,432, the sum of $716 would be withheld to pay to the levying officer on account of this order.

Occasionally, the employee's earnings will also be subject to a Wage and Earnings Assignment Order, an order available for child support or spousal support. The amount required to be withheld for that order should be deducted from the amount to be withheld for this order. For example, if the employee is subject to a Wage and Earnings Assignment Order and the employer is required to withhold $300 per month to pay on that order, when the employer receives this *Earnings Withholding Order for Support*, the employer should deduct the $300 for the Wage and Earnings Assignment Order from the $716 and pay the balance to the levying officer each month for this order.

IMPORTANT WARNINGS

1. IT IS AGAINST THE LAW TO FIRE THE EMPLOYEE BECAUSE OF EARNINGS WITHHOLDING ORDERS FOR THE PAYMENT OF ONLY ONE INDEBTEDNESS. No matter how many orders you receive, so long as they all relate to a single judgment (no matter how many debts are represented in that judgment) the employee may not be fired.
2. IT IS ILLEGAL TO AVOID AN EARNINGS WITHHOLDING ORDER BY POSTPONING OR ADVANCING THE PAYMENT OF EARNINGS. The employee's pay period must not be changed to prevent the order from taking effect.
3. IT IS ILLEGAL NOT TO PAY AMOUNTS WITHHELD FOR THE EARNINGS WITHHOLDING ORDER TO THE LEVYING OFFICER. Your duty is to pay the money to the levying officer, who will pay the money in accordance with the laws that apply to this case.

IF YOU VIOLATE ANY OF THESE LAWS, YOU MAY BE HELD LIABLE TO PAY CIVIL DAMAGES AND YOU MAY BE SUBJECT TO CRIMINAL PROSECUTION!

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	FOR LEVYING OFFICER USE ONLY (Levying Officer Name and Address)
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	LEVYING OFFICER FILE NUMBER:
CLAIM OF EXEMPTION **(Wage Garnishment)**	*FOR COURT USE ONLY*
Instructions for completing this form: • Read *Employee Instructions* (form WG-003) before completing this form. • If you check the box for item 3b or 3c, **you must attach** a properly completed *Financial Statement* (form EJ-165) to this *Claim of Exemption*. You can get a copy of form EJ-165 for free by asking the levying officer or going to courts.ca.gov/rules-forms/find-your-court-forms or your court's self-help center. • If you check the box for item 3a, you **do not** need to complete form EJ-165. You also **do not** need to complete item 4. • You must give the levying officer this completed original form and one copy of the completed form. You should save at least one copy of the form for your records. • **Do not file this form with the court.**	CASE NUMBER:

1. My name is:

2. Please send all papers to
   ☐ me
   ☐ my attorney
   at ☐ the address shown above ☐ another address (*specify*):

3. I am making this claim of exemption because *(check a, b, or c)*:
   a. ☐ My earnings are below the legal minimum amount for an earnings withholding order.
   (Your earnings cannot be withheld unless you earn more than a minimum amount set by law (Code Civ. Proc., § 706.050). You earn less than the legal minimum amount if, after mandatory deductions:
   - *If you are paid at least once a week: You earn less than 48 times the applicable minimum hourly wage each week. "The applicable minimum hourly wage" means either the California hourly minimum wage or the hourly minimum wage in the city or county where you work, whichever is higher.*
   - *If you are paid once every two weeks: You earn less than 96 times the applicable minimum hourly wage each pay period.*
   - *If you are paid twice a month: You earn less than 104 times the applicable minimum hourly wage each pay period.*
   - *If you are paid once a month: You earn less than 208 times the applicable minimum hourly wage each pay period.)*

   b. ☐ I need all my earnings to support myself or my family. A completed *Financial Statement* (form EJ-165) is attached to this claim. *(You do not need to complete form EJ-165 if you checked the box for item 3a.)*

   c. ☐ I need $ each pay period to support myself or my family. A completed *Financial Statement* (form EJ-165) is attached to this claim.

SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.

4. I am willing for the following amount to be withheld from my earnings **each pay period** during the withholding period. I understand that **this amount will be withheld each pay period** if the judgment creditor accepts this offer by not opposing my *Claim of Exemption (check one; you do not need to complete item 4 if you checked the box for item 3a):*

   a. ☐ None

   b. ☐ Withhold $ each pay period.

5. I am paid *(check one)*

   ☐ daily ☐ every two weeks ☐ monthly

   ☐ weekly ☐ twice a month ☐ other *(specify):*

i declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) ▶ *(SIGNATURE)*

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	FOR COURT USE ONLY
NAME:	
FIRM NAME:	
STREET ADDRESS:	
CITY: STATE: ZIP CODE:	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
TELEPHONE NO.: FAX NO.:	
EMAIL ADDRESS:	
ATTORNEY FOR (*name*):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
STREET ADDRESS:	
MAILING ADDRESS:	
CITY AND ZIP CODE:	
BRANCH NAME:	
PLAINTIFF/PETITIONER:	
DEFENDANT/RESPONDENT:	
NOTICE ON HEARING OF CLAIM OF EXEMPTION (Wage Garnishment—Enforcement of Judgment)	LEVYING OFFICER FILE NO: / COURT CASE NO:

1. TO:

Name and address of levying officer

Name and address of judgment debtor

☐ Claimant, if other than judgment debtor
(name and address)

☐ Judgment debtor's attorney
(name and address)

2. A hearing to determine the claim of exemption of
☐ judgment debtor
☐ other claimant
will be held as follows:

Hearing Date → Date: Time:
Dept.: Room:

Name and address of court if different from above:

3. ☐ The judgment creditor will not appear at the hearing and submits the issue on the papers filed with the court.
If you do not attend the hearing, the court may determine your claim based on the Claim of Exemption, Financial Statement (when one is required), Notice of Opposition to Claim of Exemption, and other evidence that may be presented.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF JUDGMENT CREDITOR OR ATTORNEY)

NOTICE TO THE JUDGMENT DEBTOR

If the *Claim of Exemption* is for a levy or garnishment that is being used to enforce a judgment for personal debt, and if the hearing on *Claim of Exemption* is scheduled to occur more than 30 days after this *Notice of Hearing on Claim of Exemption* is filed, you can ask the court to stay the levy or garnishment until the hearing occurs. You can do so by filing *Application to Stay Levy or Garnishment* (form WG-017/EJ-137). (Code Civ. Proc., §§ 703.570(a), 706.105(e).)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	*FOR COURT USE ONLY*
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
DECLARATION OF ADDRESS VERIFICATION **(Wage Garnishment—Enforcement of Judgment)**	CASE NUMBER:

Instructions to the judgment creditor for completing this form:

- If you are enforcing a judgment for personal debt, you are required to verify the judgment debtor's address no later than 12 months before you give the levying officer any papers to serve on the judgment debtor. (Code Civ. Proc., § 684.130.)
- You must notify the levying officer and the court that you have completed the address verification by completing this form, giving a copy to the levying officer, and filing the completed form with the court within 5 business days of giving a copy to the levying officer.

1. I am *(specify)*: ☐ attorney for ☐ original judgment creditor ☐ assignee of record
2. I am asking the levying officer to serve *Writ of Execution* (form EJ-130), *Notice of Levy* (form EJ-150), or other documents related to enforcement of a judgment for personal debt.

   (Personal debt means money due or owing because of a transaction for money, property, insurance, or services used primarily for the debtor's personal, family, or household purposes. Personal debt does not include rental debt or debts incurred due to, or obtained by, tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. (Code Civ. Proc., § 683.110.))
3. I am asking the levying officer to serve the judgment debtor at the following address:

4. Within the last 12 months, I verified the address in item 3, or someone verified the address in item 3 on my behalf, by *(check one)*:
   a. ☐ Receiving correspondence from the judgment debtor on *(date)*: that included a return address or other comparable verification of the judgment debtor's address.
   b. ☐ Sending a letter to the judgment debtor's address on *(date)*: using certified mail, or through some other method of transmission through the United States Postal Service that provides a return receipt, and received a return receipt signed by the judgment debtor.
   c. ☐ Using a commercial address verification service, including skip-tracing, or using a public records database. I then sent a letter to the verified address via first-class mail on *(date)*: and the letter was not returned to sender.
   d. ☐ Using the following method *(describe the method and the date it was completed)*:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	*FOR COURT USE ONLY* DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	LEVYING OFFICER *(name and address):*
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	LEVYING OFFICER FILE NO.:
APPLICATION TO STAY LEVY OR GARNISHMENT **(Wage Garnishment—Enforcement of Judgment)**	COURT CASE NO.:

1. Judgment debtor *(name):*
   asks the court to stay (pause) a wage garnishment, bank account levy, or other levy.

2. The judgment debtor received *(check all that apply; to list more documents, check here* ☐ *and attach a page labeled Attachment 2):*
   a. ☐ *Notice of Levy* (form EJ-150) issued on *(date):*
   b. ☐ *Earnings Withholding Order* (form WG-002) issued on *(date):*

3. The levy or garnishment is for a judgment for personal debt.
   (Personal debt means money due or owing because of a transaction for money, property, insurance, or services used primarily for the debtor's personal, family, or household purposes. Personal debt does not include rental debt or debts incurred due to, or obtained by, tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. (Code Civ. Proc., § 683.110.))

4. The judgment debtor asks the court to *(check one):*
   a. ☐ Stay the levy or garnishment until the judgment creditor files *Declaration of Address Verification.* The judgment creditor asked the levying officer to serve the judgment debtor with the papers listed in item 1 and did not *(check all that apply):*
      (1) ☐ Give the levying officer a completed *Declaration of Address Verification* (form WG-015/EJ-135).
      (2) ☐ File the completed *Declaration of Address Verification* (form WG-015/EJ-135) with the court within five business days of giving a copy of the declaration to the levying officer.
   b. ☐ Stay the levy or garnishment until after the hearing scheduled by *Notice of Hearing on Claim of Exemption* (form WG-010/EJ-175). The hearing is scheduled to take place more than 30 days after form WG-010/EJ-175 was filed:
      (1) *Notice of Hearing on Claim of Exemption* was filed on *(date):*
      (2) The hearing on the claim of exemption is scheduled for *(date):*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	FOR COURT USE ONLY
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (*name*):	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	LEVYING OFFICER (*name and address*):
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
ORDER ON APPLICATION TO STAY LEVY OR GARNISHMENT **(Wage Garnishment—Enforcement of Judgment)**	LEVYING OFFICER FILE NO.:
	COURT CASE NO.:

1. Judgment debtor *(name):*
asked the court for an order staying the levy or garnishment described in *(specify name and date of order and to whom it was issued):*

2. The court, having reviewed the application, makes the following ruling:
   a. ☐ The application for a stay is denied because *(check all that apply):*
      (1) ☐ The application was incomplete.
      (2) ☐ The application did not meet the requirements to stay a levy or garnishment under Code of Civil Procedure section 684.130(b).
      (3) ☐ The application did not meet the requirements to stay a levy or garnishment under Code of Civil Procedure sections 703.570(a) and 706.105(e).
      (4) ☐ Other *(specify):*
   b. ☐ The application for a stay is granted and the levy or garnishment identified in item 1 is stayed until *(check one):*
      (1) ☐ The judgment creditor files *Declaration of Address Verification* (form WG-015/EJ-135). (Code Civ. Proc., § 684.130(b)(4).)
      (2) ☐ The conclusion of the hearing on the judgment creditor's motion opposing the judgment debtor's claim of exemption. (Code Civ. Proc., §§ 703.570(a), 706.105(e).)

Date:

____
JUDICIAL OFFICER

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.:	FOR COURT USE ONLY
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR STATE TAX AGENCY:	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
APPLICATION OF *(Name)*: TAXPAYER / RESPONDENT	
EARNINGS WITHHOLDING ORDER FOR TAXES	CASE NUMBER:
NAME OF STATE TAX AGENCY:	TAX AGENCY NUMBER:

1. The State's *Application for Earnings Withholding Order for Taxes* came on for hearing on
   (date): in ☐ Dept.: ☐ Div.: ☐ Room:
   before *(name of judicial officer)*:

2. a. ☐ Attorney for state tax agency present in court *(attorney name)*:
   b. ☐ Taxpayer present in court.
   c. ☐ Attorney for taxpayer present in court *(attorney name)*:

3. The court has considered ☐ the taxpayer's *Claim of Exemption and Financial Declaration* (form WG-026)
   ☐ the evidence presented ☐ the parties' stipulation.

4. **THE COURT FINDS**
   a. The taxpayer (employee) is entitled to a monthly exemption of: $
   b. The taxpayer is employed by *(name and address of employer)*:

   c. ☐ $ has been withheld from the employee's earnings under a *Temporary Earnings Withholding Order for Taxes.*

5. **THE COURT ORDERS the employer to**
   a. Withhold and pay to the state tax agency: $ from the employee's disposable earnings each month.
   b. Pay to the employee any disposable earnings above that amount, not to exceed: $ per month.
   c. WITHHOLD AND PAY TO THE STATE TAX AGENCY ANY DISPOSABLE EARNINGS ABOVE THOSE SET FORTH IN ITEMS 4a AND 4b.
   d. Begin withholding with the first pay period that ends on or after the 30th day after this order is served on the employee.
   e. Continue withholding until the tax liability has been satisfied unless an order with higher priority is received.
   f. Send all sums withheld to the state tax agency within 10 days after the last paycheck of each month.
   g. ☐ other *(specify)*:

Date:

JUDICIAL OFFICER

(Instructions to employer on page 2 of this form)

APPLICATION OF *(Name)*: TAXPAYER / RESPONDENT	CASE NUMBER:

INSTRUCTIONS TO EMPLOYER

A. When remitting withheld sums to the state tax agency, include the employee's name and Social Security number and the tax agency number.

B. **PRIORITY OF EARNINGS WITHHOLDING ORDERS**

First: Order Assigning Salary or Wages
Second: Earnings Withholding Order for Support
Third: Earnings Withholding Order for Taxes
Fourth: Earnings Withholding Order

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO:	LEVYING OFFICER (*name and address*):
NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO. : EMAIL ADDRESS: ATTORNEY FOR (*name*):	DRAFT 08/26/2025 NOT APPROVED BY COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	CASE NUMBER:
EARNINGS WITHHOLDING ORDER FOR ELDER OR DEPENDENT ADULT FINANCIAL ABUSE (Wage Garnishment)	LEVYING OFFICER FILE NUMBER:

EMPLOYEE: *KEEP YOUR COPY OF THIS LEGAL PAPER.* ***EMPLEADO:*** *GUARDE ESTE PAPEL OFICIAL.*

EMPLOYER: Enter the following date to assist your recordkeeping.
Date this order was received by employer (specify the date of personal delivery by levying officer or registered process server or the date mail receipt was signed):

TO THE EMPLOYER REGARDING YOUR EMPLOYEE:

Name and address of employer

Name and address of employee

Social Security No. ☐ on form WG-035 ☐ unknown

1. A judgment creditor has obtained this order to collect a court judgment against your employee. You are directed to withhold part of the earnings of the employee *(see instructions on page 2 of this form).*

   Pay the withheld sums to the **levying officer** *(name and address above).* If the employee works for you now, you must **give the employee a copy of this order and *Employee Instructions* (form WG-003)** within 10 days after receiving this order.

   Complete *Employer's Return* (form WG-005) and mail it to the levying officer within 15 days after receiving this order. You must do so even if the employee no longer works for you.

2. a. The total amount due is: $
   b. The amount arising from an elder or dependent financial abuse claim is: $

   Count 30 calendar days from the date when the employee was served with this order. **Do not** withhold earnings payable for any pay period that ends before the 30th day. **Do** withhold from earnings that are payable for any pay period ending on or after that 30th day. If you receive notice that the employee has filed a claim of exemption, read the Instructions to Employer on page 2 of this form for more information about calculating the start of the withholding period.

   Continue withholding for all pay periods until you withhold the amount due. The levying officer will notify you of an assessment you should withhold in addition to the amount due. Do not withhold more than the total of these amounts. Never withhold any earnings payable before the beginning of the earnings withholding period.

3. The judgment was entered in the court on *(date):*

   The judgment creditor (if different from the plaintiff) is *(name):*

4. The Instructions to Employer on page 2 of this form tell you how much of the employee's earnings to withhold each payday. Follow those instructions unless you receive a court order or order from the levying officer giving you other instructions.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

☐ LEVYING OFFICER ☐ REGISTERED PROCESS SERVER

INSTRUCTIONS TO EMPLOYER ON EARNINGS WITHHOLDING ORDERS

The instructions in paragraph 1 on page 1 of this form describe your initial duties to provide information to your employee and the levying officer.

Your other duties are TO WITHHOLD THE CORRECT AMOUNT OF EARNINGS (if any) and PAY IT TO THE LEVYING OFFICER during the *withholding period.*

The withholding period is the period covered by *Earnings Withholding Order* (this order). The withholding period begins 30 calendar days after the employee is served with the order and continues until you have withheld the total amount due, plus additional amounts for costs and interest (which will be listed in a levying officer's notice). However, if the employee files a claim of exemption and notifies you of the filing no later than 29 days after the employee was served with *Earnings Withholding Order*, then the withholding period begins 45 days after the date the employee was served with *Earnings Withholding Order*.

The withholding period may end sooner if (1) you receive a written notice signed by the levying officer specifying an earlier termination date, or (2) you receive an order of higher priority (explained on page 2 of *Employer's Return* (form WG-005)).

You are entitled to rely on and must obey all written notices signed by the levying officer.

Employer's Return (form WG-005) describes several situations that could affect the withholding period for this order. If you receive more than one *Earnings Withholding Order* during a withholding period, review form WG-005 for instructions.

If the employee stops working for you, the *Earnings Withholding Order* ends after no amounts are withheld for a continuous 180-day period. If withholding ends because the earnings are subject to an order of higher priority, the *Earnings Withholding Order* ends after a continuous two-year period during which no amounts are withheld under the order. **Return the *Earnings Withholding Order* to the levying officer with a statement explaining why it is being returned.**

WHAT TO DO WITH THE MONEY

The amounts withheld during the withholding period must be paid to the levying officer by the 15th day of the next month after each payday. If you wish to pay more frequently than monthly, each payment must be made within 10 days after the close of the pay period.

Include the case number, levying officer's file number (if different from the case number), and the employee's name on each payment to ensure the money is applied to the correct account.

WHAT IF YOU STILL HAVE QUESTIONS?

The garnishment law is contained in the Code of Civil Procedure beginning with section 706.010. Sections 706.022, 706.025, 706.050, and 706.104 explain the employer's duties.

The Federal Wage Garnishment Law and federal rules provide the basic protections on which the California law is based. Inquiries about the federal law will be answered by mail, telephone, or personal interview at any office of the Wage and Hour Division of the U.S. Department of Labor. The Wage and Hour Division's contact information is available at dol.gov/agencies/whd/contact.

COMPUTATION INSTRUCTIONS

Code of Civil Procedure section 706.050 explains how to determine the amount to withhold (if anything) depending on the employee's disposable earnings, which are calculated based on the employee's pay period and the applicable hourly minimum wage. This calculation is summarized in the next section of this form and on the California Courts self-help website (selfhelp.courts.ca.gov/guide-earnings-withholding-orders-employers).

THESE COMPUTATION INSTRUCTIONS APPLY UNDER NORMAL CIRCUMSTANCES. THEY DO NOT APPLY TO ORDERS FOR THE SUPPORT OF A SPOUSE, FORMER SPOUSE, OR CHILD.

State law limits how much of an employee's earnings can be withheld. These limits are based on the employee's disposable earnings, not their gross pay or take-home pay.

(A) To determine the CORRECT AMOUNT OF EARNINGS TO BE WITHHELD (if any), first compute the employee's *disposable earnings.*

Earnings include any money (whether called wages, salary, commissions, bonuses, or anything else) that is paid by an employer to an employee for personal services. Vacation or sick pay is subject to withholding as it is received by the employee. Tips are generally not included as earnings because they are not paid by the employer.

Disposable earnings are the earnings left after subtracting the part of the earnings a state or federal law requires an employer to withhold. Generally these required deductions are (1) federal income tax, (2) federal social security, (3) state income tax, (4) state disability insurance, and (5) payments to public employee retirement systems. Disposable earnings will change when the required deductions change.

(B) After the employee's disposable earnings are known, calculate the withholding amount as shown in Code of Civil Procedure section 706.050. You can follow the directions below in (C) or on the California Courts self-help website (selfhelp.courts.ca.gov/guide-earnings-withholding-orders-employers). You will need to know the amount of the minimum wage in the location where the employee works.

(C) Calculate the maximum amount that may be withheld from the employee's disposable earnings, which is the *lesser* of the following two amounts:

- 20 percent of disposable earnings for that week; **or**
- 40 percent of the amount by which the employee's disposable earnings that week exceed the applicable minimum wage. If there is a local minimum wage in effect in the location where the employee works that exceeds the state minimum wage at the time the earnings are payable, the local minimum wage is the applicable minimum wage.

To calculate the correct amount, follow the steps below:

Step 1: Determine the applicable minimum wage per pay period.

- For a daily or weekly pay period, multiply the applicable hourly minimum wage by 48.
- For a biweekly pay period, multiply the applicable hourly minimum wage by 96.
- For a semimonthly pay period, multiply the applicable hourly minimum wage by 104.
- For a monthly pay period, multiply the applicable hourly minimum wage by 208.

Step 2: Subtract the amount from Step 1 from the employee's disposable earnings during that pay period.

Step 3: If the amount from Step 2 is less than zero, do not withhold any money from the employee's earnings.

Step 4: If the amount from Step 2 is greater than zero, multiply that amount by 0.40.

Step 5: If the amount from Step 4 is lower than 20 percent of the employee's disposable earnings, withhold this amount. If it is greater than 20 percent of the employee's disposable earnings, withhold 20 percent of the disposable earnings.

Occasionally, the employee's earnings will also be subject to a *Wage and Earnings Assignment Order,* an order available from family law courts for child, spousal, or family support. The amount required to be withheld for that order should be deducted from the amount to be withheld for this order.

IMPORTANT WARNINGS

1. IT IS AGAINST THE LAW TO FIRE THE EMPLOYEE BECAUSE OF *EARNINGS WITHHOLDING ORDERS* FOR THE PAYMENT OF ONLY ONE INDEBTEDNESS. No matter how many orders you receive, so long as they all relate to a single judgment (no matter how many debts are represented in that judgment), the employee may not be fired.
2. IT IS ILLEGAL TO AVOID AN *EARNINGS WITHHOLDING ORDER* BY POSTPONING OR ADVANCING THE PAYMENT OF EARNINGS. The employee's pay period must not be changed to prevent the order from taking effect.
3. IT IS ILLEGAL NOT TO PAY AMOUNTS WITHHELD FOR THE *EARNINGS WITHHOLDING ORDER* TO THE LEVYING OFFICER. Your duty is to pay the money to the levying officer, who will pay the money in accordance with the law that applies to this case.

   IF YOU VIOLATE ANY OF THESE LAWS, YOU MAY BE HELD LIABLE TO PAY CIVIL DAMAGES AND YOU MAY BE SUBJECT TO CRIMINAL PROSECUTION!

	Commenter	Position	Comment	Committee Response
Please note that the committee changed some of the form numbers in this proposal after the forms were circulated for public comment. The form numbers mentioned in the public comments are different from those in the committee's responses in this comment chart and its recommendations in the accompanying report to the Judicial Council. In the invitation to comment: • *Declaration of Address Verification* (form WG-015/EJ-135) was form EJ-135 • *Application to Stay Levy or Garnishment* (form WG-017/EJ-137) was form WG-015/EJ-137 • *Order on Application to Stay Levy or Garnishment* (form WG-018/EJ-138) was form WG-016/EJ-138				
1.	Aderant by Cheryl Siler Director, Docketing Operations	AM	The proposed amendment to Form EJ-130 adds the following language on page 3, "The judgment creditor must give the levying officer a completed copy of Declaration of Address Verification (form EJ-135) and must file the form EJ-135 with the court within five days of giving a copy of the form to the levying officer." The "five day" period is inconsistent with CCP 684.130(b)(6) which requires the verification form "within five business days after delivering the declaration to the levying officer." It appears the proposed amendment to Form EJ-130 should state that the five days are five business days so that it is consistent with the statute. The same applies for Form WG-003 (page 1).	The committee agrees and is recommending that forms EJ-130, WG-003, WG-015/EJ-135, and WG-017/EJ-137 state that the declaration must be filed within "five business days" instead of "five days."
2.	Bay Area Legal Aid by Alex Farrell, Consumer Staff Attorney and	A, AM, N[1]	**CCP 684.130(A) WAS UNCHANGED BY AB 2837 AND THERE IS NO NEED FOR THE JUDICIAL COUNCIL TO ATTEMPT TO INTERPRET "REQUIRED BY ANY PROVISION OF THIS TITLE" AS THAT LANGUAGE HAS EXISTED FOR MANY YEARS.**	The notice of levy was inadvertently excluded from the text of the invitation to comment for this proposal, and that error has been corrected in the Judicial Council report to which this comment chart is attached.

[1] The commenter agrees with the proposal as to certain forms, agrees as to certain forms if they are modified, and does not agree as to certain legal interpretations.

	Commenter	Position	Comment	Committee Response
	Renee Coe, Attorney – Equal Justice Works Fellow		The Judicial Council's proposed interpretation of "required by any provision of this title" is too narrow and excludes the Notice of Levy which is explicitly contemplated in the language which states "any writ, order, **notice**, or other paper" [emphasis added]. To exclude the Notice of Levy from address verification requirements would be to rewrite the statute and would harm many debtors who would never receive the paperwork notifying them of imminent loss of property. For many BayLegal clients the Notice of Levy is the first time they have learned of a judgment. If this collection mechanism were excluded from due diligence, it would create a class of debtors (those with leviable property) with fewer rights than others. As articulated by the Judicial Council in the comment request "required by any provision of this title," for debtors with leviable property, creditors could send a writ and years later send a Notice of Levy with no obligation to update the address. Debts in California can be collected for up to 10 years and renewed for an additional 5 years, which is why ensuring current addresses is critical for all types of debt collection. No changes were made to section (a), and no additional interpretation is needed. The Notice of Levy is a document that Sheriffs are required to serve under Title 9. See sections CCP 700.010 to CCP 700.200 inclusive, multiple provisions of which state that the levying office "**shall** serve a copy of the writ and **notice of levy**" [emphasis added]. Thus, we urge the Judicial Council not to attempt to narrow CCP 684.130(a) which is established law, unchanged by AB 2837. If the Council wishes to provide clarification it should ensure the Notice of Levy is properly included as a document subject to the title. To do anything else would harm the property and due	The Civil and Small Claims Advisory Committee took the notice of levy into account when proposing new and revised forms to implement Code of Civil Procedure section 684.130. For example, *Declaration of Address Verification* (form WG-015/EJ-135) lists *Notice of Levy* (EJ-150) as one of the documents the judgment creditor might be asking the levying officer to serve on the judgment debtor.

	Commenter	Position	Comment	Committee Response
			process rights of our low-income clients, many of whom are elderly. Furthermore, the broader interpretation we assert here corresponds to the language in the recently proposed EJ-135 which includes Notice of Levy.	
			SPECIFIC COMMENTS ON PROPOSED CHANGES TO FORMS: **EJ-130** We support the language added to this form regarding judgment for personal debt. This will greatly improve the form and provide vital information on the changes to the process of service and debtor's rights which otherwise might go unknown, especially to pro per debtors. For many of our clients, knowing what to be on the lookout for will help them to ensure that they can exercise their rights before and *AFTER* judgments.	The committee appreciates the response.
			EJ-135 This form is helpful and will allow judgment creditors to comply with changes regarding address verification. It will also help levying officers by providing a succinct form to review for compliance.	The committee appreciates the response.
			EJ-157-Info While the updates to this form are generally good, BayLegal proposes additional clarifying language to ensure that while banks understand they have discretion to choose *which* account they apply the exemption to, they MUST ensure that the maximum amount is protected. We want to ensure that banks understand that they must protect the full exemption amount ***across*** accounts, regardless of their discretion to choose which accounts. Please see the proposed changes below: "1. **Applicable Law.** Code of Civil Procedure section 704.220 requires financial institutions to apply an automatic exemption when served a *Notice of Levy* (form EJ-150) on a judgment debtor's deposit account if the judgment being	The committee agrees that form EJ-157-INFO should be clearer about the requirement to protect the entire exempted amount across the judgment debtor's accounts. The committee is recommending revisions to items 1 and 2 along the lines suggested by the commenter.

	Commenter	Position	Comment	Committee Response
			enforced by the *Notice of Levy* is not based on wages owed or child or spousal support. The exemption amount is stated on *Current Dollar Amounts of Exemptions from Enforcement of Judgments* (form EJ-156) and is applied to one **or more, if necessary**, of the judgment debtor's accounts, to ensure the entire exemption amount is retained across accounts. (Code Civ. Proc., § 704.220(e)(2), (4), (5).) The exemption is automatically applied, and the judgment debtor does not need to do anything to have the exempted amount protected. 2. **Multiple Accounts.** • If the judgment debtor has multiple deposit accounts at a single bank, either the judgment debtor or judgment creditor can apply for a court order deciding how to apply the exemption to those accounts. The bank must automatically protect the exempted amount **across accounts**, but without a court order it will choose the accounts to which the exemption applies. (Code Civ. Proc., § 704.220(e)(2), (4), (5).)" (EJ-157-Info, Page 1 of 2).	
			SER-001A (Section 5) This form is helpful and will allow judgment creditors to comply with changes regarding address verification. It will also help levying officers by providing a succinct form to review for compliance.	The committee appreciates the response.
			WG-010/EJ-175 The additional language is helpful as it will educate the creditors, debtors, and courts to the new rules regarding stays after calendaring delays for claim of exemption hearings. This will ensure that debtors are not disproportionately harmed by court delays.	The committee appreciates the response.

	Commenter	Position	Comment	Committee Response
			WG-015/EJ-137 The creation of a standard form for a stay will serve to help simplify the process for low-income pro per litigants like our clients. It will also increase access to this remedy as it will be easier for pro per litigants to seek assistance completing forms instead of drafting an ex parte application from scratch. However, we would propose a few changes to further ensure the form successfully reduces barriers for those most vulnerable. We recommend the inclusion of the definition of personal debt as many debtors may not be familiar with its legal definition. If the Judicial Council elects to create a Notice of Ex Parte Application form, then it should include a line on the form instructing applicants to attach the Notice of Ex Parte Application. For example: **Complete and include Attachment to WG-015/EJ-137 -- Notice of Ex Parte Application to this form.**	The committee notes that item 3 on form WG-017/EJ-137 includes the definition of personal debt.
			Attachment to WG-015/EJ-137 - Notice of Ex Parte Application We propose the creation of an additional [form] to assist debtors and courts confirm appropriate notice is provided to opposing council for an ex parte application because there are specific notice requirements under the current rules of court. We have seen many pro per litigant's neglect to include a notice declaration with an ex parte application, as they are unaware of the nuanced rules. Various superior courts have local versions of a Notice of Ex Part Application form (samples included with this comment), but they are inconsistent and not readily available in the post-judgment resources. Given that Rule 3.1204 proscribes a statewide policy for ex parte notice, it would be preferrable to	The committee is not recommending that form WG-017/EJ-137 include instructions regarding California Rules of Court, rules 3.1203 and 3.1204. It is unclear whether the ex parte rules apply to some of the stays covered by the form. If the rules do not apply by law, or are not applied by courts, then including the instructions would be confusing and could result in unnecessary delays in filing the form. The committee determined that it would be more appropriate to revise the form in the future if necessary, after it is clearer whether the ex parte

	Commenter	Position	Comment	Committee Response
			have a statewide form with instructions to make this mechanism accessible to less tech savvy and otherwise less sophisticated pro per litigants. We have had a clinic participant come to us seeking assistance after her ex parte application was denied because she was unaware of the notice requirement and did not properly complete them.	rules are affecting court users who file form WG-017/EJ-137.
			WG-016/EJ-138 For many of our low-income pro per clients, drafting a proposed order is confusing and unclear. As such, a form order like the one proposed by the Judicial Council is ideal to ensure access to remedies that every defendant should be entitled to. Furthermore, it will promote judicial efficiency by creating a single order that judges across counties can use and reducing the work of the court to enter their orders. Additionally given the urgency of ex parte matters, a more simplified process ensures that relief can be granted as soon as possible, which is critical for debtors who may face additional garnishments or levies while a hearing is pending.	The committee appreciates the response.
			WG-022 & WG-030 This update is an important one that brings the form into compliance with current law, which we hope will ensure that debtors receive sufficient notice to plan for eventual garnishment or submit claims of exemption. Ultimately this benefits all parties as a debtor whose job or housing becomes unstable due to financial hardship, is unlikely to continue to pay a debt. Employers now have clearer instructions for determining the period to begin a wage garnishment.	The committee appreciates the response.
			EJ-160 The additional instructional language in the header will benefit our clients, who are often unaware of what exemptions may apply and what amounts are covered by them. Directing debtors to resources will ensure they complete the form more accurately and the addition of instructions regarding need-based exemption	The committee appreciates the response.

	Commenter	Position	Comment	Committee Response
			requests helps to clarify when additional paperwork is needed. This will reduce debtor confusion as well as work for courts who will avoid processing unnecessary paperwork for debtors who are only seeking enforcement of statutorily protected sums. The addition of Item 4 will help debtors distinguish between need-based exemption requests and statutory exemption requests. As many debtors are pro per litigants this will help them to complete the form more accurately and allow courts to effectively assess claims, reducing the risk of errors where courts mistakenly release protected funds to creditors. Finally, the inclusion of Item 7 is especially beneficial as it will allow debtors who may receive assistance from legal aid or law libraries to include the statute, which we believe would expedite court review by directing courts to the most relevant statutes (especially given the breadth of exemptions available).	
			WG-002 & WG-004 The additional language in the instructions is helpful as it will educate employers about the new rules regarding calculating the start of the withholding period. This will ensure that debtors will have time to seek information about filing the claim of exemption form. Further changes are needed to the "IMPORTANT WARNINGS" to correct typographical errors, clarify the meaning, and ensure consistent across the two forms. *WG-002*: No matter how many orders you receive, so long as they all relate to a single indebtedness (no matter how many debts are *WG-004*: No matter how many orders you receive, so long as they all relate to judgment (no matter how many debts are	The committee agrees that the term "judgment" is less confusing than "indebtedness" in the context of this warning on form WG-002 and is recommending that the form be revised to use the phrase "a single judgment." The committee is recommending the same revision on form WG-030. The typo identified by the commenter on form WG-004 has been corrected.

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<tr><th></th><th>Commenter</th><th>Position</th><th>Comment</th><th>Committee Response</th></tr>
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<table><tr><td>represented in that judgment), the employee may not be fired.</td><td>represented in that judgment) the employee may not be fired.</td></tr></table>

The use of the word “indebtedness” is confusing. It may not be clear to the employer that multiple debts could be represented by a single indebtedness. We believe that the word “judgment” as it is used in WG-004, is clearer. However, WG-004 appears to have a typographical error, as it omits the words “a single” (referenced sections highlighted above).

Both forms should read as follows:
“No matter how many orders you receive, so long as they all relate to a single judgment (no matter how many debts are represented in that judgment) the employee may not be fired.”</td><td></td></tr>
<tr><td></td><td></td><td></td><td>WG-003
We support the addition of the section entitled “IS THE EWO RELATED TO PERSONAL DEBT?”. This revision informs judgment debtors of their right to request a stay of the wage garnishment if the judgment creditor fails to comply with the requirement that it verify a debtor’s address. This added language also helps to enforce this new requirement. Given that an Earnings Withholding Order may be served up to 15 years after a judgment, we frequently see cases where outdated addresses are used—often the same address from the original service. Without proper address verification, debtors may never receive notice of the garnishment and may lose the opportunity to file a timely claim of exemption. This change promotes due process and protects against wrongful wage garnishment.</td><td>The committee appreciates the response.</td></tr>
<tr><td></td><td></td><td></td><td>WG-006
We strongly support the addition of Item 3.a. to form WG-006. In our experience, many judgment debtors are subjected to wage garnishments that exceed the statutory maximum under Code of</td><td>The committee agrees that it would be helpful to include further instructions on form WG-006 regarding items that do not need to be completed</td></tr>
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	Commenter	Position	Comment	Committee Response
			Civil Procedure section 706.050 due to employer errors. These individuals often are not aware of this statutory maximum. The addition of Item 3.a. clarifies for judgment debtors that their income is exempt up to the statutory maximum. In addition, the caption provides clear instructions for all parties that these individuals are not required to complete a financial statement when their income alone makes them fully exempt from garnishment. We propose one further change to WG-006. The form should instruct individuals who check Item 3.a. not to complete Item 4. Because they are only completing the form due to an error, they should not be able to voluntarily elect a garnishment amount from exempt wages without judicial determination. If they wish to propose a payment plan using exempt income, that should be done directly with the creditor, not through the claim of exemption process. For Example: **Do not answer this question if you checked Item 3(a) above.**	by judgment debtors who check the box for item 3a. The committee is recommending revisions to the third bullet point in the instructions at the top of page 1 to add: "You also do not need to complete item 4 [if you checked the box for item 3a]." The committee also recommends adding a parenthetical to item 4 stating: "You do not need to complete item 4 if you checked the box for item 3a." Similarly, the committee is recommending the addition of a parenthetical in item 3b stating: "You do not need to complete form EJ-165 if you checked the box for item 3a."
3.	California Department of Child Support Services by Robert Sech, Attorney IV	NI	The California Department of Child Support Services (DCSS) has reviewed the proposal identified above for potential impacts to the child support program, the local child support agencies, and our case participants. Specific feedback related to the provisions of the forms with potential impacts to the department and its stakeholders follows.	Please see the committee's responses below regarding specific elements of the proposal.
			SPR25-06 Title: Civil Practice and Procedure: Implementation of Assembly Bill 2837 *Special Instructions for Writs and Levies—Attachment SER-001A, p. 23*	

	Commenter	Position	Comment	Committee Response
			▪ DCSS respectfully recommends the addition of a checkbox in "Item 5" and changing the language "Complete Declaration of Address Verification (form EJ- 135) and attach it to this form" to "☐ Completed Declaration of Address Verification (form EJ-135) is attached to this form." • Comment: The proposed additional language and checkbox are important signals for users who might not be familiar with the address verification requirement under AB 2837. The checkbox itself is added to make the attachment an action item for the user. • It should now read as follows: o If you are the judgment creditor and you are asking the sheriff to serve a writ, levy, or other document related to enforcement of a judgment for personal debt (as defined in Code of Civil Procedure section 683.110(d)), you must verify the judgment debtor's address before the sheriff can serve your papers. ☐ Completed Declaration of Address Verification (form EJ-135) is attached to this form.	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
			Memorandum of Costs After Judgment, Acknowledgment of Credit, and *Declaration of Accrued Interest – MC-012, - p. 17* ▪ DCSS respectfully recommends restructuring "Item #3" in order to clearly delineate the amounts being requested. The current sentence is compound and confusing to the user. • The proposed changes would make this item read as follows: • Accrued interest remaining due. Accrued interest remains due in the amount of $____.	In light of all the comments received regarding item 3 on form MC-012, the committee is recommending that this item include the instruction "if different interest rates apply to different unpaid principal amounts" to clarify when to fill in the boxes for a second unpaid principal amount and interest rate. The

	Commenter	Position	Comment	Committee Response
			This amount was calculated using the following: 1. Legal interest rate of __% on the unpaid principal amount of $__. 2. Legal interest rate of __% on another unpaid principal amount of $___. (For details on how to calculate interest, please refer to form MC-013-INFO. Interest is calculated form the date of the judgment or its renewal and also on any remaining balance after partial payments or credits that reduce the principal are applied.)	committee is also recommending revisions to the last sentence in item 3 to increase clarity.
			Claim of Exemption (Enforcement of Judgment) – Form EJ-160, pp. 15-16 ▪ DCSS respectfully recommends that additional space be allowed after items 5 through 9 to allow the user adequate room to describe the claimed exemptions and to elaborate on the facts the user believes supports said exemptions. In the alternative, DCSS recommends that the form be shortened by eliminating the space between these items while mandating that the user only attach additional pages explaining the complete and relevant details.	The committee is not recommending revisions in response to this suggestion. The committee acknowledges that the space provided to respond to some of the items on the form might not be sufficient for everyone who completes the form. However, form EJ-160 reflects the Judicial Council's typical practice for items seeking a narrative response. These items typically include a text box that allows for a shorter answer, plus a check box that can be used if the answer continues onto a separate sheet of paper.
4.	California Detective Agency	NI	Thank you for requesting comments from stakeholders and justice partners on the proposed forms for Sheriff Service.	Please see the committee's responses below regarding specific elements of the proposal.

	Commenter	Position	Comment	Committee Response
	by Ali Ammar, Chief Investigator		I am Ali Ammar, the Chief Private Investigator at California Detective Agency (www.californiapi.com). For nearly 20 years, I have worked intimately with the Courts and Sheriffs as a licensed private investigator, judgment enforcement expert, and registered process server. I work on more judgments than most other investigators in California, working with County Sheriffs in over 20 counties throughout the State. I have assisted on over 1,000 levies, including bank levies, wage garnishments, and levies on intangible and tangible property, including aircraft, large boats, and vehicles. As a sample of my experience, please see the cases I have handled within the past three years: • $175 million business dispute judgment enforcement, Los Angeles 2023 • $36 million traffic collision wrongful death judgment enforcement, Los Angeles 2023 • $90,000 judgment against a vexatious litigant, Orange County 2023 • Identification and levy of an individual's comprehensive real estate portfolio of eight homes, Los Angeles 2023 • Enforcement of $4 million class action judgment against a publicly-traded firm, representing hundreds of employees, Los Angeles 2023 • Enforcement of $3 million class action judgment representing hundreds of employees, Orange County 2023 • Enforcement of $29 million judgment against garment manufacturer, Los Angeles County 2022 • Pursued a prolific entrepreneur for unpaid wages, resulting in full satisfaction of judgment with costs and interest, Riverside County 2022	

	Commenter	Position	Comment	Committee Response
			• Enforcement of $4 million class action lawsuit representing hundreds of airline employees, Los Angeles 2022 • $18 million skydiving wrongful death judgment enforcement, Central California 2021 • Pre-judgment Writ of Attachment on business income, Orange County 2021 • First-ever levy on an aircraft in Riverside, Riverside County 2021 **Request for Specific Comments** In addition to comments on the proposal as a whole, the advisory committee requested comments on the following:	
			Does the proposal appropriately address the stated purpose? Partially. The statutory intent of a recent bill, Assembly Bill 2791 (2022), was to "…address issues with the current system by replacing County-specific forms with **a single**, uniform, statewide form…" *Assembly Floor Analysis 08/30/2022.* Emphasis added. Just two years later, the Judicial Council seeks to adopt a **third** form which would make the Sheriff's Instructions at least nine pages long consisting of three different Judicial Council forms. (SER-001, SER-001A, and EJ-135). Prior to 2024, a request for the Sheriff to serve papers was often a single page letter or local form. We strongly disagree that a new **mandatory** form is necessary for address verification [Declaration of Address Verification (EJ-135)]. This form should be specified for optional use. If you insist on mandatory use, the form may need some updates to comply with the statute and ensure the statements don't go beyond its scope.	In light of all the comments received regarding proposed form WG-015/EJ-135, the committee has determined that it will be beneficial to recommend adoption of form WG-015/EJ-135 to implement the address verification requirement in Code of Civil Procedure section 684.130. The form will help judgment creditors and levying officers by ensuring the judgment creditor's declaration meets the requirements of section 684.130. The committee has recommended revisions to form WG-015/EJ-135 in response to the public comments on this proposal. The committee has determined that as revised, form WG-015/ EJ-135 does not exceed the requirements of section 684.130. The committee considered the suggestion to make form WG-015/EJ-135 optional and determined that the form should be mandatory to ensure that the declarant includes the statutorily

	Commenter	Position	Comment	Committee Response
				required information. Making the form optional could increase the number of address verifications rejected for failure to meet the statutory requirements. Additionally, because the statutory requirements are straightforward, it is unlikely that court users will need to include information that the form does not cover The committee also notes that even if form WG-015/EJ-135 were not created, the statute would still require judgment creditors in personal debt cases to provide the levying officer with more documentation than they have in the past. Adoption of the form should not increase the amount of documentation provided to levying officers and could decrease it in some cases by ensuring the address verification fits on one sheet of paper.
			<u>Should a checkbox be added to item 5 on form SER-001A?</u> • Yes, but only if the proposed checkbox for personal debt is removed from the Writ of Execution (EJ-130). Including a personal debt designator on two separate forms is duplicative and not required by the statute. • Practically every County Sheriff in California is requiring a statement added to Item 6 affirming "This is not a personal debt and therefore no declaration of address verification is required" for those levies that are not covered by the personal debt statute. Therefore, I would recommend reconsidering your template to include a Yes/No checkbox as to personal debt (Item 5).	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee acknowledges that the "personal debt" checkbox in item 22 on form EJ-130 is similar to item 5 on form SER-001A. However,

	Commenter	Position	Comment	Committee Response
				the checkbox in item 22 is primarily intended to help the judgment debtor determine whether the address verification requirement applies so they can seek a stay if the judgment creditor does not file the address verification with the court. The judgment debtor does not see form SER-001A. The committee determined that including personal debt items on both form EJ-130 and form SER-001A will be more effective for all parties and the levying officer than having a personal debt item on only one of the forms.
			<u>Please provide suggestions, if you have any, for revising specific items in forms…</u> Application for Earnings Withholding Order (WG-001) • The electronic writ declaration requirements of CCP 687.010(e) were previously integrated into the SER-001A form (Item 3). However, no consideration was given to the WG-001 which is used in place of the SER-001 and SER-001A. Please consider adding a section on the WG-001 to comply with the requirements of CCP 687.010(e) to ensure that no separate Electronic Writ Declaration is necessary. [image omitted]	This suggestion is beyond the scope of this proposal and would require further public comment because form WG-001 was not part of the proposal. The committee will consider this suggestion as time and resources permit.
			Earnings Withholding Order (WG-002) • Item 2 states "The total amount due" which usually the judgment amount alone is sufficient. However, we have received several rejections because the Sheriff has asked for the below type of format. We established that the Sheriff is correct in requesting this, but the form should specify the fee breakdown similar to a Notice of Levy.	This suggestion would require further public comment because it seeks a substantive revision to a portion of form WG-002 that the current proposal does not address. The committee will consider this suggestion as time and resources permit.

	Commenter	Position	Comment	Committee Response
			$127,875.06 judgment total amount due +$45.00 Sheriff's garnishment fee +$15.00 Sheriff disbursement fee +$20.75 daily interest from the date writ was issued = $128,557.56 Without specifying the larger sum due, a wage garnishment might be entered into an employer's payroll system at a much smaller amount than would be required to satisfy the judgment. Another example is some Sheriffs specify "Contact the Sheriff's Department to receive an updated payoff prior to ending this garnishment". You can find a similar breakdown on the Notice of Levy (EJ-150): [image of item 3 on form EJ-150 omitted]	
			• Rather than specify 30 days from when the employee was served, use the same language from earlier in the form ("you must give the employee a copy of this order"), as the "service" language might confuse the employer. For example: "Count 30 days from the date when you gave the employee this order".	The committee is not recommending revisions in response to this suggestion because item 2 on form WG-002 reflects the current statutory language. Code of Civil Procedure section 706.022(a) defines the withholding period as "the period which commences on the 30th day after *service* of an earnings withholding order upon the judgment debtor" (emphasis added). Prior to January 1, 2025, section 706.022(a) referred to service of the order upon the employer, rather than the judgment debtor.
			• To simplify the form, we propose removing the following language not required by CCP 706.125. These two sections traditionally go unused and are duplicative.	This suggestion is beyond the scope of the proposal, but the committee will consider it as time and resources permit.

	Commenter	Position	Comment	Committee Response
			[image omitted; image showed the two boxes directly under the form name in the form header, including the text box used to enter the date of personal delivery]	
			Writ of Execution (EJ-130) • AB 2837 does not mandate or authorize any change to the Writ of Execution. • CCP 699.520(c) requires that the Writ specify "Whether the judgment is for wages owed, child support, or spousal support", with no mention of Personal Debt.	The Judicial Council has discretion to determine how to implement the law in its forms. The council is not required to have explicit statutory authorization to add or revise specific items on forms, so long as the forms do not conflict with the law. The committee has determined that its proposed revisions to form EJ-130 do not conflict with AB 2837 or previously existing law.
			• Adding a checkbox for personal debt will result in additional workload for court clerks, who will need to determine whether or not a case includes an element of personal debt, leading to unnecessary rejections and disputes between litigants and the court clerks.	Although the clerk must issue form EJ-130, the form is typically completed by the parties and then presented to the clerk for issuance. Previous revisions to form EJ-130 have focused on making the form easier for parties to complete. See, e.g., Judicial Council of Cal., Advisory Com Rep., *Civil Practice and Procedure: Writ of Execution Forms* (Aug. 25, 2017), pp. 2–5, https://jcc.legistar.com/View.ashx?M=F&ID=5389328&GUID=CF5E1471-D159-4D4D-AAE8-EB90439334DB.
			• Only a portion of the judgment may be related to personal debt/consumer debt/medical expenses. See MC-012 listing two different interest rates (item 3) and JUD-100 (item 7) listing three different amounts for types of debt.	The committee is not recommending revisions in response to this suggestion. The committee agrees that Code of Civil Procedure section 684.130 is unclear about whether the address verification requirement applies to judgments that are only partially for personal debt.

	Commenter	Position	Comment	Committee Response
				However, the committee determined that the item 22c should use the statutory language and state that "the judgment is for personal debt." There is not enough information in the statute to justify adding an explanation or instructions regarding the possibility of a partial judgment.
			• As for the committee's proposal to "require the judgment creditor to confirm whether the judgment is for personal debt"—the Writ of Execution is not a declaration or other affirmation signed by the Judgment Creditor—it's issued by the Clerk of the Court based on the contents of the Judgment in the court record. It's outside of a Clerk's duties to determine if a judgment is based on personal debt.	Please see the committee's previous response regarding the parties' role in completing form EJ-130.
			• There is no requirement to specify if a party is the original judgment creditor or the assignee of record. "Judgment Creditor" is a universal term that covers both. See CCP 680.240: *"Judgment creditor" means the person in whose favor a judgment is rendered or, if there is an assignee of record, means the assignee of record.*	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit. The committee notes that many of the Judicial Council's enforcement of judgment forms have checkboxes to indicate whether the applicant is the original judgment creditor or the assignee of record.
			• If you insist on retaining both checkboxes for creditor/assignee, these boxes and the judgment creditor's name is duplicated twice on the form— [image omitted; image showed the "attorney for" boxes in the form header and item 3 on the form]	Please see previous response.

	Commenter	Position	Comment	Committee Response
			Special Instructions for Writs (SER-001A) • Please consider specifying that subsequent instructions to the Sheriff on the same file do not use this form. Some counties read the statute that simple requests like releasing a levy or reducing a wage garnishment must specified on the 8-page form (Combined SER-100 and SER-100A).	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit.
			• Practically every County Sheriff in California is requiring a statement in item 6 that "This is NOT a personal debt and therefore no declaration of address verification is required" for those levies that are not covered by the personal debt statute. Therefore, I would recommend including a Yes/No checkbox as to personal debt (Item 5).	Please see the committee's previous response regarding its recommended revisions to item 5 on form SER-001A.
			• Regarding Item 1 (Information About You) and Item 2 (Information About Person You Want Served): Both of these items are duplicative since the form is being attached to form SER-001, which already specifies the person requesting service (the litigant, as required by statute) and the person to be served.	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit.
			• For a Registered Process Server to "open" a levy file, CCP 699.080(b) only requires a copy of the writ and a fee—NO INSTRUCTIONS until after the levy is served. Within 5 days of service, the RPS must file the writ, 1-2 proofs of service, <u>and the instructions</u> specified in CCP 687.010. Due to the unique nature of the process server's statutory responsibilities, we recommend revisiting the need for SER-001 or SER-001A when a litigant employs a Registered Process Server.	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit.

	Commenter	Position	Comment	Committee Response
			Memorandum of Costs (MC-012) • Please consider clarification on 2(b) that the Principal Remaining Due figure does not include the post-judgment costs allowed. "Principal amount of the judgment" is defined by CCP 680.300 and includes the costs incurred.	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit.
			• Specify that <u>no proof of service is required</u> for Items 2 & 3 (Acknowledgment of Credit and Declaration of Interest)	The committee is not recommending revisions in response to this suggestion because it is beyond the scope of the current proposal, but the committee will consider it as time and resources permit. However, the committee notes that its proposed revisions to form MC-012 include deletion of the attached proof of service to reflect current Judicial Council practices regarding proof of service forms.
			Declaration of Address Verification (EJ-135) Item 1: There is no requirement to specify if a party is the original judgment creditor or the assignee of record. "Judgment Creditor" is a universal term that covers both. See CCP 680.240: *"Judgment creditor" means the person in whose favor a judgment is rendered or, if there is an assignee of record, means the assignee of record.*	Please see the committee's previous response regarding the "judgment creditor" and "assignee of record" checkboxes.
			Item 2: The declarant does not need to specify which forms the levying officer will serve. For various reasons, this leads to confusion and is already covered by SER-001 (Item 5b). This item was specifically made "optional" to prevent unnecessary rejections by the Sheriff. - Gov. Code 26666.2 restricts the Sheriff, who "shall not review the substance", except in limited circumstances. - The Sheriff serves many other types of types of follow-up notices (claim of exemption, notice of release, etc) to	In light of all the comments received regarding form WG-015/EJ-135, the committee is recommending that item 2 state: "I am asking the levying officer to serve *Writ of Execution* (form EJ-130), *Notice of Levy* (form EJ-150), or other documents related to enforcement of a judgment for personal debt." The committee agrees that requiring the judgment creditor to indicate the specific form being served could

	Commenter	Position	Comment	Committee Response
			other litigants and the Courts that are impossible to anticipate and identify on this form.	create confusion, but determined that listing EJ-130 and EJ-150 as examples in item 2 will help judgment creditors determine whether they are required to complete the form.
			Item 3: The personal debt declaration is not required by the statute. - Only a portion of the judgment may be related to personal debt/consumer debt/medical expenses. See MC-012 listing two different interest rates (item 3) and JUD-100 (item 7) listing three fields for different amounts for types of debt. - For judgments entered prior to 2024, we may be sending the declaration out of an abundance of caution, not necessarily affirming that this is a personal debt.	The committee is not recommending revisions in response to this suggestion. The committee agrees that Code of Civil Procedure section 684.130 is unclear about whether the address verification requirement applies to judgments that are only partially for personal debt. However, the committee determined that the item 22c should use the statutory language and state that "the judgment is for personal debt." There is not enough information in the statute to justify adding an explanation or instructions regarding the possibility of a partial judgment.

	Commenter	Position	Comment	Committee Response
5.	California State Sheriffs' Association by Cory Salzillo, Legislative Director	NI	On behalf of the California State Sheriffs' Association, I respectfully submit the following comments on, and request changes to, the forms that are part of the above-referenced invitation to comment. We would like to see the following additions to the EJ-130 form: Under Item #6, add two checkboxes as seen below: [image omitted; image showed checkboxes for "expires in 5 years" and "expires in 10 years"] Under Item #19a. Per CCP 685.010, Daily Interest is to accrue at 5% or 10%. We request checkboxes for 5% or 10%. Another option is to state, "accrue no more than 5% or 10%" which will then allow the requestor to fill in their own amount to comply with the above referenced code.	Please see the committee's responses below regarding specific elements of the proposal. These suggestions for form EJ-130 would require further public comment because they seek substantive revisions to portions of the form that the current proposal does not address. The committee will consider these suggestions as time and resources permit.
			We would like to see the following changes to the EJ-135 Form: 1) Under title "Declaration of Address Verification," add "Wage Garnishment" in front of "Enforcement of Judgment" as this declaration is used for both types of requests.	The committee agrees and has added "Wage Garnishment" to the parenthetical under the form name on form WG-015/EJ-135.
			2) Item #2 should remove "the judgment debtor with" as the levying officer does not serve debtors with Item 2c. Another option would be to remove Item #2 completely as it is not required per CCP. If this is considered, Item #3 should remove "The papers described in item 2 are being used" and replace with, "I am asking the levying officer". Item #2 can or will cause a greater chance of rejection if the box(es) checked do not match the type of service requested.	The committee agrees and is recommending that item 2 state: "I am asking the levying officer to serve *Writ of Execution* (form EJ-130), *Notice of Levy* (form EJ-150), or other documents related to enforcement of a judgment for personal debt." The committee agrees that requiring the judgment creditor to indicate the specific form being served could create confusion, but determined that listing EJ-130 and EJ-150 as examples in item 2 will help judgment creditors

	Commenter	Position	Comment	Committee Response
				determine whether they are required to complete the form.
			3) Form number in bottom left corner should include a Wage Garnishment form series number preceding the "EJ-135" to mirror dual use forms. "WG-XXX/EJ-175[Rev…]	The committee agrees and has renumbered form EJ-135 to WG-015/EJ-135.
			4) Item #4 has no area to list the exact address that was verified and specifically, Item #4c has no date for when the verification was performed.	The committee agrees and has added item 3, which asks for the address that was verified. The committee has also revised item 4 to state, "I verified the address in item 3." The committee notes that item 4c contains a fillable date field near the end of the sentence. Fillable fields can be difficult to see in the forms attached to invitations to comment due to the PDF formatting used, but the fillable field will be more apparent in the version of the form made available on courts.ca.gov once the form has been approved by the Judicial Council.
			We would like to see the following additions to the EJ-157-INFO form: 1) Add a line in bold stating, "DO NOT ASK THE LEVYING OFFICER" or "DO NOT TAKE THIS FORM TO THE LEVYING OFFICER."	The committee is not recommending revisions in response to this suggestion because Judicial Council forms typically do not include warnings of this nature.
			2) Item #7 states, "Once an order is issued by the court on form EJ-159, the applicant should serve the order on all other parties…" This can be confusing as the applicant would deliver a copy to the levying officer, not serve them.	The committee agrees and is recommending that the last bullet point in item 7 on form EJ-157-INFO be revised to state that the applicant should "give" a copy of the order to the levying officer, rather than that they should serve the order on the levying officer.

	Commenter	Position	Comment	Committee Response
			We would like to see the following changes to the SER-001A form: 1) Page one should have an area for the Court Name and Address. 2) Under Item 4 "Information About the Property to Levy", the fourth bullet point should be removed "For evictions…" as these are not levies.	These suggestions are beyond the scope of the proposal, but the committee will consider them as time and resources permit.
			We would like to see the following change to the WG-002 form: 1) Item #1 "Complete both copies of Employer's Return (form WG-005)…" Levying officers generally send one copy to be filled out so this would alleviate questions from the employer regarding the second copy and save on paper.	The committee agrees and is recommending that item 1 on page 1 of form WG-002 be revised to remove the reference to "both copies" of the form. The committee has also recommended this revision on forms WG-004 and WG-030.
			We would like to see the following change to the WG-003 form: 1) On page 2, "The levying officer may give you permission to deliver it to the employer…" The levying officer deals directly with the employer, not the debtor. Even after a hearing pursuant to CCP 706.105g, the levying officer must notify the employer directly.	The committee agrees and is recommending that the last sentence in the "One of Two Things Will Happen…" section on page 2 of form WG-003 be revised to state that the levying officer "must serve your employer with the changed EWO or a notice that the EWO has ended" in order to correctly reflect the requirements of Code of Civil Procedure section 706.105(g).
			We would like to see the following addition to the WG-006 form: 1) Item #3 has a lot of information that could confuse a person so there should be a statement as follows within that area, "If you are unsure, ask your payroll"	The committee is not recommending revisions in response to this suggestion because Judicial Council forms typically do not provide advice about how form users should collect the information needed to complete a form.
			Although not specifically addressed in this Invitation to Comment, we would like to see the following additions to the SER-001 form: 1) Page one should have an area for the Court Name and Address. 2) Page three #5c should add the time of the hearing.	This suggestion is beyond the scope of the proposal, but the committee will consider it as time and resources permit.

	Commenter	Position	Comment	Committee Response
			Although not specifically addressed in this Invitation to Comment, we would like to see the following additions to the WG-001 form: 1) A box for renewal of judgment dates (5 or 10 years) to help with accounting of levies. 2) A line showing the judgment expiration date to help manage the levy. 3) A line stating the interest rate (5% or 10%) which is helpful for accounting purposes. 4) A checkbox for personal debt or not for personal debt, which triggers the levying officer to look for a declaration. 5) A section stating service by Sheriff or Registered Process Server. If a Registered Process Server, an area for their contact information. This is helpful so the levying officer has information to contact someone in case something is wrong. 6) A section stating if the writ is for family law or a criminal judgment. This is crucial for the levying officer as these levies do not expire.	These suggestions are beyond the scope of the proposal, but the committee will consider them as time and resources permit.
6.	Child Support Directors Association of California by Michael Smitsky Executive Director	NI	**SPR25-06 Title: Civil Practice and Procedure: Implementation of Assembly Bill 2837** ***Special Instructions for Writs and Levies—Attachment SER-001A*, page 23** 1. The Committee recommends adding a box in item 5 and changing the language “Complete Declaration of Address Verification (form EJ-135) and attach it to this form” to “☐ Completed Declaration of Address Verification (form EJ-135) is attached to this form.”	 In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, “Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?” followed by checkboxes for “No” and “Yes, and I have

Commenter		Position	Comment	Committee Response
			Comment: This proposed addition is seen as a crucial alert for users who may not be familiar with the address verification requirement under AB 2837. The checkbox is added to make the attachment an action item. It should read: If you are the judgment creditor and you are asking the sheriff to serve a writ, levy, or other document related to enforcement of a judgment for personal debt (as defined in Code of Civil Procedure section 683.110(d)), you must verify the judgment debtor's address before the sheriff can serve your papers. ☐ Completed Declaration of Address Verification (form EJ-135) is attached to this form.	completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
			***Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest – MC-012*, page 17** 1. The Committee recommends breaking down item #3 to clarify the amounts requested. **Comment:** The existing sentence is confusing and compound. • It should read: ☐ **Accrued interest remaining due.** Accrued interest remains due in the amount of $___. This amount was calculated using the following: 1. Legal interest rate of ___% on the unpaid principal amount of $____. 2. Legal interest rate of ___% on another unpaid principal amount of $____. (For details on how to calculate interest, please refer to form MC-013-INFO. Interest is calculated from the date of the	In light of all the comments received regarding item 3 on form MC-012, the committee is recommending that this item include the instruction "if different interest rates apply to different unpaid principal amounts" to clarify when to fill in the boxes for a second unpaid principal amount and interest rate. The committee is also recommending revisions to the last sentence in item 3 to increase clarity.

	Commenter	Position	Comment	Committee Response
			judgment or its renewal and also on any remaining balance after partial payments or credits that reduce the principal are applied.)	
7.	Orange County Bar Association by Mei Tsang, President	AM	1. Yes, the proposed modifications to the various forms appear to address the specific requirements of AB 2837.	The committee appreciates the response.
			2. Yes, at least one checkbox should be added to item 5 on form SER-00lA, but two may be optimum. Currently, that item is the only item that does not require any response from the person filling out the form. It would be easy for someone to just skip over that item. Adding a "yes" or "no" checkbox asking whether the filer is seeking to enforce a judgment for personal debt will ensure that the person filling out the form has read and understands the requirements. Additionally, consider adding a second checkbox indented beneath the "yes" checkbox that would read "I confirm that I have attached the completed Declaration of Address Verification (form EJ-135)". Doing so will help ensure that the filer actually attaches the correct form.	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
8.	Riverside Sherrif by Tracy Alvarez	NI	**EJ-130 – WRIT OF EXECUTION – Proposed Additions** 1) Judgment Renewal on 6 – does judgment expires in 5 years or 10 years? (CCP 683.120) 6. Judgment renewed on (dates): a. ☐ Expires in 5 years. b. ☐ Expires in 10 years. 2) Daily Interest Rate on 19a – supposed to accrue at 5% or 10%? (CCP 685.010) 19. Levying officer:	These suggestions for form EJ-130 would require further public comment because they seek substantive revisions to portions of the form that the current proposal does not address. The committee will consider these suggestions as time and resources permit.

	Commenter	Position	Comment	Committee Response
			a. Add daily interest from date of writ (at the legal rate on 15 of ☐5% or ☐10%) (not on GC 6103.5 fees) . . . . $	
			EJ-135 – Declaration of Address Verification – Proposed Changes	
			1) Title of form, at the top (under case title) and at the bottom should include "Wage Garnishment/" preceding "Enforcement of Judgment" the same way the WG-010/EJ-175 does, as this Declaration is to be used for both Wage Garnishment and Enforcement of Judgment levy requests. DECLARATION OF ADDRESS VERIFICATION (Wage Garnishment—Enforcement of Judgment)	The committee agrees and has added "Wage Garnishment" to the parenthetical under the form name on form WG-015/EJ-135.
			2) Form number should include a Wage Garnishment form series number preceding the EJ form number series to mirror dual use forms the same way the WG-010/EJ-175 does. Judicial Council of California WG-XXX/EJ-175 [Rev. January 1, 2026]	The committee agrees and has renumbered form EJ-135 to WG-015/EJ-135.
			3) Line 2 should remove "the judgment debtor with" since the levying officer does not serve debtors with Earnings Withholding Orders which is an option on the ensuing list of documents. 2. I am asking the levying officer to serve ~~the judgment debtor~~ with (check all that apply): a. ☐Writ of Execution (form EJ-130). b. ☐Notice of Levy (form EJ-150). c. ☐Earnings Withholding Order (form WG-002). d. ☐other document (specify): **Or** remove Line 2 altogether and reword line 3. This Declaration does not need to list what they are asking the levying officer to serve.	The committee is recommending that item 2 state: "I am asking the levying officer to serve *Writ of Execution* (form EJ-130), *Notice of Levy* (form EJ-150), or other documents related to enforcement of a judgment for personal debt." The committee agrees that requiring the judgment creditor to indicate the specific form being served could create confusion, but determined that listing EJ-130 and EJ-150 as examples in item 2 will help judgment creditors determine whether they are required to complete the form.

	Commenter	Position	Comment	Committee Response
			3. ~~The papers described in item 2 are being used~~ I am asking the levying officer to enforce a judgment for personal debt, meaning money due or owing because of a transaction for money, property, insurance, or services used primarily for the debtor's personal, family, or household purposes. The judgment does not include rental debt or debts incurred due to, or obtained by, tortious or fraudulent conduct or judgments for unpaid wages, damages, or penalties owed to an employee. (Code Civ. Proc., § 683.110.)	
			SER-001A – Special Instructions for Writs & Levies – Proposed Changes 1) Add a section for the name and last known address(es) of the judgment debtor(s) subject to this levy. Currently, Item 3c(3) asking for all judgment debtors on this case is to meet the Electronic Writ Declaration requirements per CCP 687.010(e). While the judgment creditor has the option to levy against one, some or all of the judgment debtors on his writ, the levying officer needs to know which judgment debtors are subject to each levy request. The judgment creditor must also provide the levying officer with the last known address for each judgment debtor being levied against as the levying officer is required to notice the judgment debtor(s) at the address specified on the instructions. This form does not accommodate for either one of these.	This suggestion is beyond the scope of the proposal, but the committee will consider it as time and resources permit.
			2) Add a check the box item asking, "Do you want the levying officer to levy and sell the property?" and include Yes and No boxes.	This suggestion is beyond the scope of the proposal, but the committee will consider it as time and resources permit.
			3) Add and item asking for the name and telephone number of the agent the levying officer is to call to schedule the lockout date and time with.	This suggestion is beyond the scope of the proposal, but the committee will consider it as time and resources permit.

	Commenter	Position	Comment	Committee Response
9.	Superior Court of California, County of Los Angeles by Stephanie Kuo	A	In response to the Judicial Council of California's ITC, "Civil Practice and Procedure: Implementation of Assembly Bill 2837," the Court agrees with the proposal and has no other comments.	The committee appreciates the response.
10.	Superior Court of California, County of Orange by Janay Marks, Operations Analyst	NI	**Responses to Request for Specific Comment** *Should a checkbox be added to item 5 on form SER-001A?* A checkbox in item 5 on form SER-001A could potentially create confusion for users who might assume it applies universally, even when it does not. The form, as currently drafted, is straightforward and user-friendly, effectively conveying the necessary information without introducing additional complexity. Maintaining its current format may better support clarity and ease of use for all users.	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
			Please provide suggestions, if you have any, for revising specific items in forms EJ-157-INFO, WG-002, WG-004, WG-022, or WG-030 to use plain language, or any suggestions to improve the forms' clarity and readability. Form EJ-157-INFO: o Timing for Filing section consider the following: o *Current:* "A judgment debtor or judgment creditor who wants to apply for an order deciding how to apply the exemption to the judgment debtor's accounts should do so as soon	The committee appreciates the suggestions for form EJ-157-INFO and is recommending that these and other sentences on the form be revised to use the second person ("you should," "you must") instead of the passive voice. The

	Commenter	Position	Comment	Committee Response
			as they receive a notice of a levy or memorandum of garnishment..." ○ *Suggested:* "If you want the court to decide how to apply the exemption, file your application as soon as you receive a notice of levy or garnishment. Delays may result in funds being sent to the levying officer." ○ Forms to Complete section consider the following: ○ *Current:* "Copies of the Writ of Execution (form EJ-130) and any Notice of Levy (EJ-150) that have been issued to a financial institution must be attached to the application form." ○ *Suggested:* "Attach copies of the Writ of Execution (form EJ-130) and Notice of Levy (form EJ-150) to your application before filing." ○ Court Appearance section consider the following: ○ *Current:* "The applicant must be available at the time the court is considering the application, either in person at the courthouse or by telephone." ○ *Suggested:* "You must be available when the court considers your application. You can appear in person or by phone. If appearing by phone, notify the court and other parties in advance."	committee is also recommending other revisions to form EJ-157-INFO to improve clarity.
			Form WG-002: ▪ Initial Instructions section consider the following: ▪ *Current:*	The committee is not recommending revisions in response to this suggestion because the

	Commenter	Position	Comment	Committee Response
			“If the employee works for you now, you must give the employee a copy of this order and Employee Instructions (form WG-003) within 10 days after receiving this order.” ▪ *Suggested:* “If the employee is still working for you, give them a copy of this order and Employee Instructions (form WG-003) within 10 days of receiving it.”	repetitiveness of this sentence (e.g., repeating “the employee” twice) is intended to reduce confusion.
			▪ *Current:* “Complete both copies of Employer’s Return (form WG-005) and mail them to the levying officer within 15 days after receiving this order, whether or not the employee works for you.” ▪ *Suggested:* “Fill out both copies of the Employer’s Return (form WG-005) and mail them to the officer listed above within 15 days of receiving this order. This must be done even if the employee no longer works for you.”	The committee appreciates the suggestion and is recommending that this sentence be revised to state: “Complete *Employer’s Return* (form WG-005) and mail it to the levying officer within 15 days after receiving this order. You must do so even if the employee no longer works for you.” The committee is recommending this revision on forms WG-002, WG-004, and WG-030.
			▪ Earnings Withholding section consider the following: ▪ *Current:* “Count 30 calendar days from the date when the employee was served with this order. If your employee’s pay period ends before the 30th day, do not withhold earnings payable for that pay period.” ▪ *Suggested:* “Start counting 30 calendar days from the date your employee receives this order. Do not withhold wages for any pay period that ends before this 30-day period.”	The committee appreciates the suggestion and is recommending that the second sentence in item 2 on page 2 of forms WG-002, WG-004, and WG-030 be revised to state: “Do not withhold earnings payable for any pay period that ends before the 30th day.”
			▪ Instructions to Employer section consider the following: ▪ *Current:*	

	Commenter	Position	Comment	Committee Response
			“If the employee stops working for you, the Earnings Withholding Order ends after no amounts are withheld for a continuous 180-day period.” ▪ *Suggested:*”If the employee stops working for you, the order ends after 180 days of no withholding.”	The committee is not recommending revisions in response to this suggestion because it has determined that the existing language more closely tracks the statutory language.
			Form WG-004 ▪ Instructions to the Employer section consider the following: ▪ *Current:* “If the employee works for you now, you must give the employee a copy of this order and Employee Instructions (form WG-003) within 10 days after receiving this order.” ▪ *Suggested:* “If the employee is currently working for you, give them a copy of this order and Employee Instructions (form WG-003) within 10 days of receiving it.”	Please see the committee’s response to this suggestion in the “Form WG-002” section of this comment.
			▪ *Current:* “Complete both copies of Employer’s Return (form WG-005) and mail them to the levying officer within 15 days after receiving this order, whether or not the employee works for you.” ▪ *Suggested:* “Fill out both copies of the Employer’s Return (form WG-005) and send them to the officer listed above within 15 days of receiving this order. This applies even if the employee no longer works for you.”	Please see the committee’s response to this suggestion in the “Form WG-002” section of this comment.
			▪ Withholding Period section consider the following: ▪ *Current:* “Count 30 calendar days from the date when the employee was served with this order. If your employee’s	Please see the committee’s response to this suggestion in the “Form WG-002” section of this comment.

	Commenter	Position	Comment	Committee Response
			pay period ends before the 30th day, do not withhold earnings payable for that pay period." ▪ *Suggested:* "Start counting 30 calendar days from the date your employee receives this order. Do not withhold wages for any pay period ending before the 30th day."	
			▪ What to Do With the Money section consider the following: ▪ *Current:* "The amounts withheld during the withholding period must be paid to the levying officer by the 15th of the next month after each payday." ▪ *Suggested:* "Send the withheld amounts to the levying officer by the 15th of the following month after each payday."	The committee is not recommending revisions in response to this suggestion because it has determined that the existing language is sufficiently clear.
			▪ *Current:* "Be sure to mark each check with the case number, the levying officer's file number, if different, and the employee's name so the money will be applied to the correct account." ▪ *Suggested:* "Include the case number, levying officer's file number (if different), and the employee's name on each payment to ensure the funds are applied correctly."	The committee is recommending that this sentence on forms WG-002, WG-004, and WG-30 be revised to state: "Include the case number, levying officer's file number (if different from the case number), and the employee's name on each payment to ensure the money is applied to the correct account."
			▪ Computation Instructions section consider the following: ▪ *Current:* "State and federal law limits the amount of earnings that can be withheld. The limitations are based on the employee's disposable earnings, which are different from gross pay or take-home pay." ▪ *Suggested:*	The committee is recommending that this portion of form WG-004 be revised to state: "State and federal law limit how much of an employee's earnings can be withheld. These limits are based on the employee's disposable earnings, not their gross pay or take-home pay."

	Commenter	Position	Comment	Committee Response
			"State and federal laws limit how much of an employee's earnings can be withheld. These limits are based on disposable earnings (earnings left after required deductions like taxes)."	The committee is recommending similar revisions to forms WG-002 and WG-030.
			▪ *Current:* "After the employee's disposable earnings are known, WITHHOLD FIFTY (50) PERCENT of the disposable earnings for the Withholding Order for Support." ▪ *Suggested:* "Once you calculate the employee's disposable earnings, withhold 50% of that amount for this order."	The committee is not recommending revisions in response to this suggestion because it has determined that the existing language is sufficiently clear.
			Form WG-030 ▪ Initial Instructions section consider the following: ▪ *Current:* "If the employee works for you now, you must give the employee a copy of this order and Employee Instructions (form WG-003) within 10 days after receiving this order." ▪ *Suggested:* "If the employee still works for you, give them a copy of this order and the Employee Instructions (form WG-003) within 10 days of receiving it."	Please see the committee's response to this suggestion in the "Form WG-002" section of this comment.
			▪ *Current:* "Complete both copies of Employer's Return (form WG-005) and mail them to the levying officer within 15 days after receiving this order, whether or not the employee works for you." ▪ *Suggested:* "Fill out both copies of the Employer's Return (form WG-005) and send them to the officer listed above	Please see the committee's response to this suggestion in the "Form WG-002" section of this comment.

	Commenter	Position	Comment	Committee Response
			within 15 days of receiving this order. This applies even if the employee no longer works for you.”	
			▪ Withholding Period section consider the following: ▪ *Current:* “Count 30 calendar days from the date when the employee was served with this order. If your employee’s pay period ends before the 30th day, do not withhold earnings payable for that pay period.” ▪ *Suggested:* “Start counting 30 calendar days from the date your employee receives this order. Do not withhold wages for any pay period ending before this 30-day period.”	Please see the committee’s response to this suggestion in the “Form WG-002” section of this comment.
			▪ Employer’s Instructions section consider the following: ▪ *Current:* “If the employee stops working for you, the Earnings Withholding Order ends after no amounts are withheld for a continuous 180-day period.” ▪ *Suggested:* “If the employee leaves your company, the order ends after 180 days with no withholding.”	The committee is not recommending revisions in response to this suggestion because it has determined that the existing language is sufficiently clear.
			▪ What to Do With the Money section consider the following: ▪ *Current:* “The amounts withheld during the withholding period must be paid to the levying officer by the 15th of the next month after each payday.” ▪ *Suggested:* “Send the withheld amounts to the officer handling the case by the 15th of the month following each payday.”	The committee is not recommending revisions in response to this suggestion because it has determined that the existing language is sufficiently clear.

	Commenter	Position	Comment	Committee Response
			▪ *Current:* "Be sure to mark each check with the case number, the levying officer's file number, if different, and the employee's name so the money will be applied to the correct account." ▪ *Suggested:* "Write the case number, file number (if different), and the employee's name on each check to ensure proper processing."	Please see the committee's response to this suggestion in the "Form WG-004" section of this comment.
11.	Superior Court of California, County of San Bernardino Staff Civil Committee	NI	**Q:** Does the proposal appropriately address the stated purpose? **A:** Yes, the proposal appropriately addresses the stated purpose.	The committee appreciates the response.
			Q: Should a checkbox be added to item 5 on form SER-001A? **A:** Since item 5 would not be applicable to many and to avoid confusion, I do not think a checkbox should be added. The information about personal debt in item 5 explains what needs to be done. It is up to the creditor to review and complete all appropriate documents needed.	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
			Q: Please provide suggestions, if you have any, for revising specific items in forms EJ-157-INFO, WG-002, WG-004, WG-022, or WG-030 to use plain language, or any suggestions to improve the forms' clarity and readability.	The committee appreciates the response.

	Commenter	Position	Comment	Committee Response
			A: No suggestions. Forms seem clear.	
			Q: Would the proposal provide cost savings? If so, please quantify **A:** No cost savings. **Q:** What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? **A:** Some change/training will be required. Clerk's Office, Judicial Assistants, and Judges would need to be informed of the change. Judicial Officers may need some type of training on the new forms and law. Revising needed for clerk's office and judicial assistant procedures manuals. Possibly need to update verbiage in system for judicial assistant to complete minute orders. Training would be needed for both clerk's office and judicial assistants as there are new forms and processes that will be used. (3 months) Time would be needed for the clerk's office to update any forms in office with the revised forms and time would be needed for court tech to make sure correct forms are online. (2 days) Some changes in the case management system may be needed.	The committee appreciates the information. The committee appreciates the response. The committee is unable to change the proposed

	Commenter	Position	Comment	Committee Response
			Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? **A:** No. I would think this may take a few months to get procedures updated and any training completed. **Q:** How well would this proposal work in courts of different sizes? **A:** This will work well in any size court.	effective date of this proposal because the proposal implements changes in law that have already taken effect.
12.	Superior Court of California, County of San Bernardino Staff Small Claims Landlord Tenant Committee	NI	**Q:** Does the proposal appropriately address the stated purpose? **A:** yes	The committee appreciates the response.
			Q: Should a checkbox be added to item 5 on form SER-001A? **A:** Yes, there should be a check mark but the verbiage should indicate to only mark if the judgment is for personal debt	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form."
			Q: Please provide suggestions, if you have any, for revising specific items in forms EJ-157-INFO, WG-002, WG-004, WG-022, or WG-030 to use plain language, or any suggestions to improve the forms' clarity and readability. **A:** After reviewing the forms, I feel they are clear and easy to read	The committee appreciates the response.

	Commenter	Position	Comment	Committee Response
			Q: Would the proposal provide cost savings? If so, please quantify **A:** Unsure if cost savings apply to the clerk's office **Q:** What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? **A:** Clerk's office: Updated training, manual updates, testing events in CMS Updating Judicial Officers on new forms. Project Management Team: newly added events to the case management system Training would need to be implemented, specifically for legal processing assistants. Ideally the training should be about an hour to inform the clerks about the new changes and processes. The procedural manual would also need to be updated to reflect the changes. **Q:** Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? **A:** yes	The committee appreciates the information.

	Commenter	Position	Comment	Committee Response
			Q: How well would this proposal work in courts of different sizes? **A:** I don't believe updates will be too impactful	
13.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	A	Q: Does the proposal appropriately address the stated purpose? **A: Yes.**	The committee appreciates the response.
			Q: Should a checkbox be added to item 5 on form SER-001A? **A: No.**	In light of all the comments received regarding item 5 on form SER-001A, the committee is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form." The committee determined that a checkbox will help ensure judgment creditors comply with the address verification requirement, and that making the question applicable to everyone who completes form SER-001A will be less confusing than a checkbox that applies only to personal debt cases.
			Q: Please provide suggestions, if you have any, for revising specific items in forms EJ-157-INFO, WG-002, WG-004, WG-022, or WG-030 to use plain language, or any suggestions to improve the forms' clarity and readability. **A: EJ-157-INFO: Appearance at court: Subdivision (c) through (i) of California Rules of Court, rule 3.670 are suspended through 1/1/26. If the suspension is extended, this section will need to be revised to refer to rule 3.672.**	The committee agrees and is recommending that the "Appearance at court" section of item 4 on form EJ-157-INFO be revised to discuss rule 3.672 and remote appearances.

	Commenter	Position	Comment	Committee Response
			Q: Would the proposal provide cost savings? If so, please quantify. **A: No.** Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? **A: Updating internal procedures, adding filings to case management system, training staff, and notifying judicial officers.** Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation ? **A: Yes, provided the final versions of the forms are provided at that time.** Q: How well would this proposal work in courts of different sizes? **A: It appears the proposal would work for courts of all sizes.** No additional Comments.	The committee appreciates the information.
14.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee	A	The JRS notes that the proposal is required to conform to a change of law. The JRS also notes the following impact to court operations: ▪ Impact on existing automated systems.	The committee appreciates the information.

	Commenter	Position	Comment	Committee Response
	(CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)		▪ Results in additional training, which requires the commitment of staff time and court resources. o The court is happy to have EJ-135 as parties have been filing this as pleadings in many different formats. However, the changes will cause some additional hours of staff training and adjustment of process and case management system configuration. To Monterey, a midsize court, the additional training/configuration will not take a significant amount of time.	
			Requests for Specific Comments ▪ Should a checkbox be added to item 5 on form SER-001A? [image of item 5 on form SER-001A omitted] **Possible way to add check box:** 5. Enforcement of a Judgment for Personal Debt If you are the judgment creditor and you are asking the sheriff to serve a writ, levy, or other document related to enforcement of a judgment for personal debt (as defined in Code of Civil Procedure section 683.110(d)), you must verify the judgment debtor's address before the sheriff can serve your papers. Is this an action related to enforcement of a judgment for personal debt? ☐ No ☐ Yes I have completed the Declaration of Address Verification (form EJ_135) and attached it to this form.	The committee agrees and is recommending that item 5 on form SER-001 ask, "Are the documents you are asking the sheriff to serve related to enforcement of a judgment for personal debt?" followed by checkboxes for "No" and "Yes, and I have completed *Declaration of Address Verification* (form WG-015/EJ-135) and attached it to this form."
			▪ Would the proposal provide cost savings? If so, please quantify. o No cost savings anticipated. ▪ What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and	The committee appreciates the information.

	Commenter	Position	Comment	Committee Response
			procedures (please describe), changing docket codes in case management systems, or modifying case management systems? o Minimal training and minor changes to the CMS and eFile portal. ▪ Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? o Yes	
			<u>Additional comments on forms.</u> On the proposed revised EJ-130, item 22c. I understand the JCC notes that they don't want to add a box about address verification. Consider adding language such as "*Address verification required.*" Not a box to check, just a short sentence to flag for the judgment creditor that there's an address verification requirement. As indicated here: [image of item 22c on form EJ-130 omitted]	The committee agrees and is recommending that item 22c on form EJ-130 include a parenthetical explaining that if the "personal debt" box is checked, the judgment creditor must verify the judgment debtor's address before asking the sheriff to serve form EJ-130 on the judgment debtor.
			Item 3 on MC-012 is hard to understand unless you really absorb the MC-013-INFO. My understanding is that for judgments renewed after 1/1/2023, the interest rate is 5% on the unpaid principal after the date of renewal. Otherwise the rate is 10%. If this is correct then perhaps change the language. Potential language change on #3 "This amount was calculated by applying the interest accruing at the legal rate of ________% on the unpaid principal amount of $________ and (*if different interest rates apply to different unpaid principal amounts*) interest accruing at the legal rate of ________% on the unpaid principal amount of $________."	The committee agrees and is recommending that item 3 on form MC-012 include the instruction "if different interest rates apply to different unpaid principal amounts" to clarify when to fill in the boxes for a second unpaid principal amount and interest rate. The committee is also recommending revisions to the last sentence in item 3 to increase clarity.