

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE ALLEN SUPERIOR COURT
SMALL CLAIMS DIVISION
FORT WAYNE, INDIANA

CASE NUMBER:

GARNISHMENT ORDER

Plaintiff(s) **vs.**

Defendant(s)

Garnishee Defendant

XXX-XX-_____
Social Security Number (Last 4 Digits Only)

AND

Street Address

City, State Zip Code

Garnishee Defendant Email Address

Plaintiff appears and makes proof of service of notice of hearing upon above Defendant and Garnishee Defendant. The Court now finds and orders:

- That Garnishee Defendant withholds from the earnings of the Defendant the lesser of the following sums:
 - Twenty-five percent (25%) of said earnings after subtracting income taxes and social security withholdings per week; OR
 - All of said earnings after subtracting income taxes, social security withholdings, and \$_____ [insert thirty (30) times the federal minimum hourly wage per week].
- That withholding of said amounts shall be continued until the following sums are fully paid:

- | | | |
|----|---------------------------|-----------------|
| A. | Judgment Amount | \$ _____ |
| B. | Costs Assessed | \$ _____ |
| D. | Sheriff Service Fees | \$ _____ |
| E. | Private Process Fees | \$ _____ |
| F. | Post-Judgment Interest | \$ _____ |
| | Total Amount Owing | \$ _____ |

(Interest owing at the rate of _____ percent per annum from the date of this order will be applied to the Judgment Amount.)

- The Garnishee Defendant is ordered to pay to the Clerk of the Court the withheld amounts every thirty (30) days.

Date: _____

Judge / Magistrate, Allen Superior Court

Attorney / Party Preparing Garnishment Order

OPTIONAL EMPLOYER'S FEE ALLOWED BY INDIANA LAW - IC 24-4.5-5-105 states in part:
(5) An employer who is required to make deductions from an individual's disposable earnings pursuant to garnishment order or series of orders arising out of the same judgment debt **MAY** collect, as a fee to compensate the employer for making these deductions, an amount equal to the greater of twelve dollars (\$12.00) or three percent (3%) of the total amount required to be deducted by the garnishment order or series of orders arising out of the same judgment debt. If the employer chooses to impose a fee, the fee shall be allocated as follows:

Street Address

(a) One-half (1/2) of the fee shall be borne by the debtor, and that amount may be deducted by the employer directly from the employee's disposable earnings.

City, State Zip Code

(b) One-half (1/2) of the fee shall be borne by the creditor, and that amount may be retained by the employer from the amount otherwise due the creditor.

Telephone Number Supreme Court ID Number

THE DEDUCTIONS MADE UNDER THIS SECTION FOR A COLLECTION FEE DO NOT INCREASE THE AMOUNT OF THE JUDGMENT DEBT FOR WHICH THE FEE IS COLLECTED FOR THE PURPOSE OF CALCULATING OR COLLECTING JUDGMENT INTEREST.

Certificate of Service

I hereby certify that a copy of this document was sent to the parties or their counsel by _____
(US Mail, E-Service, Sheriff, other manner allowed by IN Trial Rules).

Date

Name

PAYMENT GUIDELINES FOR THE GARNISHEE DEFENDANT

In order for funds to be applied by the Clerk's Office, the following information must be included with every payment submitted:

- 1) **Individual's full name.**
- 2) **Court's full case number** (located at the upper right corner of the garnishment order, beginning with 02D01, etc.).
- 3) When a group of names are submitted (rather than one check per person), the above two items should be listed for each person, in addition to the amount of money to be applied to each case.
- 4) Please remit your payment and the above information to:

**Clerk of Allen Circuit and Superior Courts
Small Claims Division
715 S. Calhoun St., Room 200
Fort Wayne, IN 46802**

This information is vital to the timely and accurate processing of payments received. Your cooperation is greatly appreciated. If you have questions regarding the guidelines described above, you may contact the Clerk's Office at (260) 449-7130.