

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

THE STATE OF OHIO

COUNTY OF: _____,SS

HAMILTON MUNICIPAL COURT

700 HANOVER ST.

HAMILTON, OHIO 45011, BUTLER COUNTY, OHIO

Docket No. _____ **Page** _____

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 garnishee's hands or control money, property, or credits other than personal earnings, of the judgment debtor.

AMOUNT NOW DUE \$ _____

DESCRIPTION OF PROPERTY / BANK ACCOUNT INFORMATION: _____

ATTORNEY FOR JUDGMENT CREDITOR

Sworn to and subscribed before me

this _____ day of _____, _____

NOTARY PUBLIC

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 hands 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.

The Total Probable Amount now due on this judgment is \$ _____

The Total Probable Amount now due includes unpaid portion of the Judgment in favor of the Judgment 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 cost 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 the seal of this court this _____ day of _____, _____

Judge

SECTION B: ANSWER OF GARNISHEE

(Answer all Pertinent Questions)

Now Comes _____ the garnishee herein who says:

- 1. That the Garnishee has more than \$500.00 in money, property, or credits other than personal earnings of the Judgment Debtor. under the Garnishee's control and in the Garnishee's possession. Yes No

If yes Amount (amount over \$500.00) _____

- 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 pay 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 due on the Judgment, as indicated in Section (A) of this form, sign and return this form and pay that 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 they cannot be delivered to the Clerk of this Court, indicate that by placing an "X" in this space . Do 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 from to the Clerk of this Court.

I certify that the statements above are true.

(Print Name of Garnishee)

(Print Name and Title and phone# of Person Who Completed Form)

Signed _____
(Signature of Person Completing Form)
(All copies must be signed)

Copy delivered to Judgment Debtor this _____ day of _____, _____

SECTION A SHALL BE FILLED IN BEFORE SERVICE. SECTION B SHALL BE FILLED IN BY THE GARNISHEE AND THE ORIGINAL FILED WITH THE COURT AS HIS ANSWER. THE GARNISHEE MAY KEEP ONE COMPLETED COPY AND SHALL DELIVER THE OTHER COMPLETED TO THE JUDGMENT DEBTOR.

TO: SHERIFF, CONSTABLE, BAILIFF

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 O.R.C 2716.12 with a written notice that the Garnishee answer as provided in O.R.C. 2716.21 on the Garnishee named herein.

Clerk – Deputy Clerk

RETURN OF SERVICE

On the _____ day of _____, _____

I served this writ on the within named by

- personal service
- other (O.R.C. 2716.21) _____

Received _____, _____

(Sheriff – Bailiff – Constable)

Returned and filed _____, _____

I certify this to be a true copy of the original Order and Notice with all endorsements thereon.

FEES
Service and return _____

Mileage _____

(Sheriff – Bailiff – Constable)

By _____
Deputy