

AGREEMENT FOR JUDGMENT AND FOR PAYMENT ORDER	DOCKET NUMBER _____	Trial Court of Massachusetts Small Claims Session								
PLAINTIFF(S) WHO ARE PARTIES TO THIS AGREEMENT <p style="text-align: center;">VS.</p>	COURT DIVISION <input type="checkbox"/> BOSTON MUNICIPAL COURT _____ Division <input type="checkbox"/> DISTRICT COURT _____ Division <input type="checkbox"/> HOUSING COURT _____ Division	DEFENDANT(S) WHO ARE PARTIES TO THIS AGREEMENT <input type="checkbox"/> Check here if defendant has moved and write new address above or on back of court copy								
		REQUESTED DATE OF PAYMENT REVIEW <input type="checkbox"/> No payment review requested								
<input type="checkbox"/> JUDGMENT FOR PLAINTIFF(S). It is hereby agreed that in this small claim the Court may enter a judgment for the plaintiff(s) named above and against the defendant(s) named above for: <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 40%;">\$ _____ DAMAGES</td> <td><input type="checkbox"/> Plus PREJUDGMENT INTEREST from _____ (date)</td> </tr> <tr> <td>\$ _____ COSTS</td> <td>at the 12% statutory rate or the _____% contractual rate</td> </tr> <tr> <td>\$ _____ ATTORNEY FEES <small>(if authorized by contract or statute)</small></td> <td><input type="checkbox"/> Prejudgment interest is waived by the plaintiff.</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Postjudgment interest is waived by the plaintiff.</td> </tr> </table> <p>PAYMENT ORDER. It is also agreed that the Court may enter a payment order that requires the defendant(s):</p> <input type="checkbox"/> to pay the plaintiff(s) the total amount of the judgment on or before _____ (date). <input type="checkbox"/> to pay the plaintiff(s) \$ _____ each <input type="checkbox"/> Week <input type="checkbox"/> month beginning on _____ (date) until the total amount of the judgment is paid in full. <i>This payment order will not be satisfied with any exempt income listed on pg. 2 of this form.</i>			\$ _____ DAMAGES	<input type="checkbox"/> Plus PREJUDGMENT INTEREST from _____ (date)	\$ _____ COSTS	at the 12% statutory rate or the _____% contractual rate	\$ _____ ATTORNEY FEES <small>(if authorized by contract or statute)</small>	<input type="checkbox"/> Prejudgment interest is waived by the plaintiff.		<input type="checkbox"/> Postjudgment interest is waived by the plaintiff.
\$ _____ DAMAGES	<input type="checkbox"/> Plus PREJUDGMENT INTEREST from _____ (date)									
\$ _____ COSTS	at the 12% statutory rate or the _____% contractual rate									
\$ _____ ATTORNEY FEES <small>(if authorized by contract or statute)</small>	<input type="checkbox"/> Prejudgment interest is waived by the plaintiff.									
	<input type="checkbox"/> Postjudgment interest is waived by the plaintiff.									
<input type="checkbox"/> REVISED PAYMENT ORDER. In this small claim the Court has already entered a judgment and it is hereby agreed that the Court may revise that payment order as follows: <i>This payment order will not be satisfied with any exempt income listed on pg. 2 of this form.</i>										
<input type="checkbox"/> SATISFIED IN FULL. It is also agreed that this claim or judgment has already been satisfied in full. <i>(By court rule plaintiff(s) must file an acknowledgment of satisfaction with the court when the judgment has been paid in full.)</i>										
<input type="checkbox"/> JUDGMENT FOR DEFENDANT(S). It is hereby agreed that in this small claim the Court may enter a judgment for the defendant(s) named above, and the plaintiff(s) shall take nothing on this claim.										
<input type="checkbox"/> DISMISSAL. It is hereby agreed that the Court may enter a judgment dismissing this small claim.										
<input type="checkbox"/> JUDGMENT ON COUNTERCLAIM. It is also agreed that the Court may enter the following judgment on the counterclaim brought by the above-named defendant(s) against the above-named plaintiff(s):										
OTHER PROVISIONS OR COMMENTS										
<i>Upon acceptance by the Court, a judgment and payment order will be entered in accordance with the above terms and will be enforceable as an order of the Court.</i>										
X SIGNATURE OF PLAINTIFF(S) OR ATTORNEY FOR PLAINTIFF(S)	PRINT NAME	DATE								
X SIGNATURE OF DEFENDANT(S) OR ATTORNEY FOR DEFENDANT(S)	PRINT NAME	DATE								
RECORD OF COURT REVIEW (For optional use by magistrate)										
<input type="checkbox"/> To be entered as court's judgment and/or payment order. <input type="checkbox"/> Agreement was submitted in open court and Rule 7(a) inquiry made of defendant(s) as to any payment order.										
CLERK-MAGISTRATE / ASST. CLERK										

INCOME THAT IS EXEMPT FROM PAYMENT ORDERS

1. **ALL INCOME FROM THE FOLLOWING SOURCES** is exempt by law from any payment order:

- Unemployment Benefits (G.L. c. 151A, § 36)
- Workers Compensation Benefits (G.L. c. 152, § 47)
- Social Security Benefits (42 U.S.C. § 401)
- Federal Old-Age, Survivors & Disability Insurance Benefits (42 U.S.C. § 407)
- Supplementary Security Income (SSI) for Aged, Blind & Disabled (42 U.S.C. § 1383[d][1])
- Other Disability Insurance Benefits up to \$400 weekly (G.L. c. 175, § 110A)
- Emergency Aid for Elderly & Disabled (now G.L. c. 117A)
- Veterans Benefits
 - Federal Veterans Benefits (38 U.S.C. § 5301[a])
 - Special Benefits for Certain WW II Veterans (42 U.S.C. § 1001)
 - Medal of Honor Veterans Benefits (38 U.S.C. § 1562)
 - State Veterans Benefits (G.L. c. 115, § 5)
- Transitional Aid to Families with Dependent Children (AFDC) Benefits (G.L. c. 118, §10)
- Maternal Child Health Services Block Grant Benefits (42 U.S.C. § 701)
- Other public assistance benefits (G.L. c. 235, § 34, fifteenth)

2. In addition, **A PORTION OF WAGES OR EMPLOYMENT-BASED RETIREMENT PAYMENTS**

is exempt by law from any payment order. The exempt amount is

\$400 or 85% of your weekly gross earnings, whichever is greater.

Massachusetts law exempts the greater of 85% of the debtor's gross earnings or 50 times the greater of the Federal minimum wage (\$7.25 as of 7/24/09) or the Massachusetts minimum wage (\$8.00 per G.L.c. 151, § 1) for each week or portion thereof. (G.L. c. 224, § 16 & c. 246, § 28). The Federal exemption (15 U.S.C. § 1671-1677) is not applicable as it will always be less than the Massachusetts exemption.

DEFENDANT'S WORKSHEET FOR CALCULATING EXEMPT AMOUNT OF WAGES OR EMPLOYMENT-BASED RETIREMENT PAYMENTS

Write the amount of your "**weekly gross earnings**" here = \$ _____

If your weekly gross earnings are **less than \$400**,
enter the amount of your weekly gross earnings →

If your weekly gross earnings are **\$400–\$470**, enter **\$400** →

If your weekly gross earnings are **more than \$470**,
enter 85% of your weekly gross earnings →

\$

This is the amount of your
weekly gross earnings that is exempt
from any payment orders.