MAUREEN G. KELLY
CLERK OF COURTS

Lake County Common Pleas Court

Painesville, Ohio 44077

_____	*	
_____	*	
_____	*	
Judgment Creditor	*	Case No. _____
vs.	*	
	*	JUDGE _____
_____	*	
_____	*	
_____	*	MOTION OF JUDGMENT CREDITOR FOR ORDER
	*	OF GARNISHMENT OF PERSONAL EARNINGS[1]
Judgment Debtor	*	_____

The Judgment Creditor moves the Court to issue an Order of Garnishment of Personal Earnings against the Judgment Debtor naming _____as the Garnishee.

_____
Attorney Name

_____
Attorney Address

_____
Attorney Phone Number

_____
Supreme Court I.D.

MEMORANDUM

The Judgment Creditor is entitled to the requested Order pursuant to Section 2716.01 et.seq of the Ohio Revised Code because the Judgment Creditor has obtained judgment against the Judgment Debtor and the Garnishee holds personal earnings that belong to the Judgment Debtor and are not exempt from execution.

_____
Attorney for Judgment Creditor

[1]Ex parte motion. Civ.R 5(A). File with Affidavit (Apco Form No. 411), Order and Notice of Garnishment (Apco Form No. 412), Notice to The Judgment Debtor and Request for Hearing (Apco Form No. 413). (Note-some courts may themselves provide some of the required forms.) Motion required by Civ.R. 7(B).

NOTICE AND AFFIDAVIT TO THE JUDGMENT DEBTOR OF CURRENT BALANCE DUE ON GARNISHMENT ORDER

_____ _____ **COURT**

_____ _____, **OHIO**

_____
Judgment Creditor

CASE NO. _____
(Must be on all References)

VS. **DOCKET NO** _____ **PAGE** _____

_____ **THIS COMMUNICATION IS FROM A DEBT COLLECTION**

_____

_____

Judgment Debtor (SS# last four digits optional) _____

You are hereby notified that the judgment creditor in this proceeding has issued an affidavit of current balance due on garnishment order in the above case. The **Affidavit of Current Balance Due on Garnishment Order,** below, shows the original amount of the judgment that was the basis of the garnishment order, the accrued interest to date, the court costs assessed to date, all moneys paid to the judgment creditor and the judgment creditor's attorney on the judgment balance to date, and the current balance due on the judgment. If you dispute the judgment creditor's determination of these amounts or if you believe that this affidavit is improper for any other reason, you may request a hearing before this court disputing the affidavit in the request for hearing form, attached or in a substantially similar form, and delivering the request for hearing to this court at the above address, at the office of the clerk of court, no later than the end of the 5th business day after you receive this notice. You may state your reasons for disputing the judgment creditor's determination of the amounts shown in the Affidavit of Current Balance Due on Garnishment Order in the space provided on the form; however, you are not required to do so. If you state your reasons for disputing the judgment creditor's determination, you are not prohibited from stating any other reason at the hearing. If you do not state your reasons, the court will not hold it against you, 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 currently due on the judgment you owe to the judgment creditor. If you request a hearing by delivering your request for hearing not later than the end of the 5th business day after you receive this notice, the court will conduct the hearing no later than 12 days after your request is received by the court, and the court will send you notice of the date, time and place. You may indicate in the form that you believe 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 not later than the end of the 5th business day after you receive this notice, some of your personal earnings will continue to be paid to the judgment creditor until the judgment is satisfied. If you have any questions concerning this matter, you may contact the office of the clerk of this court. If you want legal representation, you should contact your lawyer immediately. If you need the name of a lawyer, you should contact the local bar association.

State of Ohio, _____ **County: ss** Now comes the judgment creditor/attorney and states:
The original amount of the judgment that is the bases of the garnishment order is: $_____

The accrued interest to date is: $ _____; The court costs assessed to date are: $_____

All moneys paid to the judgment creditor/attorney on the judgment to date are: $_____

Current Balance Due is: $_____

_____
Judgment Creditor/Attorney Supreme Court I.D. Number

_____
Address, City, State, Zip Code

_____
Phone Number

_____
Judgment Creditor / Attorney

Sworn to & subscribed before me on _____ _____
Notary Public

NOTICE OF COURT PROCEEDING TO COLLECT DEBT[1]

Date of Mailing or Date of Service by the Court _____

To:_____ _____

Name of Judgment Debtor — Last Known Residence Address of Judgment Debtor

You owe the undersigned _____$ _____
including interest and court costs, for which a judgment was obtained against you or certified in the _____
Court on _____, _____, payment of which is hereby demanded.
If you do not do one of the three 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 THE GARNISHMENT BY DOING ONE OF THESE THREE 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 a 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 amount 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.

You also may contact a budget and debt counseling service described in division (D) of Section 2716.03 of the Ohio Revised Code for the purpose of entering into an agreement of debt scheduling. There may not be enough time to set up an agreement for debt scheduling in order to avoid a garnishment of your wages based upon this demand for payment, but entering into such 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 your 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.

_____ _____

Address of Judgment Creditor — Name of Judgment Creditor

_____ _____

Signature of Judgment Creditor or Agent

(cut along dotted line)

……

PAYMENT TO AVOID GARNISHMENT

TO: _____ _____

(Name of Judgment Creditor) — (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 personal 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); (3) $ _____
3. (B) Enter the date when your present pay period ends _____.
4. Enter an amount equal to 25% of the amount on line 2: (4) $ _____
5. (A) 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; if paid monthly, enter one hundred thirty times the current federal minimum hourly wage: (5A) $ _____
(B) Enter the amount by which the amount on line 2 exceeds the amount on line 5(A): (5B) $ _____
6. Enter the smallest of the amounts on lines 1, 4 or 5(B). Send this amount to the judgment creditor along with this form after you have signed it:

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

_____ _____

(Print Name and Residence Address of Judgment Debtor) — (Signature of Judgment 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 _____ _____

(Print Name of Employer) — (Signature of Employer or Agent)

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

NOTICE TO JUDGMENT DEBTOR
(Signed by Clerk of Court)

COMMON PLEAS COURT
LAKE COUNTY

_____

_____
JUDGMENT CREDITOR

VS

_____

_____
JUDGMENT DEBTOR

Painesville, Ohio

CASE NO. _____

JUDGE_____

PERSONAL EARNINGS

You are hereby notified that this court has issued an order in the above case in favor of

_____
(Name and Address of Judgment Creditor)

the judgment creditor in this proceeding, directing that 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 _____ Court in Case No. _____ on _____

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 reason you may request a hearing before this court by disputing the claim in the request for hearing form, attached, or in a substantially similar form, and delivering the request for hearing to this court at the above address, at the office of the Clerk of this Court, 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, it will be conducted no later than twelve days after your request is received by the court and the Court office will send you notice of the date, time and a place. You may indicate on the form that you believe 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 office of the Clerk of this 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.

_____ Maureen G. Kelly
Date Clerk of Courts

by_____
Deputy Clerk

*Defendant – Two Copies

AFFIDAVIT, ORDER AND NOTICE OF GARNISHMENT AND ANSWER OF GARNISHEE

(PERSONAL EARNINGS)

REVISED 8/00

THE STATE OF OHIO, LAKE COUNTY **Common Pleas Court, Painesville, Ohio**

_____ CASE NO. _____

Judgment Creditor

VS JUDGE_____

_____

Judgment Debtor

AFFIDAVIT

(This debt collector is attempting to collect a debt and any Information obtained will be used for that purpose)

The undersigned, first duly cautioned and sworn, deposes that I am the _____Judgment Creditor herein, and on the _____day of _____, _____, duly recovered a judgment in the _____Court against the Judgment Debtor named above. I, the affiant have good reason to believe and do believe that _____is an employer of judgment debtor having personal earnings of the same, nonexempt 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 _____

_____

ATTORNEY ADDRESS

_____ _____

ATTORNEY PHONE NUMBER SUPREME COURT I.D. 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 owe the Judgment Debtor money for personal earnings and that some of that money may not be exempt from garnishment under the laws of Ohio and the United States. 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 copy of this form for your files. The total probable amount now due on this 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 the 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, as determined in accordance with the "Interim Report and Answer of (Garnishee)" from 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 have been paid in full. You must pay that specified amount calculated each pay period at the statutory percentage to the Clerk of Court within thirty (30) days after the end of each pay period of the Judgment Debtor and must include with that amount calculated each pay period at the statutory percentage a completed photocopy of the enclosed "Interim Report and Answer of Garnishee" form. You are permitted to deduct a processing fee of up to three dollars from the judgment Debtor's personal disposal 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 "Interim Report and Answer of Garnishee" for any pay period of the judgment debtor for which an amount of the judgment Debtor's personal disposable earnings during that pay period was not withheld for that order.

This garnishment order will generally remain in effect until one of the following occurs:

1) The total probable amount due is paid in full as a result of your withholding 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 p ay period beginning after you received the 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 staying this garnishment:
4) A federal bankruptcy court issues to you an order staying this order of garnishment:
5) A municipal or county court or a common pleas court 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 common pleas court 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", which is attached to this garnishment order. Under the circumstances listed above, you are required to file with this court a "Final Report and Answer of Garnishee" substantially in the 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 R.C. 2716.041 an employer guide to processing continuous orders of garnishment is included with this order of Garnishment and you should become familiar with them.

Witness my hand and the seal of this court his _____day of _____, _____ _____

Judge

CASE NO._____

SECTION B. ANSWER OF EMPLOYEE (GARNISHEE) (Answer All 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 _____, employer (garnishee) herein who says:

1. This order of garnishment was received on _____ day of _____.

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 (45) 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 the form and return it to the Court]. 3(A)_____

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 garnishment order (such as a support order or internal revenue service levy)?
YES NO
[If the answer is"Yes", give the name of the court that issued the higher priority order the case number, the date the order was Received, and the balance due to the relevant judgment creditor under that order.] 3(B)_____
_____

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 earning that are not described in question 3 (B) 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.] 3(C) _____
_____

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE

DATED:_____ SIGNED _____

_____ _____
Print Name of Employer Print Title and Name

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 continuance garnishments with _____ ,

an officer or managing or general agent of the Garnishee. No service because _____

_____

Date of Return : _____ Bailiff/Process Server _____

INTERIM REPORT AND ANSWER OF GARNISHEE

_____ COMMON PLEAS COURT,

_____ PAINESVILLE, OHIO.
JUDGMENT CREDITOR

vs Case No. _____

_____
JUDGMENT DEBTOR

THE GARNISHEE, _____, IN THE ABOVE CASE STATES AS FOLLOWS:

1. THE DATE THAT THE GARNISHEE RECEIVED THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBOTR'S PERSONAL EARNINGS WAS _____.
2. THE TOTAL PROBABLE AMOUNT DUE ON THE JUDGMENT, INCLUDING COURT COSTS, JUDGMENT INTEREST, AND, IF APPLICABLE, PREJUDGMENT INTEREST, AS STATED IN EITHER SECTION OF THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBOTR'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 GARNIHMENT, IS $_____
3. THE PAY PERIOD OF THE JUDGMENT DEBTOR IS (ENTER WEEKLY, BIWEEKLY, SEMIMONTHLY OR MONTHLY, DO NOT ENTER A PAY PERIOD OF MORE THAN ONE MONTH) _____
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 INTERIM REPORT AND ANSWER OF GARNISHEE.) $_____
5. THE AMOUNT EQUAL TO TWENTY-FIVE PER CENT (25%) OF THE JUDGMENT DEBTOR'S DISPOSABLE EARNINGS SET FORTH IN SECTION 4 OF THIS FORM IS $ _____
6. _____ TIMES THE CURRENT FEDERAL MINIMUM HOURLY WAGE IS (IF THE JUDGMENT DEBTOR IS PAID WEEKLY, ENTER THIRTY ABOVE, IF PAID BIWEEKLY, ENTER SIXTY, IF PAID SEMIMONTHLY ENTER SIXTY-FIVE, IF PAID MONTHLY, ENTER ONE HUNDRED 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 (AS APPROPRIATE) THE GARNISHEE'S PROCESSING FEE IS $ _____ (IF THE AMOUNT ENTERED IN SECTION 8 OF THE FORM EQUALS THE AMOUNT ENTERED IN SECTION 2 OF THIS FORM, THEN ADD UP TO THREE DOLLARS ($3); OTHERWISE SUBTRACT UP TO THREE DOLLARS ($3)
10. OTHER DEDUCTIONS $ _____
11. THE CALCULATED AMOUNT THAT HAS BEEN WITHHELD FROM THE JUDGMENT DEBTOR'S PERSONAL EARNINGS DURING THE JUDGMENT DEBTOR'S PRSENT PAY PERIOD AND THAT IS SUBMITTED WITH THIS "INTERIM REPORT AND ANSWER OF GARNISHEE" IS $ _____

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE

_____
(PRINT NAME AND TITLE OF EMPLOYER)

_____
(PRINT NAME AND TITLE OF
PERSON WHO COMPLETED FORM)

SIGNED _____
(SIGNATURE OF PERSON WHO COMPLETED FORM)

DATE THIS _____day of _____, _____

FINAL REPORT AND ANSWER OF GARNISHEE

_____
JUDGMENT CREDITOR

vs

_____
JUDGMENT DEBTOR

Common Pleas Court, Painesville, Ohio

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 _____.

2. THE TOTAL PROBABLE AMOUNT DUE ON THE JUDGMENT, INCLUDING COURT COSTS, JUDGMENT INTEREST AND IF APPLICABLE, PREJUDGMENT INTEREST, AS STATED IN SECTION A OF THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBOTR'S PERSONAL EARINGS IS $ _____

3. THE TOTAL AMOUNT THAT HAS BEEN WITHHELD FROM THE JDUGMENT DEBOTR'S PERSONAL DISPOSABLE EARNINGS AND PAID TO THE COURT WHILE THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBTOR'S PERSONAL EARINGS REMAINED IN EFFECT IS $ _____

4. (WHEN APPLICABLE) THE TOTAL PROBABLE AOUNT DUE ON THE JUDGMENT (AS STATED IN 2 ABOVE) IS NOT EQUAL TO THE TOTAL AMOUNT THAT HAS BEEN WITHHELD (AS STATED IN 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 REASON(S) (CHECK WHICHEVER APPLY):

(A) _____A MUNICIPAL OR COUNTY COURT APPOINTED A TRUESTEE FOR THE JUDGMENT DEBTOR AND ISSUED AN ORDER THAT STAYS THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBOTR'S PERSONAL EARNINGS

(B) _____A FEDERAL BANKRUPTCY COURT ISSUED AN ORDER THAT SAYS THE ORDER OF GARNISHMENT OF THE JUDGMENT DEBOTR'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. (SET FORTH THE NAME OF THE COURT THAT ISSUED THE HIGHER PRIORITY ORDER, THE ASSOCIATED CASE NUMBER, THE DATE THAT THE HIGHER PRIORITY ORDER WAS RECEIVED, AND THE BALANCE DUE TO THE RELEVANT JUDGMENT CREDITOR UNDER THAT ORDER)
_____

(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 4 (C) ABOVE. (SET FORTH THE NAME OF THE COURT THAT ISSUED THE SUBSEQUENTLY RECEIVED ORDER. THE ASSOCAITED CASE NUMBER, THE DATE THAT THE SUBSEQUENT ORDER WAS RECEIVED AND THE BALANCE DUE TO THE RELEVANT JUDGMENT DREDITOR UNDER THAT ORDER): _____

_____

_____

(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

_____
(PRINT NAME AND TITLE OF EMPLOYER)

_____
(PRINT NAME AND TITLE OF PERSON WHO COMPLETED FORM ON BEHALF OF EMPLYOER

SIGNED _____
(SIGNATURE OF PERSON WHO COMPLETED FORM)

DATE THIS _____day of _____, _____

REQUEST FOR HEARING
(PERSONAL EARNINGS)

Case No. _____ _____ Court,

_____ District,

Judge _____

_____,Ohio.

I dispute the judgment creditor's determination of current balance due on garnishment order in the above case and request that a hearing in this matter be held not later than twelve days after delivery of this request to the court. I

I _____ believe that the need for the hearing is an emergency.
(insert "Do" or "Do Not")

I dispute the judgment creditor's determination for the following reasons: (1)

_____

_____

_____

_____

I understand that no objections to the judgment itself will be considered at the hearing.

Date: _____ _____
(Name of Judgment Debor-Print)

_____
(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 CONTINUE TO BE PAID TO _____
(Judgment Creditor's Name)

IN SATISFACTION OF YOUR DEBT TO THE JUDGMENT CREDITOR

_____
(1) OPTION