

MAGISTRATE COURT OF ATHENS-CLARKE COUNTY
325 E. Washington Street, Room 240
P.O. BOX 1868
ATHENS, GA 30603
706-613-3310

Benjamin R. Makin, Chief Judge
Donarell R. Green, IV, Judge
Jessica I. Benjamin, Judge

Marilyn Emerson, Clerk of Court
Haley J. Fouche, Deputy Clerk
Brittney Kezer, Garnishment Clerk

PLEASE READ THESE INSTRUCTIONS BEFORE ATTEMPTING TO COMPLETE GARNISHMENT FORMS
PROCEDURES FOR FILING A CONTINUING GARNISHMENT:

Filing fee is **\$104.00**. Checks should be made payable to ACC Magistrate Court.

Our garnishment forms include an affidavit, summons, notice of defendant's right, and attachment.

On the **Affidavit of Continuing Garnishment, the Summons, a copy of the Judgment, the Attachment, the Notice of Defendant's Right & Defendant's Claim form, and Sheriff's Service**, please complete your name, address and phone number (you are the Plaintiff), the Defendant's name and last known address and the Garnishee's (Defendant's employer/bank) name and address. Leave the civil action number section to the right of the form blank. This will be used by the Clerk to assign a new case number.

On the Affidavit, please include (a) the amount of the judgment including costs in the underlying case, (b) the amount of any Fi Fa costs (only if you obtained a Fi Fa) and (c) post-judgment interest that you are claiming, and (d) record any amounts of payments made by the Defendant since the judgment was entered. The total is subject to garnishment, in addition to the \$104.00 filing fee for this case.

You are required to attach **three (3) copies of the judgment**.

Deliver or mail the completed forms and **three (3) copies of the judgment** to the Clerk with the \$104.00 filing fee.

Also included in the package is a **Sheriff's Entry of Service** form that must also be completed by you as to the name and address of the parties.

GARNISHMENTS INCOMPLETELY OR IMPROPERLY FILLED OUT WILL BE RETURNED.

If you have questions, please contact the Clerk before mailing or delivery at 706-613-3310.

After service of garnishment, you will receive a yellow copy of the Sheriff's Entry of Service indicating the date of service. The Garnishee has 45 days from the date of service to respond to the Court.

After the garnishment has been approved, the Clerk will send you a copy of the affidavit and summons, along with the notice of defendant's right. **You must mail them to the Defendant within 3 days** of service on the Garnishee.

EFFECTIVE MAY 12, 2016: Payments to the Court from the Garnishee will be disbursed to you after the 25th day of the following month.

When the total amount of the garnishment is paid in full, the Garnishee is required to cease withholding money from the Defendant. You are required to file with the Clerk a release of the garnishment. At that time, you should also file a written statement satisfying the original judgment with the Clerk of the Court from which you obtained the original judgment.