

State of Minnesota

County _____

District Court

Judicial District: _____
Court File Number: _____
Case Type: _____

In Re the Marriage of:

Plaintiff / Petitioner

vs / and

Defendant / Respondent

**Notice of Motion, Motion and
Affidavit to Contest Support
Judgment Levy**

TO:

Other Party

Name

Street Address

City / State/ Zip

County Attorney's Office

Name of County Attorney

Street Address

City / State / Zip

PLEASE TAKE NOTICE that on _____ at _____ o'clock ____m.
(Date: Month, Day, Year)
at the _____ County Courthouse or Government Center
(Name of building where hearing to be held)
located at _____
(Street address where hearing to be held)
in the City of _____, Minnesota, the undersigned will ask the Court to
(City where hearing to be held)

release all or part of any accounts with the financial institution that is holding funds for the purpose of child support or spousal maintenance arrearages pursuant to Minn. Stat. §§ 552.04 and 552.06 (2005).

Motion

I request that the Court authorize the release of all or part of any seized accounts at the financial institution, namely _____ that is being held for:
(Name of financial institution)

- child support owed to the: county obligee
- spousal maintenance owed to the: county obligee

Affidavit

STATE OF MINNESOTA)
COUNTY OF _____) SS
(County where Affidavit signed)

The facts upon which I base my request are:

The seizure or the amount seized is improper due to a mistake of fact. (Explain the mistake.)

The seizure or the amount seized is exempt from levy for child support purposes under state or federal law. (Explain how the amount seized is exempt, i.e. income from SSI, etc.)

ACKNOWLEDGEMENTS BY PARTY MAKING MOTION:

- a. I am not serving or filing this document for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
- b. The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.
- c. The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
- d. The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.
- e. The court may impose an appropriate sanction upon the attorneys, law firms, or parties that violate the above stated representations to the court, or are responsible for the violation.
- f. I understand that the existing order remains in full force and effect and I must continue to comply with that order until a new order is issued.

Dated: _____

Signature *(Sign only in front of Notary or Court Administrator)*

Name: _____

Subscribed and sworn to before me this
_____ day of _____, _____

Address: _____

City/State/Zip: _____

Telephone: _____

Notary Public / Deputy Court Administrator

Attorney for: _____