



DISTRICT COURT OF MARYLAND FOR

City/County

Located at

Court Address

Case No.

Plaintiff/Judgment Creditor

VS.

Defendant/Judgment Debtor

Address

Address

City, State, Zip

City, State, Zip

XXX - XX -

Social Security Number

SERVE ON:

Garnishee

☐ Serve by Sheriff/Constable

☐ Send by Restricted Delivery Mail

Address

☐ Serve by Private Process

City, State, Zip

REQUEST FOR WRIT OF GARNISHMENT OF WAGES (Md. Rule 3-646)

PLEASE ISSUE A WRIT OF GARNISHMENT on the judgment in the above entitled case to be directed to the Employer named above. ☐ Judgment was by confession. A Judgment was entered in this case on Month/Day, Year.

THE AMOUNT NOW DUE on the judgment is as follows:

- \$ Original amount of judgment (excluding costs and attorney's fees)
\$ Less total credits
\$ Net
\$ Plus post-judgment interest, on \$, at %, for period from Month/Day, Year to Month/Day, Year.
\$ Plus court costs due, including this Writ.
\$ Plus additional post-judgment interest, on \$, at %, for period from Month/Day, Year to Month/Day, Year.
\$ Plus attorney's fee, if allowed by judgment.
\$ TOTAL DUE ON JUDGMENT

EMPLOYER: See reverse side for additional instructions.

Date

Signature of Plaintiff or Attorney

Telephone Number

Printed Name

Fax

E-mail

Address

WRIT OF GARNISHMENT OF WAGES (Md. Rule 3-646)

TO THE GARNISHEE/EMPLOYER:

YOU ARE HEREBY DIRECTED to withhold the attachable wages of the Defendant/Debtor for any work week or other pay period until the judgment, interest, other charges and costs as specified under the terms of the judgment are satisfied or until otherwise notified by this court.

☐ YOU ARE HEREBY DIRECTED to withhold any attachable wages and not to distribute the same, subject to the further order of this Court because the judgment is not yet final.

YOU ARE FURTHER DIRECTED to send the amount withheld to the Plaintiff/Creditor or attorney for the Plaintiff/Creditor within fifteen (15) days after the close of the last pay period of the Defendant/Debtor each month.

YOU ARE FURTHER DIRECTED, within thirty (30) days of the date this Writ is served on you, to complete the Answer that follows this Writ and to return one copy to the Court, one to the Plaintiff/Creditor and one to the Defendant/Debtor.

Date copy of Writ mailed to Debtor's last known address:

Date

Judge/Clerk

ID Number

INSTRUCTIONS TO GARNISHEE / EMPLOYER

1. Commercial Law Article §§ 15-601 to 607 of the Annotated Code of Maryland and Rule 3-646 govern wage attachment procedures.
2. By written motion, both a Defendant/Debtor and a Garnishee/Employer may assert any defense to contest the attachment.
3. If your answer denies the fact of employment, the Court shall dismiss the attachment unless the Plaintiff/Creditor files a request for a hearing within (15) days of the receipt of the answer.
4. If you do not file a timely answer, the Court may, upon motion of the Plaintiff/Creditor, issue an order directing you to show cause why you should not be held in contempt of court, and why you should not be required to pay reasonable attorney's fees and costs.
5. You must notify the employee each pay period of the amount withheld and the method used to determine the amount. This may be done by the use of pay stubs, pay slips, etc.
6. If there is more than one attachment, each one is to be satisfied in full, in the order in which they are served upon you.
7. This attachment remains a lien until the judgment is paid in full, or as long as the employee remains employed. Accruing interest may increase the amount of the judgment in the future, and it is also possible that additional costs accruing under the judgment may increase this total at a later date. It is also possible that payments made independently of this attachment may decrease the total balance due. Before ceasing to withhold any wages under this attachment, it is suggested that you communicate with the Plaintiff/Creditor or his attorney to ascertain that the judgment has been completely satisfied.
8. The attachment terminates ninety (90) days after cessation of employment, unless the Defendant/Debtor is reemployed during that ninety-day period.
9. The law provides that an employer may not discharge his/her employee because the employee's wages are subjected to attachment for any one indebtedness within a calendar year and that any employer who willfully violates this provision is guilty of a misdemeanor and on conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding one year, or both.

EXEMPTIONS FOR GARNISHMENT

THE FOLLOWING ARE EXEMPT FROM GARNISHMENT: the greater of: (a) 75 percent of the disposable wages due; OR (b) 30 times the federal minimum hourly wages under the Fair Labor Standards Act in effect at the time the wages are due; AND any medical insurance payment deducted from an employee's wages by the employer. Other federal and state exemptions may be available.

Disposable wages are the part of wages that remain after deduction of any amount required to be withheld by law.

NOTICE TO JUDGMENT DEBTOR

You have the right to contest the Garnishment of Wages by filing a motion asserting a defense or objection.

ANSWER

(TO BE FILED WITHIN 30 DAYS FROM RECEIPT OF THE WRIT OF GARNISHMENT ON WAGES.)

The answer of the Garnishee/Employer to the Writ of Garnishment served in this case, reports as follows:

- The Defendant (specify name)..... is not employed by this Employer, and the Employer requests dismissal of the garnishment.
- The Defendant (specify name)..... is employed by this Employer, and the rate or basis of pay is \$ _____ per _____ .
- The Garnishee/Employer desires to contest the attachment and asserts the following defenses on the Garnishee's own behalf as well as any defenses that the Debtor could assert:
- The following prior liens exist:

Name and Address of Court	Case Number	Plaintiff's Name and Address	Date Attached	Amount of Attachment
.....
.....
.....
.....

To the Employer: Send copies of completed Answer to Plaintiff/Creditor or their attorney Defendant/Debtor or their attorney Court

I hereby certify that I mailed a copy of this answer to the Plaintiff/Judgment Creditor or his/her attorney and a copy was mailed to the Judgment Debtor/Employee or his/her attorney on _____ Date _____ in accordance with Md. Rule 1-321.

Date	Signature of Garnishee/Employer or Attorney
Telephone Number	Printed Name
Fax	Address
E-mail	City, State, Zip