

STATE COURT OF COBB COUNTY
AFFIDAVIT FOR CONTINUING GARNISHMENT FOR SUPPORT

GEORGIA, COBB COUNTY

Case Number _____

Plaintiff (Name & Address)

Plaintiff's Attorney (Name, Address, Phone & Email)

VS

Defendant (Name & Address)

Bar Number _____

Garnishee (Name & Address)

Personally appeared _____, who on oath says I am the (Plaintiff) (Attorney for Plaintiff) (Agent for Plaintiff) [Circle one] and the defendant is in arrears on the obligation of support in an amount equal to or in excess of one month's obligation as decreed on a judgment as described and no agreement requires forbearance from the garnishment which is applied for currently. (Certified copy attached)

1. \$ _____ is the amount of arrearage due as of the date of this affidavit.
2. Judgment was obtained in the _____ Court of _____ County.
3. _____ is the case number.
4. The periodic amount of support due under the judgment for each obligee is:

PERIODIC AMOUNT DUE	OBLIGEE	TERMINATION DATE OF OBLIGATION
\$ _____	_____	_____
\$ _____	_____	_____
\$ _____	_____	_____

Upon the Affiant's personal knowledge or belief, the sum stated herein is unpaid. Affiant further states that affiant believes that garnishee is an employer of the defendant.

Affiant

Print name of Affiant

Sworn to and subscribed to before me,

This _____ day of _____, 20_____.

Notary Public
My Commission Expires: _____

STATE COURT OF COBB COUNTY
SUMMONS OF CONTINUING GARNISHMENT FOR SUPPORT
GOVERNED BY ARTICLE 3 OF CHAPTER 4 OF TITLE 18

GEORGIA, COBB COUNTY

Case Number _____

Plaintiff (Name & Address)

Plaintiff's Attorney (Name, Address, Phone & Email)

VS

Defendant (Name & Address)

Bar Number _____

Garnishee (Name & Address)

YOU ARE HEREBY COMMANDED to immediately hold all money, including wages, and other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant named above beginning on the day of service of this summons until the original arrearage is retired and all periodic support payments are current or until the termination of the garnishment. You are **FURTHER COMMANDED** to file your answer, in writing, not later than 45 days from the date you were served with this summons, with the Clerk of this Court and serve a copy of your answer upon the Plaintiff or Plaintiff's Attorney named above and the Defendant named above, or the Defendant's Attorney, if known, at the time of making such answer. Your answer shall state what money, including wages, or other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe beginning on the day of service of this summons and between the time of such service and the time of making your first answer. Thereafter, you are required to file further answers no later than 45 days after your last answer. Every further answer shall state what money, including wages, and other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe at and from the time of the last answers to the time of the current answers. **YOU MUST FILE ADDITIONAL ANSWERS UNTIL THE ORIGINAL ARREARAGE IS RETIRED AND ALL PERIODIC SUPPORT PAYMENTS ARE CURRENT.** Money, including wages, or other property admitted in an answer to be subject to continuing garnishment must be paid or delivered to the Court concurrently with each answer. The Plaintiff and the Defendant are required by law to serve you with a copy of any amendment or modification to the original judgment.

Should you fail to file Garnishee Answers as required by this summons, a judgment by default will be rendered against you for the amount remaining due on a judgment as shown in the Plaintiff's Affidavit of Continuing Garnishment.

WITNESS THE HONORABLE JUDGES OF THIS COURT.

Clerk, State Court of Cobb County

NOTICE

1. \$ _____ is the amount claimed as of the above date.
2. \$ _____ per _____ due under terms of Judgment.
3. \$ _____ court costs for garnishment.
4. Judgment was obtained in _____ Court of _____ County.
5. _____ is the case number.
6. A garnishment against the property and credit of Defendant has been or will be served on the above-named Garnishee.

STATE COURT OF COBB COUNTY

GEORGIA, COBB COUNTY

Case Number _____

Plaintiff (Name & Address)

VS

Plaintiff's Attorney (Name, Address, Phone & Email)

Defendant (Name & Address)

Bar Number _____

Mail Completed Form To:
State Court of Cobb County
12 East Park Square
Marietta, GA 30090-9630
(770) 528-1218

Garnishee (Name & Address)

Answer of Continuing Garnishment for Support

- 1. From the time of service of this summons of continuing garnishment, if this is the first answer to such summons, otherwise from the time of the last answer to this summons of continuing garnishment, until the time of this answer, garnishee had in his possession the following described property of the defendant:
2. From the time of service of this summons of continuing garnishment, if this is the first answer to such summons, otherwise from the time of the last answer to this summons of continuing garnishment until the time of this answer all debts accruing from garnishee to defendant in the amount of \$
3. \$ of the amount named in paragraph 2 was wages earned at the rate of \$ per for the period beginning, through the time of making this answer. The amount of wages which is subject to this garnishment is computed as follows:
4. If checked, this is the last answer this garnishee is required to file to the presently pending summons of continuing garnishment in the above styled case. Garnishee further states:
5. If checked, defendant is not presently employed by this garnishee and if employed by garnishee on or after service of this summons of continuing garnishment was most recently terminated as of the day of. Reason for termination:

Defendant's present residential address: _____

Defendant's present employer: _____

Signed: _____
Garnishee

Certificate of Service

This is to certify that I have this day served plaintiff or his attorney in the foregoing matter with a copy of his answer by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

This day of, 20.

Signed: _____
Garnishee

PURSUANT TO GA. CODE ANN. 18-4-20

IMPORTANT INSTRUCTIONS

GARNISHEE

1. Answer cannot be filed later than Forty-Five (45) days after the date of service of Summons of Garnishment.
2. You are required to file subsequent answers no later than Forty-Five (45) days after your last answer.
3. File your Answer with the State Court Clerk's Office, State Court Building, 12 East Park Square, Marietta, GA 30090-9630.
4. A letter is insufficient, even though the Defendant is not employed by you.
5. If you are not familiar with Georgia Law regarding this garnishment case consult your attorney, or otherwise obtain correct information before paying Defendant any sum after you have been served with this Summons of Garnishment.
6. Plaintiff, or their counsel, is the only one who can authorize the court to issue a release and relieve you of filing Answer to the Summons.
7. Failure of Garnishee to answer may result in default judgment against the Garnishee.

DEFENDANT

1. If you are unfamiliar with Georgia Law regarding this garnishment consult an attorney or otherwise obtain correct information before proceeding in this matter.
8. File your answer at State Court Clerk's Office, State Court Building, 12 East Park Square, Marietta, GA 30090-9630.
2. A garnishment against the property and credits of the Defendant has been or will be served on the Garnishee.

**IN THE STATE COURT OF COBB COUNTY
STATE OF GEORGIA**

Case Number _____

Plaintiff

VS

Defendant

Garnishee

ATTACHMENT FOR SUMMONS OF CONTINUING GARNISHMENT FOR SUPPORT

Other known names of the Defendant:

Current and past addresses of the Defendant:

Social Security number or Federal Tax Identification number of Defendant:

**THIS PLEADING SHALL NOT BE FILED WITH THE COURT
O.C.G.A. § 18-4-81**

**IN THE STATE COURT OF COBB COUNTY
STATE OF GEORGIA
NOTICE TO DEFENDANT OF RIGHT AGAINST GARNISHMENT OF MONEY,
INCLUDING WAGES, AND OTHER PROPERTY**

Plaintiff (Name & Address)

VS

Defendant (Name & Address)

Garnishee (Name & Address)

Case Number _____

Plaintiff's Attorney (Name, Address, Phone & Email)

Bar Number _____

You received this notice because money, including wages and other property belonging to you have been garnished to pay a court judgment against you. However, you may be able to keep your money, including wages, or other property. **READ THIS NOTICE CAREFULLY.** State and Federal law protects some money, including wages, from garnishment even if it is in a bank. Some common exemptions are benefits from social security, supplemental security income, unemployment, workers' compensation, the Veterans' Administration, state pension, retirement funds, and disability income. This list of exemptions does not include all possible exemptions. A more detailed list of exemptions is available at the Clerk of Court's office located at Cobb County State Court Clerk's Office 12 East Park Square, Marietta, GA 30090, and on the website for the Attorney General (www.law.ga.gov)

Garnishment of your earnings from your employment is limited to the lesser of 25 percent of your disposable earnings for a week or the amount by which your disposable earnings for a week exceed \$217.50. More than 25 percent of your disposable earnings may be taken from your earnings for the payment of child support or alimony or if Chapter 13 bankruptcy allows a higher amount. **TO PROTECT YOUR MONEY, INCLUDING WAGES, AND OTHER PROPERTY FROM BEING GARNISHED, YOU MUST:** Complete the Defendant's Claim Form as set forth below and file this completed claim form with the Clerk of Court's Office located at Cobb County State Court Clerk's Office 12 East Park Square, Marietta, GA 30090.

FILE YOUR COMPLETED CLAIM FORM AS SOON AS POSSIBLE. You may lose your right to claim an exemption if you do not file your claim form within 20 days after the Garnishee's Answer is filed or if you do not mail or deliver a copy of your completed claim form to the Plaintiff and the Garnishee at the addresses listed on this notice. The Court will schedule a hearing within ten days from when it receives your claim form. The Court will mail you the time and date of the hearing at the address that you provide on your claim form. You may go to the hearing with or without an attorney. You will need to give the Court documents or other proof that your money is exempt.

The Clerk of Court cannot give legal advice. **IF YOU NEED LEGAL ASSISTANCE, YOU SHOULD SEE AN ATTORNEY.** If you cannot afford a private attorney, legal services may be available.

