

IN THE COUNTY COURT, IN AND FOR SEMINOLE COUNTY, FLORIDA

CASE NO: _____

_____,
PLAINTIFF(S)

VS.

_____,
DEFENDANT(S)

AND

_____.
GARNISHEE

CONTINUING WRIT OF GARNISHMENT (FOR SALARY OR WAGES)

THE STATE OF FLORIDA
To Each Sheriff of the State:

YOU ARE COMMANDED to summon the Garnishee, _____, whose address is _____, who is required to serve an answer to this writ on _____, Plaintiff's attorney, whose address is _____, within 20 days after service of this writ, exclusive of the day of service, and to file the original with the Clerk of Court either before service on the attorney or immediately thereafter. The answer shall state whether the Garnishee is the employer of the Defendant, _____, and whether the Garnishee is indebted to the Defendant by reason of salary or wages. The Garnishee's answer shall specify the periods of payment (for example, weekly, biweekly, or monthly) and amount of salary or wages and be based on the Defendant's earnings for the pay period during which this writ is served on the Garnishee.

During each pay period, a portion of the Defendant's salary or wages as it becomes due shall be held and not disposed of or transferred until further order of this Court. The amount of salary or wages to be withheld for each pay period shall be made in accordance with the following paragraph. This writ shall continue until the Plaintiff's judgment is paid in full or until otherwise provided by court order.

Federal law (15 U.S.C. §§ 1671-1673) limits the amount to be withheld from salary or wages to no more than 25% of any individual Defendant's disposable earnings (the part of earnings remaining after the deduction of any amounts required by law to be deducted) for any pay period or to no more than the amount by which the individual's disposable earnings for the pay period exceed 30 times the federal minimum hourly wage, whichever is less.

For administrative costs, the Garnishee may collect \$ _____ against the salary or wages of the Defendant for the first deduction and \$ _____ for each deduction thereafter.

The total amount of the final judgment outstanding as set out in the Plaintiff's motion is \$_____.

FAILURE TO FILE AN ANSWER WITHIN THE TIME REQUIRED MAY RESULT IN THE ENTRY OF JUDGMENT AGAINST THE GARNISHEE FOR THE ABOVE TOTAL AMOUNT OF \$_____.

ORDERED at Sanford, Florida on _____.

COUNTY COURT JUDGE

GARNISHEE MAIL ORIGINAL ANSWER TO:
CLERK OF THE CIRCUIT COURT
P.O. Box 8099
Sanford, FL 32772-8099

**(IMPORTANT – SEE ATTACHED
NOTICE)**

NOTICE
Federal Wage Garnishment Law

You are to retain the funds that you have deducted from the defendant's salary or wages until the Court enters a judgment based on your answer or Plaintiff's reply to your answer. Please note that the Plaintiff may file a reply within twenty (20) days of the answer; however, if no reply is filed and the Court has not ordered otherwise, the Garnishee may pay any money or debt into the Registry of the Court. Pursuant to 15 U.S.C.A. 1673, the maximum amount you may deduct from salary or wages each pay period is as follows:

WEEKLY	The amount of disposable earnings over \$217.50 or 25% of disposable earnings, whichever is less.
BI-WEEKLY	The amount of disposable earnings over \$435.00 or 25% of disposable earnings, whichever is less.
SEMI-MONTHLY	The amount of disposable earnings over \$471.25 or 25% of disposable earnings, whichever is less.
MONTHLY	The amount of disposable earnings over \$942.50 or 25% of disposable earnings, whichever is less.

For administrative costs, the Garnishee may collect \$5.00 against the salary or wages of the Defendant for the first deduction and \$2.00 for each deduction thereafter.

There are exceptions to the above restrictions, which are given in 15 U.S.C.A. 1673 (b)(1). You may wish to seek the advice of legal counsel. A payment of \$100.00 is required from the Plaintiff to the Garnishee on the Garnishee's demand at any time after service of the Writ for the payment or part payment of the attorney's fee that may be expended by the Garnishee for obtaining representation for the Answer to the Writ. Further information may be obtained from the United States Department of Labor, Wage and Hour Division.

You should be aware that the law prohibits an employer from discharging any employee because his earnings have been subjected to garnishment for any one indebtedness.

"Disposable Earnings" are defined as gross earnings less all deductions required by law (payroll taxes, etc...) but credit union deductions, insurance payments, and other voluntary payments are included in disposable earnings.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, Court Administration, 301 North Park Avenue, Sanford, FL 32771, telephone number (407) 665-4227 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.