



CIRCUIT COURT OF MARYLAND FOR _____ City/County

Located at _____ Court Address Case No. _____

VS.

Plaintiff/Judgment Creditor _____

Defendant/Judgment Debtor _____

Address _____

Address _____

City, State, Zip _____

City, State, Zip _____

XXX - XX - _____
Social Security Number

SERVE ON:

_____ Garnishee

_____ Address

_____ City, State, Zip

- Serve by Sheriff
- Send by Restricted Delivery Mail
- Serve by Private Process

WRIT OF GARNISHMENT ON WAGES (Md. Rule 2-646)

A Judgment was entered in this case on _____, _____ Year. The Plaintiff requested a Writ of Garnishment on _____, _____ Year. The AMOUNT NOW DUE on the Judgment is as follows:

\$ _____ Original amount of judgment (excluding costs and attorney's fees)

\$ _____ Less total credits

\$ _____ Net

\$ _____ Plus accrued interest, on \$ _____, at _____ % for period from _____, _____ Year, to _____, _____ Year.

\$ _____ Plus court costs due, including Writ of Attachment.

\$ _____ Plus additional accrued interest on \$ _____, at _____ % for period from _____, _____ Year, to _____, _____ Year.

\$ _____ Plus attorney's fee, if allowed by judgment.

\$ _____ **TOTAL DUE ON JUDGMENT**

TO THE GARNISHEE/EMPLOYER:

YOU ARE HEREBY DIRECTED to withhold the attachable wages of the Defendant/Debtor for any work week or other pay period until the judgment, interest, other charges and costs as specified under the terms of the judgment are satisfied or until otherwise notified by this court. In addition to the exemptions that follow this writ, other Federal and State exemptions may be available.

YOU ARE HEREBY DIRECTED to withhold any attachable wages and not to distribute the same, subject to the further order of this Court because the judgment is not yet final.

YOU ARE FURTHER DIRECTED to send the amount withheld to the Plaintiff/Creditor or attorney for the Plaintiff/Creditor within fifteen (15) days after the close of the last pay period of the Defendant/Debtor each month. If you assert a defense or are notified that the Defendant has done so, you are to send the withheld wages to the Court.

YOU ARE FURTHER DIRECTED, within thirty (30) days of the date this Writ is served on you, to complete the Answer that follows this Writ and to return one copy to the Court, one to the Plaintiff/Creditor and one to the Defendant/Debtor. You must state whether the Defendant/Debtor is employed by you, and if so employed, state the rate of pay, and whether there are any prior liens against the wages which are or may become payable. If you do not file a timely answer, the Court, on motion of the Creditor, may order you to show cause why you should not be held in contempt and require you to pay reasonable attorney's fees and costs.

Date copy of Writ mailed to Debtor's last known address: _____

_____ Date Issued

_____ Clerk of the Circuit Court

INSTRUCTIONS TO GARNISHEE / EMPLOYER

1. Commercial Law Article §§ 15-601 to 607 of the Annotated Code of Maryland and Rule 2-646 govern wage attachment procedures.
2. By written motion, both a Defendant/Debtor and a Garnishee/Employer may assert any defense to contest the attachment.
3. If your answer denies the fact of employment, the Court shall dismiss the attachment unless the Plaintiff/Creditor files a request for a hearing within (15) days of the receipt of the answer.
4. If you do not file a timely answer, the Court may, upon motion of the Plaintiff/Creditor, issue an order directing you to show cause why you should not be held in contempt of court, and why you should not be required to pay reasonable attorney's fees and costs.
5. You must notify the employee each pay period of the amount withheld and the method used to determine the amount. This may be done by the use of pay stubs, pay slips, etc.
6. If there is more than one attachment, each one is to be satisfied in full, in the order in which they are served upon you.
7. This attachment remains a lien until the judgment is paid in full, or as long as the employee remains employed. Accruing interest may increase the amount of the judgment in the future, and it is also possible that additional costs accruing under the judgment may increase this total at a later date. It is also possible that payments made independently of this attachment may decrease the total balance due. Before ceasing to withhold any wages under this attachment, it is suggested that you communicate with the Plaintiff/Creditor or his attorney to ascertain that the judgment has been completely satisfied.
8. The attachment terminates ninety (90) days after cessation of employment, unless the Defendant/Debtor is reemployed during that ninety-day period.
9. The law provides that an employer may not discharge his/her employee because the employee's wage are subjected to attachment for any one indebtedness within a calendar year and that any employer who willfully violates this provision is guilty of a misdemeanor and on conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding one year, or both.

EXEMPTIONS FOR GARNISHMENT

THE FOLLOWING ARE EXEMPT FROM GARNISHMENT: the greater of: (a) 75 percent of the disposable wages due; OR (b) 30 times the federal minimum hourly wages under the Fair Labor Standards Act in effect at the time the wages are due; AND any medical insurance payment deducted from an employer's wages by the employer. Other federal and state exemptions may be available.

Disposable wages are the part of wages that remain after deduction of any amount required to be withheld by law.

NOTICE TO JUDGMENT DEBTOR

You have the right to contest the Garnishment of Wages by filing a motion asserting a defense or objection.



CIRCUIT COURT OF MARYLAND FOR _____

City/County

Located at _____ Court Address Case No. _____

VS.

Plaintiff/Judgment Creditor

Defendant/Judgment Debtor

ANSWER

(TO BE FILED WITHIN 30 DAYS FROM RECEIPT OF THE WRIT OF GARNISHMENT ON WAGES.)

The answer of the Garnishee/Employer to the Writ of Garnishment served in this case, reports as follows:

- The Defendant (specify name) _____ is not employed by this Employer, and the Employer requests dismissal of the garnishment.
- The Defendant (specify name) _____ is employed by this Employer, and the rate or basis of pay is \$ _____ per _____.
- The Garnishee/Employer desires to contest the attachment and asserts the following defenses on the Garnishee's own behalf as well as any defenses that the Debtor could assert: _____.
- The following prior liens exist:

Name and Address of Court

Plaintiff's Name and Address

Case Number

Date Attached

Amount of Attachment

Name and Address of Court

Plaintiff's Name and Address

Case Number

Date Attached

Amount of Attachment

Name and Address of Court

Plaintiff's Name and Address

Case Number

Date Attached

Amount of Attachment

Name and Address of Court

Plaintiff's Name and Address

Case Number

Date Attached

Amount of Attachment

Date

Signature of Employer or Attorney

Telephone Number

Printed Name

Fax

E-mail

Address

City, State, Zip

To the Employer: Send copies of completed Answer to Plaintiff/Creditor or their attorney Defendant/Debtor or their attorney Court

I hereby certify that I mailed a copy of this answer to the Plaintiff/Judgment Creditor or his/her attorney and a copy was mailed to the Judgment Debtor/Employer or his/her attorney on _____ in accordance with Md. Rule 1-321.
Date

Signature of Garnishee/Employer or Attorney



CIRCUIT COURT OF MARYLAND FOR _____
City/County

Located at _____
Court Address Case No. _____

VS.

Plaintiff/Judgment Creditor

Defendant/Judgment Debtor

**SHERIFF'S RETURN
Writ of Garnishment On Wages**

To: _____

Sheriff Fee: _____ By: _____

Served: _____

Time: _____ Date: _____

Unserved (Reason): _____

Instructions to Private Process Server:

1. This summons is effective for service only if served 60 days after the date issued.
2. Proof of Service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reason.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, process server shall file a separate affidavit as required by Rule 2-126(a), including the name of the person served, the date, and the particular place and manner of service. If service is made under Rule 2-121(a)(2), the proof also shall set forth a description of the individual served and the facts upon which the individual making service concluded that the individual served is of suitable age and discretion. The private process server shall file proof under affidavit that includes the name, address, and telephone number of the person served and a statement that the person is of the age of 18 or over.