

## INSTRUCTIONS FOR FILING GARNISHMENT

Filing a garnishment allows a creditor to collect what a debtor owes. A garnishment action is taken against the debtor as defendant and the property holder as garnishee.

### 1. First - fill out all of the documents completely

- a. Process of Garnishment with Affidavit
- b. Process of Garnishment Attachment A
- c. Notice to Garnishee
- d. Writ of Garnishment – **leave the date issued blank**
- e. Notice to Defendant – **leave the date the Writ of Garnishment was issued blank**
- f. Right to Claim Exemption from Garnishment
- g. Notice to Plaintiff of Right to Contest Claim of Exemption of Defendant
- h. Garnishee's Answer

**2. Use the docket event** “Process of Garnishment, Affidavit and Writ of Garnishment” found at Adversary > Miscellaneous > Process of Garnishment, Affidavit and Writ of Garnishment.

NOTE: Garnishment documents should be filed in the order listed above.

**3. The clerk's office** will process the documents and will docket the completed Writ of Garnishment. You may then serve the Writ on the garnishee and defendant.

**4. After the garnishee has been served,** file a certificate of service showing the garnishee and the defendant have been served.

a. The **garnishee's package** should contain the following in the order given:

- (1) Process of Garnishment with Affidavit
- (2) Writ of Garnishment
- (3) Process of Garnishment Attachment A
- (4) Garnishee's Answer

b. The **defendant's package** should contain the following in the order given:

- (1) Process of Garnishment with Affidavit
- (2) Process of Garnishment Attachment A
- (3) Notice to Defendant
- (4) Right to Claim Exemption from Garnishment

**5. When the clerk's office** receives the garnishee's answer, case administrators will docket the answer and relate it back to the Writ of Garnishment.