

MONTGOMERY COUNTY MUNICIPAL COURT

**EASTERN DIVISION
6111 TAYLORSVILLE RD.
HUBER HEIGHTS, OH 45424
(937) 225-5824**

**WESTERN DIVISION
195 S. CLAYTON RD.
NEW LEBANON, OH 45345
(937) 687-9092**

Instructions to Complete Garnishment Forms:

In compliance with Ohio Revised Code 5703.47, the tax rate is calculated annually by the Tax Commission and certified by the Auditor's Office. This interest rate will apply to all new civil judgments. After a civil judgment is received, and before filing a garnishment to attach personal earnings or a bank account, a Notice of Court Proceedings to Collect Debt must be mailed by Certificate of Mailing to the Defendant at their last known address.

When filing for garnishment of earnings, file the following forms:

- Notice of Court Proceedings to Collect Debt (completed, served on Defendant with proof of mailing).
- Affidavit, Order, and Notice of Garnishment of Personal Earnings and Answer of Employer (original and 4 copies).
- Notice to the Judgment Debtor of Garnishment of Wages (original and 3 copies).
- Request for Hearing (original and 1 copy).
- Interim Report and Answer of Garnishee (original and 3 copies).
- Final Report and Answer of Garnishee (original and 3 copies).
- Employers Guide
- Filing fee.

When filing for garnishment of property other than personal earnings, file the following forms:

- Affidavit, Order, and Notice of Garnishment of Property Other Than Personal Earnings (original and 4 copies).
- Notice to the Judgment Debtor (original and 2 copies)
- Request for Hearing (to be forwarded to Defendant, 2 copies).
- A check for \$1.00 made payable to the bank where the Garnishee's account is located.
- Filing fee.

Notice of Court Proceedings to Collect Debt- complete form and make three copies. Plaintiff retains a copy, mail a copy to Defendant with a Certificate of Mailing, file original and one copy at the court with proof of mailing. File at the court fifteen (15) days after mailing and no later than forty-five (45) days after mailing.

Affidavit, Order, and Notice of Garnishment of Personal Earnings and Answer of Employer (O.R.C. 2716.05) - complete Section A of this form and make four (4) copies. Section B to be completed by employer.

Affidavit, Order, and Notice of Garnishment of Property Other Than Personal Earnings and Answer of Garnishee (O.R.C. 2716.11,12,13)- complete Section A of this form and make four (4) copies. Section B to be completed by Garnishee.

Notice to the Judgment Debtor of Garnishment of Wages- complete this form except for the Exec. No. and file the original plus two (2) copies with the Affidavit, Order, and Notice.

Request for Hearing- a copy of this form is forwarded to be completed by Debtor if hearing is requested. File with two (2) copies.

Interim Report and Answer of Garnishee- fill in Judgment Creditor, Judgment Debtor, Case Number, and The Garnishee only. File original plus one (1) copy.

Final Report and Answer of Garnishee- fill in Judgment Creditor, Judgment Debtor, Case Number, and the Garnishee only. File original plus one (1) copy.