

PROTHONOTARY
Laura L. Isadore

FIRST DEPUTY
Kim Woods

SECOND DEPUTY
Vicky Madine

**PROTHONOTARY
AND
CLERK OF THE CRIMINAL COURTS**

P.O. Box 273 – Smethport, Pennsylvania 16749
PHONE: (814)887-3270
FAX: (814)887-3219

CLERK
Sue Nelson

CLERK
Mary Helsley

CLERK
Amy Aguilhar

**PROCEDURES ON WAGE ATTACHMENTS FOR LANDLORD
TENNANTS (FORMS ATTACHED)**

FIRST STEP: FILE CERTIFIED COPY OF MAGISTRATE JUDGMENT WITH
PROTHONOTARY *(MUST HAVE CORRECT ADDRESS FOR DEFENDANT(S) AND
PROVIDE A POSTAGE PAID/PRE-ADDRESSED ENVELOPE)*
FILING FEE: \$15.25

SECOND STEP: FILE PRAECIPE FOR NOTICE OF INTENT TO ATTACH WAGES
FILING FEE: \$25.00
SHERIFF'S SERVICE FEE: \$100.00

FILL IN:

- CAPTION ON NOTICE OF INTENT TO ATTACH WAGES, SALARY OR
COMMISSIONS
- CAPTION ON CLAIM FOR EXEMPTION FROM WAGE ATTACHMENT
- CAPTION ON NOTICE OF CLAIM OF EXEMPTION OF WAGES FROM
ATTACHMENT

*(THE ABOVE DOCUMENTS MUST BE ATTACHED TO THE PRAECIPE FOR NOTICE OF
INTENT TO ATTACH WAGES WHEN BEING FILED WITH THE PROTHONOTARY)*

****ALLOW SHERIFF AT LEAST 30 DAYS TO SERVE NOTICE OF INTENT TO ATTACH
WAGES****

THIRD STEP: FILE PRAECIPE TO ISSUE WRIT TO ATTACH WAGES *(MAKE SURE IT IS
FILLED OUT COMPLETE WITH EMPLOYERS NAME AND ADDRESS)*
FILING FEE: \$25.00

THE PROTHONOTARY'S OFFICE SHOULD RECEIVE A CHECK FROM EMPLOYER AND
WILL FORWARD ON TO JUDGMENT CREDITOR. IF A CLAIM FOR EXEMPTION IS
FILED BY DEFENDANT, IT WILL BE DOCKETED AND FORWARDED TO THE JUDGE
IMMEDIATELY AND SCHEDULED FOR A HEARING.

CIVIL DIVISION

PLAINTIFF

VS

DEFENDANT

NO. _____ CIVIL DIVISION _____

PRAECIPE FOR NOTICE OF INTENT TO ATTACH WAGES

TO THE PROTHONOTARY/CLERK OF SAID COURT:

Issue a notice of intent to attach wages in the above mater

1. Against _____ defendant

2. Against _____ employer of
defendant

Date: _____

(Signature of attorney for judgment creditor-landlord)

(Printed name of attorney)

(Signature of judgment creditor-landlord if
unrepresented)

(Printed name)

Address, _____

Telephone _____

CERTIFICATION BY JUDGMENT CREDITOR-LANDLORD

I certify that:

1. The plaintiff judgment-creditor is

(Name and address)

2. The defendant judgment-debtor(s) is/are

(Name and address)

- 3 The judgment arises out of a residential lease for the premises at

(Address)

- 4 (a) The amount of the judgment is \$ _____ (includes magistrate fees paid previously)

(b) A security deposit in the amount of \$ _____ is being held by the judgment creditor-landlord. This security deposit _____ has been applied to judgment or _____ has not been applied to judgment to payment of rent due on same premises for which the judgment has been entered (any security deposit that has not already been applied to rent will be deducted by the Prothonotary from the amount of judgment in determining the amount to be attached).

(c) The amount of \$ _____ has been paid toward satisfaction of the judgment. (DO NOT include security deposit)

5. This praccipe is filed within five years of the date of the original judgment upon which execution is sought.

6. The judgment was entered (check one):

_____ in a civil action commenced in the Court of Common Pleas

_____ in an action brought before the Magisterial District Judge

_____ in an action commenced in the Philadelphia Municipal Court

7. Check the appropriate paragraph and attach the required documents:

_____ (a) If the judgment was entered in a civil action (PA. R.C P.M D. J 301 et seq) Before a Magisterial district judge, a copy of the complaint filed with the magisterial district judge is attached to this notice, showing that the action arose from a residential lease

_____ (b) If the judgment was entered in an action for the recovery of possession of real property (PA. R.C.P.M D.J. 501 et seq) Before a Magisterial district judge, copies of the appropriate Magisterial District Judge records are attached showing that the action arose from a residential lease and that the defendant appeared or filed papers in the action or that the complaint was served by handing a copy to the defendant

_____ (c) If the judgment was entered in an action in the Philadelphia Municipal Court in which the defendant was served pursuant to Phil M.C.R Civ P No 111(A) or (C), a copy of the complaint filed with the Philadelphia Municipal Court is attached to this notice, showing that the action arose from a residential lease.

_____ (d) If the judgment was entered in an action in the Philadelphia Municipal Court in which the defendant was served pursuant to Phil M.C.R.Civ. P. No 111(B), copies of the appropriate Philadelphia Municipal Court records are attached showing that the action arose from a residential lease and that the defendant appeared or filed papers in the action.

I certify that the statements made in this certification are true and correct I understand that the false statements herein are made subject to the penalties of 18 Pa. C. S s4904 relating to unsworn falsification to authorities.

Date: _____

Signature of judgment creditor- landlord

CIVIL DIVISION

PLAINTIFF

VS

DEFENDANT

NO. _____ CIVIL DIVISION _____

**NOTICE OF INTENT TO ATTACH WAGES, SALARY OR
COMMISSIONS**

DATE OF SERVICE OF THIS NOTICE: _____ (Date inserted by
sheriff)

A judgment has been entered against you in court for nonpayment of rent for, or damage to a Residential property that you rented. The judgment creditor-landlord has begun proceedings to attach 10% of your net wages, salary or commissions for each pay period until the judgment is satisfied

The following exception will prevent your wages from being attached.

POVERTY GUIDELINES – Your wages may not be attached if your net income is below the poverty income guidelines as provided annually by the Federal Department of Health and Human Services or if the amount of the attachment would cause your net income to fall below the poverty income guidelines, copy of the guidelines is attached to this notice.

If this exemption is applicable to you, you must return the claim for exemption of wages, which is attached, to the Prothonotary within 30 days of the date of service of this notice upon you. The date of service of this notice is set forth above. If you return the form claiming this exemption within 30 days, your wages will not be attached without subsequent court proceedings.

There may be other legal grounds for opposing the wage attachment that you may be able to raise by filing a motion with the court. For example, your wages may not be attached if you are in an abused person or victim as set forth in Section 8127 (f) of the Judicial Code with the attachment is to satisfy a judgment for physical damages to the lease premises

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO
PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL
SERVICES TO ELIGIBLE PERSONS AT REDUCED FEE OF NO FEE

MCKEAN COUNTY PROTHONOTARY OFFICE
P O. BOX 273, 500 WEST MAIN STREET, SMETHPORT, PA 16749
TELEPHONE: (814) 887-3270

U.S. Department of Health & Human Services

ASPE

OFFICE OF THE ASSISTANT SECRETARY
FOR PLANNING AND EVALUATION

POVERTY GUIDELINES

HOME • TOPICS • POVERTY • POVERTY GUIDELINES

U.S. FEDERAL POVERTY GUIDELINES USED TO DETERMINE FINANCIAL ELIGIBILITY FOR CERTAIN FEDERAL PROGRAMS

There are two slightly different versions of the federal poverty measure: poverty thresholds and poverty guidelines.

The **poverty thresholds** are the original version of the federal poverty measure. They are updated each year by the **Census Bureau**. The thresholds are used mainly for **statistical** purposes — for instance, preparing estimates of the number of Americans in poverty each year. (In other words, all official poverty population figures are calculated using the poverty thresholds, not the guidelines.) Poverty thresholds since 1973 (and for selected earlier years) and weighted average poverty thresholds since 1959 are available on the Census Bureau's Web site. For an example of how the Census Bureau applies the thresholds to a family's income to determine its poverty status, see "How the Census Bureau Measures Poverty" on the Census Bureau's web site.

The **poverty guidelines** are the other version of the federal poverty measure. They are issued each year in the Federal Register by the **Department of Health and Human Services (HHS)**. The guidelines are a simplification of the poverty thresholds for use for **administrative** purposes — for instance, determining financial eligibility for certain federal programs.

The poverty guidelines are sometimes loosely referred to as the "federal poverty level" (FPL), but that phrase is ambiguous and should be avoided, especially in situations (e.g., legislative or administrative) where precision is important.

Key differences between poverty thresholds and poverty guidelines are outlined in a table under Frequently Asked Questions (FAQs). See also the discussion of this topic on the Institute for Research on Poverty's web site.

The January 2018 poverty guidelines are calculated by taking the 2016 Census Bureau's poverty thresholds and adjusting them for price changes between 2016 and 2017 using the Consumer Price Index (CPI-U). The poverty thresholds used by the Census Bureau for statistical purposes are complex and are not composed of standardized increments between family sizes. Since many program officials prefer to use guidelines with uniform increments across family sizes, the poverty guidelines include rounding and standardizing adjustments in the formula.

HHS POVERTY GUIDELINES FOR 2018

The 2018 poverty guidelines are in effect as of January 13, 2018.

See also the Federal Register notice of the 2018 poverty guidelines, published January 18, 2018.

2018 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

PERSONS IN FAMILY/HOUSEHOLD	POVERTY GUIDELINE
-----------------------------	-------------------

For families/households with more than 8 persons, add \$4,320 for each additional person.

1	\$12,140
2	\$16,460
3	\$20,780
4	\$25,100
5	\$29,420
6	\$33,740
7	\$38,060
8	\$42,380

2018 POVERTY GUIDELINES FOR ALASKA

PERSONS IN FAMILY/HOUSEHOLD	POVERTY GUIDELINE
-----------------------------	-------------------

For families/households with more than 8 persons, add \$5,400 for each additional person.

1	\$15,180
2	\$20,580

2018 POVERTY GUIDELINES FOR ALASKA

PERSONS IN FAMILY/HOUSEHOLD	POVERTY GUIDELINE
3	\$25,980
4	\$31,380
5	\$36,780
6	\$42,180
7	\$47,580
8	\$52,980

2018 POVERTY GUIDELINES FOR HAWAII

PERSONS IN FAMILY/HOUSEHOLD	POVERTY GUIDELINE
-----------------------------	-------------------

For families/households with more than 8 persons, add \$4,970 for each additional person

1	\$13,960
2	\$18,930
3	\$23,900
4	\$28,870
5	\$33,840
6	\$38,810
7	\$43,780
8	\$48,750

The separate poverty guidelines for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966-1970 period. Note that the poverty thresholds — the original version of the poverty measure — have never had separate figures for Alaska and Hawaii. The poverty guidelines are not defined for Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, the Republic of the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana

Islands, and Palau. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office which administers the program is responsible for deciding whether to use the contiguous-states-and-D C guidelines for those jurisdictions or to follow some other procedure.

The poverty guidelines apply to both aged and non-aged units. The guidelines have never had an aged/non-aged distinction, only the Census Bureau (statistical) poverty thresholds have separate figures for aged and non-aged one-person and two-person units.

Programs using the guidelines (or percentage multiples of the guidelines — for instance, 125 percent or 185 percent of the guidelines) in determining eligibility include Head Start, the Supplemental Nutrition Assistance Program (SNAP), the National School Lunch Program, the Low-Income Home Energy Assistance Program, and the Children's Health Insurance Program. Note that in general, cash public assistance programs (Temporary Assistance for Needy Families and Supplemental Security Income) do NOT use the poverty guidelines in determining eligibility. The Earned Income Tax Credit program also does NOT use the poverty guidelines to determine eligibility. For a more detailed list of programs that do and don't use the guidelines, see the Frequently Asked Questions (FAQs).

The poverty guidelines (unlike the poverty thresholds) are designated by the year in which they are issued. For instance, the guidelines issued in January 2016 are designated the 2016 poverty guidelines. However, the 2016 HHS poverty guidelines only reflect price changes through calendar year 2015, accordingly, they are approximately equal to the Census Bureau poverty thresholds for calendar year 2015. (The 2015 thresholds are expected to be issued in final form in September 2016, a preliminary version of the 2015 thresholds is now available from the Census Bureau.)

The poverty guidelines may be formally referenced as "the poverty guidelines updated periodically in the Federal Register by the U S Department of Health and Human Services under the authority of 42 U S C 9902(2)."

RESOURCES

- [Prior Poverty Guidelines and Federal Register References Since 1982](#)
- [A chart with percentages \(e.g., 125 percent\) of the guidelines](#)
- [Frequently Asked Questions \(FAQs\) on the Poverty Guidelines and Poverty](#)
 - [Poverty guidelines — gross or net income](#)
 - [The poverty line for a state or city](#)
 - [The number of poor people in a state or city](#)
 - [How the poverty line was developed](#)
- [Further Resources on Poverty Measurement, Poverty Lines, and Their History](#)
- [Mollie Orshansky's career, achievements, and publications](#)
- [ASPE research on poverty](#)
- [The Census Bureau's Poverty Home Page](#)

Was this page helpful? *

Yes No

NEXT >

Form Approved OMB# 0990-0379 Exp Date 9/30/2020

osaspeinfo@hhs.gov

PLAINTIFF

VS

DEFENDANT

NO _____ CIVIL DIVISION _____

CLAIM FOR EXEMPTION FROM WAGE ATTACHMENT NOTICE

(THIS CLAIM FOR EXEMPTION MUST BE FILED WITH THE PROTHONOTARY OF THE COURT WITHIN 30 DAYS OF SERVICE UPON YOU OF THE NOTICE OF INTENT TO ATTACH WAGES)

TO THE PROTHONOTARY/CLERK OF SAID COURT:

I, the above named defendant, claim exemption of my wages, salary or commissions from attachment on the following ground:

_____ My net monthly income is below the poverty income guidelines as provided by the Federal Department of Health and Human Services.

OR

_____ The amount of wages to be attached would place my net income below the poverty income guidelines as provided annually by the Federal Department of Health and Human Services.

I have _____ (number) dependants.

My net monthly income is \$ _____. (Net monthly income is your total monthly wages, less (1) any support payments made to the court (2) federal, state and local income taxes (3) FICA payments and involuntary retirement payments (4) union dues and (5) health insurance premiums).

I certify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. s4904 relating to unsworn falsification to authorities

Date: _____

Defendant

THIS CLAIM SHALL BE MAILED OR DELIVERED TO. MCKEAN COUNTY PROTHONOTARY, P.O BOX 273, 500 WEST MAIN STREET, SMETHPORT, PA 16749

CIVIL DIVISION

PLAINTIFF

VS

DEFENDANT

NO _____ CIVIL DIVISION _____

**NOTICE OF CLAIM OF EXEMPTION OF WAGES FROM
ATTACHMENT**

TO THE ABOVE NAMED PLAINTIFF.

The defendant-Judgment debtor in the above captioned matter has filed a Claim for Exemption from attachment of his/her wages, salary or commissions. A copy of the Claim is attached. If you wish to challenge the claim for exemption, you should file with the Court a Motion, setting forth facts which show that the defendant's net income is not below the Federal Department of Health and Human Services poverty income guideline or that the attachment will not cause the defendant's net income to fall below those poverty income guidelines.

Date: _____

Prothonotary and Clerk of Courts

Clerk

PLAINTIFF

VS

DEFENDANT

NO. _____ CIVIL DIVISION _____

PRAECIPE TO ISSUE WRIT TO ATTACH WAGES

TO THE PROTHONOTARY:

No Claim for Exemption having been filed;

Issue a Writ to Attach Wages in the above matter

- 1) Against _____ (Defendant)
 _____ (Address)
- 2) Against _____ (Employer)
 _____ (Address)

For amount of \$ _____, plus costs of \$ _____

Date: _____

 Plaintiff/Landlord

 (Address)

 (Telephone)