

**INSTRUCTIONS
FORM 4
GARNISHEE'S ANSWER (NON-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 4 IF:

- You have received a Writ of Garnishment and Summons (Non-Earnings) which identifies you as the garnishee, or
- You are the authorized agent for a company or other organization that has received a Writ of Garnishment and Summons on which the company or other organization is identified as the garnishee.

TO COMPLETE FORM 4 YOU WILL NEED:

- If you are holding personal property or money other than wages belonging to the individual or organization identified as the judgment debtor, you will need a detailed description of the exact items you are holding. This information must include a means of identifying specific items such as an account number, vehicle identification number or serial number.
- Information on the Writ of Garnishment and Summons (Non-Earnings) with which you were served.

HOW TO COMPLETE FORM 4:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishee's Answer (Non-Earnings).

- (1) Type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you are representing a garnishee but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Garnishee's Answer (Non-Earnings).

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Garnishee's Answer 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 city or town in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.
- (5) Type or print the petitioner/plaintiff's name, mailing address and, phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.
- (6) Type or print the respondent/defendant's name, mailing address and phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

- (7) Type or print the garnishee's name, mailing address, phone number, as they appear on the Writ and attorney (if any).
- (8) Type or print the case number assigned to the judgment or order.
- (9) Check all boxes that apply and fill in the blanks for each box checked.
- (10) If this statement applies to you, type or print the amount of money you owed the judgment debtor on the date you received the Writ of Garnishment and Summons.
- (11) If this statement applies to you, type or print the amount of money that you currently owe the judgment debtor and have not yet paid.
- (12) If this statement applies to you, type or print the amount of money you provided to the judgment debtor after receiving the Writ of Garnishment and Summons.
- (13) Type or print your explanation of why you did not retain the money described in item (12). Attach an additional sheet with your explanation if necessary.
- (14) If this statement applies to you, type or print a description of each item of personal property or group of items belonging to the judgment debtor that you had in your possession on the date you received the Writ of Garnishment.
- (15) If this statement applies to you, type or print a description of each item or group of items belonging to the judgment debtor that you currently have in your possession.
- (16) If this statement applies to you, type or print a description of the corporate shares or interests belonging to the judgment debtor.
- (17) Type or print the name of any other person or organization of which you are aware that owes money to the judgment debtor or is in possession of personal property belonging to the judgment debtor.
- (18) Type or print the amount of money you want to receive for preparation and filing of the Answer.
- (19) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer, Writ of Garnishment and Notice to Judgment Debtor forms to the judgment debtor.
- (20) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer to the judgment creditor.
- (21) Date and sign your Answer where indicated **in the presence of a Notary Public or Clerk of the Court.**

WHEN YOU HAVE COMPLETED THE ANSWER (NON-EARNINGS):

- ✓ Follow the steps on FORM 3, Instructions to the Garnishee (Non-Earnings).