

§3121. Definitions

For the purposes of this chapter, unless the context otherwise indicates, the following words shall have the following meanings: [PL 1971, c. 408, §1 (NEW).]

1. Earnings. "Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commissions, bonuses or otherwise, and includes periodic payments pursuant to a pension or retirement program.

[PL 1971, c. 408, §1 (NEW).]

2. Disposable earnings. "Disposable earnings" means that part of the earnings of any judgment debtor remaining after the deduction from those earnings of any amounts required by law to be withheld.

[PL 1971, c. 408, §1 (NEW).]

2-A. Individual. "Individual" means only a natural person.

[PL 1987, c. 184, §2 (NEW).]

3. Judgment creditor. "Judgment creditor" means any person, corporation, partnership or other entity who or which is the owner of any judgment unsatisfied in whole or in part, and the Department of Human Services when it is collecting child support.

[PL 1995, c. 419, §6 (AMD).]

4. Judgment debtor. "Judgment debtor" means any person, corporation, partnership or other entity against whom or which a judgment has been entered and that judgment is unsatisfied in whole or in part.

[PL 1971, c. 408, §1 (NEW).]

5. Person. "Person" means an individual, trust, estate, partnership, association, company, corporation, political subdivision or instrumentality of the State.

[PL 1987, c. 184, §2 (NEW).]

6. Sheriff. For the purposes of sections 3134 to 3136, "sheriff" means a sheriff, deputy sheriff, police officer, special police officer or constable.

[PL 1987, c. 184, §2 (NEW).]

Whenever a judgment creditor, judgment debtor or a 3rd party is a corporation or other legal entity and is required to perform any act under this chapter, such acts shall be performed by the officers, directors or managing agents of the entity or by the persons controlling the entity, whichever is appropriate. Except where personal appearance or testimony is required in response to a subpoena or civil order of arrest under this chapter, the judgment creditor, judgment debtor or 3rd party may act by or through an attorney. [PL 1987, c. 184, §3 (AMD).]

SECTION HISTORY

PL 1971, c. 408, §1 (NEW). PL 1987, c. 184, §§2,3 (AMD). PL 1995, c. 419, §6 (AMD).

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