

IN THE SUPREME COURT OF THE STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

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In the Matter of:	)	
	)	
MODIFICATION OF GARNISHMENT	)	Administrative Directive
OF EARNINGS FORMS	)	No. 2025 - 02
	)	(Affecting Administrative
	)	Directive Nos. 2017-02 and
	)	2022-15)
	)	
	)	

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Administrative Order No. 2007-56 authorizes the Administrative Director of the Administrative Office of the Courts to approve or modify the statewide garnishment forms in response to changes in state or federal laws or procedures and make other necessary administrative amendments or corrections.

On December 5, 2022, Proposition 209: Arizona Protection from Predatory Debt Collection Act (“the Act”) became effective and made several statutory changes related to garnishment of earnings and non-earnings, including lowering the percentage of non-exempt earnings subject to garnishment. The applicability of the lower garnishment rates, however, was unclear at that time. Therefore, corresponding form amendments made to implement the Act removed text specifying applicable percentages and instead required the user to provide the applicable percentage.

An opinion from the Court of Appeals, Division 1, has since clarified the applicability of the Act relating to the percentage of non-exempt earnings subject to garnishment. Consistent with that opinion, the following earnings garnishment forms have been modified:

- Form 4 - Order of Continuing Lien (Earnings Garnishment), AOCCVGE4F
- Form 8 - Request for Hearing on Garnishment (Earnings) (ARS § 12-1598.16(C)), AOCCVGE8F
- Form 11 - Request for Hearing on Garnishment (Earnings) (ARS § 12-1598.16(F)), AOCCVGE11F
- Form 12 - Garnishee’s Non-Exempt Earnings Statement (Not for Support of a Person), AOCCVGE12F
- Instructions: Form 12 - Garnishee’s Non-Exempt Earnings Statement (Not for Support of a Person), AOCCVGE12I

Therefore,

IT IS DIRECTED that the garnishment forms listed above are hereby amended and adopted as attached in Appendix A and are approved for immediate use.

Dated this 12<sup>th</sup> day of February, 2025.

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DAVID K. BYERS  
Administrative Director of the Courts

# Appendix A

- (1)  JUSTICE COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(2)  MUNICIPAL COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(3)  ARIZONA SUPERIOR COURT, COUNTY OF \_\_\_\_\_

- (4) Petitioner/Plaintiff  
 Judgment Creditor  
 Judgment Debtor

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_

(7) Case Number: \_\_\_\_\_

**ORDER OF CONTINUING LIEN  
(EARNINGS GARNISHMENT)  
(ARS § 12-1598.10)**

- (5) Respondent/Defendant  
 Judgment Debtor  
 Judgment Creditor

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_

(6) Garnishee

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_  
Attorney: \_\_\_\_\_

The Application for Order of Continuing Lien is approved. The garnishment shall be a continuing lien against the judgment debtor's non-exempt earnings. All non-exempt earnings shall be withheld by the garnishee and must be transferred to the **judgment creditor**. All non-exempt earnings that have been withheld pursuant to the Writ must be transferred to the judgment creditor.

(*Hardship exception only*) The judgment debtor is subject to the "maximum disposable earnings" provision of ARS § 33-1131, and there is clear and convincing evidence that the judgment debtor or the debtor's family would suffer extreme economic hardship as a result of the garnishment. The amount of non-exempt earnings to be withheld and transferred to the creditor is reduced to \_\_\_\_\_% (not less than 5%).

The judgment debtor shall pay to the garnishee through the garnishment process:

\$ \_\_\_\_\_ for attorney fees incurred in answering the Writ of Garnishment.

The judgment debtor shall pay to the judgment creditor through the garnishment process:

\$ \_\_\_\_\_ for the cost of service, and

\$ \_\_\_\_\_ for the cost of issuance of the Writ.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judicial Officer

(1) Person Filing: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Representing:  Self  Attorney  Other

State Bar No. (if applicable): \_\_\_\_\_

(2)  JUSTICE COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_

(3)  MUNICIPAL COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_

(4)  ARIZONA SUPERIOR COURT, COUNTY OF \_\_\_\_\_

(5) Petitioner/Plaintiff

Judgment Creditor

Judgment Debtor

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

(8) Case Number: \_\_\_\_\_

**REQUEST FOR HEARING ON  
GARNISHMENT (EARNINGS)  
(ARS § 12-1598.16(C))**

(6) Respondent/Defendant

Judgment Debtor

Judgment Creditor

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

(7) Garnishee:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Attorney: \_\_\_\_\_

**ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING.** For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor (Defendant) or I represent the judgment debtor in this action. I want a hearing on the garnishment of earnings from this garnishee because:

(9) Check all that apply.

The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

**Attention Judgment Creditor:** If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to reducing the percentage of non-exempt disposable earnings garnished to 5%, which is the minimum garnishment permitted by ARS § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the rate of 5% and the Court may vacate the hearing. Judgment Creditor must contact the court to verify whether the hearing was vacated.

The judgment creditor does not have a valid judgment against me because (A) \_\_\_\_\_

The judgment has been paid in full.

On my normal payday, I received no earnings (paycheck).

I did not get a copy of the non-exempt earnings statement with my paycheck.

My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:

Notice to Judgment Debtor

Garnishee’s Answer

Request for Hearing

My debt to this judgment creditor is subject to a qualified debt scheduling agreement with: *(If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)*

(B) \_\_\_\_\_



(1) Person Filing: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Telephone Numbers(s): \_\_\_\_\_  
Representing: [ ] Self [ ] Attorney [ ] Other  
State Bar No. (if applicable): \_\_\_\_\_

(2) [ ] JUSTICE COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(3) [ ] MUNICIPAL COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(4) [ ] ARIZONA SUPERIOR COURT, COUNTY OF \_\_\_\_\_

(5) Petitioner/Plaintiff  
[ ] Judgment Creditor  
[ ] Judgment Debtor

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_

(8) Case Number: \_\_\_\_\_

**REQUEST FOR HEARING ON  
GARNISHMENT  
(EARNINGS)  
(ARS § 12-1598.16(F))**

(6) Respondent/Defendant  
[ ] Judgment Debtor  
[ ] Judgment Creditor

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_

(7) Garnishee:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Phone(s): \_\_\_\_\_  
Attorney: \_\_\_\_\_

**ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING.** For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor (Defendant), or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) (Check all that apply.)

The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

**Attention Judgment Creditor:** If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to reducing the percentage of non-exempt disposable earnings garnished to 5%, which is the minimum garnishment permitted by ARS § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the 5% rate and the Court may vacate the hearing. Judgment Creditor must contact the court to verify whether the hearing was vacated.

The amount claimed in the Writ of Garnishment is incorrect.

The judgment creditor does not have a valid judgment against me because this garnishment has been filed against the wrong person or because:

(A)

The judgment has been paid in full.

On my normal payday, I received no earnings (paycheck).

I did not get a copy of the non-exempt earnings statement with my paycheck.

My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:

- Notice to Judgment Debtor
- Garnishee's Answer

- Request for Hearing

[ ] My debt to this judgment creditor (Plaintiff) is subject to a qualified debt scheduling agreement: (If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)

(B) \_\_\_\_\_

[ ] Other: (C) \_\_\_\_\_

I provided a copy of this request to:

- |                        |             |                   |             |
|------------------------|-------------|-------------------|-------------|
| (10) Judgment creditor | [ ] By mail | [ ] Hand delivery | Date: _____ |
| (11) Garnishee         | [ ] By mail | [ ] Hand delivery | Date: _____ |
| (12) Judicial officer  | [ ] By mail | [ ] Hand delivery | Date: _____ |

The Court can call me at (13) \_\_\_\_\_ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) \_\_\_\_\_  
 Date Judgment Debtor or Authorized Agent

**WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive Garnishee’s Answer, unless you show good reason for the delay.**

- (1)  JUSTICE COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(2)  MUNICIPAL COURT \_\_\_\_\_, COUNTY OF \_\_\_\_\_  
(3)  ARIZONA SUPERIOR COURT, COUNTY OF \_\_\_\_\_

(4) Petitioner/Plaintiff

Judgment Creditor

Judgment Debtor

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

(7) Case Number: \_\_\_\_\_

**GARNISHEE'S NON-EXEMPT  
EARNINGS STATEMENT**

**(NOT FOR SUPPORT OF A PERSON)  
(ARS §§ 12-1598.11 & 12-1598.16(J))**

(5) Respondent/Defendant

Judgment Debtor

Judgment Creditor

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

(6) Garnishee:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone(s): \_\_\_\_\_

Attorney: \_\_\_\_\_

1. This Non-Exempt Earnings Statement covers the following pay period:

(8) \_\_\_\_\_ to \_\_\_\_\_.

- 2. Do you currently employ the judgment debtor? (9)  Yes  No
- 3. If no, what was the last date on which the judgment debtor worked for you?  
(10) \_\_\_\_\_.
- 4. Is the judgment debtor owed any earnings for this pay period? (11)  Yes  No

**WITHHOLDING WORKSHEET**

Judgment debtor's gross earnings (pre-tax) for this pay period (12) \$ \_\_\_\_\_

Judgment debtor's disposable earnings (gross minus deductions required by law) (13) \$ \_\_\_\_\_

10% of line (13) (or other percentage ordered to be withheld) (14) \$ \_\_\_\_\_

Judgment debtor's pay period: (15) (Check one.)

- Weekly factor = 60
- Biweekly factor = 120
- Semimonthly factor = 130
- Monthly factor = 260

Current federal minimum wage: \_\_\_\_\_  
Current state minimum wage: \_\_\_\_\_  
Current local minimum wage (if any): \_\_\_\_\_

List the highest minimum wage amount:  
(16) \$ \_\_\_\_\_ / hour.

Line (16) multiplied by factor selected in (15) (17) \$ \_\_\_\_\_

Line (13) minus line (17) (18) \$ \_\_\_\_\_

Amount from line (14) or line (18), whichever is smaller (19) \$ \_\_\_\_\_

Amount withheld for other court-ordered assignment for support of a person or other garnishment or levy for collection of taxes (20) \$ \_\_\_\_\_

Line (19) minus line (20), this is the amount withheld (21) \$ \_\_\_\_\_

Line (21) minus employer's \$5.00 processing fee (22) \$ \_\_\_\_\_

**The amount shown on line (21) is the amount you should withhold for this pay period.**

**The amount shown on line (22) is the amount you deliver to the judgment creditor.**

I provided a copy of this request to:

(23) Judgment debtor       By mail     Hand delivery      Date: \_\_\_\_\_

(24) Judgment creditor     By mail     Hand delivery      Date: \_\_\_\_\_

(25) \_\_\_\_\_  
Date

\_\_\_\_\_  
Garnishee or Authorized Agent

**INSTRUCTIONS  
FORM 12  
GARNISHEE'S NON-EXEMPT EARNINGS STATEMENT  
(NOT FOR SUPPORT OF A PERSON)  
(ARS §§ 12-1598.11 & 12-1598.16(J))**

**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 garnishee.*

**USE FORM 12 IF:**

- You are the garnishee, or you represent the garnishee in a wage garnishment seeking payment for a judgment **not** for support of a person (e.g. child support or spousal maintenance).

**TO COMPLETE FORM 12 YOU WILL NEED:**

- The judgment debtor's employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

**HOW TO COMPLETE FORM 12:**

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Non-Exempt Earnings Statement.

*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 the garnishment action is pending.

- (1) If you checked this box, type or print the name of the Justice Court precinct in which the garnishment action is pending 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 the garnishment action is pending 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, email address and phone number(s) of the petitioner/plaintiff as it appears on the Writ of Garnishment. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (5) Type or print the name, mailing address, email address, and phone number(s) of the respondent/defendant as it appears on the Writ of Garnishment. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.

- (6) Type or print the garnishee's name, mailing address, email address, and phone number.
- (7) Type or print the case number appearing on the Writ of Garnishment.
- (8) Type or print the first and last date of the pay period covered by this Non-Exempt Earnings Statement.
- (9) Check the box that indicates whether the judgment debtor is in your employ.
- (10) If you checked, "no" in item (9) above, type or print the date on which the judgment debtor last worked for you.
- (11) Check the box that indicates whether the judgment debtor is owed any earnings during this pay period.

**Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.**

- (12) Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Non-Exempt Earnings Statement.
- (13) Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Non-Exempt Earnings Statement.
- (14) Multiply the amount in line (13) by 10%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line (13) by that percentage. Type or print the result here.
- (15) Check the box that identifies judgment debtor's pay period. Check the box that identifies which factor is to be applied. See ARS § 33-1131(B).
- (16) Type or print the highest current amount of the federal, state, or local minimum wage. This information is available online from the United States Department of Labor or by calling toll free: **1-866-487-2365**.
- (17) Multiply line (16) by the factor selected in (15). For example, if the factor is 60, then multiply the applicable minimum wage by 60 to get your result.
- (18) Subtract line (17) from line (13) and type or print the result here.
- (19) Type or print the amount appearing at line (14) or line (18), whichever is smaller.
- (20) Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.
- (21) Subtract line (20) from line (19) and type or print the result here.
- (22) Subtract \$5.00 from line (21) and type or print the result here. The \$5.00 is the optional fee you are entitled to for processing the Non-Exempt Earnings Statement.

- (23) Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Non-Exempt Earnings Statement.
- (24) Complete the information under this box indicating the date and manner in which you will provide the judgment creditor with a copy of this Non-Exempt Earnings Statement.
- (25) Date and sign this Non-Exempt Earnings Statement where indicated.

**WHEN YOU HAVE COMPLETED THE NON-EXEMPT EARNINGS STATEMENT (NOT FOR SUPPORT OF A PERSON):**

- ✓ Follow the Instructions to the Garnishee (Earnings) (Form 5).