

IN THE MAGISTRATE COURT OF DOUGLAS COUNTY
STATE OF GEORGIA

Plaintiff

VS

Civil Action File No.

Defendant

Plaintiff's (or Attorney) Address and Phone Number

Garnishee

Garnishee's Address

Bank Account Number

AFFIDAVIT OF GARNISHMENT

Personally appeared the undersigned affiant who on oath says that he is the above plaintiff, his agent, or his attorney at law and that he has personal knowledge that the above defendant is indebted to said plaintiff in the sum of \$ dollars as Principal, \$ dollars as Interest, \$ dollars as Attorney's Fees, and \$ as Cost; and that said Plaintiff has - a suit pending - a judgment obtained - in case number in the Court of County, that no agreement has been made with the defendant for payment of the judgment, or if an agreement was made, the defendant is in default and that Affiant has reason to apprehend the loss of said sum or some part thereof unless process of garnishment issues.

Affiant

Sworn to and Subscribed Before me,

this day of , 20.

Deputy Clerk or Notary Public

Approved:

This day of , 20.

Magistrate Court of Douglas County

Clerk or Magistrate Judge

Plaintiff's Attorney

**IN THE MAGISTRATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA**

\_\_\_\_\_  
Plaintiff

VS

Civil Action File No. \_\_\_\_\_

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Garnishee

\_\_\_\_\_  
Address

\_\_\_\_\_  
Bank Account Number

**SUMMONS OF GARNISHMENT**

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

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named below. Money or other property subject to this summons should be delivered to the court with your answer. Should you fail to answer this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

Witness the Honorable \_\_\_\_\_, Judge magistrate of said Court.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk  
Magistrate Court of Douglas County

\_\_\_\_\_  
Plaintiff / Plaintiff's Attorney Name

\_\_\_\_\_  
Address

Service perfected on garnishee, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy, Sheriff, or Constable

**IN THE MAGISTRATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA**

Civil Action No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff  
VS

GARNISHMENT

\_\_\_\_\_  
Defendant

MAGISTRATE COURT OF  
DOUGLAS COUNTY

\_\_\_\_\_  
Garnishee

**ANSWER OF GARNISHEE**

Comes now the Garnishee above named, and in Answer to Summons of Garnishment served on it, says that at the time of service of said Summons of Garnishment, the Garnishee owed the Defendant \$ \_\_\_\_\_ Dollars; and that since said service the Garnishee has become indebted to the Defendant in the sum of \$ \_\_\_\_\_ Dollars; said sums admitted to be due were earned by the Defendant as Hourly, Daily, Weekly, Bimonthly, or Monthly wages, at the rate of \$ \_\_\_\_\_ is exempt from process of garnishment under the laws of Georgia, and \$ \_\_\_\_\_ is subject to process of garnishment, and is herewith paid into court.

Garnishee further states: at the time of service of summons, garnishee had in hand no property or effects of the defendant. Since the date of service there has come in the hands of the garnishee no property or effects of the defendant except \_\_\_\_\_.

\_\_\_\_\_  
Garnishee

GEORGIA, DOUGLAS COUNTY

Personally appeared \_\_\_\_\_ who on oath says that he is \_\_\_\_\_ (Title) of the Garnishee above names, and as such, his authority to make this Answer, and knows the facts. And that the facts in the foregoing Answer are true.

Sworn to and subscribed before me,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (Seal)

**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 this pleading by depositing in the United States Mail a copy of same in a properly addresses envelope with adequate postage thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Signed: \_\_\_\_\_  
Garnishee

**IMPORTANT INSTRUCTIONS**

1. Answer cannot be filed sooner than thirty (30) says 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.
  2. File your answer at the Magistrate Court of Douglas County.
  3. If you are not familiar with the Georgia Law applying in garnishment cases, consult your attorney or otherwise obtain correct information before paying the Defendant any sum after you have been served with this Summons of Garnishment (Code Title 18).
  4. A letter is insufficient, even though you do not employ the Defendant.
  5. A SWORN Answer must be filed.
  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 this Summons.
  7. Failure of Garnishee to answer may result in default judgment against the garnishee.
- \*\*\*\*\*
1. Defendant has Twenty (20) days from the date of service in which to file a petition or request for a hearing to dissolve the garnishment.
  2. If you are unfamiliar with the Georgia Law applying to garnishments, consult an attorney or otherwise obtain correct information before proceeding in this matter. (Code Title 18)
  3. File your petition at the Magistrate Court of Douglas County.
  4. Failure to file a petition within twenty (20) days after service of 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.

**IN THE MAGISTRATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA**

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant

\_\_\_\_\_  
\_\_\_\_\_  
Other Known Names of Defendant

\_\_\_\_\_  
\_\_\_\_\_  
Currant Address of Defendant

\_\_\_\_\_  
\_\_\_\_\_  
Past Addresses of Defendant

\_\_\_\_\_  
Civil Action File Number

\_\_\_\_\_  
Social Security Number or Federal Tax  
Identification Number of Defendant

\_\_\_\_\_  
Account or Identification Numbers of  
Defendant used by Garnishee

\_\_\_\_\_  
Other Allegations

\_\_\_\_\_  
Garnishee

**Pursuant to O.C.G.A. § 18-4-20, this sheet must be attached to  
Summons of Garnishment upon a financial institution.**