

☐ Mark this box if this form contains Restricted Information.



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

SERVE ON:

Garnishee/Employer

Address

City, State, Zip

- ☐ Serve by Sheriff/Constable
☐ Send by Restricted Delivery Mail
☐ Serve by Private Process

REQUEST FOR WRIT OF GARNISHMENT OF WAGES

(Md. Rule 3-646)

MDEC counties only: If this submission contains Restricted Information (confidential by statute, rule or court order) you must file a Notice Regarding Restricted Information Pursuant to Rule 20-201.1 (form MDJ-008) with this submission, and check the Restricted Information box on this form.

PLEASE ISSUE A WRIT OF GARNISHMENT on the judgment in the above entitled case to be directed to the garnishee/ 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 (including pre-judgment interest awarded, but excluding costs and attorney's fees)
\$ _____ Less credits on original amount of judgment (including pre-judgment interest, but excluding costs and attorney's fees)
\$ _____ ¹Net judgment due
\$ _____ Total post-judgment interest on \$ _____, at _____ % for a period of _____.
\$ _____ Less credits on post-judgment interest
\$ _____ ²Total post-judgment interest due
\$ _____ ³Total court costs, including this writ
\$ _____ ⁴Plus additional costs/fees awarded by the court
\$ _____ ⁵Plus attorney's fees awarded by the court
\$ _____ **TOTAL DUE ON JUDGMENT** (total of lines (1), (2), (3), (4), and (5))

EMPLOYER: See reverse side for additional instructions.

Date

Signature of Plaintiff/Judgment Creditor/Attorney

Attorney Number

Telephone Number

Printed Name

Fax

E-mail

Address

City, State, Zip

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/judgment 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.

☐ **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/judgment creditor or attorney for the plaintiff/judgment creditor within fifteen (15) days after the close of the last pay period of the defendant/judgment debtor each month. If you assert a defense or are notified that the defendant/judgment debtor has done so, you are to send the withheld wages to the court. **If the State of Maryland-Central Collection Unit is the plaintiff filing the garnishment, make checks payable to: State of Maryland Central Collection Unit.**

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/judgment creditor and one to the defendant/judgment debtor. You must state whether the defendant/judgment 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 plaintiff/judgment 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.

Date copy of writ mailed to defendant/judgment 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/judgment 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/judgment 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/judgment 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/judgment creditor or their attorney to ascertain that the judgment has been completely satisfied.
8. The attachment terminates ninety (90) days after cessation of employment, unless the defendant/judgment debtor is reemployed during that ninety-day period.
9. The law provides that an employer may not discharge their 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 (1) 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 State minimum hourly wage in effect at the time the wages are due multiplied by the number of weeks during which the wages due were earned; 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/judgment debtor (specify name) _____ is not employed by this employer, and the employer requests dismissal of the garnishment.
- ☐ The defendant/judgment debtor (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/employer's own behalf as well as any defenses that the defendant/judgment debtor could assert:

<input type="checkbox"/> The following prior liens exist:				
Name and Address of Court	Case Number	Plaintiff's Name and Address	Date Attached	Amount of Attachment
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

To the garnishee/employer: Send copies of completed answer to

- ☐ plaintiff/judgment creditor or their attorney ☐ defendant/judgment debtor or their attorney ☐ court

I certify that I mailed a copy of this answer to the plaintiff/judgment creditor or their attorney and a copy was mailed to the defendant/judgment debtor/employee or their attorney on _____ in accordance with Md. Rule 1-321.

Date

_____ Date

_____ Signature of Garnishee/Employer/Attorney

_____ Attorney Number

_____ Telephone Number

_____ Printed Name

_____ Fax

_____ E-mail

_____ Address

_____ City, State, Zip