

Checklist for Garnishment Forms

- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative cannot complete a form for you.
 - Attach a copy of any document referred to in the form.
 - Keep a copy of all documents for your records.
 - Attend all court hearings.
 - Some forms may not apply in your case.
 - Check with your court about local requirements.

(1) To verify the debtor's employment

- Note to judgment creditor: If you serve a writ of garnishment to garnish earnings without first verifying that the garnishee employs the debtor, you may be liable to the garnishee for up to \$1000. Utah Code Section 78A-2-216.
- Complete the entire Request for Verification of Employment form.
- Include all attachments.
- Complete the heading of the Response to Request for Verification of Employment form.
- It is not necessary to file the forms with the court, but keep a copy for yourself, including a copy of the certificate of service.
- Serve the forms on the other party (or lawyer).
- Serve the forms on the presumed employer.

(2) To garnish periodic payments to the debtor

- Complete two Applications for Writ of Garnishment. Complete the entire form.
- On Page 2, check "Writ of Continuing Garnishment" or, if the debt is child support, check "Writ of Continuing Garnishment for Child Support."
- Attach two Writs of Continuing Garnishment and Instructions. (The clerk will sign both with an original signature. One is served on the garnishee and the other is returned to the court with the proof of service. Complete only these parts:
 - Complete the heading. In the heading, check "child support" if the judgment is for child support. Otherwise, check "other."
 - Include the garnishee's name and address.
 - Complete Paragraphs (2) and (3).
- Attach the Garnishee's Answers to Interrogatories for Earnings form and complete the heading.
- Attach the Notice of Garnishment and Exemptions form.

- Attach 2 copies of the Reply and Request for Hearing form and complete the heading.
- Attach a check payable to the garnishee for the garnishee's fee.
- Unless service fees have been waived, attach a check payable to the sheriff, constable or private investigator for the service fee.
- Unless filing fees have been waived, attach a check payable to the court for the filing fee.
- File the forms with the court.
- Serve the forms on the other party (or lawyer). Complete the Certificate of Service attached to the Writ and file with the court.
- Serve the forms on the garnishee (debtor's employer).
- Attend any hearings that are scheduled.

(3) To garnish the debtor's other personal property

- Complete two Applications for Writ of Garnishment. Complete the entire form.
- On Page 2, check "Writ of Garnishment."
- Attach two Writs of Garnishment and Instructions. (The clerk will sign both with an original signature. One is served on the garnishee and the other is returned to the court with the proof of service. Complete only these parts:
 - Complete the heading.
 - Include the garnishee's name and address.
 - Complete Paragraphs (2) and (3).
- Attach the Garnishee's Answers to Interrogatories for Property other than Earnings form and complete the heading.
- Attach the Notice of Garnishment and Exemptions form.
- Attach 2 copies of the Reply and Request for Hearing form and complete the heading.
- Attach a check payable to the garnishee for the garnishee's fee.
- Unless service fees have been waived, attach a check payable to the sheriff, constable or private investigator for the service fee.
- Unless filing fees have been waived, attach a check payable to the court for the filing fee.
- File the forms with the court.
- Serve the forms on the other party (or lawyer). Complete the Certificate of Service attached to the Writ and file with the court.
- Serve the forms on the garnishee (or lawyer).
- Attend any hearings that are scheduled.

(4) To request that the garnishee be held in contempt of court for failure to follow the Writ of Garnishment

- Before requiring the garnishee to appear and show cause why they should not be held in contempt, the creditor must try to meet with the garnishee and try to resolve the problem without further court involvement.
- Complete the entire Motion for Order to Garnishee to Show Cause.
- Attach the Order to Garnishee to Show Cause form and complete these parts:
 - Complete the heading.
 - Complete Paragraph (2).
- Attach the Certificate or Proof of Service showing that the garnishee was served with the Writ of Garnishment and the correct accompanying documents.
- Take the forms to the court, and the clerk will schedule a hearing and complete Paragraph (4) of the Order to Garnishee to Show Cause form.
- Serve the forms on the other party (or lawyer).
- Have the forms served on the garnishee by a sheriff or constable or private investigator.
- Attend any hearings that are scheduled.