



# EXECUTION AND GARNISHMENT

STATE OF TENNESSEE  
COURT OF GENERAL SESSIONS  
WILSON COUNTY

WRIT OF EXECUTION  
TO ANY LAWFUL OFFICER  
OF WILSON COUNTY

YOU ARE COMMANDED TO MAKE THE DEFENDANTS PROPERTY THE BALANCE OF THE BELOW JUDGEMENT PLUS COSTS AND INTEREST THEREON AND THEREBY SATISFY A JUDGEMENT BY THIS COURT IN FAVOR OF PLAINTIFF.

HAVE YOU SAID MONIES, TOGETHER WITH THIS WRIT, READY TO RENDER BEFORE THIS COURT 30 DAYS FROM DATE HEREOF, OR WITHIN.

## GARNISHMENT:

To Employer or Other Garnishee:

By virtue of the above command (or an attachment in my hands), any funds or property in your hands owing to defendant are hereby sequestered.

You are summoned to answer, in person or by mail, within 10 days after the date of service of this garnishment:

- (1) Whether you are, or were, at the time of the service of this garnishment indebted to the defendant; if so, how and in what amount;
- (2) Whether you had in your possession, or under your control, any property, debts, or effects belonging to the defendant at the time of services of this notice, or at the time of answering, or at any time between the date of service and the time of answering; if so, the kind and amount;
- (3) Whether there are, to your knowledge and belief, any and what property, debts, and effects in the possession or under the control of any other, and what person;
- (4) Such other questions appearing on or attached to the original execution put to you by the Court or the judgement creditor as may tend to elicit the information sought.

YOU ARE FURTHER NOTIFIED AND REQUIRED to pay no debt by you, or to become due, to said defendant, and to retain possession of all property of the defendant. **EXCEPT** as to earnings in excess of the amount to be retained by this garnishment. This lien shall continue as to subsequent earnings until the total amount due upon the judgement and cost is paid or satisfied, **OR** until the expiration of the employer's payroll period immediately prior to **SIX (6) CALENDAR MONTHS** after service of the execution, whichever occurs first. A lien obtained hereunder shall have priority over any subsequent liens obtained hereunder. Subsequent execution shall be effective for the successive calendar month periods in the order in which they are served.

YOU ARE REQUIRED TO WITHHOLD THE GARNISHMENT AMOUNT, OR PART THEREOF, FROM THE EMPLOYEE'S WAGES AND TO PAY THESE MONIES TO THE COURT NOT LESS THAN ONE TIME EACH CALENDAR THIRTY (30) DAYS. YOU ARE LIABLE FOR FAILURE TO WITHHOLD FROM THE EMPLOYEE'S WAGES AND FOR FAILURE TO PAY THESE MONIES TO THE COURT. TO ENSURE PROPER CREDIT, INCLUDE THE DEFENDANTS NAME AND THE DOCKET NUMBER ON THE PAYMENT AND MAIL TO:

**Debbie Moss**  
General Sessions Court  
115 East High Street  
Room 103  
Lebanon, Tennessee 37087  
Phone 615-444-2045

**NOTICE:** Although you have a longer time in which to answer the court concerning this garnishment, you must do the following on the same day you receive the garnishments or on the next working day. Determine if you possess or control money or property of the judgement debtor. If so, within that same time period, you shall furnish a copy of the garnishment summons and Notice to Judgement Debtor by mailing them first class, postage prepaid, to the judgement debtors last known address as shown by your records, or by actual delivery to the judgement debtor. If the address shown by your records differs from that shown at the bottom of the Notice of Judgement Debtor, you shall also mail a copy of the garnishment and notice to the latter address.

## NOTICE TO THE GARNISHEE (Employer):

THE MAXIMUM PART OF THE AGGREGATE DISPOSABLE EARNINGS OF AN INDIVIDUAL FOR ANY WORK WEEK WHICH IS SUBJECTED TO GARNISHMENT MAY NOT EXCEED:

- (a) Twenty-Five percent (25%) of his/her disposable earnings for that week, minus \$2.50 for each of his/her dependent children under the ages of sixteen (16) who resides in the state of Tennessee, or
- (b) The amount by which his/her disposable earnings for that week exceed thirty (30) times the federal minimum hourly wage at the time the earnings for any pay period become due and payable, minus \$2.50 for each of his/her dependent children under the ages of sixteen (16) who resides in the state of Tennessee, whichever is less. "Disposable earnings" means that part of the earnings of an individual remaining after required by law to be withheld.

In the case of earnings for a pay period other than a week, the weekly formula must be changed to apply to that pay period so as to exempt an equivalent percentage of disposable earnings. For example, the calculation concerning the federal minimum wage in subsection (b) should be computed as follows: WEEKLY 30 times the federal minimum hourly wage at the time the earnings for any pay period become due and payable (FMW); BI-WEEKLY: 2 times 30 fmw; SEMI-MONTHLY: 2 and one-sixth (2 1/6) times 30 fmw; and MONTHLY: 4 and one-third (4 1/3) times 30 fmw equals the amount to be subtracted from disposable earnings for that pay period.

If the judgement orders alimony or child support and the person in whose favor the judgement was rendered has remarried, the above exemption applies. If the judgement orders the debtor to support another person (For example: alimony or child support) and the person in whose favor the judgement was rendered has not remarried, different standards apply under 15 U.S.C., Section 1673(b). If the debtor is supporting a spouse or dependent child other than those for whom the order was entered, then fifty percent (50%) of his/her disposable earnings may be garnished. If the debtor is not supporting such additional dependents, a maximum of sixty percent (60%) may be garnished. These figures rise to fifty-five percent (55%) and sixty-five (65%) respectively, if the support order is for a period more than twelve (12) weeks before the pay period to be garnished.

If the judgement is for state or federal taxes, no disposable earnings are exempt under 15 U.S.C., Section 1673(b).

## ANSWER OF GARNISHEE FOR WAGES & SALARY

Pay Period from \_\_\_\_\_, 20\_\_\_\_  
to \_\_\_\_\_, 20\_\_\_\_

1. Gross Earnings \$ \_\_\_\_\_
2. Less Federal Withholding Tax \$ \_\_\_\_\_  
Less Social Security Tax \$ \_\_\_\_\_  
Subtract Total Deductions \$ \_\_\_\_\_
3. Net Disposable Earnings \$ \_\_\_\_\_  
**a. 25% of #3** \$ \_\_\_\_\_  
or  
b. 30 x minimum hourly wage  
set by Federal FLSA \$ \_\_\_\_\_
4. Enter lesser amount (a or b) \$ \_\_\_\_\_
5. Less \$2.50 for each child  
under 15 who resides in the  
State of Tennessee \$ \_\_\_\_\_
6. Amount Due Court \$ \_\_\_\_\_

This garnishee certifies that this employee has \_\_\_\_\_ children  
under the age of 16 years who reside in the State of Tennessee.

Nothing Due employee

No longer employed

Other \_\_\_\_\_

I certify under penalty of perjury that the above information is true and correct.

\_\_\_\_\_  
Garnishee-Employer

## ANSWER OF GARNISHEE FOR DEBTS OTHER THAN SALARIES, WAGES OR EARNINGS

As of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_, Garnishee is holding  
the sum of \$ \_\_\_\_\_.

**TO ALL BANKS:**

**THESE FUNDS ARE CONDEMNED AND SHALL BE PAID INTO COURT WITHOUT FURTHER ORDER.**

**Debbie Moss, Clerk**  
Court of General Sessions