

**GARFIELD HEIGHTS MUNICIPAL COURT**  
**ORDER AND NOTICE OF GARNISHMENT OF PERSONAL EARNINGS**

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

The State of Ohio  
County of Cuyahoga, SS

\_\_\_\_\_, Judgment Creditor

vs.

\_\_\_\_\_, Judgment Debtor

\_\_\_\_\_  
Address



Clerk's Received Stamp

**GARFIELD HEIGHTS MUNICIPAL COURT**  
DONNA MARCOGUISEPPE, CLERK  
ATTN: GARNISHMENTS  
5555 TURNEY ROAD  
GARFIELD HEIGHTS, OH 44125-3778  
PHONE: (216) 475-1900

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

To: \_\_\_\_\_, Garnishee  
Name and address of employer

The judgment creditor in the above case has filed an affidavit satisfactory to the undersigned in this court stating that you may owe the judgment debtor money for personal earnings.

You are therefore ordered to complete the Answer of Employer (Garnishee) in Section B of this form. Return one completed and signed copy of this form to the clerk of this court within five (5) business days after you receive this order of garnishment. Deliver one completed and signed copy of this form and the accompanying documents entitled Notice to Judgment debtor and Request for Hearing to the judgment debtor. 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, pre-judgment interest relative to the judgment at the rate of: \_\_\_\_\_ %  
per annum payable until that judgment is satisfied in full
- Court costs in the amount of: \$ \_\_\_\_\_

This order of garnishment of personal earnings is a continuous order that requires you to withhold a specified amount, calculate each pay period at the statutory percentage, of the judgment debtor's personal disposable earnings during each pay period of the judgment debtor as determined in accordance with the Interim Report and Answer of Garnishee, from the judgment debtor's personal disposable earnings during each pay period of the judgment debtor commencing with the first full pay period beginning after you receive the order until the judgment in favor of the judgment creditor and the associated court costs, judgment interest, and, if applicable, prejudgment interest awarded to the judgment creditor as described above have been paid in full. You generally must pay that specified amount, calculated each pay period at the statutory percentage, to the clerk of this court within thirty (30) days after the end of each pay period of

the judgment debtor and must include with that specified amount calculated each pay period at the statutory percentage an Interim Report and Answer of Garnishee is attached to this order of garnishment of personal earnings, and you my photocopy it to use each time you pay the specified amount to the clerk of this court. Your are permitted to deduct a processing fee of up to three (3) dollars from the judgment debtor's personal disposable earnings for any pay period of the judgment debtor that an amount was withheld for that order (the processing fee is not a part of the court costs). You are not required to file with the court the Interim Report and Answer of Garnishee for any pay period of the judgment debtor for which an amount from the judgment debtor's personal disposable earnings during that pay period was not withheld for that order.

This order of garnishment of personal earnings remains in effect until whichever of the following occurs first:

1. The total probable amount due on the judgment, as described above, is paid in full to the judgment creditor as a result of your withholding the specified amount from the judgment debtor's personal disposable earnings during each pay period of the judgment debtor's disposable earnings during each pay period of the judgment debtor commencing with the first full pay period beginning after you received this order.
2. The judgment creditor or judgment creditor's attorney files with this court a written notice that the total probable amount due on the judgment as described above has been satisfied or the judgment creditor or the judgment creditor's attorney files a written request to terminate this order of garnishment and release you from the mandate of this order of garnishment.
3. A municipal or county court appoints a trustee for the judgment debtor and issues you an order that stays this order of garnishment of personal earnings.
4. A bankruptcy court of the United States issues to you an order that stays this order of garnishment of personal earnings.
5. A municipal or county court or court of common pleas issues to you another order of garnishment of personal earnings that relates to the judgment debtor and a different judgment creditor, and Ohio or federal law provides the other order with a higher priority than this order.
6. A municipal, county, or court of common pleas issues you another order of garnishment of personal earnings that relates to the Judgment debtor and a different judgment creditor and does not have a higher priority than this order.
7. The judgment creditor or the judgment creditor's attorney files with this court a written request to terminate and release the order of garnishment, and as a result, the order of garnishment will cease to remain in effect.

Under any of the circumstances listed above, you are required to file with this court a Final Report and Answer of Garnishee substantially in the form set forth in §2716.08 of the Ohio Revised Code. A copy of the Final Report and Answer of Garnishee is attached to this order of garnishment of personal earnings. Under the circumstances listed in (5) and (6) above, you must cease processing this order of garnishment after the expiration of the full pay period within which the one hundred eighty-second (182) day after you began processing it fails.

Special stacking, priority of payment, and manner of payment rules apply when a garnishee receives multiple orders of garnishment with respect to the same judgment debtor. These rules set forth in §2716.041 of the Ohio Revised Code. An employer guide to processing continuous order of garnishment is included with this order of garnishment. You should become familiar with these rules.

Witness my hand and the seal of this court this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Judge, Garfield Heights Municipal Court