## **Employers' Instructions for Garnishment Type C**

Case No	JUDGMENT DEBTOR:	
GARNISHEE:		

- 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.

Enter 50% of line 7 of the Interrogatories on line 8 of the Interrogatories.

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

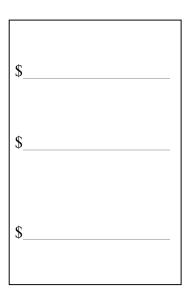
5. If the judgment debtor's wages are already being withheld under a different court order, you must compute the amount that is subject to garnishment under this order.

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.



<u>CAUTION</u>: 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.

		Case No.
vs.	Plaintiff,	INTERROGATORIES
	Defendant.	FOR GARNISHMENTS
JU	DGMENT CREDITOR:	
A7	TORNEY:	
JU	DGMENT DEBTOR:	
	ARNISHEE:	
	WAG	ES
1.	Is the judgment debtor currently in your emplo	y? Yes No.
2.	J J J J	•
3.	you were served with this garnishment? Will you owe earnings to the judgment debtor Yes No.	
4.	How often is the judgment debtor paid? Biweekly; Semimonthly; Other (Explain:	
5	What are the judgment debtor's earnings for the	
	What are the Judgment debtor's carnings for the What amount are you required by law to deduct fr	
0.	earnings? See part 3 of the Employer's Instruction	
7.	What are the judgment debtor's disposable earn	
	line 6 from line 5.)	8 1 7 1 (1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.
8.	What portion of the judgment debtor's disposal garnishment order?	ble earnings are subject to this
	5	-
	6	-
	7	
		—

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Calculate the amount according to part 4 of the Employer's Instruction Sheet.

 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.

<u>If you answer No</u>, 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

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?

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**.

9A	
9B	
9C	
9D	

- 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**

- 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:\_

Dated:

Prepared by:

## **RETURN TO COURT**

CC 3:8I Rev. 01/2016

Garnishment Type C – Instructions and Interrogatories