

INSTRUCTIONS FOR FILING A WAGE GARNISHMENT

PLEASE READ AND FOLLOW THESE INSTRUCTIONS COMPLETELY:

PRIOR TO FILING THE WAGE GARNISHMENT WITH THE COURT, you must fill out the *“Notice of Court Proceedings to Collect Debt”* as well as complete the top portion of the *“Payment to Avoid Garnishment”* and mail both documents to the debtor. Please make copies of these forms for the Court. Please obtain proof of mailing from the Post Office. Proof of Mailing must accompany the Wage Garnishment forms should you need to file them.

If the debtor Does not pay the judgment after 15 days, you will process the garnishment as follows:

1. File a signed and notarized Affidavit with the Court stating the following:
 - a. Amount of Judgment
 - b. Interest
 - c. Court Costs
 - d. Amount Received on Judgment
 - e. Amount Now Due

2. Using the specified Portsmouth Municipal Court forms (filling out all appropriate information where space is provided including the address of the Employer (Garnishee), you must furnish the following to the court.
 - a. One (1) original and four (4) copies of the *Order and Notice of Garnishment – Section A*
 - b. Two (2) copies of *Answer of Employer (Garnishee) – Section B*
 - c. Two (2) copies of *Interim Report and Answer of Employer*
 - d. Two (2) copies of *Final Report and Answer of Employer*
 - e. One (1) copy of the *Notice to Judgment Debtor*
 - f. One (1) copy of *Payment to Avoid Garnishment*
 - g. One (1) copy of *Notice of Court Proceeding to Collect Debt*
 - h. One (1) copy of the receipt for **proof of mailing**
 - i. One (1) copy of the *Affidavit of Current Balance Due* (if judgment is more than 1 year old, and/or you have not filed an Affidavit of Current Balance due within 1 year of filing garnishment.
 - j. One (1) copy *Confidential Disclosure Attachment*

A \$105 filing fee is due at the time of filing.

No Social Security Numbers, or last 4 of SSN to be included on any pages other than the Confidential Disclosure Attachment

REQUEST FOR HEARING (PERSONAL EARNINGS)

Case No. _____ Court,
_____ District,
_____, Ohio.

I dispute the judgment creditor's determination of current balance due on garnishment order in the above case and request that a hearing in this matter be held not later than twelve days after delivery of this request to the court.

I _____ believe that the need for the hearing is an emergency.
(insert "Do" or "Do Not")

I dispute the judgment creditor's determination for the following reasons: (1)

I understand that no objections to the judgment itself will be considered at the hearing.

Date _____

(Name of Judgment Debtor-Print)

(Signature)

WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE OFFICE OF THE CLERK OF THIS COURT WITHIN FIVE (5) BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR PERSONAL EARNINGS WILL CONTINUE TO BE PAID TO _____
(Judgment Creditor's Name)

IN SATISFACTION OF YOUR DEBT TO THE JUDGMENT CREDITOR

(1) OPTIONAL