

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

INTERIM REPORT AND ANSWER OF GARNISHEE

_____	}	_____ COURT,
JUDGMENT CREDITOR_		_____ OHIO.
VS		CASE NO. _____

JUDGMENT DEBTOR_		

THE GARNISHEE, _____, IN THE ABOVE CASE STATES AS FOLLOWS:

1. THE DATE THAT THE GARNISHEE RECEIVED THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS WAS _____.
2. THE TOTAL PROBABLE AMOUNT DUE ON THE JUDGMENT, INCLUDING COURT COSTS, JUDGMENT INTEREST, AND, IF APPLICABLE, PREJUDGMENT INTEREST, AS STATED IN EITHER SECTION A OF THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS OR IN THE AFFIDAVIT OF CURRENT BALANCE DUE ON GARNISHMENT ORDER IF THAT AFFIDAVIT HAS BEEN RECEIVED SUBSEQUENT TO THE ORDER OF GARNISHMENT, IS \$ _____.
3. THE PAY PERIOD OF THE JUDGMENT DEBTOR IS (ENTER WEEKLY, BIWEEKLY, SEMIMONTHLY, OR MONTHLY. DO NOT ENTER A PAY PERIOD OF MORE THAN ONE MONTH) _____.
4. THE DISPOSABLE EARNINGS OF THE JUDGMENT DEBTOR EARNED DURING THE JUDGMENT DEBTOR'S PRESENT PAY PERIOD IS ("DISPOSABLE EARNINGS" MEANS EARNINGS AFTER DEDUCTIONS REQUIRED BY LAW. "PRESENT PAY PERIOD" MEANS THE PAY PERIOD FOR WHICH YOU ARE COMPLETING THIS INTERIM REPORT AND ANSWER OF GARNISHEE.) \$ _____.
5. THE AMOUNT EQUAL TO TWENTY-FIVE PER CENT (25%) OF THE JUDGMENT DEBTOR'S DISPOSABLE EARNINGS SET FORTH IN SECTION 4 OF THIS FORM IS \$ _____.
6. _____ TIMES THE CURRENT FEDERAL MINIMUM HOURLY WAGE IS (IF THE JUDGMENT DEBTOR IS PAID WEEKLY, ENTER THIRTY ABOVE, IF PAID BIWEEKLY, ENTER SIXTY, IF PAID SEMIMONTHLY, ENTER SIXTY-FIVE, IF PAID MONTHLY, ENTER ONE HUNDRED THIRTY, THEN CALCULATE THE AMOUNT.) \$ _____.
7. THE AMOUNT BY WHICH THE AMOUNT IN SECTION 4 OF THIS FORM EXCEEDS THE AMOUNT IN SECTION 6 OF THIS FORM IS _____.
8. THE SMALLEST OF EITHER THE AMOUNT ENTERED IN SECTION 5 OF THIS FORM, THE AMOUNT ENTERED IN SECTION 7 OF THIS FORM, OR THE AMOUNT ENTERED IN SECTION 2 OF THIS FORM, IS \$ _____.
9. THE AMOUNT ENTERED IN SECTION 8 OF THIS FORM, PLUS OR MINUS (AS APPROPRIATE) THE GARNISHEE'S PROCESSING FEE IS \$ _____ (IF THE AMOUNT ENTERED IN SECTION 8 OF THIS FORM EQUALS THE AMOUNT ENTERED IN SECTION 2 OF THIS FORM, THEN ADD UP TO THREE DOLLARS (\$3); OTHERWISE SUBTRACT UP TO THREE DOLLARS (\$3)).
10. OTHER DEDUCTIONS \$ _____.
11. THE CALCULATED AMOUNT THAT HAS BEEN WITHHELD FROM THE JUDGMENT DEBTOR'S PERSONAL EARNINGS DURING THE JUDGMENT DEBTOR'S PRESENT PAY PERIOD AND THAT IS SUBMITTED WITH THIS "INTERIM REPORT AND ANSWER OF GARNISHEE" IS \$ _____.

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE

(PRINT NAME OF EMPLOYER)

(PRINT NAME AND TITLE OF
PERSON WHO COMPLETED FORM)

SIGNED _____
(SIGNATURE OF PERSON WHO COMPLETED FORM)

DATED THIS _____ DAY OF _____, _____