

INSTRUCTIONS TO GARNISHEE (Employer)
NONSUPPORT PAYMENTS*

The Continuing Writ of Garnishment served upon you as the effect of attaching a portion of the (employee's) Defendant's pay for all pay periods beginning the date that the Writ was served. The Writ requires the employer to set aside that portion of the Defendant's earnings (defined as compensation for personal services) whether designated as wages or salary which is not exempt from garnishment until the amount set forth in Plaintiff's Motion is paid or until otherwise ordered by the Court.

The answer form is provided for your convenience. It is designed so that the answer may be prepared in conjunction with the preparation of your payroll. You may wait until the end of the normal pay period (so long as the 20-day time limit is met) and apply the tests set forth in these instructions. If you do not choose to use this form, your answer must contain at least the information included in the answer form. **YOUR ANSWER MUST BE FILED WITH THE CLERK OF THE COURT WITHIN 20 DAYS OF SERVICE OF THE WRIT.**

DISPOSABLE EARNINGS are defined as gross earning less all deductions required by law. Allowable deductions include payroll taxes and Court-ordered support deductions but excludes credit union deductions, insurance payments and other voluntary payments.

Effective September 1, 1997

1. If the Defendant's disposable earnings are:
 - \$154.50 or less for a weekly pay period
 - \$309.00 or less for a bi-weekly pay period
 - \$334.75 or less for a semi-monthly pay period
 - \$669.50 or less for a monthly pay periodPay the Defendant as if the Defendant's earnings were not being garnished and file the answer accordingly.
2. If the Defendant's disposable earnings are:
 - More than \$154.50 but less than \$206.00 for a weekly pay period, pay the Defendant \$154.50
 - More than \$309.00 but less than \$412.00 for a bi-weekly pay period, pay the Defendant \$309.00
 - More than \$334.75 but less than \$446.33 for a semi-monthly pay period, pay the Defendant \$334.75
 - More than \$669.50 but less than \$892.67 for a monthly pay period, pay the Defendant \$669.50
3. If the Defendant's disposable earnings are:
 - \$206.00 or more for a weekly pay period, pay the Defendant 75% of the Defendant's disposable earnings
 - \$412.00 or more for a bi-weekly pay period, pay the Defendant 75% of the Defendant's disposable earnings
 - \$446.33 or more for a semi-monthly pay period, pay the Defendant 75% of the Defendant's disposable earnings
 - \$892.67 or more for a monthly pay period, pay the Defendant 75% of the Defendant's disposable earnings
4. You may ask the Court for \$5.00 of the Defendant's wages for the first deduction and \$2.00 for each deduction thereafter to offset your costs in processing the Garnishment.
5. If the Garnishment is answered by an attorney, the attorney must request the fees be released from the registry of the Court either in the Answer or by separate Motion.

You are to withhold from the Defendant's earnings for each pay period that portion required to be withheld until the judgment is satisfied or until further Order of the Court. After filing the first Answer, you are required to notify the Court. After filing the first Answer, you are required to notify the Court, using the **GARNISHMENT ACCOUNTING SHEET** provided (or company payroll records which provide the same information) each time funds are withheld.

***THESE RESTRICTIONS DO NOT APPLY TO GARNISHMENTS FOR CHILD SUPPORT, ALIMONY, BANKRUPTCY, OR TO RECOVER STATE OR FEDERAL TAXES.**

FAILURE TO FILE AN ANSWER MAY ENTITLE THE PLAINTIFF TO JUDGMENT AGAINST THE GARNISHEE FOR THE ENTIRE SUM SET FORTH IN PLAINTIFF'S MOTION FOR CONTINUING GARNISHMENT.

**CIRCUIT/COUNTY COURT, PINELLAS COUNTY, FLORIDA
CIVIL DIVISION**

UCN: 52200 _____ Reference No.: _____

Plaintiff(s),
vs.

Defendant(s),
and

Garnishee.
_____ /

ANSWER OF GARNISHEE

THE STATE OF FLORIDA
COUNTY OF PINELLAS:

The above-named Defendant terminated employment on _____
 The above-named Defendant was never employed by Garnishee.

If one of the above applies, check the appropriate box, and you are not required to complete the remainder of this form, except for signing the form before a notary. The form must be returned within twenty (20) days from the service of the Writ of Garnishment.

If the above **do not** apply, complete this form.

This Garnishee's answer to Writ of Garnishment served on _____, 20 _____. Since being served, the Garnishee has delivered to the Defendant only that portion of the Defendant's earnings authorized to be delivered to the Defendant pursuant to the instructions accompanying this form, and the Garnishee further states that the statements in this answer are true and correct as set forth below:

- (a) The pay period for the Defendant is (*designate one*):
 weekly bi-weekly other
 semi-weekly monthly
- (b) The answer covers earnings for pay period beginning
on _____, 20 _____, and ending
on _____, 20 _____, which includes the day on which the Writ of Garnishment was served.
- (c) The total gross earnings due for the above pay period are \$ _____.
- (d) Amounts required by law to be withheld for the above pay period are:

CONTINUED ON REVERSE SIDE

- 1. Federal Social Security Tax \$ _____
- 2. Federal Income Tax \$ _____
- 3. Child support or other deductions required by law \$ _____

Describe _____

(Do not include voluntary deductions for life insurance or credit union payments.)

TOTAL \$ _____ .

(e) Disposable earnings for the above pay period are \$ _____ .
 [Subtract (e) from (c)]

(f) In accordance with the instructions accompanying this answer form,
 the Garnishee has determined that the amount which must be paid
 to the Defendant is \$ _____ .

(g) So long as Defendant is owed wages, Garnishee will continue to withhold such sums as are required by the
 attached instructions.

 Signature of Garnishee

Name: _____

Title: _____

Subscribed and sworn to before me this _____ day of _____, 20 ____ .

 NOTARY PUBLIC

(Notarial Seal)

MY COMMISSION EXPIRES:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this answer has been mailed to the Plaintiff at

(insert address)

this _____ day of _____, 20 ____ .

 Phone Number _____

CIRCUIT/COUNTY COURT, PINELLAS COUNTY, FLORIDA CIVIL DIVISION

UCN: 52200 _____ Reference No.: _____

 Plaintiff(s),

vs.

 Defendant(s),

vs.

 Garnishee(s).
 _____/

GARNISHMENT ACCOUNTING SHEET

Total Amount Owed to Plaintiff on this date*	Simple Interest Due to date at**	Amount Paid to Plaintiff this date***	Balance Owing****
\$ _____	\$ _____	\$ _____	\$ _____

Dated this _____ day of _____, 20 ____.

 Name of Garnishee

 Signature of Garnishee

Name: _____

Title: _____

Phone: _____

* Amount owned on this date is the Balance Owing on the Answer filed with the Court; or the Balance Owing on the last Garnishment Account Sheet.

** Simple interest is figured by Amount Owed to Plaintiff on this Date multiplied by ____ %, divided by 365, multiplied by Number of Days since Garnishee's payment to Plaintiff.

*** Amount paid Plaintiff this date is actual amount that you are sending to Plaintiff today.

**** Balance Owing is the Total Amount Owed plus Interest Due to Date, less Amount Paid to Plaintiff this Date.