AFFIDAVIT, ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF GARNISHEE
(PERSONAL EARNINGS)

THE STATE OF OHIO
COUNTY OF HOCKING, ss.

_____
_____
Judgment Creditor

-v-

_____
_____
Judgment Debtor

HOCKING COUNTY MUNICIPAL COURT
105 West Hunter Street
Post Office Box 950
Logan, OH 43138

Case No. _____

AFFIDAVIT

The undersigned, being first duly cautioned and sworn, deposes that I am the Attorney or Judgment Creditor herein, and that said Judgment Creditor on the _____ day of _____, 20___, duly recovered a judgment in the Hocking County Municipal Court against said Judgment Debtor, which remains unsatisfied. I, the affiant, have good reason to believe and do believe that _____ is an employer of the Judgment Debtor having personal earnings of the same, non-exempt under R.C. 2329.66, that the written demand required by R.C. 2716.02 has been made, that the payment demanded has not been made, nor has a sufficient portion been made to prevent the garnishment of personal earnings pursuant to R.C. 2716.02. I further have no knowledge of any application by Judgment Debtor for the appointment of a trustee so as to preclude garnishment, nor knowledge that the debt is the subject of a debt scheduling agreement of a nature precluding garnishment under R.C. 2716.03(B).

ATTORNEY FOR JUDGMENT CREDITOR

_____
_____
_____

_____
Sworn to and subscribed before me this
_____day of _____, 20____

_____
NOTARY PUBLIC

SECTION A. COURT ORDER AND NOTICE OF GARNISHMENT

To: _____, GARNISHEE (Employer of Debtor)

The Judgment Creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this court stating that you owe the Judgment Debtor money for personal earnings. **You are therefore ordered to complete the "Answer of Employer** (Garnishee)" in Section B of this form. Return one completed and signed copy of this form to the Clerk of this Court within five (5) business days after you receive this Order of Garnishment. **Deliver** one completed and signed copy of this form and the accompanying documents entitled "Notice to the Judgment Debtor" and "Request for Hearing" to the Judgment Debtor. Keep the other completed and signed copy of this form for your files.

The Total Probable Amount now due on the Judgment is $_____. (The total probable amount due includes the unpaid portion of the judgment in favor of the Judgment Creditor, which is $_____; interest on that Judgment and, if applicable, prejudgment interest at the rate of _____% per annum payable until that Judgment is satisfied in full; and court costs in the amount of $_____.

This Garnishment Order of personal earnings is a **continuous** order that generally requires you to withhold a specified amount, calculated each pay period at the statutory percentage, of the Judgment Debtor's personal disposable earnings during each pay period of the Judgment Debtor commencing with the first full pay period beginning after you receive the order until the judgment in favor of the Judgment Creditor and the associated court costs, judgment interest and if applicable, prejudgment interest awarded to the Judgment Creditor as described above have been paid in full. You generally must pay that specified amount, calculated each pay period at the statutory percentage, to the Clerk of this Court within thirty (30) days after the end of each pay period of the Judgment Debtor and must include with that specified amount calculated each pay period at the statutory percentage an "Interim Report and Answer of Garnishee" substantially in the form set forth in Section 2716.07 of the Ohio Revised Code. A copy of the "Interim Report and Answer of Garnishee" is attached to this Order of Garnishment of Personal Earnings, and you may photocopy it to use each time you pay the specified amount to the Clerk of this Court. You are permitted to deduct a processing fee of up to three dollars ($ 3.00) from the Judgment Debtor's personal disposable earnings for any pay period of the Judgment Debtor that an amount was withheld for that Order (the processing fee is not a part of the court costs). You are not required to file with the Court the "Interim Report and Answer of Garnishee" for any pay period of the Judgment Debtor for which an amount from the Judgment Debtor's personal disposable earnings during that pay period was not withheld for that Order.

This Garnishment Order of Personal Earnings generally will remain in effect until one of the following occurs:

1. The total probable amount due on the Judgment as described above is paid in full as a result of your withholding of the specified amount, calculated each pay period at the statutory percentage, from the Judgment Debtor's personal disposable earnings during each pay period of the Judgment Debtor that commenced with the first full pay period beginning after you received this order.
2. The Judgment Creditor or the Judgment Creditor's Attorney files with this Court a written notice that the total probable amount due on the Judgment as described above has been satisfied or the Judgment Creditor or the Judgment Creditor's Attorney files a written request to terminate this Order of Garnishment and release you from the mandate of this Order of Garnishment.
3. A municipal or county court appoints a trustee for the Judgment Debtor and issues to you an order that stays this Order of Garnishment of Personal Earnings.
4. A Federal bankruptcy court issues to you an order that stays this Order of Garnishment of Personal Earnings.
5. A municipal or county court or a court of common pleas issues to you another Order of Garnishment of Personal Earnings that relates to the Judgment Debtor and a different Judgment Creditor, and Ohio or Federal law provides the other order with a higher priority than this Order.
6. A municipal or county court or a court of common pleas issues to you another Order of Garnishment of Personal Earnings that relates to the Judgment Debtor and a different Judgment Creditor and that does not have a higher priority than this order.
7. The Judgment Creditor or the Judgment Creditor's Attorney files with this Court a written request to terminate and release the Order of Garnishment and, as a result, the Order of Garnishment will cease to remain in effect.

Under any of the circumstances listed above, you are required to file with this Court a "Final Report and Answer of Garnishee", substantially in form set forth in Section 2716.08 of the Ohio Revised Code. A copy of the "Final Report and Answer of Garnishee" is attached to this Order of Garnishment of Personal Earnings. Under the circumstances listed in (5) and (6) above, you must cease processing this Order of Garnishment after the expiration of the full pay period within which the one hundred eighty-second (182) day after you began processing it falls.

Special stacking, priority of payment, and manner of payment rules apply when a Garnishee receives multiple Orders of Garnishment with respect to the same Judgment Debtor. These rules are set forth in 2716.041 of the Ohio Revised Code. An employer guide to processing continuous Orders of Garnishment is included with this Order of Garnishment.

Witness by hand and the seal of this court this _____day of _____, 20____. _____
JUDGE

SECTION B. ASWER OF EMPLOYER (GARNISHEE) Answer All Pertinent Questions
(An employer is one who is required to withhold payroll taxes out of payments of personal earnings made to the Judgment Debtor)

Now comes _____, the Employer (Garnishee) herein who says:

1. This Order of Garnishment of Personal Earnings was received on the _____ day of _____, 20___.

2. The Judgment Debtor is in my/our employ. **Yes No**
(If the answer is "No", give date of last employment: ____/____/____)

3.(A) Is the debt to which this Order of Garnishment of Personal Earnings pertains the subject of an existing agreement for debt scheduling between the Judgment Debtor and a budget and debt counseling service and has the Judgment Debtor made every payment that was due under the agreement for debt scheduling no later than forty-five days after the date on which the payment was due? **Yes No**
(If the answer to both parts of this question is "Yes", give all available details of the agreement, sign this form, and return it to the court) 3A _____

3.(B) Were you, on the date that you received this Order of Garnishment of Personal Earnings, withholding moneys from the Judgment Debtor's personal disposable earnings pursuant to another Order of Garnishment of Personal Earnings that Ohio or Federal law provides with a higher priority than this Order of Garnishment (such as a Support Order or Internal Revenue Service levy.)? **Yes No**
(If the answer to this question is "yes", give the name of the court that issued the higher priority order, the associated case number, the date upon which you received that order and the balance due to the relevant Judgment Creditor under that order.) 3B _____

3.(C) Did you receive, prior to the date that you received this Order of Garnishment of Personal Earnings, one or more other Orders of Garnishment of Personal Earnings that are not described in question 3B and are you currently processing one or more of those orders of the statutorily required time period or holding one or more of those orders for processing for a statutorily required period in the sequence of their receipt by you? **Yes No**
(If the answer to the question is "yes", give the name of the court that issued each of those previously received orders, the associated case numbers, the date upon which you received each of those orders, and the balance due to the relevant judgment creditor under each of those orders. List first the previously received order (s) that you are currently processing, and list each of the other previously received orders in the sequence that you are required to process them.)
3C_____

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE.

_____ _____
(PRINT name of Employer [Garnishee]) (PRINT name and title of person completing this form)

Signed _____ Dated this _____day of _____, 20____.

I served the above garnishment order by leaving three copies thereof, together two copies of the Notice to Judgment Debtor and Request for Hearing form and employers guide to processing continuous garnishments with _____, an officer of managing or general agent of the Garnishee. No Service because _____.
Date of Return: _____ Bailiff/Process Server _____

HOCKING COUNTY MUNICIPAL COURT, LOGAN, OHIO

NOTICE TO JUDGMENT DEBTOR

_____ Case No. _____

_____
Name & Address of Judgment Creditor

PERSONAL EARNINGS

VS

_____

_____
Name & Address of Judgment Debtor

You are hereby notified that this court has issued an order in the above case in favor of _____ _____, the judgment creditor in this proceeding, directing that
(Name of Judgment Creditor)
some of your personal earnings be used in satisfaction of your debt to the judgment creditor instead of being paid to you. This order was issued on the basis of the judgment creditor's judgment against you that was obtained in Hocking County Municipal Court in the above named case on _____, _____.
(year)

The law of Ohio provides that you are entitled to keep a certain amount of your personal earnings free from the claims of creditors. Additionally, wages under a certain amount may never be used to satisfy the claims of creditors. The documents entitled "ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF EMPLOYER" that are enclosed with this notice show how the amount proposed to be taken out of your personal earnings was calculated by your employer.

If you dispute the judgment creditor's right to garnish your personal earnings and believe that you are entitled to possession of the personal earnings because they are exempt or if you feel that this order is improper for any other reason, you may request a hearing before this court by disputing the claim in the request for hearing form, or in a substantially similar form and delivering the request for hearing to Hocking County Municipal Court 105 West Hunter Street Logan, Ohio 43138 no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the judgment creditor's right to garnish your personal earnings in the space provided on the form; however, you are not required to do so. If you do state your reasons for disputing the judgment creditor's right, you are not prohibited from stating any other reason at the hearing. If you do not state your reasons, it will not be held against you by the court and you can state your reasons at the hearing. **NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE HEARD OR CONSIDERED AT THE HEARING.** The hearing will be limited to a consideration of the amount of your personal earnings, if any, that can be used in satisfaction of the judgment you owe to the judgment creditor.

If you request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice of the date, time, and place. You may indicate in the form that you feel that the need for the hearing is an emergency and that it should be given priority by the court. If you do so, the court will schedule the hearing as soon as practicable after your request is received and will send you notice of the date, time, and place. If you do not request a hearing by delivering your request for hearing no later than the end of the fifth business day after you receive this notice, some of your personal earnings will be paid to the judgment creditor.

If you have any questions concerning this matter, you may contact the Hocking County Municipal Court. If you want legal representation, you should contact your lawyer immediately. If you need the name of a lawyer, contact the local bar association.

_____, _____ By _____
(date) (year) Clerk/Deputy Clerk of Court

Rev 02/03/2026

REQUEST FOR HEARING
(PERSONAL EARNINGS)

Case No._____

Hocking County Municipal Court
105 West Hunter Street
PO Box 950
Logan, Ohio 43138

I dispute the judgment creditor's right to garnish my personal earnings in the above case and request that a hearing in this matter be held no later than twelve days after delivery of this request to the court.

I_____ feel that the need for the hearing in an emergency.
("do" or "do not")

I dispute the judgment creditor's right to garnish my personal earnings for the following reasons: (Optional)

_____

_____

_____

_____

I UNDERSTAND THAT NO OBJECTONS TO THE JUDGMENT ITSELF WILL BE CONSIDERED AT THE HEARING.

_____
(Name of Judgment Debtor- Print)

Date_____ _____
(Signature)

WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE OFFICE OF THE CLERK OF THIS COURT WITHIN FIVE (5) BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR PERSONAL EARNINGS WILL BE PAID TO THE JUDGMENT CREDITOR TO SATISFY SOME OF YOUR DEBT TO THE JUDGMENT CREDITOR.

INTERIM REPORT AND ANSWER OF GARNISHEE

_____
(Judgment Creditor)

VS

_____
(Judgment Debtor)

HOCKING COUNTY MUNICIPAL COURT
PO BOX 950, LOGAN OH 43138

CASE NO: _____

The garnishee _____, in the above case states as follows:

1. The date that the garnishee received the order of garnishment of the judgment debtor's personal earnings was _____, 20___.

2. The total probable amount due on the judgment, including court costs, judgment interest, and, if applicable, prejudgment interest, as stated in either section A of the order of garnishment of the judgment debtor's personal earnings or in the affidavit of current balance due on garnishment order if that affidavit has been received subsequent to the order of garnishment, is ……$_____.

3. The pay period of the judgment debtor is……_____
(Do not enter a pay period of more than one month) *(weekly, biweekly, etc.)*

4. The disposable earnings of the judgment debtor earned during the judgment debtor's present pay period is (Disposable earnings means earnings after deductions required by law. Present pay period means the pay period for which you are completing this form) ……..$_____

5. The amount equal to twenty-five percent (25%) of the judgment debtor's disposable earnings set forth in Section 4 of this form is.……$_____

6. _____X (times) the current federal minimum hourly wage is……...$_____
(If the judgment debtor is paid weekly, enter thirty; if paid biweekly, enter sixty; if paid semimonthly, enter sixty-five; if paid monthly, enter one hundred and thirty, then calculate the amount)

7. The amount by which the amount in Section 4 of this form exceeds the amount in Section 6 of this form is $_____

8. The smallest of either the amount entered in Section 5 of this form, the amount entered in Section 7 of this form, or the amount entered in Section 2 of this form is ……$_____

9. The amount entered in Section 8 of this form, plus or minus the garnishee's processing fee is $_____

10. Other deductions……$_____

11. The calculated amount that has been withheld from the judgment debtor's personal earnings during the judgment debtor's present pay period and that is submitted with this "Interim Report and Answer of Garnishee" is…….$_____

I certify that the statements above are true. Dated this _____ day of _____, 20_____.

_____
Printed Name of Employer

_____
Printed Name of person who completed form

_____
Signature of person who completed form

FINAL REPORT AND ANSWER OF GARNISHEE

_____
(Judgment Creditor)

VS

_____
(Judgment Debtor)

HOCKING COUNTY MUNICIPAL COURT
PO BOX 950, LOGAN, OHIO 43138

CASE NO: _____

The garnishee, _____, in the above case states as follows:

1. The date that the garnishee received the order of garnishment of the judgment debtor's personal earnings was _____, 20___.

2. The total probable amount due on the judgment, including court costs, judgment interest, and, if applicable, prejudgment interest, as stated in either section A of the order of garnishment of the judgment debtor's personal earnings is ……..……$_____.

3. The total amount that has been withheld from the judgment debtor's personal earnings and paid to the court while the order of garnishment of the judgment debtor's personal earnings remained in effect is $_____

4. When applicable, the total probable amount due on the judgment (#2 above) is not equal to the total amount that has been withheld (#3 above), and the reason for that difference is that the order of garnishment of the judgment debtor's personal earnings ceased to be in effect for the following statutorily prescribed reasons(s) *check whichever apply*:

   (a)_____ A municipal or county court appointed a trustee for the judgment debtor and issued an order that stays the order of garnishment of the judgment debtor's personal earnings.

   (b)_____ A federal bankruptcy court issued an order that stays the order of garnishment of the judgment debtor's personal earnings.

   (c)_____ A municipal or county court or a court of common pleas issued another order of garnishment of personal earnings that relates to the judgment debtor and a different judgment creditor, and Ohio or federal law provides the other order a higher priority.

   (d)_____ A municipal or county court or a court of common pleas issued another order of garnishment of personal earnings that relates to the judgment debtor and a different judgment creditor and that is not described in the above statement.

   (e)_____ The judgment creditor or judgment creditor's attorney has issued a request that the order of garnishment be terminated and the garnishee released from the mandates of the order of garnishment.

   (f)_____ Judgment debtor's employment terminated on: _____.

   (g)_____Other:_____

   I certify that the statements above are true. Dated this _____ day of _____, 20_____.

_____
Printed Name of Employer

_____
Printed Name of person who completed form

_____
Signature of person who completed form

IN THE HOCKING COUNTY MUNICIPAL COURT
HOCKING COUNTY, OHIO

_____	:	Case No. _____
_____	:	
_____	:	Motion
Plaintiff	:	
Vs.	:	
_____	:	
_____	:	
_____	:	
Defendant		

Plaintiff moves the Court for an Order of Garnishment against:

_____
_____
_____

to attach earnings of the Defendant to satisfy the judgment rendered in this case.

_____
Plaintiff

HOCKING COUNTY MUNICIPAL COURT
LOGAN, OHIO

_____	:	Case No. _____
Plaintiff,		
	:	
vs.	:	Precipe
	:	
_____		
Defendant.		

To the Clerk:

Please issue Affidavit, Order, and Notice of Garnishment, Notice to Judgment Debtor, Request for Hearing, Interim Report and Answer of Garnishee, and Final Report and Answer of Garnishee to the Employer at the listed address by certified mail.

_____
Plaintiff

NOTICE OF COURT PROCEEDING TO COLLECT DEBT

(ORC 2716.02)

Date of Mailing _____, 20____

To: _____

(name and address of Judgment Debtor)

You owe the undersigned_____ the sum of $_____, including interest and court costs for which a judgment was obtained against you or certified in the Hocking County Municipal Court on _____, _____, payment of which is hereby demanded.

If you do not do one of these four things listed below within fifteen days of the date of the mailing of this notice or of its service by the court, we will go to court, unless we are otherwise precluded by law from doing so and ask that your employer be ordered to withhold money from your earnings until the judgment is paid in full or, if applicable, is paid to a certain extent and to pay the withheld money to the court in satisfaction of your debt. This is called garnishment of personal earnings.

It is to your advantage to avoid garnishment of personal earnings because the placing of the extra burden on your employer possibly could cause you to lose your job.

YOU CAN AVOID GARNISHMENT BY DOING ONE OF THESE FOUR THINGS WITHIN THE FIFTEEN DAY PERIOD:

1. Pay to us the amount due;

2. Complete the attached form entitled "Payment to Avoid Garnishment" and return it to us with the payment, if any, shown due on it; or

3. Apply to your local municipal or county court or, if you are not resident of Ohio, to the municipal or county court in whose jurisdiction your place of employment is located, for the appointment of a trustee to receive the part of your earnings that is not exempt from garnishment, and notify us that you have applied for the appointment of a trustee. You will be required to list your creditors, the amounts of their claims, and the amounts due on their claims and the amount you then will pay to your trustee each payday will be divided among them until the debts are paid off. This can be to your advantage because in the meantime none of those creditors can garnish your wages.

4. You may also contact a budget and debt counseling service described in Division (D) of Section 2716.03 of the Revised Code for the purpose of entering into an agreement for debt scheduling. There may not be enough time to set up an agreement for debt scheduling in order to avoid garnishment of your wages based upon this demand for payment, but entering into an agreement for debt scheduling might protect you from future garnishments of your wages. Under an agreement for Debt Scheduling, you will have to regularly pay a portion of income to the service until the debts subject to the agreement are paid off. This portion of your income will be paid by the service to your creditors who are owed debts subject to the agreement. This can be to your advantage because these creditors cannot garnish your wages while you make your payments to the service on time.

_____ _____

_____ Signature of Creditor or Creditor's Attorney

_____

Name and Address of Creditor

Payment to avoid garnishment
To: _____
_____
_____
(Name and address of Judgment Creditor)

To avoid the garnishment of personal earnings of which you have given me notice, I enclose $_____ to apply toward my indebtedness to you. The amount of the payment was computed as follows:

1. Total amount of indebtedness demanded: (1) $_____

2. Enter the amount of your earnings after deductions required by law, earned by you during the current pay period (that is, the pay period in which this demand is received by you): (2) $_____

3. (A) Enter your pay period (weekly, bi-weekly, semi-monthly, monthly): (3A) _____

(B) Enter the date when your present pay period ends: (3B) _____

4. Enter an amount equal to 25% of the amount on line 2: (4) $_____

5. (A) The current Federal minimum hourly wage is $_____ (to be filled in by Judgment Creditor) (You should use the above figure to complete this portion of the form.) If you are paid weekly, enter thirty times the current federal minimum hourly wage: if paid bi-weekly, enter sixty times the current federal minimum hourly wage: if paid semi-monthly, enter sixty-five times the current federal minimum hourly wage: (5A) $_____

(B) Enter the amount by which the amount on line 2 exceeds the amount on line 5A (5B) $_____

6. Enter the smallest of the amounts on lines 1, 4, or 5B. Send this amount to the Judgment Creditor along with this form after you have signed it: (6) $_____

I certify that the statements contained above are true to the best of my knowledge and belief.

_____ _____
Signature of Debtor Printed name of Debtor

(To verify that the amount shown on line 2 is a true statement of your earnings, you must either have your employer certify below that the amount shown on line 2 is a true statement of your earnings or you may submit copies of your pay stubs for the two pay periods immediately prior to your receiving this notice.)

I certify that the amount shown on Line 2 is a true statement of the Judgment Debtor's earnings.

_____ _____
Printed name of Employer Signature of Employer

I certify that I have attached copies of my pay stubs for the two pay periods immediately prior to my receiving this notice.

_____
Signature of Debtor

Hocking County Municipal Court

WAGE GARNISHMENT PROCEDURES

If the debtor is employed, you may "garnish" his/her wages.

A Garnishment is the process which lets the creditor claim and take money owed to the creditor by another person. For example, the typical employee is paid one or two weeks after actually earning his/her wages. The employer is holding the employee's money during that time and through the garnishment process, may be required to pay a portion of these wages to the creditor. The garnishment process is as follows:

1) Mail a Notice to Collect Debt to the Judgment Debtor. (Forms are available at the Clerks office.) You will need to provide the Court with a copy of the above notice and proof of mailing of this notice when the actual garnishment is filed with the Court.
2) After fifteen days have passed, but no more that 45 days, and no money has been received, complete the following: Motion, Precipe for Service, Affidavit, Order and Notice of Garnishment and Answer of Garnishee, Notice to Judgment Debtor, Request for Hearing, Interim Report and Answer of Garnishee, and Final Report and Answer of Garnishee. In all cases, you need the correct mailing address for the garnishee (debtor's employer).
3) Please see civil division cost sheet for current filing fees. All additional filing fees may be added to the judgment.
4) The Court will issue the garnishment to the employer or bank, the Clerk should receive an answer of garnishee from the employer within five days. The employer will then begin to withhold the Debtor's wages. The money will be paid into the Court within 30 days after each pay period and the Clerk will issue a check to you. The judgment debtor is given an opportunity to request a hearing to determine if his wages are exempt from garnishment. If a hearing is requested, the garnishment money will be held by the Court until the hearing date. The Judge will make a decision at the hearing.
5) Effective March 30, 1999, the wage garnishment became an ongoing process. Therefore, the garnishment will continue unless either of the following occur:
   A.) Notice of another garnishment order is received from another creditor.
   B.) A higher priority garnishment is received (such as child support, IRS, tax levies).
   C.) Bankruptcy
   D.) Satisfied
   E.) Paid in full
   F.) Trusteeship appointed or order staying