

PLAINTIFF(s)

Case No.

DEFENDANT(s)

GARNISHEE

**WRIT OF GARNISHMENT**

EXPLANATION

JUDGMENT DEBTOR:

ORIGINAL JUDGMENT	\$
BALANCE OF JUDGMENT	0.00
INTEREST RATE _____ %, AMOUNT	0.00
ATTORNEY'S FEES	0.00
OTHER	0.00
OTHER	0.00
WRIT - WRIT OF GARNISHMENT EXECUTION	0.00
Total:	0.00

DATE \_\_\_\_\_, \_\_\_\_\_, CLERK  
 \_\_\_\_\_  
 DISTRICT COURT CLERK

CERTIFICATE

I certify that a copy of a Writ of Garnishment and Notices to the Defendant as required by Arkansas Code Annotated § 16-110-402 will be mailed to the defendant at the following address at least yearly.

Defendant's address: \_\_\_\_\_ Plaintiff or agent: \_\_\_\_\_

CERTIFICATE OF SERVICE: I, \_\_\_\_\_, have this day mailed a copy of this writ and notice to the **Plaintiff/Defendant** at his residence address by First Class Mail.

DATE: \_\_\_\_\_  
 \_\_\_\_\_  
**Plaintiff/Defendant's Signature**

- Original - Court
- 2<sup>nd</sup> copy - Garnishee
- 3<sup>rd</sup> copy - Sheriff/Process Agent
- 4<sup>th</sup> copy - Plaintiff
- 5<sup>th</sup> copy - Defendant

## NOTICE TO THE GARNISHEE

1. A judgment has been obtained in the DISTRICT COURT OF \_\_\_\_\_ COUNTY against the judgment Debtor listed in this writ and remains unsatisfied. The plaintiff believes that you are indebted to the Defendant, or have in your possession goods, chattels, moneys, credits, or effects belonging to the Defendant.
2. You are directed to prepare a written answer, under oath, and to file this answer in the DISTRICT COURT OF \_\_\_\_\_ COUNTY Clerk's office within **thirty (30) days** from the date in which you are served with this writ. The written answer should contain a statement of what goods, chattels, moneys, credits, or effects you may have in your possession belonging to the Defendant.
3. In addition, you are required to answer any further interrogatories that may be asked of you.
4. Do not pay any money to the Clerk. You should hold the money until a court order directs you to release the money. You will then pay it to the plaintiff's attorney or agent.

## NOTICE TO NON-EMPLOYER GARNISHEE

Failure to answer this writ within 30 days or failure or refusal to answer the interrogatories attached hereto shall result in the court entering a judgment against you and you becoming personally liable for the full amount specified in this Writ together with costs of this action as provided by Arkansas Code Annotated 16-110-407.

## NOTICE TO EMPLOYER GARNISHEE

Failure to answer this Writ within 30 days or failure or refusal to answer the interrogatories attached hereto shall result in the court entering a judgment against you and you becoming personally liable for the amount of the non-exempt wages owed the debtor-employee on the date you were served this writ as provided by Arkansas Code Annotated 16-110-407.

The judgment or balance due therein is a lien on salaries, wages, or other compensation due at the time of the service of the garnishment and shall continue as to subsequent earnings until the total amount due upon the judgment and costs are paid or satisfied.

The lien on subsequent earnings shall end if the employment relationship is terminated or if the underlying judgment is vacated or modified.

Employer Garnishees are notified that the amount of wages available for withholding for this judgment and costs is subject to certain prior claims. Under Arkansas law income withholding for child support has a priority over all other legal processes. Under Federal law the total amount to be withheld cannot exceed the maximum amount allowed under Section 303(b) of the Title III Consumer Credit Protection Act.

## NOTICE TO THE DEFENDANT

The Writ of Garnishment delivered to you with this Notice means that wages, money or other property belonging to you has been garnished in order to pay a court judgment against you. **HOWEVER, YOU MAY BE ABLE TO KEEP YOUR MONEY OR PROPERTY FROM BEING TAKEN, SO READ THIS NOTICE CAREFULLY.**

State and Federal laws say that certain money and property may not be taken to pay certain types of court judgments. Such money or property may not be taken to pay certain types of court judgments. Such money or property is said to be "exempt" from garnishment. For example, under the Arkansas Constitution and state law, you will be able to claim as exempt all or part of your wages or other personal property. As another example, under Federal law the following are also exempt from garnishment: Social Security, SSI, Veteran's benefits, Temporary Assistance for Needy Families, unemployment compensation, and workers compensation.

You have a right to ask for a court hearing to claim these or other exemptions. Such request must be made in writing. If you need legal assistance to help you try to save your wages or property from being garnished, you should see a lawyer. If you can't afford a private lawyer, contact your local bar association or ask the clerk's office about any Legal Services program in your area.

CERTIFICATE OF SERVICE

Case # \_\_\_\_\_

STATE OF ARKANSAS - COUNTY OF \_\_\_\_\_ . On this day \_\_\_\_\_  
\_\_\_\_\_ at

\_\_\_\_\_ o'clock \_\_\_\_\_ m. I have duly served this Writ by delivering a true copy thereof to: \_\_\_\_\_  
\_\_\_\_\_

FEES: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_