

**AFFIDAVIT IN SUPPORT OF GARNISHMENT OF PROPERTY
OTHER THAN PERSONAL EARNINGS**

**BUTLER COUNTY COURT OF COMMON PLEAS
315 HIGH STREET, HAMILTON, OHIO 45011**

Judgment Creditor

CASE NO. _____

vs.

**THIS COMMUNICATION IS FROM
A DEBT COLLECTOR**

Judgment Debtor

STATE OF _____, COUNTY OF _____, SS:

The undersigned, cautioned and sworn or affirmed according to law, says that I am attorney/creditor who heretofore recovered or certified a judgment in this court against the above named debtor. The named garnishee, _____, may have property, other than personal earnings, of the judgment debtor, such property being described as: _____
_____.

Atty I.D. _____
Judgment Creditor/Attorney

Signature of Judgment Creditor/Attorney

Address

City, State, Zip Code Phone Number

Sworn to and subscribed before me on _____.

Notary Public

**ANSWER OF GARNISHEE
SECTION B**

Case No. _____

Judgment Creditor

vs.

**BUTLER COUNTY COURT OF COMMON PLEAS
ATTN: CLERK OF COURTS
315 HIGH STREET, 5TH FLOOR
HAMILTON, OH 45011**

Judgment Debtor

**COMPLETE AND RETURN A SIGNED COPY OF THIS PAGE TO THE ABOVE LISTED ADDRESS AND TO
EACH JUDGMENT CREDITOR.**

Now comes the garnishee herein who says:

1. The garnishee has more than \$550.00 in money, property, or credits other than personal earnings of the judgment debtor under the garnishee's control and in the garnishee's possession. Yes _____ No _____

If "YES", state amount over \$550.00 \$ _____

2. Description of property:

3. If the answer to line 1 is yes and the amount is less than the probable amount now due on the judgment as indicated in Section A of this form, sign and return this form and pay the amount of line 1 to the clerk of this court.

4. If the answer to line 1 is yes and the amount is greater than the probable amount now due on the judgment, as indicated in Section A of this form, sign and return this form and pay that probable amount now due to the clerk of this court.

5. If the answer to line 1 is yes but the money, property, or credits are of such a nature that they cannot be delivered to the clerk of this court, indicate that by placing an "X" in this space _____; do not dispose of that money, property, or credits or give them to anyone else until further order of this court.

6. If the answer to line 1 is no, sign and return this form to the clerk of this court.

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE.

Print Name and Title of Person Who Completed Form

Date

Signature of Person Who Completed Form

**NOTICE TO THE JUDGMENT DEBTOR OF GARNISHMENT OF PROPERTY
OTHER THAN PERSONAL EARNINGS**

**BUTLER COUNTY COURT OF COMMON PLEAS
315 HIGH STREET, HAMILTON, OHIO 45011**

Judgment Creditor

CASE NO. _____

vs.

**THIS COMMUNICATION IS FROM
A DEBT COLLECTOR**

Judgment Debtor

You are hereby notified that this court has issued an order in the above named case in favor of the above named creditor in this proceeding, directing that some of your money, property, or credits other than personal earnings that now maybe in the possession of the garnishee named below, be used to satisfy your debt to the creditor. This order in excess of \$550.00 was issued on the basis of the creditor's judgment against you that was obtained in, or certified to this court in the above case number on _____ . Upon receipt of this notice, you are prohibited from removing or attempting to remove the money, property, or credits until expressly permitted by the court. Any violation of this prohibition subjects you to punishment for contempt of court.

Name and Address of Garnishee(s):

#1 _____

#2 _____

The laws of Ohio and the United States provide that certain benefit payments cannot be taken from you to pay a debt. Typically, benefits that can't be attached or executed upon by a creditor are: 1. Workers' compensation; 2. Unemployment compensation; 3. Cash assistance payments under Ohio works first program; 4. Benefits and services under the prevention, retention, and contingency program; 5. Disability assistance administered by Ohio dept. of job and family services; 6. Social security; 7. Supplemental social security (S.S.I.); 8. Veteran's Benefits; 9. Black lung benefits; 10. Certain pensions. There may be other benefits not included in the above list that apply in your case.

If you dispute the creditor's right to garnish your property and believe that the creditor should not be given your money, property, or credits other than personal earnings now in possession of the garnishee because they are exempt, or if you feel that this order is improper for any reason, you may request a hearing before this court disputing the claim in the Request for Hearing section on this form, or in a substantially similar form, and delivering the Request for Hearing to this court at the above address at the Clerk of Courts Office, no later than the end of the 5th Business day after you receive this notice. You may state your reason for disputing the creditor's right to garnish your property in the space provided on the form; however, you are not required to do so. If you do not state your reasons for disputing the creditor's right, the court will not hold it against you and you can state your reasons at the hearing. **NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE HEARD OR CONSIDERED AT THE HEARING.** If you request a hearing, the hearing will be limited to a consideration of the amount of money, property, or credits other than personal earnings in the possession or control of the

garnishee, if any, that can be used to satisfy all or part of the judgment you owe to the creditor. You can request a hearing by delivering our Request for Hearing on the enclosed postcard, or on the Request for Hearing section of this form, no later than the end of the 5th Business Day after you receive this notice. The date set for the hearing will depend on when the clerk receives your request. The clerk will notify you of the hearing. If you do not request a hearing by delivering your request for hearing no later than the end of the 5th business day after you receive this notice, some of your money, property, or credits other than personal earnings will be paid to the creditor. If you have any questions concerning this matter, you may contact the Clerk of Courts Office. If you want legal representation, call your lawyer immediately. If you need the name of a lawyer, contact the local bar association or Legal Aid. The judges and clerks cannot give legal advice or act as your lawyer.

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**REQUEST FOR HEARING ON GARNISHMENT OF PROPERTY
OTHER THAN PERSONAL EARNINGS**

BUTLER COUNTY COURT OF COMMON PLEAS

CASE NO. _____

Judgment Creditor

vs.

Judgment Debtor

I dispute the creditor's right to garnish my money, property, or credits other than personal earnings in the above case, and request that a hearing be held in this matter. I dispute the creditor's right to garnish my property for the following reasons (optional):

I UNDERSTAND THAT NO OBJECTIONS TO THE JUDGMENT ITSELF WILL BE CONSIDERED AT THE HEARING

If you request a hearing, it will be conducted in courtroom of the Butler County Court of Common Pleas, 315 High Street, 3rd Floor, Hamilton, OH 45011, on _____, at _____.

Date Time

Name of Judgment Debtor

Current Address

Signature

City, State, Zip Code

Date

Telephone Number

WARNING: IF YOU DO NOT DELIVER THIS REQUEST FOR HEARING OR A REQUEST IN A SUBSTANTIALLY SIMILAR FORM TO THE CLERK OF COURTS OFFICE WITHIN FIVE (5) BUSINESS DAYS OF YOUR RECEIPT OF IT, YOU WILL WAIVE YOUR RIGHT TO A HEARING, AND SOME OF YOUR MONEY, PROPERTY, OR CREDITS OTHER THAN PERSONAL EARNINGS, NOW IN POSSESSION OF THE GARNISHEE, WILL BE PAID TO THE ABOVE-NAMED JUDGMENT CREDITOR TO SATISFY SOME DEBT TO THE JUDGMENT CREDITOR.

ANSWER DATE OF GARNISHEE: _____