

**INSTRUCTIONS FOR FILING REGULAR GARNISHMENTS
IN MAGISTRATE COURT OF RICHMOND COUNTY, GEORGIA**

AUGUSTA-RICHMOND COUNTY JUDICIAL CENTER
735 JAMES BROWN BLVD., STE. 1400
AUGUSTA, GEORGIA 30901
706-821-2370

OFFICE HOURS: MONDAY-FRIDAY 8:30 A.M.-5:00 P.M.

PLEASE READ ALL INSTRUCTIONS CAREFULLY BEFORE FILLING OUT ANY FORMS. THE CLERKS CANNOT GIVE ANY LEGAL ADVICE. IF YOU HAVE ANY LEGAL QUESTIONS, PLEASE CONSULT AN ATTORNEY.

1. You must first obtain a judgment against a Defendant before a garnishment can be filed.

2. The Defendant's **FINANCIAL INSTITUTION / BANK** (garnishee) must be located in Richmond County. You must provide the correct name and complete street address of the Garnishee. The defendant's complete address is also needed.

3. There are two types of garnishments:

CONTINUING GARNISHMENT- The employer will deduct from the defendant's wages for approximately 1,095 days (3 years) provided the defendant makes wages which are subject to garnishment. Garnishment deductions are based on the employee's *net pay*.

****REGULAR GARNISHMENT-** Used when garnisheeing a bank account. **The financial institution / bank will only make one deduction** from the defendant's account provided there are funds in the account. You must know the correct name and complete street address of the garnishee. When filing this type of garnishment make sure to ask for *regular (Financial Institution / bank)* garnishment forms.

4. COST FOR FILING A GARNISHMENT IS AS FOLLOWS:

******Acceptable payment types are cash, money order, cashier check, business check or credit card (Master Card or Visa only). If payment by credit card, the cardholder must present a picture identification. There is a processing fee charged on all credit card payments.**

****THIS OFFICE DOES NOT ACCEPT PERSONAL CHECKS. ****

Service on Defendant and Garnishee.....	\$148.00
Service on Garnishee only with Certificate of Service on Defendant	\$ 98.00
Service on Garnishee and Defendant with Judgment from another Court.....	\$153.00
Service on Garnishee only with Certificate of Service on Defendant with Judgment from another Court.....	\$103.00

DEFINITION OF JUDGMENT FROM ANOTHER COURT:

Any Judgment from a Court other than Civil or Magistrate Court of Richmond County
(Must have a copy of Judgment sent with Garnishment)

5. You may find information regarding your case on the Civil and Magistrate Court's webpage which can be found on the AUGUSTAGA.GOV website then by searching the case management.

6. The garnishee has a total of 60 days from the date of service to file an answer to the garnishment. **THIS OFFICE WILL NOT CONTACT YOU IF PAYMENTS OR ANSWERS ARE NOT RECEIVED.**

7. Once we have accepted and posted a payment, we will mail the payment directly to you within three weeks.

8. **On a continuing garnishment** if the employer has filed thirty six (36) answers as required and the debt has not been fully paid, deductions will cease. As the plaintiff, you must file a new garnishment for the new principal balance owed and pay additional costs for filing.

9. **The forms** that you will need are as follows: Three (3) affidavits, three (3) summons, two (2) answers and two (2) Defendant's claim forms [when serving both the garnishee and the defendant]. Two (2) affidavits, two (2) summons, two (2) answers and two (2) Defendant's claim forms [when serving the garnishee only]. **All forms must be completed by you, ront and back, before they will be accepted as filed.** This office will provide the forms needed, they can also be found on our webpage..