

EMPLOYERS' INSTRUCTIONS

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" mean 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 within 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 includes FIT, SIT, and FICA.
4. Calculate the judgment debtor's disposable earnings subject to a garnishment in accordance with these schedules, using the information on the Summons.

A. If Line A on the Summons is checked and:

- 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:
 - \$217.50 to \$255.88 for a weekly pay period or more often, enter the earnings in excess of \$217.50,
 - \$435.00 to \$511.76 for a biweekly pay period, enter the earnings in excess of \$435.00,
 - \$471.25 to \$554.41 for a semimonthly pay period, enter the earnings in excess of \$471.25,
 - \$942.50 to \$1,108.82 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 15% of line 7 on line 8 of the Interrogatories.

B. If Line B on the Summons is checked and:

- 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:
 - \$217.50 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 \$1,256.66 for a monthly pay period, enter the earnings in excess of \$942.50, or the equivalent for any other pay period; or

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- 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.
- C. If **Line C** on the Summons is checked, enter 50% of line 7 of the Interrogatories on line 8 of the Interrogatories.
- D. If **Line D** on the Summons is checked, enter 55% of line 7 of the Interrogatories on line 8 of the Interrogatories.
- E. If **Line E** on the Summons is checked, enter 60% of line 7 of the Interrogatories on line 8 of the Interrogatories.
- F. If **Line F** on the Summons is checked, enter 65% of line 7 of the Interrogatories 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.

A. If **Line A or B** on the Summons is checked:

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 this garnishment, enter Zero. \$ _____

Enter this amount on line 10 of the Interrogatories.

B. If **Line C, D, E, or F** on the Summons is checked:

Enter the amount shown on line 8 of the Interrogatories; this is the portion of the judgment debtor's disposable earnings that are subject to this garnishment. \$ _____

Add the amounts shown on lines 9A, 9B, and 9C of the Interrogatories to determine the total amount withheld from the judgment debtor's disposable earnings under all other orders for support. (Do not add the amount on line 9D.) \$ _____

Subtract the total amount withheld under all other support orders from the amount subject to this garnishment. If the amount withheld under all other support orders equals or exceeds the amount subject to this 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 _____

This form is provided as a public service but should be reviewed by your attorney.