AFFIDAVIT, ORDER AND NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN PERSONAL EARNINGS AND ANSWER OF GARNISHEE

STATE OF OHIO) NEWTON FALLS MUNICIPAL COURT
COUNTY OF	:ss) CASE NO.:
Judgment Creditor)
VS.)
))

Judgment Debtor

AFFIDAVIT

Having first been duly sworn or solemnly affirmed to do so, I hereby state that I am the judgment creditor or the attorney for the judgment creditor in the above-referenced case against the named judgment debtor that the garnishee named in section A may have in the in the garnishee's hands or control money, property, or credits, other than personal earnings, of the judgment debtor.

Amount Now Due <u>\$_____</u> DESCRIPTION OF PROPERTY/BANK ACCOUNT INFORMATION:

ATTORNEY FOR JUDGMENT CREDITOR SIGNATURE:	
	Sworn to and subscribed before me this day of
PRINTED NAME	, 20
ADDRESS	
	NOTARY PUBLIC
CITY, STATE, ZIP	

SECTION A. COURT ORDER AND NOTICE OF GARNISHMENT

TO: _____, Garnishee:

The Judgment Creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this Court stating that you may have money, property, or credits, other than personal earnings, in your hand or under your control that belong to the Judgment Debtor. You are therefore ordered to complete the "Answer of Garnishee" in Section (B) of this form. Return one completed and signed copy of this form to the Clerk of this Court, together with the amount determined in accordance with the "Answer of Garnishee" by the following date on which a hearing is tentatively scheduled relative to this Order of Garnishment.

Deliver one completed and signed copy of this form to the Judgment Debtor prior to that date. Keep the other completed and signed copy of this form for your files.

Creditor, which is \$

; Interest on the Judgment and, if applicable, prejudgment interest relative to that Judgment at the rate of % per annum payable until that Judgment is satisfied in full; and Court Costs in the amount of \$ _____

You are also ordered to hold safely anything of value that belongs to the Judgment Debtor and that has to be paid to the Court, as determined under the "Answer of Garnishee" in Section (B) of this form, but that is of such a nature that it cannot be so delivered, until further Order of the Court.

Witness my hand and Seal of this Court this day of , 20 _____.

Judge

SECTION B. ANSWER OF GARNISHEE (Answer All Pertinent Questions)

Now comes	, the Garnishee herein who says:	
	an \$400.00 in money, property, or credits other than personal earnings of	
the Judgment Debtor, under the G	arishee's control and in the Garnishee's possession \Box_h^{YES}	
If yes – Amount over \$400.00		
2. That property is described as:		

3. If the answer to Line 1 is "YES" and the amount is less than the probable amount now due on the Judgment, as indicated in Section (A) of this form, sign and return this form and the amount of Line 1 to the Clerk of this Court.

4. If the answer to Line 1 is "YES" and the amount is greater than the probable amount now du on the Judgment, as indicated in Section (A) of this form, sign and return this form and pay the probable amount now due to the Clerk of this Court.

5. If the answer to Line 1 is "YES" but the money, property, or credits are of such a nature that the cannot be
delivered to the Clerk of the Court, indicate that by placing an "X" in this space TDo not dispose of that money,
property, or credits or give them to anyone else until further Order of the Court.

6. If the answer to Line 1 is "NO", sign and return this form to the Clerk of the Court.

I certify that the statements above are true.

	Printed Name of Garnishee	
	Printed Name & Title of Person Who Completed This Form	
	Signature of Person Completing Form	
Copy delivered to Judgment Debtor this	day of, 20	

(Section A shall be completed before service. Section B shall be completed by the Garnishee and the original filed with the Court as his/her answer. The Garnishee may keep one completed copy and shall deliver a completed copy to the Judgment Debtor.)

TO: BAILIFF or SHERIFF

You are hereby directed to serve three (3) copies of this Order of Garnishment of property other than personal earnings, together with the Garnishee's fee as provided for in ORC 2716.12 with a written notice that the Garnishee answer as provided in ORC 2716.21 on the Garnishee named herein.

Clerk - Deputy Clerk

RETURN OF SERVICE

Received this order on the _____ day of _____, 20 ____, and I served the same on the _____ day of _____, 20 ____.

Bailiff/Sheriff Fees	Dollars	Cents
Service & Return		
Mileage:		
miles		
TOTAL		

Bailiff/Sheriff Signature