6-32/500.00 Dispute of Labor Claim

• 6-32/510.00 Filing of Dispute

Within five days after receiving a copy of the labor claim, either the plaintiff or the defendant in the action may file with the levying officer a sworn statement disputing any part of such claim. (CCP 1207) If the party disputing the claim serves a copy of the sworn statement on the claimant, or the claimant's attorney or assignee, either personally or by mail, the claimant may petition for a hearing on the claim. The claim to priority is barred if the claimant does not petition for a hearing within 10 days of personal service or deposit in the mail, as evidenced by the registry receipt, of the sworn statement denying the claim. The petition must be filed with the court having jurisdiction of the action on which the writ is based, or, if more than one attachment or execution is involved, the court having jurisdiction over the senior attachment or execution. (CCP 1206(c))

• 6-32/520.00 Hearing on Claim

The hearing shall be held within 20 days from the claimant's filing of the petition, unless continued by the court for good cause. The claimant shall give at least 10 days notice to all interested parties, but the levying officer is not required to be given notice. The hearing shall be for the purpose of determining the claim for priority. (CCP 1206(c)) There shall be no cost for filing or hearing the petition. An order determining a claim of priority may be appealed in the manner provided for appeals from judgments of the court where the proceeding is had. (CCP 1206(d))