

**AFFIDAVIT,
ORDER AND NOTICE OF GARNISHMENT OF PROPERTY OTHER THAN
PERSONAL EARNINGS AND ANSWER OF GARNISHEE**

**MAHONING COUNTY COMMON PLEAS COURT
CLERK'S OFFICE – CIVIL DIVISION
120 MARKET ST., 2ND FLOOR
YOUNGSTOWN, OH 44503**

EMAIL: [HTTP://COURTS.MAHONINGCOUNTYOH.GOV](http://courts.mahoningcountyoh.gov)

JUDGMENT CREDITOR(S)

AGAINST

CASE NO.

THIS NUMBER MUST BE USED ON ALL
REFERENCES

JUDGMENT DEBTOR(S)

AFFIDAVIT

State of Ohio, Mahoning County ss:

The undersigned being first duly cautioned and sworn, or affirmed according to law, says that I am the Attorney/Judgment Creditor herein who heretofore recovered or certified a Judgment in the Common Pleas Court of Mahoning County, Ohio against the Judgment Debtor named above; and that the person or entity named as Garnishee in Section (A) below may have in the Garnishee's hands or control money, property, or credits, other than personal earnings, of the Judgment Debtor. Such property is described as follows:

ATTORNEY FOR
JUDGMENT CREDITOR
(INCLUDE FIRM ADDRESS AND
REGISTRATION NO.)

Signature: Judgment Creditor/Attorney

Signature: Notary Public

Sworn to and Subscribed to me on

SECTION A: COURT ORDER AND NOTICE OF GARNISHMENT

Garnishee: Name and Address

Please complete separate order and notice for each garnishee

To: _____, **Garnishee**

The Judgment Creditor in the above case has filed an affidavit, satisfactory to the undersigned, in this Court stating that you may have money, property, or credits, other than personal earnings, in your hands or under your control that belongs to the Judgment Debtor. **You are therefore ordered to complete the “Answer of Garnishee” in Section B of this form.** Return the completed and signed copy of this form to the Clerk of this Court together with the amount determined in accordance with the “**Answer of Garnishee**” by the following date on which a hearing is tentatively scheduled:

_____, 20____

Deliver one completed and signed copy of this form to the Judgment Debtor prior to that date. Keep the other completed and signed copy of this form for your files.

The **TOTAL PROBABLE AMOUNT NOW DUE ON THIS JUDGMENT IS \$**_____

The total probable amount now due includes the unpaid portion of the Judgment in favor of the Judgment Creditor, which is \$ _____; interest on that Judgment and, if applicable, prejudgment interest relative to that Judgment at the rate of _____% per annum payable until that Judgment is satisfied in full: and Court costs in the amount of:

\$ _____. You are ordered to hold safely anything of value that belongs to the Judgment Debtor and has to be paid to the Court, as determined under “**Answer of Garnishee**” in section B of this form, but that is of such a nature that it cannot be delivered until further order of this Court.

WITNESS MY HAND AND SEAL OF THE COURT THIS _____ DAY OF _____, 20_____.

JUDGE OF THE MAHONING COUNTY COMMON PLEAS COURT

SECTION B: ANSWER OF GARNISHEE

Now comes: _____, the Garnishee
who says:

- 1. That the Garnishee has more than \$450 in money, property, or credits other than personal earnings, of the Judgment Debtor under the Garnishee’s control and in Garnishee’s possession.

_____ YES _____ NO

If “YES” GIVE THE AMOUNT OVER \$450:

- 2. The property is described as:

- 3. If the answer to line 1 is “YES” and the amount is less than the probable amount now due on the Judgment as indicated in Section (A) of this form, sign and return this form and pay the amount to the Clerk of Court.
- 4. If the answer to Line 1 is “YES” and the amount is greater than the probable amount now due on the Judgment as indicated in section (A) of this form, sign and return this form and pay the probable amount now due to the Clerk of this Court.
- 5. If the answer to line 1 is “YES” but the money, property, or credits are of such a nature that they cannot be delivered to this Clerk of Court, indicate that by placing an “X” in this space _____. Do not dispose of that money, property, or credits or give them to anyone else until further Order of the Court.
- 6. If the answer to line 1 is “NO”, sign and return this form to the Clerk of this Court.

ANSWER DATE OF GARNISHEE _____
(A COPY OF THIS ANSWER, WITH OR WITHOUT ANY PAYMENT THAT MAY BE DUE, MUST BE RETURNED TO THE CLERK PRIOR TO THE ABOVE ANSWER DATE)

(TIME STAMP AREA BELOW)

I CERTIFY THAT THE STATEMENTS ABOVE ARE TRUE

(PRINT NAME AND TITLE OF PERSON WHO COMPLETED ANSWER)

(SIGNATURE OF PERSON WHO COMPLETED ANSWER)

(DATE)

MAIL A COMPLETED COPY OF THIS FORM TO THE MAHONING COUNTY CLERK OF COURTS, SECOND FLOOR – CIVIL DIVISION, 120 MARKET ST., YOUNGSTOWN, OHIO 44503.

IMMEDIATELY DELIVER ONE COMPLETED COPY OF THIS FORM TO EACH JUDGMENT DEBTOR.