

GARNISHEE INSTRUCTIONS – CONTINUING GARNISHMENT

1. This is a legal Summons. You are required to file Answers to it.
2. If you are not familiar with Georgia garnishment laws, consult your attorney or obtain correct information. Do not call the court for legal information. The clerks are not attorneys and cannot give you advice.
3. A letter is not considered a proper Answer. You must use the “Answer of Garnishee” form for all communications with the Court.
4. If the Defendant is not employed by you, or has been terminated, please state this on the “Answer of Garnishee” form under the section entitled. “Garnishee further states”.
5. If you employ the Defendant, you are required to file seven answers with the Court. The first one is due into Court no later than 45 days from the date you were served with the summons. Each additional Answer must be filed no later than 45 days from the previous answer until you use all the seven answer forms. *Only send one per month.*
6. The maximum amount of disposable earnings for any work week which is subject to garnishment may not exceed the lesser of:
 - A. 25% of his/her disposable earnings for that week; or
 - B. The amount by which the disposable earnings for that week exceed 30 times the federal minimum wage amount; EXCEPT
 - C. In any case based on Judgment for Alimony or Child Support, the maximum part of disposable earnings for that week shall be 50%. (“Disposable earnings” shall mean that part of the earnings of an individual remaining after the deduction from those earnings of the amounts required by law to be withheld.)
7. A check for the amount withheld must accompany the completed answer form and must be made payable to the Court in which the garnishment is filed. Checks without the COMPLETED answer form will be returned.
8. The ORIGINAL completed “Answer of Garnishee” form must be mailed to the Court in which the garnishment is filed and a COPY must be sent to the Plaintiffs attorney.
9. This garnishment will run out 195 days after you receive the Summons, even if there is a balance due. No release will be issued at this time.
10. Plaintiff or their counsel is the only one who can authorize the court to issue a release and relieve you from filing Answers to this Summons.
11. Failure to file your Answers with the Court within the proper time frame may result in a default judgment being entered against YOU OR YOUR COMPANY. The debt will then pass from the Defendant to you.
12. If you have further legal questions, please consult your attorney.