

**SPECIAL INSTRUCTIONS FOR  
CONTINUING GARNISHMENT ANSWERS**

SUSAN CONNER, CLERK  
DOUGLAS COUNTY MAGISTRATE COURT  
8700 Hospital Drive  
Douglasville, Georgia 30134  
(770) 920-7538

1. You should consult your attorney in the event you have any questions.
2. An answer must be filed within forty-five (45) days after the date of service of the Summons of Garnishment.
3. You are required to file further answers no later than 45 days after your last answer. The last answer required by this Summons shall be filed no later than the 195<sup>th</sup> day after you receive this Summons.
4. The maximum part of the aggregate disposable earnings of an individual for any work week which is subject to garnishment may not exceed the lesser of:
  - A. Twenty-five percent (25%) of his disposable earnings for that week, or fifty percent (50%) if for child support.
  - B. The amount by which his disposable earnings for the week exceed thirty (30) times the federal minimum hourly wages. Disposable earnings shall mean gross wages less the required withholding taxes and social security.
5. File your sworn answer at the Magistrate Clerk's office and mail a copy to the plaintiff's attorney.
6. Please send one check per Answer, per case. If you have multiple garnishment cases with the Magistrate Court, ***do not*** combine checks.
7. A reply by letter is insufficient, even though you do not employ the defendant. **You should file all answers on the Answer of Continuing Garnishment form.**
8. **PLEASE NOTE: THE FULL AMOUNT TO BE PAID IS FOUND ON THE *SUMMONS OF CONTINUING GARNISHMENT*.**
9. Checks are to be made payable to: **Clerk of Magistrate Court.**
10. The Clerk's address is:

Magistrate Court of Douglas County  
8700 Hospital Drive  
Douglasville, Georgia 30134
11. **Should you fail to file answers as required by the Summons, a judgment could be rendered against you for the amount the plaintiff claims due by the defendant. PLEASE READ THE INSTRUCTIONS ON THE BACK OF THE *SUMMONS OF CONTINUING GARNISHMENT*.**
12. Plaintiff, or Plaintiff's attorney, are the only persons who can authorize the Court to issue a release and relieve you of filing an answer to the summons.

Susan Conner  
Clerk of Court

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

8700 Hospital Drive, Douglasville, Georgia 30134  
(770) 920-7538

CIVIL ACTION NO. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff  
v.

**AFFIDAVIT FOR  
CONTINUING  
GARNISHMENT**

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Garnishee

Plaintiff's Attorney and Address:

\_\_\_\_\_  
Address

\_\_\_\_\_

The undersigned affiant personally appeared and, under oath, states that he/she is the above plaintiff, plaintiff's agent, or plaintiff's attorney-at-law, and that the above defendant is indebted to the plaintiff on a judgment described as follows:

Civil Action File No. \_\_\_\_\_ is the case number in the \_\_\_\_\_  
Court of \_\_\_\_\_ County which rendered the judgment against the defendant in the sum(s)  
of:

\$ _____	Principal,
\$ _____	Interest,
\$ _____	Attorney's fees, and
\$ _____	Main Case Costs,
\$ _____	TOTAL

AND affiant further states that the sum of \$ \_\_\_\_\_ is the balance thereon. Affiant believes that the Garnishee is, or may be, the employer of the defendant and subject to continuing garnishment and makes this affidavit so that a *Summons of Continuing Garnishment* shall issue thereon.

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

Sworn to and Subscribed before me,

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
\_\_\_\_\_  
Deputy Clerk  
or Notary Public

**APPROVED:**

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

\_\_\_\_\_  
Clerk / Magistrate Judge

IN THE MAGISTRATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA  
8700 Hospital Drive, Douglasville, GA 30134  
(770) 920 7538

\_\_\_\_\_  
Plaintiff

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

\_\_\_\_\_  
Plaintiff's Phone Number

VS

SUMMONS OF CONTINUING GARNISHMENT

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Defendant's Social Security Number

Amount Claimed Due on Judgment \_\_\_\_\_

Plus Court Costs Due On This Summons: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

Total to be Paid: \_\_\_\_\_

Court of Judgment \_\_\_\_\_

\_\_\_\_\_  
Address

Judgment Case No. \_\_\_\_\_

TO THE ABOVE NAMED 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 to and including the one hundred seventy-ninth (179<sup>th</sup>) day thereafter. 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. This answer shall state what property, money, and wages, except what is exempt, belonging to the Defendant, or debts owed to the Defendant, you hold or owe at the time 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 property, money, and wages, except what is exempt, belonging to the Defendant or debts owed to the Defendant, you hold or owe at and from the time of the last answer to the time of the current answer. The last answer required by this summons shall be filed no later than the one hundred ninety-fifth (195<sup>th</sup>) day after you receive this summons. Money or other property admitted in an answer to be subject to continuing garnishment must be delivered to the Court with your answers. Should you fail to file answers as required by this summons, a judgment will be rendered against you for the amount the Plaintiff claims due by the Defendant.

WITNESS the HONORABLE \_\_\_\_\_ Judge of said Court.

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

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

Plaintiff or Plaintiff's Attorney \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

MAGISTRATE COURT OF DOUGLAS COUNTY  
STATE OF GEORGIA  
8700 Hospital Drive, Douglasville, GA 30134  
(770) 920-7538

CIVIL ACTION NO. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Garnishee

\_\_\_\_\_  
Address

**ANSWER OF  
CONTINUING  
GARNISHMENT**

1. From the time of service of the *Summons of Continuing Garnishment*, if this is the **first answer** to such Summons, otherwise from the time of the last answer to the *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 the *Summons of Continuing Garnishment*, if this is the **first answer** to such Summons, otherwise from the time of the last answer to the *Summons of Continuing Garnishment*, until the time of this answer, all debts accruing from Garnishee to the Defendant are in the amount of \$ \_\_\_\_\_.
3. \$ \_\_\_\_\_ of the amount named in paragraph 2, were wages earned at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_ for the period beginning \_\_\_\_\_, 20\_\_ through the time of making this answer. The amount of wages subject to this garnishment was computed as follows:  

\$ _____	Gross earnings
\$ _____	Total social security and withholding tax
\$ _____	Total disposable earnings
\$ _____	Amount of wages subject to continuing garnishment and paid herewith
4. ( ) 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 \_\_\_\_\_, 20\_\_.
5. ( ) 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.
6. Garnishee further states: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Garnishee or Attorney for 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 this Answer by depositing in the United States Mail a copy of said answer in a properly addressed envelope with adequate postage thereon.

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

Signed: \_\_\_\_\_

## IMPORTANT INSTRUCTIONS—CONTINUING GARNISHMENT

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1. If the Defendant listed on the reverse side of this summons is not presently employed by the Garnishee or said Defendant's employment is terminated after service of this summons, then state this under the section "Garnishee Further States" on the answer form.
2. File your Answer at the Magistrate Court of Douglas County, Douglas County Courthouse, 8700 Hospital Drive, Douglasville, Georgia 30134.
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.
4. A reply by letter is insufficient, even though you do not employ the Defendant. You must file an answer as provided by law.
5. Plaintiff, or Plaintiff's attorney, are the only persons who can authorize the Court to issue a release and relieve you of filing an Answer to this Summons. This authorization must be in writing and filed with the Clerk's office.
6. Failure to file an Answer may result in a default judgment being entered against Garnishee for the amount claimed by Plaintiff against Defendant, plus court cost.

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1. Defendant may file a Traverse or Bond 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.
3. File your Traverse at the Magistrate Court of Douglas County, Douglas County Courthouse, 8700 Hospital Drive, Douglasville, Georgia 30314.
4. Failure to file a Traverse of Summons will result in a conclusive presumption that the garnishment was properly issued.
5. 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

CASE NO. \_\_\_\_\_

\_\_\_\_\_,  
Defendant

\_\_\_\_\_,  
Garnishee

**REQUEST TO DISBURSE FUNDS PAID INTO REGISTRY OF COURT**

Comes now the Plaintiff and hereby requests that all garnishment proceeds paid into the Registry of the Court, now and hereafter, in this garnishment action be condemned and paid to the Plaintiff. This request shall remain in effect until further written request of the Plaintiff is filed with this Court.

Please mail all funds to the following address:

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

It is understood that if my mailing address changes at any time that this Court will be immediately notified.

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

\_\_\_\_\_  
Plaintiff / Agent / Plaintiff's Attorney