








Are you having trouble paying your creditors? Are they threatening to sue you?

Do you receive government benefits, workers compensation, unemployment, or a pension?

You may be able to protect some or all of the money in your bank account from garnishment.

If you owe money to a creditor who is trying to collect the debt by taking your property or money, some of your assets are protected by law. Some money cannot be taken from your bank account at all. This money is called “not subject to garnishment.”

To qualify for this special protection, some or all of the money in your bank account must be 1) readily identifiable, 2) direct deposited into your bank account, and 3) come from one or more of the following sources:

-  Payments from the Social Security Administration, including SSI and SSD;
-  Public assistance payments from the state or a state agency;
-  Unemployment compensation payments;
-  Payments from a public or private retirement plan;
-  Veterans benefit payments from the Veterans Administration;
-  Workers' compensation payments;
-  Black lung benefits payments from the US Department of Labor.

If one or more of the above benefits are direct deposited into your account, you should tell your bank or credit union by filling out and giving the bank or credit union an “**Affidavit.**” Your bank or credit union, or legal aid office can give you an Affidavit form. The Affidavit is also available at www.oregonlawhelp.org. Your financial institution must follow the law protecting these funds if they have been direct deposited and can be reasonably identified, even if they do not have your Affidavit on file.

FOR MORE INFORMATION

Information is available for free on a number of legal issues at www.oregonlawhelp.org. You may also wish to contact your local legal aid program, consult a bankruptcy attorney, or speak to a private attorney. If you want to hire a private attorney you may contact the Oregon State Bar Lawyer Referral Service at (800) 452-7636.