

**INSTRUCTIONS
FORM 8
REQUEST FOR HEARING ON GARNISHMENT (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 8 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to request a hearing for one of the reasons listed on FORM 8.

TO COMPLETE FORM 8 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).
- Information on the Garnishee's Answer.

HOW TO COMPLETE FORM 8:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishment (Non-Earnings).

- (1) Type or print the name, mailing address and phone number(s) 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 represent a judgment debtor 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 lawsuit. 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) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing 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 this Request for Hearing 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 as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).
- (8) Type or print the case number appearing on the Writ.
- (9) Check all boxes that apply and fill in the blanks for each box checked.
- (10) If you checked this box, type or print the reason you believe that the judgment creditor does not have a valid judgment against you.
- (11) If you checked this box, type or print the reason you believe exempt money is being garnished.
- (12) If you checked this box, type or print the reason you believe exempt personal property is being garnished.
- (13) If you checked this box, type or print the reason you believe Garnishee's Answer is incorrect.
- (14) If you checked this box, type or print the reason you want a hearing.
- (15) Complete the information under this box indicating the date and manner in which you will provide a copy of your Objection and Request for Hearing to the judgment creditor.
- (16) Complete the information under this box indicating the date and manner in which you will provide a copy of your Objection and Request for Hearing to the garnishee.
- (17) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.
- (18) Date and sign the Objection and Request for Hearing form.

WHEN YOU HAVE COMPLETED THE REQUEST FOR HEARING:

- ✓ File this form with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Non-Earnings) (FORM 9).
- ✓ At the same time, you must mail or deliver a copy of the Request for Hearing (FORM 8) to the judgment creditor and the garnishee.