

## **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**

# FINAL 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 SECTION A OF THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS IS \$ \_\_\_\_\_.

3. THE TOTAL AMOUNT THAT HAS BEEN WITHHELD FROM THE JUDGMENT DEBTOR'S PERSONAL DISPOSABLE EARNINGS AND PAID TO THE COURT WHILE THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS REMAINED IN EFFECT IS \$ \_\_\_\_\_.

4. (WHEN APPLICABLE) THE TOTAL PROBABLE AMOUNT DUE ON THE JUDGMENT (AS STATED IN 2 ABOVE) IS NOT EQUAL TO THE TOTAL AMOUNT THAT HAS BEEN WITHHELD (AS STATED IN 3 ABOVE), AND THE REASON FOR THAT DIFFERENCE IS THAT THE ORDER OF GARNISHMENT OF THE JUDGMENT-DEBTOR'S PERSONAL EARNINGS CEASED TO BE IN EFFECT FOR THE FOLLOWING STATUTORILY PRESCRIBED REASON(S) (CHECK WHICHEVER APPLY):

(A) \_\_\_\_\_ A MUNICIPAL OR COUNTY COURT APPOINTED A TRUSTEE FOR THE JUDGMENT DEBTOR AND ISSUED AN ORDER THAT STAYS THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS

(B) \_\_\_\_\_ A FEDERAL BANKRUPTCY COURT ISSUED AN ORDER THAT STAYS THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARNINGS

(C) \_\_\_\_\_ A MUNICIPAL OR COUNTY COURT OR A COURT OF COMMON PLEAS ISSUED ANOTHER ORDER OF GARNISHMENT OF PERSONAL EARNINGS THAT RELATES TO THE JUDGMENT DEBTOR AND A DIFFERENT JUDGMENT CREDITOR, AND OHIO OR FEDERAL LAW PROVIDES THE OTHER ORDER A HIGHER PRIORITY. (SET FORTH THE NAME OF THE COURT THAT ISSUED THE HIGHER PRIORITY ORDER, THE ASSOCIATED CASE NUMBER, THE DATE THAT THE HIGHER PRIORITY ORDER WAS RECEIVED, AND THE BALANCE DUE TO THE RELEVANT JUDGMENT CREDITOR UNDER THAT ORDER)

(D) \_\_\_\_\_ A MUNICIPAL OR COUNTY COURT OR A COURT OF COMMON PLEAS ISSUED ANOTHER ORDER OF GARNISHMENT OF PERSONAL EARNINGS THAT RELATES TO THE JUDGMENT DEBTOR AND A DIFFERENT JUDGMENT CREDITOR AND THAT IS NOT DESCRIBED IN 4 (C) ABOVE. (SET FORTH THE NAME OF THE COURT THAT ISSUED THE SUBSEQUENTLY RECEIVED ORDER, THE ASSOCIATED CASE NUMBER, THE DATE THAT THE SUBSEQUENT ORDER WAS RECEIVED, AND THE BALANCE DUE TO THE RELEVANT JUDGMENT CREDITOR UNDER THAT ORDER): \_\_\_\_\_

(E) \_\_\_\_\_ THE JUDGMENT CREDITOR OR JUDGMENT CREDITOR'S ATTORNEY HAS ISSUED A REQUEST THAT THE ORDER OF GARNISHMENT BE TERMINATED AND THE GARNISHEE RELEASED FROM THE MANDATES OF THE ORDER OF GARNISHMENT.

(F) \_\_\_\_\_ JUDGMENT DEBTOR'S EMPLOYMENT TERMINATED ON: \_\_\_\_\_

(G) \_\_\_\_\_ OTHER: \_\_\_\_\_

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE.

\_\_\_\_\_  
(PRINT NAME OF EMPLOYER)

\_\_\_\_\_  
(PRINT NAME AND TITLE OF PERSON WHO COMPLETED FORM ON BEHALF OF THE EMPLOYER)

SIGNED \_\_\_\_\_  
(SIGNATURE OF EMPLOYER OR EMPLOYERS AGENT WHO COMPLETED FORM)

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_