

INSTRUCTIONS FOR THE GARNISHEE

WITHIN FIFTEEN (15) DAYS from the date you are served with the attached garnishment papers, you MUST answer the interrogatories in writing, sign before a Notary Public, and return to:

Justice of the Peace Court

Ward ____, District ____

Address: _____

City, State, Zip _____

BEGIN WITHHOLDING IMMEDIATELY (using the formula described below), effective as of the date you are served with these papers, and:

1. Contact a lawyer for any legal services you might need. Neither the Justice of the Peace’s office nor the Constable’s office can give you legal advice. These instructions are provided only to give you a general overview of the employer’s role in a garnishment in an effort to minimize the number of phone calls to the Justice of the Peace and Constable.

2. Withhold 25% of the disposable earnings that you now owe to the employee, and withhold 25% of all disposable earnings that the employee may hereafter earn from you, provided that the deductions do not reduce the disposable earnings below the sum equal to **\$196.50. (After July 24, 2009, \$217.50)** if paid weekly; nor shall the disposable earnings in any case be reduced below thirty (30) times the federal minimum hourly wages prescribed by Section 6(A)(1) of the Fair Labor Standards Act of 1938, in effect at the time the earnings are payable.

Disposable earnings are the earnings that remain after all deductions required by law are withheld.

3. Pay the affected funds (everything accumulated from the date you are served with garnishment papers) **to the Constable upon receipt** of the “Judgment on Garnishment” which will be served upon you just as this Petition for Garnishment has been.

Make all checks payable to: _____

4. Please include the employee’s name and the docket number of the suit on the check stub. The docket number can be found in the upper right corner of the Citation.

5. If you fail to answer the interrogatories within fifteen (15) days, the judgment against the creditor may have you ruled into Court and ask for judgment against you for the amount of the employee’s unpaid judgment, plus interest and all court costs.

FOR FUTHER INFORMATION, CALL _____.