INTRODUCTION TO GARNISHMENT

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

- GARNISHMENT is a legal process by which one party may collect money from another party, after a money judgment has been entered
- A MONEY JUDGMENT is an order signed by a judicial officer that awards money to one party against another party

There are generally three parties to a garnishment proceeding:

- A JUDGMENT CREDITOR is a person or entity who has been granted a money judgment
- A JUDGMENT DEBTOR is a person or entity who owes a money judgment
- A GARNISHEE is a person or entity holding money or property belonging to a judgment debtor

Once a money judgment is entered in favor of a party, that party becomes a judgment creditor. The Court will not start the process to collect money owed to a judgment creditor. The judgment creditor is responsible for collecting the money, if the judgment debtor fails to pay voluntarily. The judgment creditor has a number of options available to collect a judgment. One of these options is known as a garnishment, by which a money judgment may be collected from the following:

- Earnings: wages, commissions, pensions or bonuses paid or payable to the judgment debtor
- Non-earnings: money or property owed to the judgment debtor that is in possession of a third party such as rent or a bank account or the contents of a safe deposit box.

A judgment creditor who wishes to begin a garnishment must have specific and accurate financial information to proceed including a physical address for the judgment debtor and the employer or holder of assets. If garnishment proceedings are filed incorrectly, a judgment creditor may be required to pay the garnishee's costs including attorney fees. If a judgment debtor does not provide this information voluntarily, the judgment creditor may request an order from the Court requiring the judgment debtor to answer questions about the debtor's financial circumstances.

To pursue a garnishment through an Arizona court, the money or property targeted must be in Arizona. An Arizona garnishment proceeding cannot be used to collect money or property located in another state.

The procedures and forms used to collect judgments from **earnings** are different from the procedures and forms needed to collect judgments from **non-earnings**. Separate packets are available for these two types of garnishment. At the beginning of each packet you will find a Process Checklist for the Judgment Creditor. Carefully review this document to better understand your responsibilities in representing yourself in a garnishment proceeding.

- To collect a judgment from earnings, use the forms in the **Garnishment of Earnings** packet.
- To collect a judgment from non-earnings, use the forms in the **Garnishment of Non-Earnings** packet.

PROCESS CHECKLIST FOR THE JUDGMENT CREDITOR IN A GARNISHMENT OF NON-EARNINGS

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

INTRODUCTION

This packet is intended for a judgment creditor who wishes to pursue a garnishment of "non-earnings." A non-earnings garnishment targets personal property belonging to a judgment debtor but held by a third party, or money other than wages that is owed to the debtor by a third party. Some examples of non-earnings include money in a bank account, the contents of a safe deposit box, a rent payment owed but not yet paid, or an account receivable.

Property that is not earnings may be subject to garnishment, however, not all property is subject to garnishment, and certain non-earnings property is protected (see A.R.S. Title 33, Chapter 8). For example, Arizona law provides that a judgment creditor who garnishes a bank account may only take the money that is in the account on the day the Writ of Garnishment is served on the bank. If additional funds are later deposited in the account, a new garnishment must be filed to collect them. In addition, the first $300 per person per bank account is protected from garnishment. If persons other than the judgment debtor(s) is/are on the account, a hearing may be held to determine each person's share in the account (A.R.S. § 12-1595).

[ ] STEP 1: Review the forms and instructions in the packet

To garnish a bank account or other form of property other than wages, you will be working with the following forms in the packet (the number of each form appears in the bottom left corner of each page): FORMS 1 through 16.

[ ] STEP 2: Apply to the court for a writ of garnishment and serve the required forms on the garnishee

To begin your garnishment action, complete and file an Application for Writ of Garnishment (FORM 1). There is a fee for filing this form. If you cannot pay the fee, it may be deferred if you qualify. The Clerk has a form you can complete to request deferral.

Fill out and file with the Court the Application for Writ of Garnishment (Non-Earnings) (FORM 1), and the Writ of Garnishment and Summons (Non-Earnings) (FORM 2). If you are filing your application in a Superior Court, the Clerk of the Court will sign the writ and summons. If you are filing your application in a Municipal or Justice of the Peace Court, the Judge or Justice of the Peace or Clerk will sign the Writ and Summons form you have filed. After the Judge or Clerk has signed FORM 2 and it has been returned to you, you must serve the documents listed below on the garnishee. The number of copies to be served is indicated for each form. You must fill out the caption – and only the caption – on FORMS 4, 7, 8, and 9 before serving them on the garnishee.

[ ] Writ of Garnishment and Summons (Non-Earnings) (FORM 2) – 2 copies

[ ] Instructions to Garnishee (Non-Earnings) (FORM 3) – 1 copy

[ ] Garnishee's Answer (Non-Earnings) (FORM 4) – 4 copies

[ ] Notice to Judgment Debtor of Garnishment (Non-Earnings) (FORM 7) – 2 copies

[ ] Request for Hearing (FORM 8) – 2 copies

[ ] Notice of Hearing on Garnishment (Non-Earnings) (FORM 9) – 2 copies

[ ] The judgment awarding you money against the judgment debtor – 1 copy

You will pay a fee for service of these documents. A private process server, a constable from the Court or a deputy sheriff can serve them for you. You may be able to recover the amount of money you pay to serve these forms at the end of the proceeding. If you cannot afford to pay the service fee, you may qualify for deferral of the payment. Private process servers do not accept deferrals. The Clerk has a form you can complete to request deferral of service fees.

For specific information on how to serve these documents on a financial institution, refer to A.R.S. §12-1577. Arizona statutes may be read online at: http://www.azleg.state.az.us/ars/12/01577.htm, and at your local law library.

[ ] STEP 3: Wait for garnishee's Answer

By law, the garnishee is to complete and file a Garnishee's Answer with the Court within 10 business days, beginning with the first business day after service on the garnishee. Do not take any further steps in this process until this time period has been completed or until you receive a copy of the Garnishee's Answer, if that occurs sooner. If the time period has expired and you still have not received a copy of the Answer from the garnishee, contact the Court to see if an Answer has been filed.

[ ] STEP 4A [IF APPLICABLE]: If the garnishee does not file an Answer

Complete and file a Petition for Order to Show Cause Regarding Garnishee's Default and Order to Show Cause (FORMS 10 and 11). This is a request to the Court to order the garnishee to appear and answer. The Court may then order the garnishee to appear for a hearing and explain why no Answer was filed. If a hearing date is set, you must serve the Petition and the signed Order to Show Cause on the garnishee using one of the service methods listed in STEP 2 (service by process server, constable, or deputy sheriff). You must also deliver a copy of the Petition and signed Order to Show Cause to the judgment debtor by mail or hand delivery. At the hearing, the Judge may order the garnishee to pay the judgment creditor up to the total amount owed by the judgment debtor.

[ ] STEP 4B [IF APPLICABLE]: If the garnishee claims to hold no property of the judgment debtor

The garnishee who holds no property of the judgment debtor can ask the Court to make the judgment creditor pay for the garnishee's reasonable expenses related to responding to a Writ of Garnishment. For this reason, before beginning a garnishment, the judgment creditor should take precautions to ensure the person or organization named as the garnishee does in fact possess property of the judgment debtor.

[ ] STEP 4C [IF APPLICABLE]: If the garnishee claims to hold property of the judgment debtor

Wait 10 more business days to see whether the debtor files a Request for Hearing on Garnishment (FORM 8). If the judgment debtor does not request a hearing within 10 business days of the filing of the Garnishee's Answer, complete and file an Application for Garnishment Judgment (Non-Earnings) (FORM 5). Also file a Garnishment Judgment (Non-Earnings) (FORM 6) for the Judge to sign.

Mail or personally deliver copies of these forms to the garnishee and to the judgment debtor before you file them with the Court. Once the Judge signs the Garnishment Judgment (Non-Earnings) (FORM 6), the Court will send a copy of the signed version of this form to all parties.

If the garnishee does not receive a copy of the signed Garnishment Judgment within 90 days of filing an Answer, you will have to begin again from the beginning, except under limited circumstances, see A.R.S. § 12-1587. The writ expires 90 days after the Answer is filed with the Court in a non-earnings garnishment. Check with the Court periodically if you do not receive a signed Garnishment Judgment within 3-6 weeks after filing your Application for Garnishment Judgment (FORM 5).

[ ] STEP 5A [IF APPLICABLE]: If a request for hearing is filed to object to the garnishment

If the judgment debtor objects to the garnishment and files a Request for Hearing (Non-Earnings) (Form 8), the Court should set a hearing date within 5 days after the request is filed. The Judge may not sign the Garnishment Judgment (FORM 6) until the hearing has been held. Some of the more common objections include: lack of notice, lack of jurisdiction, invalid or satisfied judgment, exempt money is being garnished ($300 in bank account, welfare, worker's compensation, child support or other potentially exempt monies), or exempt property is being garnished. There may be other reasons as well. Additional information concerning exemptions can be found at A.R.S. §§ 33-1101–1130. It is important for the judgment creditor to attend this hearing.

[ ] STEP 5B [IF APPLICABLE]: WHAT TO DO IF YOU DO NOT AGREE WITH CLAIMS MADE IN THE GARNISHEE'S ANSWER OR DO NOT RECEIVE ANY NON-EARNINGS PROPERTY FROM THE GARNISHEE

A judgment creditor who does not agree with the Garnishee's Answer, or does not receive any property from the garnishee to which the judgment creditor is entitled can file a Request for Hearing (FORM 14) and the Court will hold a hearing on the request.

If you desire to release the garnishee and/or judgment debtor from the garnishment:

1. The Petition and Order Discharging Garnishee (FORMS 12 & 13) can be used to release the garnishee who turns over property in response to the Writ of Garnishment or in other appropriate circumstances. Once it is filed, mail a copy to the garnishee, the judgment debtor and any other creditor who has asked to be notified. This can be done even if the garnishee's payment does not completely satisfy the judgment debtor's debt.

2. A Satisfaction of Judgment (FORM 16) can be filed with the Court to establish that the judgment has been fully paid off or otherwise satisfied. Mail a copy to the judgment debtor.

Frequently Asked Questions

1. **Can I get back money I paid the constable or process server for service on the garnishee?**
   Yes. There is a place on the Application for Garnishment Judgment to record this amount. The fee is paid to the constable or process server. This cost is added to the total amount included in the garnishment. As judgment creditor, you are responsible for arranging for service of process.

2. **If the garnishee has money or property belonging to judgment debtor, will I collect all the money owed to me?**
   Maybe. There are certain kinds of money or property that may be exempt from collection. Additional information concerning exemptions can be found at A.R.S. §§ 33-1101–1130.

3. What are "earnings?"

The term "earnings" means compensation owed to an individual for personal services or work performed by that individual for another. This compensation may be called wages, salary, commissions, bonuses, or something similar. "Earnings" include periodic payments made pursuant to a pension or retirement program. "Earnings" become monies upon their payment by the employer to the employee, except payment into a pension or retirement fund. Money in a pension or retirement fund is no longer classified as "earnings" once it is disbursed to the employee.

- ✓ These forms are guides only and are not intended to be legal advice.
- ✓ These forms are not tailored for every fact situation.
- ✓ While not mandatory, parties should have all documents reviewed by an attorney who specializes in post - judgment proceedings.

Jump to a Form…

Go To Form 1

Go To Form 2

Go To Form 3

Go To Form 4

Go To Form 5

Go To Form 6

Go To Form 7

Go To Form 8

Go To Form 9

Go To Form 10

Go To Form 11

Go To Form 12

Go To Form 13

Go To Form 14

Go To Form 15

Go To Form 16

Reset

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone: _____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT__ --Choose One--** **_, COUNTY OF** **Mohave**

(3) ☐ **MUNICIPAL COURT_ --Choose One--** **_, COUNTY OF** **Mohave**

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

APPLICATION FOR WRIT OF GARNISHMENT (NON-EARNINGS) (A.R.S. §§ 12-1572 through -1597)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

1. I am the judgment creditor. I was awarded a money judgment or order against the judgment debtor.

2. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs, is **(9)** $ _____. Interest accrues at the rate of **(10)** _____% per **(11)**_____. The cost of serving the Writ of Garnishment will be as shown on the Affidavit of Service and may be added to the Judgment along with allowable costs.

Case No **(8)**_____

3. I believe the statements checked below are true:

(12) (Check all that apply)

☐ Garnishee owes judgment debtor money which was not earned by judgment debtor for personal services.

☐ Garnishee is holding money for judgment debtor which is not exempt from collection.

☐ Garnishee has personal property which belongs to judgment debtor and is not exempt from collection.

☐ Garnishee is a corporation and judgment debtor owns shares or other interest in the corporation.

4. I have provided garnishee's name and address in the caption above.

5. I have attached a completed Writ of Garnishment and Summons form and ask that the Writ be issued.

(13)_____ _____

Date Signature of Judgment Creditor or Authorized Agent

INSTRUCTIONS
FORM 1
APPLICATION FOR WRIT OF GARNISHMENT
(NON-EARNINGS)

WARNING !

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USE FORM 1 IF:

- You are the judgment creditor or you represent the judgment creditor.
- You are seeking to collect a money judgment from a third party who holds personal property or money, other than wages, belonging to the judgment debtor.

TO COMPLETE FORM 1 YOU WILL NEED:

- Information from the judgment or order which awarded you the money you want to collect in this action.
- Name, address and phone numbers for the petitioner/plaintiff, respondent/defendant and garnishee.
- The amount of the judgment currently owed in this case by the judgment debtor, including interest. If an interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.
- The name of the Court in which you are filing this application.

HOW TO COMPLETE FORM 1:
TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Application for Writ of Garnishment (Non-Earnings).

(1) Type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you are representing a judgment creditor and you are not an attorney, and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Application for Writ of Garnishment (Non-Earnings).

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Application and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing the Application and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the name, mailing address and, if known, phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

(6) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

(7) Type or print the name, mailing address, phone number and attorney (if known) of the person or company (garnishee) that owes or will owe earnings to the judgment debtor within the next 60 days that you are seeking to collect in this lawsuit.

(8) Type or print the case number assigned to the judgment or order.

(9) Type or print the dollar amount of the money judgment, including interest and costs, minus any amounts you have already collected.

(10) Type or print the interest rate being applied to the outstanding debt. If the interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.

(11) Type or print the time frame by which your interest rate is calculated, i.e., daily, weekly, monthly, annually.

(12) Check all boxes that apply.

(13) Date and sign the Application where indicated.

WHEN YOU HAVE COMPLETED THE APPLICATION:

- ✓ Complete the Writ of Garnishment and Summons (Non-Earnings) (FORM 2).
- ✓ Follow the steps on the Process Checklist.

(1) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(2) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(7) Case No.:_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

WRIT OF GARNISHMENT AND SUMMONS (NON-EARNINGS) (A.R.S. §§12-1571 through -1574)

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

TO THE SHERIFF, CONSTABLE OR OTHER AUTHORIZED PROCESS SERVER IN **(8)** _____ _____ COUNTY: You are commanded to summon garnishee named above, who is believed to be in your county, to answer the following claims:

STATEMENTS OF JUDGMENT CREDITOR

1. Judgment creditor was awarded a judgment or order against **(9)** _____, judgment debtor.

2. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs, is (**10)** $ _____. Interest accrues at the rate of **(11)** _____% per **(12)** _____. The cost of serving this Writ of Garnishment will be as shown on the Affidavit of Service and may be added to the judgment.
3. Judgment creditor believes that garnishee holds nonexempt property or money other than wages owed or belonging to judgment debtor.
4. The names and addresses of all parties are as listed in **(4)**, **(5)**, and **(6)**.

TO THE GARNISHEE (A.R.S. § 12-1579)

YOU SHALL answer all the following questions in writing, under oath, on a separate document. Your answer must be filed with the Court within 10 business days after you are served with this Writ of Garnishment.

A. Were you holding personal property or money other than wages belonging to the judgment debtor at the time this Writ was served on you?
B. How much money do you owe the judgment debtor and how much of that money did you withhold pursuant to the Writ? Did you release any of that money after you were served with the Writ, and, if so, how much did you release and why?
C. Did you possess any personal property belonging to the judgment debtor at the time the Writ was served on you? If so, please describe each item or group of items you held and describe the specific items of personal property you withheld pursuant to the Writ, if any.
D. If the garnishee is a corporation, what shares or interest does the judgment debtor own?

SUMMONS

A WRIT OF GARNISHMENT has been issued, naming you as garnishee. You are required to answer this Writ in writing, under oath, and file the answer with the Court within 10 days (excluding weekends and holidays) after service on you. If you fail to file an answer, you may be ordered to appear in person to answer this Writ, and a default judgment may be entered against you. If a default judgment is entered against you, you may be ordered to pay the full amount shown on this Writ, plus attorney fees and costs.

THIS SUMMONS IS NOT A REQUEST TO SEND ANY MONEY OR PERSONAL PROPERTY TO THE COURT.

_____ _____

Date Judicial Officer/Clerk of the Court

NOTICE TO GARNISHEE

You should have been served with a blank Garnishee's Answer form. You may complete and file this form to make your required answer.

INSTRUCTIONS
FORM 2
WRIT OF GARNISHMENT AND SUMMONS
(NON-EARNINGS)

WARNING !

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USE FORM 2 IF:

- You are the judgment creditor or you represent the judgment creditor.
- You are seeking to collect a money judgment from a third party who holds personal property or money, other than wages, belonging to the judgment debtor.

TO COMPLETE FORM 2 YOU WILL NEED:

- Information from the judgment or order which awarded you the money you want to collect in this action.
- Name, address and phone number(s) for the petitioner/plaintiff, respondent/defendant and garnishee.
- The amount of the judgment currently owed in this case by the judgment debtor, including interest. If an interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.
- The name of the Court in which you are filing this application.

HOW TO COMPLETE FORM 2:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Writ of Garnishment and Summons (Non-Earnings).

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

(1), (2) or (3) Check the appropriate box that identifies the Court in which you are filing this Writ of Garnishment and Summons (Non-Earnings).

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Writ and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing the Writ and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the name, mailing address and, if known phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

(5) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

(6) Type or print the name, mailing address and, if known, phone number(s) of the person or company (garnishee) that is holding personal property or money other than wages belonging to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the garnishee's attorney, if known.

(7) Type or print the case number assigned by the Court to this garnishment action.

(8) Type or print the name of the county in which the garnishee will be served.

(9) Type or print the name of the judgment debtor.

(10) Type or print the dollar amount of money the judgment debtor owes to you, including interest and costs, minus any amount you have already collected.

(11) Type or print the interest rate being applied to the outstanding debt. If the interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute, please consult an attorney.

(12) Type or print the time frame by which your interest rate is calculated, i.e., yearly, monthly, weekly, daily.

WHEN YOU HAVE COMPLETED THE WRIT OF GARNISHMENT AND SUMMONS (NON-EARNINGS):

- ✓ File this form with the Clerk's filing counter along with the Application for Writ of Garnishment (FORM 1). Do not sign or date the Writ.
- ✓ Follow the steps on the Process Checklist.

FORM 3
INSTRUCTIONS TO THE GARNISHEE (NON-EARNINGS)
(for the garnishee who owes money other than wages, or holds personal property belonging to the judgment debtor)

WARNING !

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If you, the garnishee, fail to meet your responsibilities in this garnishment proceeding, the Court may order you to pay the judgment creditor's attorney fees, costs and even the amount of money which the judgment debtor owes the judgment creditor. This can happen even if you do not have any of the judgment debtor's property or do not owe the judgment debtor any money.

You have been served with a Writ of Garnishment and Summons in which you are named as the "garnishee." The person or company that filed this court action (the "judgment creditor") is attempting to collect payment from an individual or organization named as the "judgment debtor." You are involved in this proceeding because the judgment creditor believes you either owe the judgment debtor money, other than wages, or are in possession of personal property owned by the judgment debtor.

The judgment creditor should have served you with the following documents:

- Writ of Garnishment and Summons (Non-Earnings)(you should have received 2 copies)
  This document identifies the parties and the reason for the garnishment.
- Instructions to the Garnishee (Non-Earnings)
  This document explains your rights and responsibilities in this court action.
- Garnishee's Answer (Non-Earnings) (4 copies)
  You will complete this document and file it with the Court.
- Notice to Judgment Debtor of Garnishment (Non-Earnings) (2 copies)
  This document explains the judgment debtor's rights and responsibilities.
- Request for Hearing (Non-Earnings) (2 copies)
  This document can be used by the judgment debtor to object to the garnishment or the Garnishee's Answer.
- Notice of Hearing on Garnishment (Non-Earnings) (2 copies)
  This document is completed by the Court to notify parties of a hearing on a judgment debtor's objection.
- One copy of the Judgment in the original lawsuit between the judgment creditor and the judgment debtor
  This document shows you how much money was awarded to the judgment creditor in the case against the judgment debtor.

STEP 1: DELIVER DOCUMENTS TO THE JUDGMENT DEBTOR

Within 3 business days of the date on which you received the paperwork listed above, deliver one copy of the following documents to the judgment debtor:

- Writ of Garnishment and Summons (Non-Earnings)
- Notice to Judgment Debtor of Garnishment (Non-Earnings)
- Request for Hearing (Non-Earnings)

- Notice of Hearing on Garnishment (Non-Earnings)
- The Judgment in the original lawsuit between the judgment creditor and the judgment debtor

These documents can be delivered personally by you, or by first class mail, or they can be served by a constable, deputy sheriff or other process server. If you use a constable, deputy sheriff or process server, you will have to pay a fee.

STEP 2: FILE YOUR ANSWER WITH THE COURT

You must file an Answer **within 10 business days** after the date on which you received the paperwork listed above, even if you do not have any property or owe any money to the judgment debtor. Fill out the Garnishee's Answer (Non-Earnings) form and file it with the Court. Send a copy to the judgment debtor and the judgment creditor (by mail or by personal delivery). Show on the Garnishee's Answer how you delivered the copies to the other parties. **This must be done within 10 business days.** Failure to file the Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor.

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any money or property.

STEP 3: HOLD ON TO WHATEVER PROPERTY OR MONEY YOU HAVE THAT BELONGS TO THE JUDGMENT DEBTOR UNTIL FURTHER NOTICE FROM THE COURT

The Writ of Garnishment and Summons tells you, the garnishee, to maintain control over any of the judgment debtor's property in your possession on the day the Writ was received.

- Some types and amounts of property are not subject to garnishment. A list of these is shown on the Request for Hearing form (FORM 8). You should review this list. An attorney can help determine how much of the debtor's property is exempt.

- Corporate garnishees should not transfer any shares or interest belonging to the judgment debtor until further court order.

STEP 4: AWAIT THE COURT'S RULING

The Court may issue a Garnishment Judgment directing the release of the debtor's funds or other property to the judgment creditor after any objections to the garnishment are considered. The judgment creditor will send you an unsigned copy of the Garnishment Judgment at the time it is filed with the Court. After the judge has signed this form, the Court will send you a signed version of the Garnishment Judgment informing you of how to proceed. Do not proceed until you have received the signed Judgment.

If you are holding money or other property of the judgment debtor and you do not receive a signed Garnishment Judgment within 90 days of the date on which the Garnishee's Answer was filed, you must then return the property to the judgment debtor (A.R.S. § 12-1587). Before returning the property, contact the Court or the judgment creditor to verify that the Court has not in fact signed a Garnishment Judgment in your case.

What to do if the judgment debtor objects to the Garnishment or the Garnishee's Answer:

The judgment debtor has 10 business days after receiving the Garnishee's Answer to file a Request for Hearing on Garnishment (Non-Earnings). The judgment debtor is responsible for sending a copy of the Request for Hearing to you. The Court will notify you of the hearing date. You may attend this hearing.

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone: _____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT _ --Choose One--** **_, COUNTY OF Mohave**

(3) ☐ **MUNICIPAL COURT_ --Choose One--** **_, COUNTY OF Mohave**

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF Mohave**

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

GARNISHEE'S ANSWER
(NON-EARNINGS)
(A.R.S. §§ 12-1578.01 & -1579)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any money or property.

1. I am the garnishee or I am authorized by the garnishee to complete and file this Answer. The word 'money' as used in this Answer does not refer to wages. Garnishee's name, address and phone are as listed in **(7).**
2. The statements checked below were true at the time the Writ was served:

   (9) (Check all boxes that apply and fill in blanks for each box checked)

   A. ☐ I was not holding personal property or money belonging to judgment debtor.

Case No. **(8)** _____

B. ☐ I owed judgment debtor **(10)** $_____. I am withholding **(11) $**_____ pursuant to the Writ.

C. ☐ I released **(12)** $_____ because **(13)** _____ _____.

D. ☐ I was in possession of the following personal property belonging to the judgment debtor: **(14)**_____ (attach list if necessary). I am holding **(15)** _____ (attach list if necessary) pursuant to the Writ.

E. ☐ Garnishee is a corporation in which the judgment debtor owns these shares or interest: **(16)** _____ (attach list if necessary).

3. The following person/organization holds personal property or money which belongs to judgment debtor: **(17)** _____

4. Garnishee requests an answer fee in the amount of **(18)** $_____, as a reasonable amount for the preparation and filing of this Answer.

(19)

Copies of the Answer, Writ of Garnishment and Summons, Notice to Judgment Debtor of Garnishment, Notice of Hearing form, Request for Hearing form and a copy of the underlying judgment were provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand Delivery

☐ Constable, Deputy Sheriff or Process Server

(20)

Copy of the Answer provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand Delivery

☐ Constable, Deputy Sheriff or Process Server

I affirm that the information on this Garnishee's Answer is true and correct.

(21) _____ _____

Date Signature of Garnishee or Authorized Agent

State of Arizona)
)ss.
County of _____)

Subscribed and sworn or affirmed before me on _____

My Commission Expires: _____ _____

Notary Public or Clerk of the Court

INSTRUCTIONS
FORM 4
GARNISHEE'S ANSWER (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 4 IF:

- You have received a Writ of Garnishment and Summons (Non-Earnings) which identifies you as the garnishee, or
- You are the authorized agent for a company or other organization that has received a Writ of Garnishment and Summons on which the company or other organization is identified as the garnishee.

TO COMPLETE FORM 4 YOU WILL NEED:

- If you are holding personal property or money other than wages belonging to the individual or organization identified as the judgment debtor, you will need a detailed description of the exact items you are holding. This information must include a means of identifying specific items such as an account number, vehicle identification number or serial number.
- Information on the Writ of Garnishment and Summons (Non-Earnings) with which you were served.

HOW TO COMPLETE FORM 4:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishee's Answer (Non-Earnings).

(1) Type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you are representing a garnishee but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Garnishee's Answer (Non-Earnings).

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name, mailing address and, phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.

(6) Type or print the respondent/defendant's name, mailing address and phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

(7) Type or print the garnishee's name, mailing address, phone number, as they appear on the Writ and attorney (if any).

(8) Type or print the case number assigned to the judgment or order.

(9) Check all boxes that apply and fill in the blanks for each box checked.

(10) If this statement applies to you, type or print the amount of money you owed the judgment debtor on the date you received the Writ of Garnishment and Summons.

(11) If this statement applies to you, type or print the amount of money that you currently owe the judgment debtor and have not yet paid.

(12) If this statement applies to you, type or print the amount of money you provided to the judgment debtor after receiving the Writ of Garnishment and Summons.

(13) Type or print your explanation of why you did not retain the money described in item (12). Attach an additional sheet with your explanation if necessary.

(14) If this statement applies to you, type or print a description of each item of personal property or group of items belonging to the judgment debtor that you had in your possession on the date you received the Writ of Garnishment.

(15) If this statement applies to you, type or print a description of each item or group of items belonging to the judgment debtor that you currently have in your possession.

(16) If this statement applies to you, type or print a description of the corporate shares or interests belonging to the judgment debtor.

(17) Type or print the name of any other person or organization of which you are aware that owes money to the judgment debtor or is in possession of personal property belonging to the judgment debtor.

(18) Type or print the amount of money you want to receive for preparation and filing of the Answer.

(19) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer, Writ of Garnishment and Notice to Judgment Debtor forms to the judgment debtor.

(20) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer to the judgment creditor.

(21) Date and sign your Answer where indicated **in the presence of a Notary Public or Clerk of the Court**.

WHEN YOU HAVE COMPLETED THE ANSWER (NON-EARNINGS):

- ✓ Follow the steps on FORM 3, Instructions to the Garnishee (Non-Earnings).

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone:_____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

APPLICATION FOR GARNISHMENT JUDGMENT (NON-EARNINGS) (A.R.S. § 12-1584)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

I am or I represent the judgment creditor in this action. I want the court to order judgment against garnishee as shown below:

(9) (Check all boxes that apply and fill in blanks for each box checked)

☐ The Answer states garnishee withheld money belonging to the judgment debtor from which my claim can be paid. The amount withheld is **(10)** $ _____. I request judgment in the amount of **(11)** $ _____.

Case No. **(8)** _____

☐ The Answer states garnishee is holding nonexempt personal property belonging to judgment debtor. I request: (check all that apply and fill in the blank for each box checked)

☐ that the following property be sold **(12)** _____,

and that I receive **(13)** $ _____ from the sale proceeds.

☐ that the following property be transferred to me: **(14)** _____

_____.

☐ The Answer states judgment debtor owns shares or other interest in garnishee corporation. I request that these shares or other interest be sold, and that I receive **(15)** $ _____ from the sale proceeds.

☐ I am entitled to **(16)** $ _____ for service of the Writ and other allowable costs as stated on the affidavit of service to be taxed against the judgment debtor.

☐ Neither an Answer nor objection was filed by the garnishee within the time required by law. A hearing was held on **(17)** _____. Therefore, I request judgment against the garnishee for the entire balance due me on the underlying judgment in the amount of **(18)** $_____.

(19)

Copy of the Application for Garnishment Judgment and the unsigned Garnishment Judgment provided to judgment debtor on:

Date:_____

By: ☐ Mail ☐ Hand delivery

(20)

Copy of the Application for Garnishment Judgment and the unsigned Garnishment Judgment provided to garnishee on:

Date:_____

By: ☐ Mail ☐ Hand delivery

(21) _____
Date

_____
Signature of Judgment Creditor or Authorized Agent

INSTRUCTIONS
FORM 5
APPLICATION FOR GARNISHMENT JUDGMENT
(NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 5 IF:

- You are the judgment creditor or you represent the judgment creditor, and
- You have received the Garnishee's Answer indicating the garnishee is holding property or money other than earnings belonging to the judgment debtor.
- The judgment debtor has not filed an Objection and Request for Hearing and Notice of Hearing within 10 days of the filing of Garnishee's Answer, or
- The garnishee has not filed an Answer or filed an objection within the time required by law and a hearing was held on garnishee's failure to answer or object.

TO COMPLETE FORM 5 YOU WILL NEED:

- Information appearing on the Garnishee's Answer (if available).
- Information appearing on the Writ of Garnishment and Summons.
- To know the amount of money you paid to serve the Writ of Garnishment and Summons.

HOW TO COMPLETE FORM 5:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Application for Garnishment Judgment (Non-Earnings).

(1) Type or print the name, mailing address and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a judgment creditor and you are not an attorney, check the box before "Other."

Please note: A party to a lawsuit may represent him/herself or be represented by an attorney. A corporation may be represented by an attorney or a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners. A power of attorney does not give the person a right to represent another party in a lawsuit.

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Application for Garnishment Judgment.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Application for Garnishment Judgment and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing the Application for Garnishment Judgment and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the name, mailing address and, if known the phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

(6) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

(7) Type or print the name, mailing address and, if known, phone number(s) of the person or company (garnishee) that is holding personal property or money other than wages belonging to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the person's attorney, if known.

(8) Type or print the case number assigned by the Court to this garnishment action.

(9) Check all the boxes that apply and fill in the blanks for each box checked.

(10) If this statement applies to you, type or print the amount stated in Garnishee's Answer as the amount of money being withheld pursuant to the Writ.

(11) Type or print the amount you are seeking to collect, if the Garnishee's Answer indicates the garnishee is holding at least this much money for the judgment debtor. If the garnishee is holding less than the amount you are seeking to collect, then type or print the amount stated in item **(10)**.

(12) If you wish to have some or all of the property sold, type or print a description of the nonexempt personal property identified as being held in the Garnishee's Answer.

(13) Type or print the amount you are seeking to collect, if the Garnishee's Answer indicates the garnishee is holding property valuable enough to cover your judgment. If the property held by the garnishee is worth less than the amount you are seeking to collect, then type or print the value of the property to be sold.

(14) If you wish to have some or all of the property transferred to you without being sold, type or print a description of the nonexempt personal property identified on the Garnishee's Answer as the property being held which you want.

(15) Type or print the amount you are seeking to collect, if the Garnishee's Answer indicates the garnishee is a corporation withholding shares of stock or other interest of the judgment debtor valuable enough to cover your judgment. If the shares or interest are not valuable enough to cover the amount owed to you, then type or print the value of the shares or interest.

(16) Type or print the amount of money you paid to serve the Writ of Garnishment and Summons on the garnishee.

(17) If this statement applies to you, type or print the date on which the order to show cause hearing was held.

(18) Type or print the total amount of the judgment you are seeking to collect from the judgment debtor.

(19) Complete the information under this box indicating the date and manner in which you will provide a copy of your Application for Garnishment Judgment and a copy of the unsigned Garnishment Judgment to the judgment debtor.

(20) Complete the information under this box indicating the date and manner in which you will provide a copy of your Application for Garnishment Judgment and a copy of the unsigned Garnishment Judgment to the garnishee.

(21) Date and sign the form where indicated.

WHEN YOU HAVE COMPLETED THIS APPPLICATION FOR GARNISHMENT JUDGMENT:

- ✓ Complete the Garnishment Judgment form.
- ✓ Follow the steps on the Process Checklist.

(1) ☐ **JUSTICE COURT --Choose One--** _, **COUNTY OF** Mohave

(2) ☐ **MUNICIPAL COURT --Choose One--** _, **COUNTY OF** Mohave

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** Mohave

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

(7) Case No.:_____

GARNISHMENT JUDGMENT (NON-EARNINGS)

This court issued a Writ of Garnishment to garnishee for **(8)** $ _____ and the following is shown from the Answer:

(9) (Check all boxes that apply and fill in the blanks for each box checked)

☐ Garnishee owes judgment debtor **(10)** $ _____.
THEREFORE, IT IS ORDERED that judgment creditor has judgment against garnishee for **(11)** $ _____ plus costs, interest and attorney's fees in the amount of **(12)** $ _____. Total: **(13)** $ _____.

Case No. **(7)** _____

☐ Garnishee has the following nonexempt property belonging to judgment debtor: **(14)** _____

_____

_____(attach list if necessary).

THEREFORE, IT IS ORDERED that this property be sold under a special writ of execution for the benefit of creditor.

☐ Judgment debtor owns this stock or interest in garnishee corporation: **(15)** _____

_____ .

THEREFORE, IT IS ORDERED that said interest be sold under a special writ of execution for the benefit of creditor.

☐ Garnishee has failed to answer and a default has been entered.

THEREFORE, IT IS ORDERED that creditor have judgment against garnishee for **(16)** $ _____ _____ and attorney fees of **(17)** $ _____ .

IT IS FURTHER ORDERED awarding Garnishee the sum of **(18)** $ _____ for reasonable compensation for answering the Writ, said sum to be paid by **(19)** _____ _____ or withheld by Garnishee from the funds subject to garnishment.

IT IS FURTHER ORDERED taxing the cost of the application for the Writ in the amount of **(20)** $ _____ and the cost of service of the Writ in the amount of **(21)** $ _____ against **(22)** _____.

☐ Garnishee is not indebted to nor in possession of property of judgment debtor.

THEREFORE, IT IS ORDERED that garnishee is discharged.

Upon filing the satisfaction of this judgment, garnishee is released from the Writ of Garnishment issued **(23)** _____.

_____ _____

Date Judicial Officer

INSTRUCTIONS
FORM 6
GARNISHMENT JUDGMENT
(NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 6 IF:

- You are the judgment creditor, or you represent the judgment creditor
- You have prepared an Application for Garnishment Judgment (Form 5) to accompany this form.

TO COMPLETE FORM 6 YOU WILL NEED:

- Information from the Writ of Garnishment and Summons.
- Information from the Garnishee's Answer.

HOW TO COMPLETE FORM 6:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishment Judgment (Non-Earnings).

*Lines 1 through 7 are known as the **caption.** You must complete this portion if not already filled in.*

(1), (2) or (3) Check the appropriate box that identifies the Court in which you are filing this Garnishment Judgment.

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Garnishment Judgment and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing the Garnishment Judgment and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the name, mailing address and, if known the phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

(5) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

(6) Type or print the name, mailing address and, if known, phone number(s) of the person or company (garnishee) that is holding personal property or money other than wages belonging to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the person's attorney, if known.

(7) Type or print the case number assigned by the Court to this garnishment action.

(8) Type or print the amount of money appearing on the Writ of Garnishment as the amount owed to you by the judgment debtor.

(9) Check all boxes that apply to your situation and fill in the blanks for each box you have checked.

(10) If you checked this box, type or print the dollar amount of the money owed by the garnishee to the judgment debtor. This amount should be stated in Garnishee's Answer.

(11), (12) & (13) If you checked this box, leave these items blank, the Court will complete them as appropriate.

(14) If you checked this box, provide a description of the personal property items or groups of items as they appear in the Garnishee's Answer. Attach a separate list if necessary.

(15) If you checked this box, provide a description of the corporate interest or shares as they appear on the Garnishee's Answer.

(16) through (22) If you checked this box, leave these lines blank, the Court will complete them as appropriate.

(23) Type or print the date the Writ of Garnishment was signed by the judicial officer or clerk.

WHEN YOU HAVE COMPLETED THIS GARNISHMENT JUDGMENT:

- ✓ File this form with the Clerk's filing counter along with your Application for Garnishment Judgment (FORM 5) and deliver a copy to the garnishee and judgment debtor.
- ✓ Follow the steps on the Process Checklist.

WARNING

If the garnishee does not receive a signed copy of the Garnishment Judgment within 90 days of filing the Garnishee's Answer, you cannot get your money or property without filing a new Application for Writ of Garnishment and Summons. If you do not receive the signed Garnishment Judgment from the Court within 10 days of filing, contact the Court.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT** __ **--Choose One--** ____, **COUNTY OF** **Mohave**
(3) ☐ **MUNICIPAL COURT** _ **--Choose One--** ____, **COUNTY OF** **Mohave**
(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

(8) Case No.: _____

NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (NON-EARNINGS)

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

NOTICE TO JUDGMENT DEBTOR OR DEFENDANT

You are hereby notified that this Court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest be

used to satisfy some of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment, support order or provisional remedy order against you that was obtained:

(9) Name of Court: _____
(10) Date of Judgment or Order) _____

A copy of the judgment or order is attached.

The law provides that monies from certain benefits or in certain amounts are free from the claims of creditors even if deposited in a bank, savings and loan association or credit union. Some examples of exempt monies appear later in this notice. The law also provides that certain personal property is exempt from the claims of creditors. Some examples of exempt property appear later in this notice.

The creditor named above says you haven't paid what you owe on the attached judgment or order. At the creditor's request, this Court issued a Writ of Garnishment (attached) to the garnishee named above. The writ says that some of your money or property now held by the garnishee will be withheld and may be turned over to the creditor to satisfy your debt.

Within ten days after being served with the Writ of Garnishment the garnishee who is holding your money or personal property is required to mail or deliver to you his answer stating what money or personal property he is withholding from you for the judgment creditor pursuant to the Writ.

You may object to the garnishment or file a claim of exemption by requesting a hearing with this Court, if you believe any of the following is true:

1. The judgment creditor does not have a valid provisional remedy order or support order or judgment against you or that the debt or judgment has been paid in full.

2. Some or all of the monies that are being withheld by the garnishee may be exempt monies. The following are examples that *may* be exempt monies:

   (a) Three hundred dollars in a bank, savings and loan association or credit union account. (Six hundred dollars for married account holders.)
   (b) (b) Temporary assistance for needy families.
   (c) Supplemental security income (SSI).
   (d) Social security benefits (SSA).
   (e) United States department of veterans affairs benefits. (VA).
   (f) Certain pension benefits and retirement funds.
   (g) Workers' compensation benefits.
   (h) Some insurance proceeds.

   Other state and federal exemptions may apply. Certain exemptions may not apply to support orders or to the collection of taxes. An attorney can assist you in determining what monies are exempt.

Some or all of the personal property being withheld by the garnishee may be exempt property. Examples of exempt personal property are:

(a) Household goods, furniture, and appliances.
(b) Up to $6,000 equity value for each owner of a car or truck. ($12,000 equity value if the owner is physically disabled).
(c) Wearing apparel, musical instruments, televisions or stereos and other personal items.
(d) Tools and equipment used in a commercial activity, trade, business, or profession.

These exemptions are limited in statute by description and dollar value. An attorney can assist you in determining what personal property is exempt. A comprehensive listing of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona: http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf

3. More than fifteen days have passed since the garnishee was served with the Writ and you have not yet received the Garnishee's Answer.

4. You otherwise disagree with the Answer of the garnishee. To request a hearing, deliver the request for hearing form enclosed, or a substantially similar form to the Court Clerk's office. At the same time, you must mail or deliver a copy (photocopy or handwritten copy) of the request for hearing to the judgment creditor and the garnishee at the address stated in the Writ. If you do not deliver the request for hearing form to this Court within ten days after the date you receive the Answer of garnishee, your request for hearing will be denied, unless a good reason for the delay, acceptable to the Court, is shown.

If you request a hearing it will be held no later than five days, not including weekends and holidays, after your request is received by the Court. If appropriate, you may request a hearing before the garnishee files his Answer.

The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

WARNING: If you want a hearing, the Court must receive the hearing request form within ten (10) days after you get Garnishee's Answer. If you don't get the request in on time, you won't get a hearing unless there is a very good reason why you're late.

INSTRUCTIONS
FORM 7
NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 7 IF:

- You are a judgment creditor or you represent a judgment creditor
- You are seeking to collect a money judgment from a third party who holds personal property or money, other than wages, belonging to the judgment debtor.
- You have obtained a Writ of Garnishment and Summons from the Court.

TO COMPLETE FORM 7 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings) which you obtained from the Court.
- Information on the judgment or order you are seeking to collect.

HOW TO COMPLETE FORM 7:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Notice to Judgment Debtor of Garnishment (Non-Earnings).

(1) Type or print the name, mailing address, telephone number(s) and email address of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you represent a judgment creditor but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you filed the garnishment.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you filed the garnishment and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you filed the garnishment and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the name, mailing address and, if known the phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.

(6) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

(7) Type or print the name, mailing address and, if known, phone number(s) of the person or company (garnishee) that is holding personal property or money other than wages belonging to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the person's attorney, if known.

(8) Type or print the case number assigned by the Court to this garnishment action.

(9) Type or print the name of the Court that issued the judgment or order you are seeking to collect.

(10) Type or print the date the judge signed the judgment or order you are seeking to collect.

WHEN YOU HAVE COMPLETED THE NOTICE TO JUDGMENT DEBTOR (NON-EARNINGS):

Once you have received the Writ of Garnishment and Summons from the Court, you must promptly deliver *to the garnishee* the following forms and/or documents, some of which are to be filled out by you:

- Two copies of this Notice to Judgment Debtor
- Two copies of the Writ of Garnishment and Summons signed by the Court
- One copy of the Instructions to Garnishee provided for by A.R.S. §12-1596.
- Four copies of a Garnishee's Answer (FORM 4) (to be filled out by the garnishee)
- Two copies of a Request for Hearing on Garnishment (Non-Earnings) (FORM 8)
- Two copies of a Notice of Hearing on Garnishment (Non-Earnings) (FORM 9) (to be filled out by the judgment debtor)
- One copy of the original judgment or order you are seeking to collect.

Follow the other steps on the Process Checklist.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2)☐ JUSTICE COURT --Choose One--, **COUNTY OF** Mohave
(3)☐ MUNICIPAL COURT --Choose One--, **COUNTY OF** Mohave
(4)☐ ARIZONA SUPERIOR COURT, COUNTY OF Mohave

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

(8) Case No.: _____

REQUEST FOR HEARING ON GARNISHMENT (NON-EARNINGS)

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

Case No. **(8)** _____

I am the judgment debtor or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) (Check all that apply)

☐ Creditor doesn't have a valid judgment against me because **(A)** _____

_____

☐ The judgment has been paid.
☐ Exempt money is being garnished:
- ☐ $300 ($600/married) in a bank, savings and loan or credit union.
- ☐ Temporary assistance for needy families, social security, supplemental security income or United States department of veterans affairs benefits.
- ☐ Other pension or retirement benefits.
- ☐ Workers' compensation or other insurance benefits.
- ☐ **(B)** Other: _____

☐ Exempt personal property is being garnished:
- ☐ Household goods, furnishings or appliances.
- ☐ Motor vehicle equity worth up to $6,000 ($12,000, if owner is physically disabled).
- ☐ Personal items.
- ☐ Tools and equipment of a trade.
- ☐ **(C)** Other: _____

☐ Garnishee's Answer is not correct because **(D)** _____

_____

☐ No answer was received within 15 days.
☐ **(E)** Other: _____

(10)	**(11)**	**(12)**
Copy provided to judgment creditor on: Date: _____ By: ☐ Mail ☐ Hand delivery	Copy provided to garnishee on: Date: _____ By: ☐ Mail ☐ Hand delivery	Copy provided to judicial officer on: Date: _____ By: ☐ Mail ☐ Hand delivery

The Court can call me at **(13)** _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14)_____ _____

Date Judgment Debtor or Authorized Agent

WARNING: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after your receipt of the Garnishee's Answer unless good reason for the delay is shown.

INSTRUCTIONS
FORM 8
REQUEST FOR HEARING ON GARNISHMENT (NON-EARNINGS)

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 8 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to request a hearing for one of the reasons listed on FORM 8.

TO COMPLETE FORM 8 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).
- Information on the Garnishee's Answer.

HOW TO COMPLETE FORM 8:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishment (Non-Earnings).

(1) Type or print the name, mailing address, telephone number(s), and email address of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you represent a judgment debtor but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.

(7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(8) Type or print the case number appearing on the Writ.

(9) Check all boxes that apply and fill in the blanks for each box checked.

(A) If you checked this box, type or print the reason you believe that the judgment creditor does not have a valid judgment against you.

(B) If you checked this box, type or print the reason you believe exempt money is being garnished.

(C) If you checked this box, type or print the reason you believe exempt personal property is being garnished.

(D) If you checked this box, type or print the reason you believe Garnishee's Answer is incorrect.

(E) If you checked this box, type or print the reason you want a hearing.

(10) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judgment creditor.

(11) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.

(12) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judicial officer assigned to your case.

(13) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.

(14) Date and sign the Request for Hearing form.

WHEN YOU HAVE COMPLETED THE REQUEST FOR HEARING:

- ✓ File this form with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Non-Earnings) (FORM 9).
- ✓ At the same time, you must mail or deliver a copy of the Request for Hearing (FORM 8) to the judgment creditor and the garnishee.

(1) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(2) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(7) Case No.:_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

NOTICE OF HEARING ON GARNISHMENT (NON-EARNINGS)

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

A Request for hearing has been filed. This matter is set for a hearing before _____ (Judicial Officer) at the following date, time and place:

Date: _____

Time: _____

Place: _____

_____

Case No **(7)**_____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

_____ _____

Date Judicial Officer

INSTRUCTIONS
FORM 9
NOTICE OF HEARING ON GARNISHMENT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 9 IF:

- You are a judgment debtor or represent the judgment debtor and you have prepared a Request for Hearing (FORM 8).

TO COMPLETE FORM 9 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).

HOW TO COMPLETE FORM 9:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Notice of Hearing on Garnishment (Non-Earnings).

*Lines 1 through 7 are known as the **caption.** You must complete this portion if not already filled in.*

(1), (2) & (3) Check the appropriate box that identifies the Court in which you are filing your Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing your Request for Hearing and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing your Request for Hearing and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.

(5) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

(6) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(7) Type or print the case number appearing on the Writ.

LEAVE THE REST OF THE FORM BLANK. THE JUDICIAL OFFICER OR CLERK OF THE COURT WILL SET THE HEARING AND COMPLETE THE REMAINING ITEMS. WHEN YOU HAVE COMPLETED THE NOTICE OF HEARING:

- ✓ File this form with the Clerk's filing counter along with your Request for Hearing on Garnishment (Non-Earnings) (FORM 8).
- ✓ The Court will notify the parties of the hearing date.

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone:_____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COUR --Choose One--** ___, **COUNTY OF** ___**Mohave**_____

(3) ☐ **MUNICIPAL COU --Choose One--** ___, **COUNTY OF** ___**Mohave**_____

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** _**Mohave**_____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

I am the judgment creditor or authorized agent of the judgment creditor in this action. I want the Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of the judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees. The Petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on **(9)** _____.

2. Garnishee was served on **(10)** _____, and Garnishee's Answer was due on **(11)** _____.

Case No. **(8)** _____

3. Garnishee's Answer has not been filed with the Court or received by the judgment creditor.

4. Judgment debtor owes judgment creditor **(12)**$_____.

(13)_____ _____

Date Signature of Judgment Creditor or Authorized Agent

INSTRUCTIONS
FORM 10
PETITION FOR ORDER TO SHOW CAUSE (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 10 IF:

- You are the judgment creditor or you represent the judgment creditor.
- The garnishee has failed to file a Garnishee's Answer with the Court within 10 business days after receiving the Writ of Garnishment and Summons.

TO COMPLETE FORM 10 YOU WILL NEED:

- Information from the judgment or order that awarded you the money you want to collect in this action.
- Information from the affidavit of service by the sheriff, constable or private process server you paid to serve the Writ of Garnishment and Summons on the garnishee.

HOW TO COMPLETE FORM 10:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Petition for Order to Show Cause Regarding Garnishee's Default.

(1) Type or print the name, mailing address and phone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a judgment creditor but you are not an attorney and you are permitted by law to do so, check the box before "Other."

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Petition, which will be the same Court in which the other documents for this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Petition and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing this Petition and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.

(7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(8) Type or print the case number assigned to this garnishment.

(9) Type or print the date on which the Writ of Garnishment was signed by the Court.

(10) Type or print the date garnishee was served with the Writ.

(11) Type or print the date the Garnishee's Answer was due to be filed in Court (10 days after garnishee was served).

(12) Type or print the amount of money you are owed by the judgment debtor.

(13) Date and sign your name where indicated.

WHEN YOU HAVE COMPLETED THIS PETITION FOR ORDER TO SHOW CAUSE (NON-EARNINGS):

- ✓ File this form with the Clerk's filing counter along with an Order to Show Cause Regarding Garnishee's Default (FORM 11).
- ✓ Follow the steps on the Process Check List.

(1) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(2) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(7) Case No.:_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

This matter is set for a hearing before _____ (Judicial Officer). Garnishee is ordered to appear at the following date, time and place to show cause why judgment should not be entered as shown in the Petition for Order to Show Cause or to file an Answer with the Court. The garnishee must serve a copy of the filed Answer on the judgment creditor no later than 5 business days before the hearing date set by this Order. If an Answer is filed, check with the Court to confirm the hearing date.

Date: _____

Time: _____

Place: _____

_____

Case No. **(7)** _____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

_____ _____

Date Judicial Officer

INSTRUCTIONS
FORM 11
ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 11 IF:

- You are the judgment creditor or you represent the judgment creditor.
- You wish to object to the garnishee's failure to file an Answer in this proceeding.

TO COMPLETE FORM 11 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).

HOW TO COMPLETE FORM 11:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Order to Show Cause Regarding Garnishee's Default (Non-Earnings).

*Lines 1 through 7 are known as the **caption.** You must complete this portion if not already filled in.*

(1), (2) & (3) Check the appropriate box that identifies the Court in which you are filing your Petition for Order to Show Cause, which will be the same Court in which the other documents for this garnishment have previously been filed.

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing your Petition for Order to Show Cause and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing your Petition for Order to Show Cause and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(5) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(6) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(7) Type or print the case number appearing on the Writ.

LEAVE THE REST OF THE FORM BLANK. THE JUDICIAL OFFICER OR CLERK OF COURT WILL SET THE HEARING DATE AND COMPLETE THE REMAINING ITEMS.

WHEN YOU HAVE COMPLETED THE ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT:

- ✓ File this form with the Clerk's filing counter along with a copy of the Petition for Order to Show Cause Regarding Garnishee's Default (Non-Earnings) (FORM 10).
- ✓ You must promptly serve both the Petition and the signed Order to Show Cause on the garnishee by process server, constable or deputy sheriff.
- ✓ You should also deliver copies of these documents to the judgment debtor by first class mail or personal delivery.

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone:_____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT** _ **--Choose One--** , **COUNTY OF** _**Mohave**_____

(3) ☐ **MUNICIPAL COURT** . **--Choose One--** , **COUNTY OF** _**Mohave**_____

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** _**Mohave**_____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

PETITION FOR ORDER DISCHARGING GARNISHEE (NON-EARNINGS)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

I am the judgment creditor or authorized agent of the judgment creditor in this action. I request that the garnishee be discharged.

(9)

Copy provided to judgment debtor on:
Date:_____

By: ☐ Mail ☐ Hand delivery

(10)

Copy provided to garnishee on:

Date:_____

By: ☐ Mail ☐ Hand delivery

(11)_____ _____
Date Judgment Creditor or Authorized Agent

INSTRUCTIONS
FORM 12
PETITION FOR ORDER DISCHARGING GARNISHEE

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 12 IF:

- You are the judgment creditor or you represent the judgment creditor.
- You want to terminate your garnishment action against a particular garnishee.

TO COMPLETE FORM 12 YOU WILL NEED:

- Information from the Writ of Garnishment and Summons.

HOW TO COMPLETE FORM 12:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Petition for Order Discharging Garnishee.

(1) Type or print the name, mailing address and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a judgment creditor but you are not an attorney and you are permitted by law to do so, check the box before "Other."

*Lines 2 through 8 are known as the **caption.** You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Petition for Order Discharging Garnishee, which will be the same Court in which the other documents in this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Petition for Order Discharging Garnishee and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing the Petition for Order Discharging Garnishee and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor, as shown on the Writ.

(7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(8) Type or print the case number appearing on the Writ.

(9) Complete the information in this box indicating the date and manner in which you will provide a copy of your Petition to the judgment debtor.

(10) Complete the information in this box indicating the date and manner in which you will provide a copy of your Petition to the garnishee.

(11) Date and sign the Petition for Order Discharging Garnishee where indicated.

WHEN YOU HAVE COMPLETED THE PETITION:

- ✓ File this form with the Clerk's filing counter along with the Order Discharging Garnishee (FORM 13).
- ✓ Follow the steps on the Process Checklist.

(1) ☐ **JUSTICE COURT** _ **--Choose One--** _, **COUNTY OF** **Mohave**

(2) ☐ **MUNICIPAL COURT** **--Choose One--** _, **COUNTY OF** **Mohave**

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(7) Case No.:_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

ORDER DISCHARGING GARNISHEE (NON-EARNINGS)

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

Based on the statements appearing in the Petition for Order Discharging Garnishee, it is ordered that garnishee is discharged.

_____ _____

Date Judicial Officer

INSTRUCTIONS
FORM 13
ORDER DISCHARGING GARNISHEE
(NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 13 IF:
- You are the judgment creditor or you represent the judgment creditor.
- You want to terminate your garnishment against a particular garnishee.

TO COMPLETE FORM 13 YOU WILL NEED:
- Information on the Writ of Garnishment and Summons (Non-Earnings).

HOW TO COMPLETE FORM 13:
TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Order Discharging Garnishee.

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

(1), (2) & (3) Check the appropriate box that identifies the Court in which you are filing your Order Discharging Garnishee, which will be the same Court in which the other documents for this garnishment have previously been filed.

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Order Discharging Garnishee and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing this Order Discharging Garnishee and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.

(5) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

(6) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(7) Type or print the case number appearing on the Writ.

LEAVE THE REST OF THE FORM BLANK. THE JUDICIAL OFFICER WILL COMPLETE THE REMAINING ITEMS.

WHEN YOU HAVE COMPLETED THE ORDER DISCHARGING GARNISHEE:

- ✓ File this form with the Clerk's filing counter along with a copy of the Petition for Order Discharging Garnishee (FORM 12).

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone:_____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

REQUEST FOR HEARING
(NON-EARNINGS)

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

1. I am the:

   (9) (Check one)

   ☐ Judgment creditor or authorized representative

   ☐ Judgment debtor or authorized representative

   ☐ Garnishee or authorized representative

Case No. **(8)**_____

2. My request for hearing is based on the following:

(10) (Check all that apply)

☐ The Writ of Garnishment is incorrect because **(11)** _____

_____.

☐ The Answer is incorrect because **(12)** _____

_____.

☐ Garnishee has not turned over money or property.

☐ **(13)** Other reason(s) why I am requesting a hearing: _____

_____

_____.

(14)

Copy provided to judgment debtor on:

Date:_____

By: ☐ Mail ☐ Hand delivery

☐ Constable, Deputy Sheriff or Process Server

(15)

Copy provided to garnishee on:

Date:_____

By: ☐ Mail ☐ Hand delivery

☐ Constable, Deputy Sheriff or Process Server

(16)

Copy provided to judgment creditor on:

Date:_____

By: ☐ Mail ☐ Hand delivery

☐ Constable, Deputy Sheriff or Process Server

The Court can call me at **(17)** _____ between 8 a.m. and 5 p.m. regarding the hearing, if necessary. (phone)

(18)_____ _____

Date Signature

INSTRUCTIONS
FORM 14
REQUEST FOR HEARING (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 14 IF:

- You are a party to a garnishment proceeding or you represent a party.
- You wish to request a hearing for one of the reasons listed on FORM 14.

TO COMPLETE FORM 14 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).

HOW TO COMPLETE FORM 14:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing (Non-Earnings).

(1) Type or print the name, mailing address and phone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a party to this action but you are not an attorney and you are permitted by law to do so, check the box before "Other."

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.

(6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

(7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(8) Type or print the case number appearing on the Writ.

(9) Check the box that applies to you.

(10) Check the box(es) that describes the basis for your objection(s).

(11) If you checked this box, type or print your reason for believing the Writ of Garnishment is incorrect.

(12) If you checked this box, type or print your reason for believing the Answer is incorrect.

(13) If you checked this box, type or print your other reason for requesting a hearing.

(14) Do not complete this box if you are the judgment debtor. If you are the judgment creditor or garnishee, complete the information in this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judgment debtor.

(15) Do not complete this box if you are the garnishee. If you are the judgment creditor or judgment debtor, complete the information in this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.

(16) Do not complete this box if you are the judgment creditor. If you are the judgment debtor or garnishee, complete the information in this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judgment creditor.

(17) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.

(18) Date and sign the form where indicated.

WHEN YOU HAVE COMPLETED THE REQUEST FOR HEARING (NON-EARNINGS:

- ✓ File this form with the Clerk's filing counter along with a copy of the Notice of Hearing (FORM 15).
- ✓ At the same time, you must mail or deliver a copy of the Request for Hearing form to the other parties.

(1) ☐ **JUSTICE COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(2) ☐ **MUNICIPAL COURT** **--Choose One--** **, COUNTY OF** **Mohave**

(3) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(7) Case No.:_____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

NOTICE OF HEARING ON GARNISHMENT (NON-EARNINGS)

(6) Garnishee
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

A Request for Hearing has been filed. This matter is set for a hearing before _____ (Judicial Officer) at the following date, time and place:

Date: _____

Time: _____

Place: _____

_____

Case No. **(7)**_____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

_____ _____

Date Judicial Officer

INSTRUCTIONS
FORM 15
NOTICE OF HEARING ON GARNISHMENT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 15 IF:

- You are a party to a garnishment proceeding or you represent a party and you have prepared a Request for Hearing (Non-Earnings) (FORM 14).

TO COMPLETE FORM 15 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).

HOW TO COMPLETE FORM 15:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Notice of Hearing on Garnishment (Non-Earnings).

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

(1), (2) & (3) Check the appropriate box that identifies the Court in which you are filing this form, which will be the same Court in which the other documents for this garnishment have previously been filed.

(1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this form and the name of the county in which the Court is located.

(2) If you checked this box, type or print the name of the city or town in which you are filing this form and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the county in which the Court is located.

(4) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.

(5) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

(6) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).

(7) Type or print the case number appearing on the Writ.

LEAVE THE REST OF THE FORM BLANK. THE JUDICIAL OFFICER OR CLERK OF THE COURT WILL SET THE HEARING AND COMPLETE THE REMAINING ITEMS.

WHEN YOU HAVE COMPLETED THE NOTICE OF HEARING:

- ✓ File this form with the Clerk's filing counter along with the Request for Hearing (Non-Earnings) (FORM 14).

(1) Person Filing:_____

Mailing Address:_____

City, State, Zip Code:_____

Daytime Phone: _____ Alternate Phone:_____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable):_____

(2) ☐ **JUSTICE COURT** _ **--Choose One--** , **COUNTY OF** **Mohave**

(3) ☐ **MUNICIPAL COURT**_ **--Choose One--** , **COUNTY OF** **Mohave**

(4) ☐ **ARIZONA SUPERIOR COURT, COUNTY OF** **Mohave**

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

(8) Case No.:_____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address:_____

City, State, Zip Code: _____

Phone(s): _____

SATISFACTION OF JUDGMENT

(7) Garnishee:
Name:_____

Address:_____

City, State, Zip Code:_____

Phone(s):_____

Attorney:_____

I am the judgment creditor or authorized agent of the judgment creditor in this action. The Judgment entered in this action has been satisfied.

(9)_____ _____

Date Judgment Creditor or Authorized Agent

(10)

Copy provided to judgment debtor on:
Date:_____

By: ☐ Mail ☐ Hand delivery

(11)

Copy provided to garnishee on:

Date:_____

By: ☐ Mail ☐ Hand delivery

INSTRUCTIONS
FORM 16
SATISFACTION OF JUDGMENT

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 16 IF:

- You are the judgment creditor or you represent the judgment creditor, and the judgment you sought to collect through garnishment has been paid in full or otherwise satisfied.

TO COMPLETE FORM 16 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons.

HOW TO COMPLETE FORM 16:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Satisfaction of Judgment.

(1) Type or print the name, mailing address and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a party to this action but you are not an attorney and you are permitted by law to do so, check the box before "Other."

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Satisfaction of Judgment, which will be the same Court in which the other documents for this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Satisfaction of Judgment and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing this Satisfaction of Judgment and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

(5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

(6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.

(7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s) and attorney (if known).

(8) Type or print the case number appearing on the Writ.

(9) Date and sign your name where indicated.

(10) Complete the information in this box indicating the date and manner in which you will provide a copy of this form to the judgment debtor.

(11) Complete the information in this box indicating the date and manner in which you will provide a copy of this form to the garnishee.

WHEN YOU HAVE COMPLETED THE SATISFACTION OF JUDGMENT:

✓ Follow the steps on the Process Checklist.