

Sample for Reference Purposes Only. Forms have bilingual format for your convenience, but must be completed and filed with the court in English. 表格样本, 仅供参考. 为了提供便利, 表格采用双语格式, 但向法院提交的表格必须用英语填写.

Mark this box if this form contains Restricted Information.

如果此表单包含限制性信息, 请勾选此框。



DISTRICT COURT OF MARYLAND FOR
马里兰州地区法院

City/County
市/县

Located at
地址

Case No.
案件编号

Court Address
法院地址

Plaintiff/Judgment Creditor
原告/判决债权人

VS.
诉

Defendant/Judgment Debtor
被告/判决债务人

Address
地址

Address
地址

City, State, Zip
市、州、邮政编码

City, State, Zip
城市、州、邮政编码

SERVE ON:
送达:

Garnishee/Employer
第三债务人/雇主

- Serve by Sheriff/Constable
由警长/治安官送达
- Send by Restricted Delivery Mail
通过邮寄给指定人员邮寄送达
- Serve by Private Process
由专人送达

Address
地址

City, State, Zip
市、州、邮政编码

REQUEST FOR WRIT OF GARNISHMENT OF WAGES

下达工资扣押令请求
(Md. Rule 3-646)
《马里兰州规则》第 3-646 条

If this submission contains Restricted Information (confidential by statute, rule, or court order) you must file a Notice Regarding Restricted Information Pursuant to Rule 20-201.1 (form MDJ-008) with this submission, and check the Restricted Information box on this form.

如果此文书包含限制性信息(根据法规、规则或法令保密), 您必须根据规则第 20-201.1 条(表格 MDJ-008)在提交本文书时随附一份有关限制性信息的声明, 并勾选此表格上的限制性信息框。

PLEASE ISSUE A WRIT OF GARNISHMENT on the judgment in the above-referenced case to be directed to the garnishee/employer named above. Judgment was by confession. A judgment was entered in this case on

Month/Day, Year

请在上述案件的判决中对以上所列姓名第三方债务人/ 雇主下达扣押令。 基于供认判决。本案判决日期为:

月/日, 年

\$ Original amount of judgment principal (excluding costs, interest, and attorney's fees)

\$ 原判决本金(不包括法院费用、利息和律师费)

\$ Plus pre-judgment interest, on \$, at % for the time period from

Month/Day, Year to Month/Day, Year

\$ 另加判决前利息, 金额 \$, 利率 %, 期间从

月/日, 年 到 月/日, 年

\$ Plus court costs due, including this writ

\$ 另加应付法院费用, 包括本令状

\$ _____ Plus additional costs/fees awarded
 \$ _____ 另加判定的附加成本/费用
 \$ _____ Plus post-judgment interest on \$ _____, at the contractual rate of _____ % for the time period from _____, _____ to _____, _____ and/or at the legal rate of _____ % for the time period from _____, _____ to _____, _____
 _____ % for the time period from _____, _____ to _____, _____
 \$ _____ 另加判决后利息, 金额 \$ _____, 合同利率 _____ %, 期间从 _____ 月/日, _____ 年 到 _____ 月/日, _____ 年 和/或法定利率 _____ %, 期间从 _____ 月/日, _____ 年 到 _____ 月/日, _____ 年
 \$ _____ Plus attorney's fees awarded by the court
 \$ _____ 另加法院判定的律师费
 \$ _____ Less total post-judgment credits
 \$ _____ 减去判决后已付金额
 \$ _____ **TOTAL DUE ON JUDGMENT**
 \$ _____ 基于判决的总应付金额

EMPLOYER: See reverse side for additional instructions.
雇主: 请查阅背面的附加说明。

_____		_____	
Date	Signature of Plaintiff/Judgment Creditor/Attorney	Attorney Number	
日期	原告/判决债权人/律师签名	律师编号	
_____		_____	
Telephone Number	Printed Name		
电话号码	正楷姓名		
_____	_____	_____	_____
Fax	E-mail	Address	
传真	电子邮件	地址	
_____		_____	_____
		City, State, Zip	
		市、州、邮政编码	

WRIT OF GARNISHMENT OF WAGES
工资扣押令
(Md. Rule 3-646)
(《马里兰州规则》第 3-646 条)

TO THE GARNISHEE/EMPLOYER:
 致第三方债务人/雇主:

YOU ARE DIRECTED, within 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/judgment creditor and one to the defendant/judgment debtor. You must state whether the defendant/judgment 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 plaintiff/judgment 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.

特此指示您, 在本扣押令送达给您的日期后 30 天内填写随本扣押令送达的“答复”, 并将一份“答复”副本送给法院, 一份送给原告/判决债权人, 一份送给被告/判决债务人。您必须说明被告/判决债务人是否被您聘用, 如果被您聘用, 请说明工资率以及对该工资是否有任何应付或可能应付的优先留置权。如果您不及时送交“答复”, 法院可能按照债权人的请求命令您说明为什么您不应当被视为蔑视法庭的理由, 并要求您支付合理的律师费和其他费用。

YOU ARE FURTHER DIRECTED to withhold the garnishable wages of the defendant/judgment debtor for any work 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.

特此进一步指示您扣留被告/判决债务人任何工作期间之应扣工资, 直至根据判决条款应付的判决数额、利息、其他收费和费用完全支付或直至法院另行通知。除本扣押令规定的豁免之外, 亦可能存在其他联邦和州豁免条款。

YOU ARE FURTHER DIRECTED to send the amount withheld to the plaintiff/judgment creditor or attorney for the plaintiff/judgment creditor within fifteen (15) days after the close of the last pay period of the defendant/judgment debtor each month. If you assert a defense or are notified that the defendant/judgment debtor has done so, you are to send the withheld wages to the court. You shall notify the defendant/judgment debtor of the amount withheld each pay period and the method used to determine the amount. **If the State of Maryland Central Collection Unit is the plaintiff filing the garnishment, make checks payable to: State of Maryland Central Collection Unit.**

特此进一步指示您在被告/判决债务人每个月最后一个付薪阶段结束后十五(15)天内将扣留的金额寄送给原告/判决债权人或原告/判决债权人的律师。如果您提出抗辩或收到被告/判决债务人已提出抗辩的通知,则须将扣留的工资寄送给法院。如果您提出抗辩或收到被告已提出抗辩的通知,则须将扣留的工资寄送给法院。您应在每个付薪阶段将扣留的数额以及用于确定该数额的方法通知被告/判决债务人。**如果马里兰州中央催收单位是申请扣留的原告,支票抬头请写:马里兰州中央催收单位。**

Date copy of writ mailed to defendant/judgment debtor's last known address: _____
扣押令副本寄至被告/判决债务人最后已知地址的日期: _____

Date
日期

Judge/Clerk
法官/书记官

ID Number
身份证号码

INSTRUCTIONS TO GARNISHEE / EMPLOYER 向第三方债务人/雇主发出的指示

- Commercial Law Article §§ 15-601 to 607 of the Annotated Code of Maryland and Rule 3-646 govern wage attachment procedures.
《马里兰州法典注释》《商法》第 15-601 至 607 款和《规则》第 3-646 条制约工资扣押程序。
- By written motion filed within 30 days of service of this writ, both both a defendant/judgment debtor and a garnishee/ employer may assert any defense to contest the attachment.
被告/判决债务人和第三方债务人/雇主均可在本扣押令送达后 30 天内提交书面动议提出质疑扣押令的任何抗辩。
- If your answer denies the fact of employment, the court shall dismiss the attachment unless the plaintiff/judgment creditor files a request for a hearing within (15) days of the receipt of the answer.
如果您的答复否认聘用事实,法院将取消扣押令,除非原告/判决债权人在收到答复后十五(15)天内提出听证请求。
- If you do not file a timely answer, the court may, upon motion of the plaintiff/judgment 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.
如果您未及时提交答复,法院可能应原告/判决债权人请求发出命令,指示您说明为什么您不应当被视为蔑视法庭的理由以及为什么不应当要求您支付合理律师费和其他费用的理由。
- 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.
您必须在每个付薪阶段将扣留的数额以及用于确定该数额的方法通知雇员。
可通过工资单等方法通知雇员。
- 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.
如果有一项以上扣押令,必须按照扣押令送达给您的顺序完全履行每一项扣押令。
- 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/judgment creditor or their attorney to ascertain that the judgment has been completely satisfied.
本扣押令在判决数额完全支付之前或在雇员仍然受聘期间始终具有留置权。累积利息可能使今后的判决数额增加,根据判决累积的附加费用以后亦可能使本总额增加。在本扣押令之外的付款亦可能降低总欠付余额。在停止扣留本附件项下任何工资之前,建议您与原告/判决债权人或其律师沟通,以确定判决已经完全得到履行。
- The attachment terminates 90 days after cessation of employment, unless the defendant/judgment debtor is reemployed during that ninety-day period.
扣押令在聘用中止 90 天后终止,除非被告/判定债务人在该九十天阶段内重新受聘。
- An employer may not discharge their employee because the employee's wages are subjected to attachment for any one indebtedness within a calendar year; 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 (1) year, or both.
雇主不可因其雇员工资由于一个日历年内的任何一项负债被扣押而开除该雇员;任何故意违反这一规定的雇主犯下轻罪并被定罪,因而承担不超过 \$1,000 的罚款或不超过一 (1) 年的监禁,或两罪并罚。

EXEMPTIONS FOR GARNISHMENT 第三方扣押豁免

THE FOLLOWING ARE EXEMPT FROM GARNISHMENT: the greater of: (a) 75 percent of the disposable wages due; or (b) 30 times the State minimum hourly wage in effect at the time the wages are due multiplied by the number of weeks during which the wages due were earned; AND any medical insurance payment deducted from an employee's wages by the employer. Other federal and state exemptions may be available.

以下款项可免于扣押:(取金额较大者):(a) 应发可支配工资的 75%;或 (b) 应发工资时有效的州最低时薪乘以应得收入周数的 30 倍;以及雇主从员工的工资中扣除的任何医疗保险金。其他联邦和州豁免可能适用。

Disposable wages are the part of wages that remain after deduction of any amount required to be withheld by law.
可自由支配工资是在扣除法律要求扣留的任何数额后的工资部分。

NOTICE TO DEFENDANT/JUDGMENT DEBTOR

向被告/判决债务人发出的通知

You have the right to contest the garnishment of wages by filing a motion filed within 30 days of service of this writ asserting a defense or objection.

您有权在本令状送达后 30 天内提交辩护或反对动议来对扣押工资提出异议。

ANSWER

答复

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

(在收到第三方工资扣押令后 30 天内提交。)

The answer of the garnishee/employer to the Writ of Garnishment served in this case, is as follows:

第三方债务人/雇主对本案送达的第三方扣押令作出的答复如下:

The defendant/judgment debtor (specify name) _____ is not employed by this employer, and the employer requests dismissal of the garnishment.

被告/判决债务人(填写姓名) _____ 未被本雇主聘用,

雇主请求取消第三方扣押令。

The defendant/judgment debtor (specify name) _____ is employed by this employer, and the rate or basis of pay is \$ _____ per _____ .

被告/判决债务人(填写姓名) _____ 被本雇主聘用,

工资率或基本工资为: \$ _____ 每 _____ 。

The garnishee/employer desires to contest the attachment and asserts the following defenses on the garnishee/employer's own behalf as well as any defenses that the defendant/judgment debtor could assert:

第三方债务人/雇主希望对扣押令提出质疑, 并代表第三方债务人本身提出以下抗辩以及被告/判决债务人可能提出的任何抗辩:

The following prior liens exist:

存在以下优先留置权:

Name and Address of Court 法院名称和地址	Case Number 案件编号	Plaintiff's Name and Address 原告姓名和地址	Date Attached 扣押日期	Amount of Attachment 扣押数额
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

To the garnishee/employer: Send copies of completed answer to

致第三方债务人/雇主: 将填妥的“答复”副本送交给:

plaintiff/judgment creditor or their attorney defendant/judgment debtor or their attorney court

原告/判决债权人或其律师 被告/判决债务人或其律师 法院

I certify that I mailed a copy of this answer to the plaintiff/judgment creditor or their attorney and a copy was mailed to the defendant/judgment debtor/employee or their attorney on _____ in accordance with Md. Rule 1-321.

Date

我在此认证, 我根据《马里兰州规则》第 1-321 条, 于 _____ 将本答复的一份副本邮寄给原告/

日期

判决债权人或其律师, 并将一份副本邮寄给被告/判决债务人/雇员或其律师。

Date
日期

Signature of Garnishee/Employer/Attorney
第三方债务人/雇主/律师签名

Attorney Number
律师编号

Fax
传真

E-mail
电子邮件

Address
地址

Telephone Number
电话号码

Printed Name
正楷姓名

City, State, Zip
市、州、邮政编码