

**INSTRUCTIONS
FORM 2
WRIT OF GARNISHMENT AND SUMMONS
(EARNINGS)**

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 2 IF:

- You are the judgment creditor or you represent the judgment creditor.
- You are seeking to collect a money judgment from a third party who owes or will owe earnings to the judgment debtor within the next 60 days.

TO COMPLETE FORM 2 YOU WILL NEED:

- Information from the judgment or order which awarded you the money you want to collect in this action.
- Name, address and phone numbers for the petitioner/plaintiff, respondent/defendant and garnishee.
- The amount of the judgment currently owed by the judgment debtor, including interest. If an interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.
- The name of the Court in which you are filing this application.

HOW TO COMPLETE FORM 2:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Writ of Garnishment and Summons (Earnings).

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

(1), (2) or (3) Check the appropriate box that identifies the Court in which you are filing this Writ, which will be the same Court in which you are filing your Application for Writ.

- (1) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Writ and the name of the county in which the Court is located.
- (2) If you checked this box, type or print the name of the city or town in which you are filing the Writ and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the county in which the Court is located.
- (4) Type or print the name, mailing address and, if known, the phone number of the petitioner/plaintiff on the judgment or order you are seeking to collect and indicate whether that person is the judgment creditor or judgment debtor in the garnishment proceeding.
- (5) Type or print the name, mailing address and, if known, the phone number of the respondent/defendant on the judgment or order you are seeking to collect and indicate whether that person is the judgment creditor or judgment debtor in the garnishment proceeding.

- (6) Type or print the name, mailing address and, if known, the phone number of the person or company (garnishee) that owes or will owe earnings to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the garnishee's attorney, if known.
- (7) Type or print the case number assigned by the Court to this garnishment action.
- (8) Type or print the name of the county in which the garnishee will be served.
- (9) Type or print the name of the judgment debtor.
- (10) Type or print the dollar amount of money that the judgment debtor owes to you, including interest and costs, minus any amount you have already collected.
- (11) Type or print the interest rate being applied to the outstanding debt. If the interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute, please consult an attorney.
- (12) Type or print the time frame by which your interest is calculated, i.e., daily, weekly, monthly, annually.

WHEN YOU HAVE COMPLETED THE WRIT OF GARNISHMENT AND SUMMONS (EARNINGS):

- ✓ File this form with the Clerk's filing counter along with the Application for Writ of Garnishment (FORM 1). Do not sign or date the Writ.
- ✓ Follow the steps on the Process Checklist.