

**AFFIDAVIT, ORDER AND NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS AND ANSWER OF GARNISHEE**

THE STATE OF OHIO  
COUNTY OF \_\_\_\_\_, SS

\_\_\_\_\_, Court  
\_\_\_\_\_, Ohio

VS. Judgment Creditor

Docket No. \_\_\_\_\_ Page \_\_\_\_\_  
Case No. \_\_\_\_\_

Judgment Debtor

**AFFIDAVIT**

The undersigned, being first duly cautioned and sworn, affirmed according to law, says that I am the Judgment Creditor herein/Attorney for Judgment Creditor herein, and that said Judgement (cross out one) Creditor heretofore, to-wit, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, duly recovered a judgment before this Court against said Judgment Debtor \_\_\_\_\_

AMOUNT NOW DUE \$ \_\_\_\_\_

The affiant has good reason to believe and does believe that \_\_\_\_\_ has property other than personal earnings of the Judgment Debtor that is not exempt under the laws of the State of Ohio or the United States.

DESCRIPTION OF PROPERTY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTORNEY FOR JUDGMENT CREDITOR

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

NOTARY PUBLIC

**SECTION A. COURT ORDER AND NOTICE OF GARNISHMENT**

To: \_\_\_\_\_, Garnishee

The Judgment Creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this court stating that you may have money, property, or credits, other than personal earnings, in your hands or under your control that belong to the Judgment Debtor. You are therefore ordered to complete the "Answer of Garnishee" in Section (B) of this form. Return one completed and signed copy of this form to the clerk of this court, together with the amount determined in accordance with the "Answer of Garnishee" by the following date on which a hearing is tentatively scheduled relative to this Order of Garnishment.

Deliver one completed and signed copy of this form to the judgment debtor prior to that date. Keep the other completed and signed copy of this form for your files.

The Total Probable Amount now due on this judgment is \$ \_\_\_\_\_

The Total Probable Amount now due includes the unpaid portion of the Judgment in favor of the Judgment Creditor, which is \$ \_\_\_\_\_; Interest on that Judgment and, if applicable, prejudgment interest relative to that Judgment at the rate of \_\_\_\_\_% per annum payable until that Judgment is satisfied in full; and court cost in the amount of \$ \_\_\_\_\_

You also are ordered to hold safely anything of value that belongs to the Judgment Debtor and that has to be paid to the court, as determined under the "Answer of Garnishee" in Section (B) of this form, but that is of such a nature that it cannot be so delivered, until further order of the court.

Witness my hand and the seal of this court this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Judge

**INSTRUCTIONS: To complete the back of this form: (1) tear stub off top, (2) continue typing or writing on the reverse side.**

# NOTICE TO JUDGMENT DEBTOR\*

(Signed by Clerk of Court)

	}	
Judgment Creditor _		Court,
vs		, Ohio.
		Case No. _____
Judgment Debtor _		

## PERSONAL EARNINGS

You are hereby notified that this court has issued an order in the above case in favor of \_\_\_\_\_

\_\_\_\_\_  
( Name and Address of Judgment Creditor)

the judgment creditor in this proceeding, directing that some of your personal earnings, be used in satisfaction of your debt to the judgment creditor instead of being paid to you. This order was issued on the basis of the judgment creditor's judgment against you that was obtained in \_\_\_\_\_

\_\_\_\_\_ Court in Case No. \_\_\_\_\_ on \_\_\_\_\_

The law of Ohio provides that you are entitled to keep a certain amount of your personal earnings free from the claims of creditors. Additionally, wages under a certain amount may never be used to satisfy the claims of creditors. The documents entitled "ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF EMPLOYER" that are enclosed with this notice show how the amount proposed to be taken out of your personal earnings was calculated by your employer.

If you dispute the judgment creditor's right to garnish your personal earnings and believe that you are entitled to possession of the personal earnings because they are exempt or if you feel that this order is improper for any reason, you may request a hearing before this court by disputing the claim in the request for hearing form, attached, or in a substantially similar form, and delivering the request for hearing to this court at the above address, at the office of the Clerk of this Court, no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the judgment creditor's right to garnish your personal earnings in the space provided on the form; however, you are not required to do so. If you do state your reasons for disputing the judgment creditor's right, you are not prohibited from stating any other reason at the hearing. If you do not state your reasons, it will not be held against you by the court and you can state your reasons at the hearing. No objections to the judgment itself will be heard or considered at the hearing.

The hearing will be limited to a consideration of the amount of your personal earnings, if any, that can be used in satisfaction of the judgment you owe to the judgment creditor.

If you request a hearing by delivering your "Request for Hearing" no later than the end of the fifth business day after you receive this notice, it will be conducted no later than twelve days after your request is received by the court and the court office will send you notice of the date, time, and a place. You may indicate on the form that you believe that the need for the hearing is an emergency and that it should be given priority by the court. If you do so, the court will schedule the hearing as soon as practicable after your request is received, and will send you notice of the date, time, and place. If you do not request a hearing by delivering your request for hearing, no later than the end of the fifth business day after you receive this notice, some of your personal earnings will be paid to the judgment creditor.

If you have any questions concerning this matter, you may contact the office of the Clerk of this Court. If you want legal representation, you should contact your lawyer immediately. If you need the name of a lawyer, contact the local Bar Association.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk  
by \_\_\_\_\_  
Deputy Clerk

# REQUEST FOR HEARING (MONEY - PROPERTY - CREDITS)

Case No. \_\_\_\_\_ Court,  
\_\_\_\_\_, Ohio.

I dispute the judgment creditor's right to garnish my money, property, or credits, or other than personal earnings, in the above case and request that a hearing be held \_\_\_\_\_ the date and time set  
(Insert "on" or "earlier than")  
forth in the document entitled "NOTICE TO THE JUDGMENT DEBTOR" that I received with this request form.

I dispute the judgment creditor's right to garnish my property for the following reasons: (1)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I UNDERSTAND THAT NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE HEARD OR CONSIDERED AT THE HEARING.**

Date \_\_\_\_\_  
\_\_\_\_\_  
(Name of Judgment Debtor-Print)  
\_\_\_\_\_  
(Signature)

**WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE OFFICE OF THE CLERK OF THIS COURT WITHIN FIVE (5) BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR MONEY, PROPERTY, OR CREDITS, OTHER THAN PERSONAL EARNINGS, NOW IN THE POSSESSION OF \_\_\_\_\_**  
(Garnishee's Name)

\_\_\_\_\_ **WILL BE PAID TO** \_\_\_\_\_ **TO SATISFY**  
(Judgment Creditor's Name)

**SOME OF YOUR DEBT TO** \_\_\_\_\_  
(Judgment Creditor's Name)