## IN THE MAGISTRATE COURT OF WALTON COUNTY, STATE OF GEORGIA

Civil Action #:\_\_\_\_\_

PLAINTIFF:	GARNISHEE:	
Name	Name and/or business name	
Address	Address	
City, State, Zip Code	City, State, Zip Code	
(Area Code) Phone number	(Area Code) Phone number	
DEFENDANT:		
Name		
Address		*Court use only
City, State, Zip Code		Date/Time stamp filed*
(Area Code) Phone Number		
Amount claimed due by Plaintiff (to be completed by Plaintiff): \$		
SUMMONS OF GARNISHMENT UPON A DEPURSUANT O.C.G.A. § 18  TO:, GARNI	-4-20	
YOU ARE HEREBY COMMANDED to hold immediately all pr belonging to the Defendant or debts owed to the Defendant named above between the time of service of this summons and the time of making you less than forty five (45) days after you are served with this summons, you with the Clerk of the Magistrate Court of Walton County and serve a copbelow. Money or other property subject to this summons should be delifial to answer this summons within the time prescribed by law, a judgment Plaintiff claims due by the Defendant.	operty, money, wages, except what is exempt, e at the time of service of this summons and ar answer. Not sooner than thirty (30) days, but ou are commanded to file your answer in writing py upon the Plaintiff or his/her attorney named vered to the Court with your answer. Should you	
WITNESS THE HONORABLE	, Judge of the Magisti	rate Court, Walton County
	This day of	
Plaintiff/Plaintiff's attorney		
	Clerk/Deputy Clerk, Magistrate Cour	t, Walton County
Plaintiff/Plaintiff's attorney address	_	

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Name	Name and/or business name	
Address	Address	
City, State, Zip Code	City, State, Zip Code	
(Area Code) Phone number	(Area Code) Phone number	
DEFENDANT:	*Court use only Date/Time stamp filed*	
Name		
Address		
City, State, Zip Code		
(Area Code) Phone Number  ANSWER OF GARNIS  PURSUANT O.C.G.A. § 18  UPON A FINANCIAL INSTIT	8-4-20	
At the time of service or from the time of service to the time of this answer following described property of the Defendant:	, Garnishee had in his/her possession the	
At the time of service or from the time of service to the time of this answer.	all debt accruing from Garnishee to Defendant is in the amount: \$	
\$ of the amount named above was wages earned at the rate of the amount named, 20, through the time of filing this	of \$ for the period beginning: s answer. The amount of wages which is subject to this garnishment is/are:	
\$ Gross Earnings	\$ Total Disposable Earnings	
\$ Total Social Security and withholding tax	\$ Amount of wages subject to garnishment	
Garnishee further states:		
Garnishee or Attorney  Georgia, WALTON County	y	
Personally appeared, who	on oath/affirmation says that he/she is(title)	
of the Garnishee above named, and as such, has authority to make this anscorrect.		
Sworn to and subscribed before me this		
day of	tary Public/Attesting Official	
Not	ary r dono ratesting Official	

Clerk/Deputy Clerk, Magistrate Court, Walton County

## INSTRUCTIONS GARNISHEE

- 1. Answer cannot be filed sooner than thirty (s) days after service of Summons of Garnishment on the Garnishee and no later than forty five (45) days after date of service of Summons of Garnishment on the Garnishee, except as provided in #7 and #8 below.
- 2. File your answer at the: Walton County Magistrate Court

303 South Hammond Drive, Suite 116

Monroe, Georgia 30655

- 3. If you are not familiar wit the Georgia Law applying to Garnishment cases, consult an attorney or otherwise obtain correct information before paying the Defendant any sum after you have been served with this Summons of Garnishment (O.C.G.A. § 18-4-20).
- 4. A letter stating the Defendant is not employed by you is insufficient.
- 5. A SWORN affidavit must be filed with the Clerk of Court in the Magistrate Court.
- 6. Plaintiff, or attorney, is the only one who can authorize the Court to issue and relieve you of filing the answer to this summons.
- 7. Under circumstances where the Defendant has been an employee of the Garnishee, and if the Defendant is no longer employed by the Garnishee, and if the Garnishee has no money or property of the Defendant subject to garnishment, the Garnishee may immediately file an answer; however, such answer shall be filed not later than forty five (45) days after the service of the summons.
- 8. If the Garnishee is a bank or other financial institution and if the Defendant does not have an active account with, and is not the owner of any money or property in the possession, of the bank or financial institution, then the Garnishee may immediately file an answer; however, such answer shall be filed not later than forty five (45) days after the service of the summons.
- 9. The Garnishee shall be entitled to his/her actual reasonable expenses, including attorney's fees, in making a true answer of this garnishment. The amount so incurred shall be taxed in the bill of the costs and shall be paid by the party upon whom the cost is case, as costs are cast in other cases. The Garnishee may deduct \$25.00 or ten (10%) percent of the amount paid into Court, whichever is greater, not exceed \$50.00, as reasonable attorney's fees or expenses.
- 10. Failure of Garnishee to answer may result in Default Judgment against the Garnishee.

## INSTRUCTIONS DEFENDANT

- 1. Defendant has twenty (20) days from the date of service in which to file a petition or request a hearing to dissolve garnishment.
- 2. If you are not familiar wit the Georgia Law applying to Garnishment cases, consult an attorney or otherwise obtain correct information before proceeding in this matter. (O.C.G.A. § 18-4-20).
- 3. File your petition at the: Walton County Magistrate Court

303 South Hammond Drive, Suite 116

Monroe, Georgia 30655

- 4. Failure to file a petition within twenty (20) days after service of this summons will result in a conclusive presumption that the garnishment was properly issued.
- 5. A garnishment against the property and credits of the Defendant has been or will be served on the Garnishee.