

WAGE EXECUTION PROCEEDINGS APPLICATION, ORDER, EXECUTION

JD-CV-3 Rev. 2-15
C.G.S. §§ 31-58(j), 52-350a, 52-361a, 52-356d,
29 U.S.C. 206(a)(1)

STATE OF CONNECTICUT SUPERIOR COURT www.jud.ct.gov

Employer: See Page 2 for instructions

APPWEX



WAGEEX



Judgment Creditor or Attorney

1. Unless filing electronically, prepare original and four copies.
2. Attach form JD-CV-3a to this form, or include with execution as one PDF electronic form.
3. Present original and 3 copies to clerk of court.
4. Keep one copy for your file.

Name and mailing address of Judgment Creditor or Attorney
(To be completed by Judgment Creditor or Attorney)

Instructions

Clerk

1. Issue execution by signing original.
2. Enter any court ordered limitation at the bottom of section II on page 2.
3. Return original and 2 copies if on paper.
4. Retain/scan copy for court file.

Proper Officer

1. Leave one signed copy with employer.
2. Make return on signed original.
3. Leave one copy of Modification and Exemption Claim form (JD-CV-3a) with employer and fill in "Date of Service" on form.

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

(Fold)

Application	Address of court (Number, street, and town)		<input type="checkbox"/> G.A.	<input type="checkbox"/> J.D.	<input type="checkbox"/> Housing Session	Date of judgment	Docket number	
	Name(s) and address(es) of Judgment Creditor(s)			Name(s) and address(es) of Judgment Debtor(s)				
	Name and address of employer of Judgment Debtor (If known)					Telephone number of employer (if known)		
	1. Amount of judgment (Include where applicable, prejudgment interest and attorney's fees)			2. Amount of costs and fees				
	3. Total amount of judgment, costs and fees (Add 1 and 2)			4. Total amount paid (If any)		5. Total amount unpaid (Subtract 4 from 3)		
	6. Application fee for wage execution (If not waived by the court)			7. Application fees paid for prior executions on this judgment		<input type="checkbox"/> Check if applicable <input type="checkbox"/> Postjudgment interest was ordered by the Court		
	8. Other Court ordered postjudgment costs and fees		9. Total of lines 5, 6, 7 and 8					
	The above-named Judgment Creditor(s) recovered a judgment against the above-named Judgment Debtor(s). The Judgment Debtor(s) has/have failed to pay the total amount due on that judgment. Pursuant to the Connecticut General Statutes, the Court listed above entered an order that the judgment be paid by the above-named Judgment Debtor(s) in the following installment payments: The amount of _____ was ordered to be paid in _____ (weekly, monthly, or other) installment payments. *See Note below (Note: This is not the amount the employer must pay. Employer must pay the amount of execution calculated on page 2 of this form.) The court ordered that installment payments begin on _____ (commencement date) The Judgment Debtor(s) failed to comply with the Installment Payment Order Therefore, the Judgment Creditor(s) applies/apply for this execution upon the wages of the Judgment Debtor(s) for the remaining amount due on the judgment shown in line 9 above							

Execution

Signed (Judgment Creditor or Attorney)



On (Date)

Telephone Number

For Court Use Only

File date

To: Any Proper Officer

By the authority of the State of Connecticut, you are ordered to cause any wages due to the Judgment Debtor(s), not exceeding the Amount of Execution calculated on page 2, to be paid to the Judgment Creditor(s) until the judgment is satisfied, including postjudgment interest as ordered by the court, if applicable, plus the application fee(s) and other Court ordered postjudgment costs and fees, and your own fees or until the execution is modified or set aside.

Serve this execution within one year of this date, and make return of service to this court within thirty days from satisfaction of the execution.

Signed (Assistant Clerk of said court)



On (Date)

Important Notice To Employer

You are being served with a wage execution, a court order requiring you to withhold non-exempt wages from a person employed by you. This execution is being served on you because your employee, the Judgment Debtor (on page 1), has had a judgment entered against him/her by the Superior Court requiring him/her to pay judgment, costs and fees to the Judgment Creditor (on page 1) and has not made payment of the total amount of the judgment plus any costs and fees as shown on page 1. This notice is to inform you of the actions you must take in order to comply with the law regarding wage executions. Please read each section carefully.

I. You must notify the employee — Your employee has certain legal rights which may allow him/her to request the court to change or stop this execution upon his/her wages. A notice of his/her rights and how to get a hearing in court is attached to the second copy of the wage execution given to you by the officer. You must complete your portion of the wage execution and your portion of the exemption and modification claim form and *deliver or mail, postage prepaid, a copy of these papers to your employee immediately* so that your employee can make any claims allowed by law.

II. Execution not effective for 20 days — This execution is not effective until after 20 days from the day the officer served these papers on you. No money should be deducted from your employee's wages until the first wages you pay to your employee after the 20-day period ends. If your employee elects within the 20-day period to make a claim to the court that his/her wages are partially or totally exempt from execution to pay this judgment or he/she seeks to have the amount of this execution changed, wages are not to be withheld from the employee until the court decides the claims or determines the rights of your employee in this case. If you are not notified that your employee has filed papers with the court, the execution is to be enforced after 20 days from the date of service on you.

III. Stay of execution — No earnings claimed to be exempt or subject to a claim for modification may be withheld from any employee until determination of the claim by the court.

IV. Only one execution issued under section 52-361a of the General Statutes is to be satisfied at a time — You must make deductions from your employee's wages and pay over the withheld money against only one execution issued under General Statutes section 52-361a at a time. If you are served with more than one execution issued under General Statutes section 52-361a against this employee's wages, the

executions are to be satisfied in the order in which you are served with them. *(Income withholdings and voluntary wage deductions for support of a family, if there are any, must be paid before this execution. Family support income withholdings and voluntary wage deductions are issued on Form JD-FM-1.)*

V. Maximum amount deducted — The maximum amount which can be legally withheld from your employee's wages is 25% of his/her disposable earnings for each week. The amount to be withheld to pay this execution may be less than 25%, but it can never be more. The computations you complete below will allow you to calculate the exact amount which should be withheld from this employee's wages.

Unless the court orders that this execution is to be for a smaller amount, you must withhold and pay over the maximum amount which you figure out using the computations below. Your employee has a right to request the court to reduce the amount withheld, but until you receive notice that the court has agreed to allow the amount to be reduced, you must withhold the maximum amount.

VI. Your duty to comply with this execution — You have a legal duty to make deductions from your employee's wages and pay any amounts deducted as required by this execution. If you do not, legal action may be taken against you. If you are found to be in contempt of a court order, you may be held liable to the Judgment Creditor for the amounts of wages which you did not withhold from your employee.

VII. Discipline against your employee — You may not discipline, suspend or discharge your employee because this wage execution has been served upon you. If you do unlawfully take action against your employee, you may be liable to pay him all of his lost earnings and employment benefits from the time of your action to the time that the employee is reinstated.

The law allows you to take disciplinary measures against the employee if you are served with more than 7 wage executions against his/her wages in any calendar year.

Section I. Calculation Of Employee's Disposable Earnings

"Disposable Earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums, and federal tax levies.

1. Employee's gross compensation per week.....
2. Federal income tax withheld
3. Federal employment tax.....
4. Normal retirement contribution
5. Union dues and initiation fees
6. Group life insurance premium
7. Health insurance premium.....
8. Other federal tax levies.....
9. Total allowable deductions (Add lines 2-8)
10. Weekly Disposable Earnings (Subtract line 9 from line 1).....

Section II. Calculation Of Employee's Disposable Earnings

To be calculated by employer	Column 1	Column 2
A-1. Weekly disposable earnings <i>(from line 10 above)</i>	\$	
A-2. 25% of disposable earnings for week		\$
B-1. Weekly disposable earnings <i>(from line 10 above)</i>	\$	
B-2. Forty times the higher of the current federal minimum hourly wage or state full minimum fair wage.	\$	
Amount by which line B-1 exceeds B-2		\$
Amount of Execution <i>(Employer must pay the lesser of the two amounts in column 2 unless the court ordered limitation set forth below is a lesser amount, in which case the employer must pay that lesser amount)</i>		\$

Court ordered limitation *(If any, to be entered by clerk)*