

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
DIVISION
AFFIDAVIT FOR ORDER OF GARNISHMENT (NON-WAGE)

Judgment Creditor:

Judgment Debtor:

Case Name and No.

Garnishee:

Name and Address of Judgment
Creditor's Attorney

Amount Due:

Court Costs:

The undersigned affiant states that he is counsel for the Judgment Creditor and states as follows:

1. The above named Judgment Debtor(s) are not now, nor have they been at any time during the pendency of this action, in the active military service of the United States of America.
2. The date of the judgment and the amount due thereon (subject to any credits due for any sums currently being processed) are:
3. The following are indebted to said Judgment Debtor(s):

WHEREFORE: The Judgment Creditor prays for garnishment against the Judgment Debtor(s); that the Garnishee(s) named herein be made parties to this action, and that they be required to answer the garnishment(s) issued hereunder; and for its costs.

Affiant

Subscribed and sworn to before me by the above affiant this _____ day of _____, 20_____.

My Commission expires: _____

Notary Public, State at Large

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
DIVISION
ORDER OF GARNISHMENT (NON-WAGE)

Judgment Creditor: **Garnishee's Date of Receipt**

Judgment Debtor: Case Name and No.

Garnishee: Name and Address of Judgment
Creditor's Attorney

Amount Due:

Court Costs:

To the **Garnishee:**

If you hold property belonging to, or are indebted to, the judgment debtor named above, you are hereby ORDERED to hold and safely keep all of the property of the Judgment Debtor necessary to satisfy the amount due plus court costs as shown above. You are RESTRAINED from paying to the Judgment Debtor, or to anyone for him, money or property in your possession belonging to him or in which he has any interest.

INSTRUCTIONS

You Are Hereby Summoned and Required to Do the Following:

- (1) Fill in the **Garnishee's Date of Receipt** in the space provided above on all copies; AND
- (2) Hold and safely keep any funds or property due the Judgment Debtor to the extent of the Amount Due above plus Court Costs until further Order of the Court or as directed below; AND
- (3) Promptly attempt to notify the Judgment Debtor by mailing a copy of this Order to his last known address or by delivering it to him; AND
- (4) If after the expiration of **fourteen (14) days** from your receipt of this Order and there has been no further notice from the Court, then do the following: AND
 - (a) Using the form provided, Answer as Garnishee within **twenty (20) days** of the receipt of this Order; AND
 - (b) Forward to the Attorney named below your Answer; AND
 - (c) Send the original of your Answer to the Court.

Date: _____

NATHAN W. LEE, CLERK

By: _____ D.C.

IMPORTANT LEGAL NOTICE TO JUDGMENT DEBTOR

Money or property belonging to you has been subjected to a garnishment under a judgment entered against you in this case. Some funds may be exempt from garnishment, including Social Security benefits, workers' compensation benefits, unemployment insurance benefits, AFDC, and some other types of governmental benefit payments; however, you must claim and prove any applicable exemption. If you can show that the property garnished by this Order consists of exempt funds, then you may immediately request a hearing in the court listed above by filing a sworn written request with the Clerk of the Court within ten (10) days of the Garnishee's Date of Receipt noted above. **Note:** The Clerk does not have forms for you to use and cannot give you legal advice.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
DIVISION
AFFIDAVIT AND ANSWER OF GARNISHEE (NON-WAGE)

Judgment Creditor:

Garnishee's Date of Receipt

Judgment Debtor:

Case Name and No.

Garnishee:

Name and Address of Judgment
Creditor's Attorney

Amount Due:

Court Costs:

The Affiant, after being first duly sworn, states as follows:

- 1. The name of the Judgment Debtor is
2. At the time of the service of the Order of Garnishment (Non-wage), the Garnishee herein is indebted to the Judgment Debtor or holds money belonging to the Judgment Debtor in the amount of \$
3. Other property belonging to the Judgment Debtor and held by me is as follows (If none, put "none"):

- 4. I, or I on behalf of the Garnishee herein, state that there is no other money, property, or other evidence of debt in my possession that belongs to the Judgment Debtor.
5. I, or I on behalf of the Garnishee, have forwarded to the Judgment Creditor's Attorney the amount of money so held by me to the extent of the amount due plus costs as shown on the reverse. THE AMOUNT FORWARDED IS: \$
6. If I, or I on behalf of the Garnishee, hold property (listed above) other than money which I am unable to forward, I hereby disclose (in Paragraph 3 above) such property and will hold and safely keep such property pending further orders of the Court.
7. In addition, I have sent the original of this Answer to the Court, a copy to the Judgment Creditor's Attorney and a copy of the Order of Garnishment (Non-wage) and of this Answer to the Judgment Debtor.

GARNISHEE

By:

Signature of Affiant

Position (If Applicable):

Subscribed and sworn to before me by the above Affiant this day of , 20.

My Commission Expires:

Notary Public, State at Large

INSTRUCTIONS

- 1. After receiving the Order of Garnishment (Non-wage), promptly send a copy of it to the Judgment Debtor.
2. After 14 days from Garnishee's Date of Receipt, but within 20 days from Garnishee's Date of Receipt, mail the original of this Answer to the Court, a copy to the Judgment Creditor's Attorney and a copy to the Judgment Debtor.
3. Retain a copy of the Order and this Answer for your records.