# Employers' Instructions for Garnishment Type B

Case No. _____ JUDGMENT DEBTOR: _____

GARNISHEE: _____

1. The term earnings means compensation for personal services owing, whether due or not, to the judgment debtor at the time of service of the Summons and Interrogatories, whether denominated as wages, salary, commissions, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program. The term "nonexempt earnings" means the portion of the judgment debtor's earnings that are subject to this garnishment, as determined in accordance with the Interrogatories and these instructions

2. If from your answer to the Interrogatories it appears to the court that the judgment debtor is your employee and that you now owe the judgment debtor wages or will owe wages the next 60 days, the judgment creditor may make an application with the court to have the nonexempt earnings transferred to the court for payment to the judgment creditor. You must hold the nonexempt earnings of the judgment debtor until you receive further order from the court.

3. The amount you are required by law to deduct from the judgment debtor's earnings include FIT, SIT, and FICA.

4. Calculate the judgment debtor's disposable earnings subject to a garnishment in accordance with the following schedule.

   1) If the judgment debtor's disposable earnings shown on line 7 of the Interrogatories are less than these amounts, enter Zero on line 8 of the Interrogatories:
      $217.50 for a weekly pay period, or more often,
      $435.00 for a biweekly pay period,
      $471.25 for a semimonthly pay period,
      $942.50 for a monthly pay period, or an equivalent amount for any other pay period; or

   2) If the judgment debtor's disposable earnings shown on line 7 of the Interrogatories are within these ranges, enter the amount calculated on line 8 of the Interrogatories:
      $2I7.50 to $290.00 for a weekly pay period or more often, enter the earnings in excess of $217.50,
      $435.00 to $580.00 for a biweekly pay period, enter the earnings in excess of $435.00,
      $471.25 to $628.33 for a semimonthly pay period, enter the earnings in excess of $471.25,
      $942.50 to $1256.66 for a monthly pay period, enter the earnings in excess of $942.50 or the equivalent for any other pay period; or

   3) If the judgment debtor's disposable earnings shown on line 7 of the Interrogatories exceed the high range of the above amounts for the employee's pay period, enter 25% of line 7 on line 8 of the Interrogatories.

5. If the judgment debtor's wages are already being withheld under a different court order, you must compute the amount that is subject to garnishment under this order.

| | |
|---|---|
| Enter the amount shown on line 8 of the Interrogatories; this is the portion of the judgment debtor's earnings that are subject to this garnishment. | $_____ |
| Add the amounts shown on lines 9A, 9B, 9C, and 9D of the Interrogatories to determine the total amount withheld from the judgment debtor's disposable earnings under all other orders. | $_____ |
| Subtract the total amount withheld under all other orders from the amount subject to this garnishment. If the amount withheld under all other orders equals or exceeds the amount subject to the garnishment, enter Zero. | $_____ |
| Enter this amount on line 10 of the Interrogatories. | |

CAUTION: If you entered an amount on line 9D, because you have been withholding a portion of the judgment debtor's earnings under a different Garnishment Order or Order of Continuing Lien that is not for the support of a person, you should recalculate the proper amount, if any, that you should continue to withhold under that order.

Effective:_____ GARNISHEE COPY .



This form is provided as a public service but should be reviewed by your attorney. Effective Sept. I, 1997.

| Nebraska State Court Form<br>REQUIRED<br>CC 3:8H Rev. 07/19<br>Document number on the mailed copy received: _____ | **INTERROGATORIES FOR GARNISHMENTS** | |
|---|---|---|

IN THE _____ COURT OF _____ COUNTY, NEBRASKA

Choose the court  Choose the county

_____
Plaintiff

vs.

_____
Defendant

Case No. _____

**INTERROGATORIES FOR GARNISHMENTS**

JUDGMENT CREDITOR:_____

ATTORNEY: _____

JUDGMENT DEBTOR: _____

GARNISHEE: _____
_____
_____
_____

**WAGES**

1. Is the judgment debtor currently in your employ? _____ Yes _____ No
2. Did you owe the judgment debtor any money for wages on the date and Time you were served with this garnishment? _____Yes _____No
3. Will you owe earnings to the judgment debtor within the next 60 days? _____Yes _____No
4. How often is the judgment debtor paid? _____ Weekly or more often; ____Biweekly; ____Semimonthly; ____Monthly; Other ___(Explain:_____ _____)
5. What are the judgment debtor's earnings for the pay period?
6. What amount are you required by law to deduct from the judgment debtor's earnings? *See part 3 of the Employer's Instruction Sheet.*
7. What are the judgment debtor's disposable earnings for the pay period? *[Subtract line 6 from line* 5)
8. What portion of the judgment debtor's disposable earnings are subject to this garnishment order? *Calculate the amount according to part 4 of the Employer's Instruction Sheet*
9. Is any portion of the judgment debtor's earnings currently withheld pursuant to any Withholding and Transmit Order, Income Withholding Order, or Garnishment Order, including an Order of Continuing Lien? __ Yes___ No

5._____

6._____

7._____

8._____



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**If you answer No**, enter the amount shown on line **8** on line **10** and answer the remaining interrogatories. The amount subject to garnishment under this order for each pay period cannot exceed the amount on line **8**.

**If you answer Yes,** you must answer the questions in this interrogatory and calculate the amount subject to garnishment under this order in accordance with part **5** of the Employer's Instruction Sheet.

Is any portion of the judgment debtor's earnings currently withheld pursuant to:

A. A Withhold and Transmit Order for support of a person?
_____ Yes _____ No
If **Yes**, what is the amount withheld for this pay period under the order?

B. An order requiring Income Withholding for the support of a person?
_____ Yes _____ No
If **Yes**, what is the amount withheld for this pay period under the order?

C. A Garnishment order (including an Order of Continuing Lien) for support of a person? _____ Yes _____ No
If **Yes**, what is the amount withheld for this pay period under the order?

D. A Garnishment order (including an Order of Continuing Lien) that is not for the support of a person? _____ Yes _____ No
If **Yes**, what is the amount withheld for this pay period under the order?

9A._____

9B._____

9C._____

9D._____

If you have entered any amount on lines **9A to 9D**, consult part **5** of the Employer's Instruction Sheet and enter the amount determined according to those instructions on line **10**.

10. The amount of wages subject to garnishment under this order for the pay period cannot exceed the amount shown on line **10**. Pay the judgment debtor the wages not subject to garnishment.

11. Based upon the above answers, the amount of wages being withheld on this garnishment is:

10._____

$_____

12. Was any portion of the wages of the judgment debtor already being withheld pursuant to an Order of Continuing Lien at the time this garnishment was served? (This does not include a Withhold and Transmit Order or an Income Withholding Order.) ___ Yes ____ No.
What is the date of termination of that continuing lien? _____

13. If you answered **Yes to 9A, 9B, 9C, 9D, or 12,** what is the court, case number and title of all cases?
_____
_____

**OTHER THAN WAGES**

I. Do you have property belonging to the judgment debtor, or credits or monies owed to the judgment debtor, whether due or not, other than the earnings described above?
____Yes ____No

2. If **Yes**, specify:
   a. Property of the judgment debtor in your possession: _____
   _____
   b. Amount of money or credits you owe the judgment debtor, other than earnings:
   _____
   c. Date the money or credits were due, or will be due:_____

Date:_____Prepared by: _____

**RETURN TO COURT**

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