



PLAINTIFF(S) WHO ARE PARTIES TO THIS AGREEMENT  <p style="text-align: center;"><b>VS.</b></p>	COURT DIVISION
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DEFENDANT(S) WHO ARE PARTIES TO THIS AGREEMENT  <input type="checkbox"/> <i>Check here if defendant has moved and write new address above or on back of court copy</i>	REQUESTED DATE OF PAYMENT REVIEW  <input type="checkbox"/> <i>No payment review requested</i>
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**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:

\$ _____ 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.

**PAYMENT ORDER.** It is also agreed that the Court may enter a payment order that requires the defendant(s):

to pay the plaintiff(s) the total amount of the judgment on or before \_\_\_\_\_ (date).

to pay the plaintiff(s) \$ \_\_\_\_\_ each  week  month beginning on \_\_\_\_\_ (date) until the total amount of the judgment is paid in full.

*This payment order will not be satisfied with any exempt income listed on pg. 2 of this form.*

**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:

*This payment order will not be satisfied with any exempt income listed on pg. 2 of this form.*

**SATISFIED IN FULL.** It is also agreed that this claim or judgment has already been satisfied in full.  
*(By court rule plaintiff(s) must file an acknowledgment of satisfaction with the court when the judgment has been paid in full.)*

**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.

**DISMISSAL.** It is hereby agreed that the Court may enter a judgment **dismissing** this small claim.

**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

*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.*

  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)**

To be entered as court's judgment and/or payment order.     Agreement was submitted in open court and Rule 7(a) inquiry made of defendant(s) as to any payment order.

  X   \_\_\_\_\_  
CLERK-MAGISTRATE / ASST. CLERK

**INCOME AND PROPERTY  
THAT ARE  
EXEMPT FROM PAYMENT ORDERS**

(This list of exempt income and property is not comprehensive. It is provided to assist the court in avoiding the issuance of orders that would require payment from exempt sources. *When requesting a payment order, the creditor bears the burden of proving that the debtor has sufficient non-exempt income or property with which to satisfy the judgment.* See G.L. c. 224, § 16.)

**1. INCOME FROM THE FOLLOWING SOURCES** is exempt by law from payment orders:

- 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 (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, cl. fifteenth)
- Payouts from certain Massachusetts employee pension plans (G.L. c. 32, § 19)

**2. Certain PERSONAL AND REAL PROPERTY** is also exempt from payment orders, including:

- \$2,500 in cash or savings or other deposits in a banking or investment institution (G.L. c. 235, § 34, cl. fifteenth)
- Automobile or vehicle up to exemption limit (G.L. c. 235, § 34, cl. sixteenth)
- Other specific types of personal property are exempt under other clauses of G.L. c. 235, § 34
- Real estate subject to automatic or declared homestead exemption (G.L. c. 188) and, in lieu thereof, the amount of money necessary for rent, up to \$2,500 per month (G.L. c. 235, § 34, cl. fourteenth)
- There are also exemptions for “aggregate” amounts, up to maximum limits, of certain unused exemptions (G.L. c. 235, § 34, cl. seventeenth)

**3. In addition, A PORTION OF WAGES AND CONTRIBUTIONS TO EMPLOYMENT-BASED RETIREMENT PLANS** is exempt by law from payment orders.

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 (\$11/hr. until 12/31/18 per G.L. c. 151, § 1; \$12/hr. as of 1/1/19; \$12.75/hr. as of 1/1/20; \$13.50/hr. as of 1/1/21; \$14.25/hr. as of 1/1/22; and \$15/hr. as of 1/1/23) for each week or portion thereof (G.L. c. 224, § 16 & c. 235, § 34, cl. fifteenth). The amount exempt under federal law (15 U.S.C. §§1671-1677) may exceed the Massachusetts exemption. If so, the federal exemption applies.

See Worksheet for Computing Amount of Wages Exempt From Attachment, Execution and Payment Orders. <https://www.mass.gov/media/910531/download/>