

137-060-0420

Special Notice of Garnishment – Garnishee Response form

[insert NAME OF AGENCY]

Debtor: [insert NAME OF DEBTOR]

Warrant No(s)

[insert warrant number]

[insert additional numbers if applicable]

GARNISHEE RESPONSE

The notice of garnishment was delivered to me on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_. The following responses are accurate and complete as of that date.

PART I: DEBTOR'S PROPERTY GENERALLY  
(ALL GARNISHEES MUST FILL OUT THIS PORTION OF THE RESPONSE)

Place a check in front of all the following statements that apply. You may need to check more than one statement.

\_\_\_ I have discovered that a voluntary or involuntary bankruptcy petition has been filed by or on behalf of the Debtor after the date shown on the face of the notice as the date on which the warrant (or if multiple warrants, the date of any of the warrants) was entered against the Debtor. (You need not complete any other part of this response, but you must sign the response and deliver it in the manner specified in Step 2 of the Instructions to Garnishee form.)

\_\_\_ I do not employ the Debtor, I do not have in my possession, control or custody any personal property of the Debtor, and I do not owe any debts or other obligations to the Debtor.

\_\_\_ I employ the Debtor. (You must complete Part II of this response.)

\_\_\_ I have in my possession, control or custody garnishable money that belongs to the Debtor (other than wages), or I owe a debt or other obligation to the Debtor (other than wages) that is due as of the time of this response. I am forwarding this money, or enough of it to satisfy the garnishment, to the Garnishor.

\_\_\_ I owe a debt or other obligation to the Debtor (other than wages) that is not due as of the time of this response but will become due within 45 days after the notice of garnishment was delivered to me. I will forward the money, or enough of it to satisfy the garnishment, to the Garnishor when the debt or other obligation becomes due.

\_\_\_ I owe the following debt or other obligation to the Debtor (other than wages) that will not become due within 45 days after the date that the notice of garnishment was delivered to me. I will not make any payments on the debt or obligation until I receive instructions from the Sheriff or until 30 days have passed from the date on which I deliver this response. (See Instructions to Garnishee form.)

\_\_\_\_\_

\_\_\_ I have in my possession, control or custody the following personal property (other than money) that belongs to the Debtor. I will hold all of the property for the Garnishor until I receive instructions from the Sheriff or until 30 days have passed from the date on which I deliver this response. (See Instructions to Garnishee form.)

\_\_\_\_\_

\_\_\_ I may owe money to or hold property of the Debtor, but I am not sure what or how much it might be. (You must provide an explanation in the following space and you must deliver an amended response when you find out. You must deliver an amended response even if you find out that you have no property of the Debtor or owe no money to the Debtor.)

\_\_\_\_\_

\_\_\_ (FINANCIAL INSTITUTIONS ONLY) We hold one or more accounts for the Debtor, of which \$\_\_\_\_\_ is not subject to garnishment under ORS 18.784. We are forwarding all other garnishable amounts, or enough of it to satisfy the garnishment, to the Garnishor.

\_\_\_\_\_

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\_\_\_ The notice of garnishment delivered to me, on its face, does not comply with the Oregon laws governing notices of garnishment, or I cannot determine the identity of the Debtor from the information in the notice. (You must provide an explanation in the following space.)

\_\_\_\_\_

\_\_\_ I have received an order to withhold income that applies to the income of the Debtor. The order to withhold income has priority over the notice of garnishment. After compliance with the order, the remaining money due the debtor is insufficient to fully satisfy the notice. (Provide details, including the name of the agency serving the order to withhold income, the date the order was served on you and the amount to be withheld. If you employ the Debtor, you must still complete Part II of this response.)

\_\_\_\_\_

\_\_\_ I have received notice of a challenge to the garnishment. Unless I receive an order from a court directing me to deliver money to the court, I will deliver or continue to deliver to the Garnishor all money I would otherwise deliver to Garnishor. If I receive an order from a court directing me to deliver money to the court, I will attach a copy of that order to my response and will deliver to that court all money I would otherwise deliver to the Garnishor. (See Step 3 of Instructions to Garnishee form.)

\_\_\_ Other (Explain)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PART II: DEBTOR'S EMPLOYER  
(GARNISHEES WHO EMPLOY THE DEBTOR  
MUST FILL OUT THIS PORTION OF THE RESPONSE)

Place a check in front of all the following statements that apply. You may need to check more than one statement.

NOTE: THE LAW PROHIBITS DISCHARGE OF THE DEBTOR FROM EMPLOYMENT BY REASON OF GARNISHMENT.

\_\_\_ I employ the Debtor. The Debtor is paid on a \_\_\_\_\_ basis (insert "weekly," "monthly" or other pay period). Wages will next be payable to the Debtor on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_. I will then forward to the Garnishor the wages accrued through the date the garnishment was delivered, or enough of those wages to satisfy the garnishment.

\_\_\_ I had already received a notice or writ of garnishment from another Garnishor, or an order to withhold earnings before this notice was delivered to me or I have received an order to withhold earnings that has priority over this notice of garnishment. Under Oregon law, the previous notice, writ, or withholding order has priority. When wages are next payable to the Debtor, I will calculate the amount due through the date this notice of garnishment was delivered. I will then calculate the amount payable on the prior notice, writ, or withholding order through the date this notice of garnishment was delivered. After paying the amount payable through that date on the previous notice, writ or withholding order, I will then forward to the Garnishor the remainder of the wages accrued through the date this notice of garnishment was delivered, or enough of those wages to satisfy this garnishment.

Certification

I hereby certify that I have fully and accurately completed this garnishee response.

Date: \_\_\_\_\_, 2\_\_

Telephone number ( ) \_\_\_\_\_.

Signature \_\_\_\_\_

Fax number (if available) ( ) \_\_\_\_\_.

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Name of Garnishee

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Street Address, City, State, Zip