

Sample for Reference Purposes Only. Forms have bilingual format for your convenience, but must be completed and filed with the court in English. 表格样本, 仅供参考. 为了提供便利, 表格采用双语格式, 但向法院提交的表格必须用英语填写。



地区法院 — 马里兰州

City/County (市/县)

Located at (地址) _____ Court Address (法院地址) _____ Case No. _____ (案件编号)

Plaintiff/Judgment Creditor (原告/判决债权人)
 Address (地址)
 City, State, Zip (市、州、邮政编码)

VS. (诉)
 Defendant/Judgment Debtor (被告/判决债务人)
 Address (地址)
 City, State, Zip (市、州、邮政编码)

XXX - XX -
 Social Security Number (社会安全号码)

SERVE ON: (送达给:)

- Serve by Sheriff/Constable (由警长/警员送达)
- Send by Restricted Delivery Mail (通过邮寄给指定人员邮件送达)
- Serve by Private Process (通过专人送达)

Garnishee (第三方债务人)

Address (地址)

City, State, Zip (市、州、邮政编码)

REQUEST FOR WRIT OF GARNISHMENT OF WAGES
下达工资扣押令请求

(Md. Rule 3-646 (《马里兰州规则》第 3-646 条))

PLEASE ISSUE A WRIT OF GARNISHMENT on the judgment in the above entitled case to be directed to the Employer named above. 请在上述标题案件的判决中对以上所列姓名雇主下达扣押令。

Judgment was by confession. A Judgment was entered in this case on _____, _____, _____, _____
 基于供认判决。本案判决日期为: _____ Month/Day (月/日) _____ Year (年)

THE AMOUNT NOW DUE on the judgment is as follows:
 以下为目前应付判决数额:

- \$ _____ Original amount of judgment (excluding costs and attorney's fees) (最初判决数额 (不包括费用和律师费))
- \$ _____ Less total credits (减去总信用额)
- \$ _____ Net (净额)
- \$ _____ Plus post-judgment interest, on (加上判决后利息, 数额) \$ _____, at (利率) _____ %, for period from (从) _____ to (至) _____
 _____ Month/Day (月/日) _____ Year (年) _____ Month/Day (月/日) _____ Year (年)
- \$ _____ Plus court costs due, including this Writ. (加上应付诉讼费用, 包括本扣押令。)
- \$ _____ Plus additional post-judgment interest, on (加上附加判决后利息, 数额) \$ _____, at (利率) _____ %, for period from (从) _____ to (至) _____
 _____ Month/Day (月/日) _____ Year (年) _____ Month/Day (月/日) _____ Year (年)
- \$ _____ Plus attorney's fee, if allowed by judgment. (加上律师费 (如判决允许)。)
- \$ _____ **TOTAL DUE ON JUDGMENT (判决时应付总额)**

EMPLOYER: See reverse side for additional instructions. (雇主: 请查阅背面的附加说明。)

 Date (日期) _____ Signature of Plaintiff or Attorney (原告或律师签名)

 Telephone Number (电话号码) _____ Printed Name (用大写字母填写姓名)

 Fax (传真) _____ Email (电子邮件) _____ Address (地址)

WRIT OF GARNISHMENT OF WAGES
工资扣押令
(Md. Rule 3-646)
(《马里兰州规则》第 3-646 条)

TO THE GARNISHEE/EMPLOYER:
(致第三方债务人/雇主:)

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. In addition to the exemptions that follow this writ, other Federal and State exemptions may be available.

(特此指示您扣留被告/债务人任何工作周或其他付薪阶段之应扣工资，直至根据判决条款应付的判决数额、利息、其他收费和费用完全支付或直至法院另行通知。除本扣押令规定的豁免之外，亦可能存在其他联邦和州豁免条款。)

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.

(特此指示您扣留应扣工资，不得分发应扣工资，因判决尚未终结，须受本法院进一步命令制约。)

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. If you assert a defense or are notified that the Defendant has done so, you are to send the withheld wages to the Court.

(特此指示您在被告/债务人每个月最后一个付薪阶段结束后十五(15)天内将扣留的金额寄送给原告/债权人或原告/债权人的律师。如果您提出抗辩或收到被告已提出抗辩的通知，则须将扣留的工资寄送给法院。)

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. You must state whether the Defendant/Debtor is employed by you, and if so employed, state the rate of pay, and whether there are any prior liens against the wages which are or may become payable. If you do not file a timely answer, the Court, on motion of the Creditor, may order you to show cause why you should not be held in contempt and require you to pay reasonable attorney's fees and costs.

(特此指示您在本扣押令送达给您的日期后三十(30)天内填写随本扣押令送达的“答复”，并将一份“答复”副本送给法院，一份送给原告/债权人，一份送给被告/债务人。您必须说明被告/债务人是否被您聘用，如果被您聘用，请说明工资率以及对该工资是否有任何应付或可能应付的优先留置权。如果您不及时送交“答复”，法院可能按照债权人的请求命令您说明为什么您不应当被视为蔑视法庭的理由，并要求您支付合理的律师费和其他费用。)

Date copy of Writ mailed to Debtor's last known address: (扣押令副本寄至债务人最后已知地址的日期:) _____

Date (日期)

Judge/Clerk (法官/书记官)

ID Number (身份证号码)

INSTRUCTIONS TO GARNISHEE / EMPLOYER
向第三方债务人/雇主发出的指示

1. Commercial Law Article §§ 15-601 to 607 of the Annotated Code of Maryland and Rule 3-646 govern wage attachment procedures. (《马里兰州法典注释》《商法》第 15-601 至 607 款和《规则》第 3-646 条制约工资扣押程序。)
2. By written motion, both a Defendant/Debtor and a Garnishee/Employer may assert any defense to contest the attachment. (被告/债务人和第三方债务人/雇主均可通过书面动议提出质疑扣押令的任何抗辩。)
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. (如果您的答复否认聘用事实，法院将取消扣押令，除非原告/债权人在收到答复后十五(15)天内提出听证请求。)
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. (如果您未及时提交答复，法院可能应原告/债权人请求发出命令，指示您说明为什么您不应当被视为蔑视法庭的理由以及为什么不应当要求您支付合理律师费和其他费用的理由。)

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.
(您必须在每个付薪阶段将扣留的数额以及用于确定该数额的方法通知雇员。可通过工资单等方法通知雇员。)
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.
(如果有一项以上扣押令，必须按照扣押令送达给您的顺序完全履行每一项扣押令。)
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.
(本扣押令在判决数额完全支付之前或在雇员仍然受聘期间始终具有留置权。累积利息可能使今后的判决数额增加，根据判决累积的附加费用以后亦可能使本总额增加。在本扣押令之外的付款亦可能降低总欠付余额。在根据本扣押令停止扣留任何工资之前，建议您与原告/债权人或其律师联系，确认已完全执行判决。)
8. The attachment terminates ninety (90) days after cessation of employment, unless the Defendant/Debtor is reemployed during that ninety-day period.
(扣押令在聘用中止九十(90)天后终止，除非被告/债务人在该九十天阶段内重新受聘。)
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.
(法律规定，雇主不得因雇员工资在日历年度内涉及任何一项债务扣押令而解聘雇员，任何有意违反此项规定的雇主会被判轻罪，并会受到不超过 \$1,000 的罚款或不超过一年的监禁，或二者并罚。)

EXEMPTIONS FOR GARNISHMENT

第三方扣押豁免

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.

(以下各项可获得第三方扣押豁免：以下二者中较高数额：(a) 75% 应付可自由支配工资；或 (b) 根据应付工资时有效的《公平劳工标准法》确定之联邦最低小时工资的 30 倍；以及雇主从雇员工资中扣除的任何医疗保险付款。可能存在其他联邦和州豁免条款。)

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

(可自由支配工资是在扣除法律要求扣留的任何数额后的工资部分。)

NOTICE TO JUDGMENT DEBTOR

向判决债务人发出的通知

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

(您有权通过提交抗辩或异议动议，对第三方工资扣押令提出质疑。)

ANSWER
答复

(TO BE FILED WITHIN 30 DAYS FROM RECEIPT OF THE WRIT OF GARNISHMENT ON WAGES.)
(在收到第三方工资扣押令后 30 天内提交。)

The answer of the Garnishee/Employer to the Writ of Garnishment served in this case, reports as follows:
(第三方债务人/雇主对本案送达的第三方扣押令作出的答复, 报告如下:)

The Defendant (specify name) _____ is not employed by this Employer, and the Employer requests dismissal of the garnishment. (被告 (填写姓名) _____ 未被本雇主聘用, 雇主请求取消第三方扣押令。)

The Defendant (specify name) _____ is employed by this Employer, and the rate or basis of pay is: (被告 (填写姓名) _____ 被本雇主聘用, 工资率或基本工资为:) \$ _____ per (每) _____.

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: (第三方债务人/雇主希望对扣押令提出质疑, 并代表第三方债务人本身提出以下抗辩以及债务人可能提出的任何抗辩:) _____

The following prior liens exist: (存在以下优先留置权:)

Name and Address of Court (法院名称和地址)	Case Number (案件编号)	Plaintiff's Name and Address (原告姓名和地址)	Date Attached (扣押日期)	Amount of Attachment (扣押数额)
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To the Employer: (致雇主:)

Send copies of completed Answer to:
(将填妥的“答复”副本送交给:)

- Plaintiff/Creditor or their attorney (原告/债权人或其律师)
- Defendant/Debtor or their attorney (被告/债务人或其律师)
- Court (法院)

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 (我在此认证, 我将本答复的一份副本邮寄给原告/判决债权人或其律师, 并将一份副本邮寄给判决债务人/雇主或其律师, 邮寄日期为) _____ in accordance with Md. Rule 1-321. (此为按照《马里兰州规则》第 1-321 条办理。)

Date (日期)

Date (日期)

Telephone Number (电话号码)

Fax (传真)

Email (电子邮件)

Signature of Garnishee/Employer or Attorney
(第三方债务人/雇主或律师)

Printed Name (用大写字母填写姓名)

Address (地址)

City, State, Zip (市、州、邮政编码)