

INSTRUCTIONS
FORM 6
GARNISHEE'S ANSWER (EARNINGS)
(A.R.S. §12-1598.08)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an Order for monetary penalties against any party who does not proceed properly, including the garnishee.

USE FORM 6 IF:

- You have received a Writ of Garnishment and Summons (Earnings) which identifies you as the garnishee OR
- You are the authorized agent for a company or other organization that has received a Writ of Garnishment and Summons on which the company or other organization is identified as the garnishee.

TO COMPLETE FORM 6 YOU WILL NEED:

- Any payroll and employment information you may have relating to the judgment debtor.
- Information from the Writ of Garnishment and Summons (Earnings) document with which you were served.
- Information on steps taken by the garnishee in trying to identify the judgment debtor, if you have not been able to identify the judgment debtor.
- Copies of any existing garnishments, wage assignments or liens in your possession against the same judgment debtor.

HOW TO COMPLETE FORM 6:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishee's Answer (Earnings).

In the upper left top of form, type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

If you are representing a judgment creditor but you are not an attorney, check the box before "Other." A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented by either an attorney or by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

Type or print the case number appearing on the Writ.

(1) through (5) are known as the caption. You must complete this portion if not already filled in.

(6) Type or print the name, mailing address and, if known, phone number(s) of the petitioner/plaintiff on the Judgment or Order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

- (7) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the Judgment or Order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (8) Type or print your name, mailing address and phone number(s) as they appear on the Writ.
- (9) Type or print the date on which you were served with the Writ of Garnishment and Summons.
- (10) Check all boxes that apply and fill in the blanks for each box checked.
- (11) If this statement applies to you, type or print the date on which the judgment debtor last worked for you.
- (12) If this statement applies to you, type or print a description of the efforts you made to identify the judgment creditor and why they were unsuccessful. For example, the judgment debtor has never worked for you. Attach an additional sheet if necessary.
- (13) Type or print the amount of money appearing on the Writ of Garnishment and Summons (Earnings) as the amount of the outstanding balance on the Judgment or Order, including accrued interest and allowable costs which the judgment creditor is seeking to collect.
- (14) & (15) Type or print the judgment debtor's next two scheduled paydays.
- (16) & (17) Check the box that best describes the judgment debtor's pay period. If none of these options describe the pay period, use line (17) to provide a specific description of the pay period.
- (18) Type or print the amount of money you request to cover your costs for preparation and filing of the Garnishee's Answer (not to exceed \$50.00).
- (19) Complete the information under this box indicating the date and manner in which you have provided the judgment debtor with a copy of the forms listed in the box.
- (20) Complete the information under this box indicating the date and manner in which you have provided a copy of your Garnishee's Answer to the judgment creditor.
- (21) Date and sign your Answer where indicated in the presence of a Notary Public or Clerk of the Court.

WHEN YOU HAVE COMPLETED THE ANSWER (EARNINGS):

- Follow the steps in the Instructions to the garnishee (Earnings).