

In the [ ] District [X] Justice Court of Utah

4th Judicial District Millard County

Court Address 765 S Hwy 99, Ste. 2, Fillmore, UT 84631

	<b>Writ of Garnishment and Instructions</b>
Plaintiff/Petitioner	Case Number
V.	<u>Cyndee Probert</u>
Defendant/Respondent	Judge
	Commissioner (domestic cases)

For more information about writs of garnishment, visit:  
[www.utcourts.gov/resources/forms/garnishment/](http://www.utcourts.gov/resources/forms/garnishment/).

In this document:

- A **judgment creditor** is a person or company with a court order saying money is owed to them.
- A **judgment debtor** is the person or company who owes the money.
- A **writ of garnishment** is an order that property now belonging to the judgment debtor but held by someone else be used to pay the money owed to the judgment creditor.
- **Interrogatories** are written questions which identify the property and the value of the property that might be used to pay the debt.

To:

Garnishee's Name \_\_\_\_\_

Address \_\_\_\_\_

1. Utah law requires the judgment creditor to include with this Writ of Garnishment a fee to you. If the fee was not included, sign here and return the forms to the judgment creditor or, if they have one, their attorney.

Signature ► \_\_\_\_\_

2. A judgment has been entered against the judgment debtor. After calculation of interest, costs and payments, the judgment debtor owes \$ \_\_\_\_\_.

Papers filed with the court show that you may possess or control some of the judgment debtor's property which may include money earned, but not yet paid.

The property is being garnished (seized) in order to pay the judgment. If you are the garnishee, you are required to take certain steps to deliver the property or to hold and protect it. **If you do not, the court can order you to pay for the harm caused to the judgment creditor.** You should keep for your records a copy of everything that you prepare and everything that is served on you.

3. The person who owes money (judgment debtor) is:

Name	
Address	
Social security number (Last 4 digits only, if known.)	
Driver's license number and state of issuance (Last 4 digits only, if known.)	
Year and month of birth (If known.)	

4. Within 7 business days after this writ is served on you, you must:

- answer the attached Interrogatories;
- serve a copy of your Answers to Interrogatories on the judgment creditor, or if they have one, their attorney or licensed paralegal practitioner;
- serve a copy of the following papers on the judgment debtor and on any other person shown by your records to have an interest in the property. The papers to be served are:
  - one copy of this Writ of Garnishment;
  - one copy of your Answers to Interrogatories;
  - one copy of the Notice of Garnishment and Exemptions form; and
  - two copies of the Reply and Request for Hearing form.

5. You may serve the judgment creditor at this address by hand delivery or by first class mail:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Email

You may serve the judgment debtor at this address by hand delivery or by first class mail.

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Name

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Address

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City, State, Zip

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Phone

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Email

6. What to do with the property:
  - **DO NOT SEND THE PROPERTY TO THE COURT.** You must withhold from the judgment debtor the amount shown in your Answers to Interrogatories. Hold the property for 21 calendar days after you serve the judgment debtor.
  - Wait 21 days.
    - If you receive a Reply and Request for Hearing within 21 days, hold the property until you receive further orders from the court directing you how to proceed.
    - If you do not receive a Reply and Request for Hearing within 21 days, deliver the property to the judgment creditor or, if they have one, their attorney or licensed paralegal practitioner.
7. **If you do not take these steps, the court can order you to pay for the harm caused to the judgment creditor.**
8. You may deliver to the judgment debtor any property greater than you are required to withhold.
9. Multiple Writs of Garnishment for the same judgment debtor may be served on you, but only one Writ of Garnishment may be in effect at one time. You must satisfy the writs in the order they are served. When an earlier Writ of Garnishment expires or is satisfied, you must then satisfy the next writ.

However, a Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services takes precedence over other writs and must be satisfied first.

A Writ of Continuing Garnishment in favor of the Office of Recovery Services or the Department of Workforce Services continues until fully satisfied, placing

earlier writs on hold. These instructions do not apply to writs or orders entered by other courts or governmental agencies.

\_\_\_\_\_ Signature ► \_\_\_\_\_  
Date Printed Name of Clerk of Court \_\_\_\_\_

### Certificate of Service

I certify that I filed with the court and am serving a copy of this Writ of Garnishment and Instructions on the following people.

Person's Name	Service Method	Service Address	Service Date
(Other party or attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
(Person claiming interest in property or attorney)	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		
	<input type="checkbox"/> Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> E-filed <input type="checkbox"/> Email <input type="checkbox"/> Left at business (With person in charge or in receptacle for deliveries.) <input type="checkbox"/> Left at home (With person of suitable age and discretion residing there.)		

\_\_\_\_\_ Signature ► \_\_\_\_\_  
 Date Printed Name \_\_\_\_\_