

INSTRUCTIONS FOR GARNISHMENT OF WAGES

REQUIREMENTS FOR FILING

- Judgment must be obtained and journalized with the Berea Municipal Court.
- In the collection process you, the Plaintiff, now become the Judgment Creditor and the Defendant becomes the Judgment Debtor.
- The Plaintiff/Judgment Creditor must first issue the Notice of Court Proceedings to Collect Debt & Payment to Avoid Garnishment. Completely fill in the required information and mail to the Defendant/Judgment Debtor at their last known address by certificate of mailing (available at the U.S. Post Office.)
- After issuing the Notice to Collect there is a 14-day waiting period. On the 15th day, if you have not received correspondence from the defendant via mail, telephone or in person, etc., in reference to complying with the Payment to Avoid Garnishment, you may file the Garnishment forms with the Court to begin garnishing wages.
- You **MUST** have the **original** certificate of mailing and a **copy** of the notice to collect when filing the garnishment forms. The certificate of mailing date stamp must be no earlier than 15 days, no later than 45 days of the date you are filing the garnishment with the Court. After 45 days the certificate of mailing expires.
- You are required to supply the Court with the original and 3 double-sided copies of the specified forms (Section A, Section B, Notice to Judgment Debtor, Request for Hearing, Interim Report and Final Report.) If copies of these forms are not supplied, you will be charged accordingly per copy.
- Garnishment forms should be typed. If you do not have access to a typewriter or cannot scan forms on your computer, the Court will permit you to neatly **PRINT** in **BLUE INK**. Forms completed in colored ink or pencil will not be accepted for filing.
- The filing fees for Garnishment of Wages can be found on the Berea Municipal Court Website. www.bereamunicipalcourt.com

HOW TO FILL OUT GARNISHMENT FORMS

- On Section “A”, #4 you should have the I.D./Social Security Number for the Defendant/Judgment Debtor, most employers cannot process the Garnishment Order without this identification. The Court is not required to and not permitted to supply you with Social Security Numbers of Defendants.
- On all other forms: (Section B, Notice to the Judgment Debtor, Request for Hearing, Interim Report and Final Report) you are only required to complete and fill in the Case Number, Judgment Creditor and Judgment Debtor name.
- There are 3 additional forms to the Garnishment packet – 2 Affidavit of Current Balance Due on the Garnishment Order and 1 Request for Hearing on Current Balance Due. **These forms must be filed 1 year to the date of filing the original garnishment order with the Court.** These forms are filed only if your garnishment order is still active.
- If you want a signed, sealed and time stamped copy of the filing please supply the Court with a self-addressed stamped envelope.
- If you have been paid successfully through a garnishment order, it is your responsibility as the Plaintiff/Judgment Creditor to Satisfy the Judgment and Release the Garnishment Order.