IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

70 North Union Street, Delaware, Ohio 43015 ● Voice: 740.203.1560 ● Facsimile: 740.203.1599 ● efiling@municipalcourt.org

*
*
*
Plaintiff(s) - Judgment Creditor(s)
vs.
*
*
*
Defendant - Judgment Debtor

Case No: *

*
*
*
Garnishee

See Confidential Identifier Sheet
Debtor DOB Debtor SS#

Garnishment of Property Other than Personal Earnings

Affidavit with Precipe
Order and Notice
Answer of Garnishee

1. Affidavit with Precipe R.C. §§ 2716.11, .13(B)

Having duly affirmed or been sworn to tell the truth, I state that I am [ ]attorney for [ ]the judgment creditor. Judgment has previously been entered herein and I move the court to garnish property below described (excluding personal earnings) of the judgment debtor in the possession or control of the garnishee whose name and address is above shown. Clerk: At least seven days prior to hearing, serve on Judgment Debtor notice and request for hearing forms per R.C. § 2716.13(C) by [X]ordinary mail [ ]per separate precipe.

*Property description *(check one)*:
[ ]Money or funds on deposit in any account in the name of Judgment Debtor.
[ ] See attached.
[ ] Other_____

*✗
Signature of Affiant

*
Print Name S.Ct. No.(if atty,)

*
voice email

State of Ohio, County of * }

Sworn to/affirmed on * before me.

✗
Notary Public / Deputy Clerk

*
Print Name notary expiration date

seal

See filing instructions on p. 3.

file stamp 1

2. Order and Notice R.C. § 2716.13(B)

To: Garnishee (Named above)
A. The judgment creditor has filed a satisfactory affidavit that you may have money, property, or credits other than personal earnings in your possession or control that belong to the Judgment Debtor.
B. You are ordered to complete the "ANSWER OF GARNISHEE" section of the form and return one completed and signed copy to the clerk of this court together with the amount determined in accordance with said form before the hearing date shown on page 2 of this document. Also, deliver one completed and signed copy to the judgment debtor prior to that date. Retain one copy for your files.
C. You also are ordered to hold safely anything of value that belongs to the judgment debtor and that has to be paid to the court, as determined under the "ANSWER OF GARNISHEE" section of this form that is of such a nature that it cannot be so delivered to the clerk, until further order of the court.
D. The total probable amount now due, referenced below, includes the unpaid portion of the original judgment plus interest on the judgment payable until the judgment is satisfied in full plus court costs, all as below shown.

*Original judgment amount .....$_____
*Annual interest rate on judgment _____%
*Interest accrued to date ..... $_____
*Court costs to date .....$_____
*Total probable amt. now due ..$*See §3(B)(1)(c)*

Hearing date shown on page 2.

✗
Magistrate / Judge

Garnishee: Per R.C. § 2716.13(B) the clerk is required to send this notice to you by both certified and ordinary mail.

**denotes mandatory field, do not leave blank.*

file stamp 2

3. Answer of Garnishee R.C. § 2716.13(B)

(check §3(A) or §3(B), not both)

[ ]A. The garnishee possesses no money, property, or credits of the judgment debtor, or the money, property or credits possessed have a value not more than $400. [Proceed to ¶C, sign where shown, and return to the clerk of this court.]

[ ]B. The garnishee possesses money, property or credits (excluding personal earnings) in excess of $400 as follows:
1. a. The total amount/value is $_____
less (R.C. §2716.13(B)) .. . . . . $_____ ($625)
b. =Amt. subject to garnishment $_____
c. Total probable amount due . $*_____
d. The property is described as: _____
_____.
2. *(Check §3(B)(2)(a) or §3(B)(2)(b), not both)*
[ ]a. The lesser of § 3(B)(1)(b) or § 3(B)(1)(c) is enclosed, payable to the clerk of this court.
[ ]b. The property / credits shown in § B(1)(a) is/are of such a nature that delivery to the clerk of the court is not possible. (*Do not dispose of the money, property, or credits or release to anyone else until further order of the court).*

C. I certify that the statements above are true.

D. On the date shown I delivered a copy hereof to Judgment Debtor by [ ]regular mail [ ]hand delivery.

✗
Signature of person who completed this form

Print Name Da te

(Garnishee: PRIOR to the hearing (p. 2) return this answer and any payment/property required to the clerk of this court, and send one copy to the judgment debtor at the address above shown.)

\WebForms\Civil
CvW PJ Garnish Pers Prop Affdavit 2026.wpd
1415030526 © 2008 K. Pelanda

file stamp 3

Case No. *_____

Notice to Judgment Debtor

A. This court has issued an order in this case in favor of the judgment creditor shown above directing that some of your money in excess of four hundred dollars, property, or credits, other than personal earnings, that now may be in the possession of the garnishee shown above, be used to satisfy your debt to the judgment creditor. The order is based on the judgment against you that originated in this case, or another case as shown on page 1. You are prohibited from removing or attempting to remove the money, property, or credits until expressly permitted by the court. Violation of this prohibition subjects you to punishment for contempt of court.

B. Under federal and state law certain benefit payments cannot be taken from you to pay a debt. Among benefits that cannot be attached or executed upon by a creditor are the following:
(1) Workers' compensation benefits;
(2) Unemployment compensation payments;
(3) Ohio works first program payments;
(4) Prevention, retention, and contingency program benefits and services;
(5) Disability financial assistance administered by the Ohio department of job and family services;
(6) Social security benefits;
(7) Supplemental security income (S.S.I.);
(8) Veteran's benefits;
(9) Black lung benefits;
(10) Certain pensions.
There may be other benefits not included in the above list that apply in your case.

C. If you dispute the judgment creditor's right to garnish your property and believe that the judgment creditor should not be given your money, property, or credits, now in the possession of the garnishee because they are exempt, or if you feel that this order is improper for any other reason, you may request a hearing. You must deliver your request for hearing (on the below, or substantially similar, form) to the clerk of this court at the above address no later than the end of the fifth business day after you receive this notice. You may state your reasons for disputing the judgment creditor's right to garnish your property in the space provided; but you are not required to do so. If you do state reasons for disputing the judgment creditor's right, you may state other reasons at the hearing. Issues at the hearing will be limited to consideration of the amount of your money, property, or credits, other than personal earnings, in the possession or control of the garnishee, if any, that can be taken to satisfy all or part of the debt you owe to the judgment creditor.

D. Upon your timely request the court will conduct a hearing on the date below shown. You may request an earlier hearing by so indicating in the space provided on the form; the court will send you notice of any change in the date, time, or place of the hearing. **Your money, property, or credits (other than personal earnings) may be paid to the judgment creditor without further notice if you do not deliver your request for a hearing by the end of the fifth business day after you receive this notice and appear at the hearing.**

E. If you have any questions concerning this matter, you may contact the office of the clerk. However, the clerk cannot provide legal advice. If you want legal advice or representation, you must contact a lawyer immediately. If you need the name of a lawyer, contact the local bar association.

Hearing Date R.C. § 2716.13(A)

(You must file this request within 5 days of receipt of this notice to have hearing on this date.)

_____

[date inserted by court clerk]

No objections to the judgment itself can be heard or considered at the hearing.

Clerk: set w/in 12 days of filing of affidavit.

Service by Clerk

On _____ t he undersigned served this document (3 pages) as follows:
On the garnishee: three copies, plus $1 per R.C. § 2716.12, by certified mail and one copy by ordinary mail. R.C. § 2716.13(B).
On the judgment debtor: two copies with one self-addressed, stamped envelope by ordinary mail. R.C. § 2716.13(C)(1),

[ ] _____ . File stamp 2

Cindy Dinovo, Clerk of the Court by ✗ _____ De puty Clerk

Request by Judgment Debtor for Hearing

I dispute the judgment creditor's right to garnish my money, property, or credits in this case and I request a hearing. *(The hearing will be held on the date and time set forth above in the "NOTICE TO THE JUDGMENT DEBTOR.")*

[ ] (check if applicable) I request an earlier hearing because _____

_____

I dispute the judgment creditor's right to garnish my property for the following reasons. *(Providing an explanation in this section is optional.)* _____

_____

_____

_____

_____ ✗ _____ File stamp

Printed Name of Judgment Debtor | Signature of Judgment Debtor | Date

Warning: If you do not deliver this request for hearing or a request in a substantially similar form to the office of the clerk of this court within five (5) business days of your receipt of it, you waive your right to a hearing and some of your money, property, or credits, other than personal earnings, now in the possession of garnishee named above will be paid to the judgment creditor toward your debt to the judgment creditor.

CvW PJ Garnish Pers Prop Affdavit 2026.wpd 1415030526 © 2008 K. Pelanda

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

70 North Union Street, Delaware, Ohio 43015 ● Voice: 740.203.1560 ● Facsimile: 740.203.1599 ● efiling@municipalcourt.org

*
Plaintiff - Judgment Creditor

Case No: *

Garnishment of Property Other Than Personal Earnings

vs.

Fi le Stamp 1

*
Defendant - Judgment Debtor (JD)

*
Garnishee (Employer)

Confidential Identifier Sheet
Sup. Ct. R. of Superintendence. 45(D)

	Complete Personal Identifier *Personal identifier for Judgment Debtor (JD) (if known)*	**Alternate Reference** *Reference or abbreviation substituted in place of redacted personal identifier*	**Filed Document** *Document(s) from which the personal identifier has been redacted*
1.	_____ social security number	affidavit, p. 1	affidavit with precipe
2.	_____ date of birth	affidavit, p. 1	affidavit with precipe
3.	_____ other:_____	affidavit, p. 1	affidavit with precipe
4.			

*X
Judgment Creditor / Attorney for Judgment Creditor

*
Print name SCN (atty's only)

CvW PJ Garnish Pers Prop Affdavit 2026.wpd 1415030526 © 2017 K. Pelanda

Supreme Court Rule of Superintendence 45(D). Court Records – Public Access.
Omission of personal identifiers prior to submission or filing
(1) When submitting a case document to a court or filing a case document with a clerk of court, a party to a judicial action or proceeding shall omit personal identifiers from the document.
(2) When personal identifiers are omitted from a case document submitted to a court or filed with a clerk of court pursuant to division (D)(1) of this rule, the party shall submit or file that information on a separate form. The court or clerk may provide a standard form for parties to use. Redacted or omitted personal identifiers shall be provided to the court or clerk upon request of a party to the judicial action or proceeding upon motion.
(3) The responsibility for omitting personal identifiers from a case document submitted to a court or filed with a clerk of court pursuant to division (D)(1) of this rule shall rest solely with the party. The court or clerk is not required to review the case document to confirm that the party has omitted personal identifiers, and shall not refuse to accept or file the document on that basis.

Instructions for Filing NonWage Garnishment Affidavit

[ ]1. Revive judgment if dormant (inactive 5+yrs.). R.C. § 2329.07(B).
[ ]2. Fill in all mandatory fields on pp. 1-3 marked "*".
[ ]3. Affidavit must be sworn and signed in presence of notary public or clerk of court who must also sign where shown.
[ ]4. For SSN and DOB use confidential identifier sheet, p.3. Account holder may be unable to satisfy order without one, or more, identifiers.
[ ]5. Submit original with sufficient copies for service (pp. 1&2 - original + 4 copies; pp. 3 - orig + 1 copy).
[ ]6. Submit postage-paid envelope addressed to Clerk of Court, 70 North Union Street, Delaware, Ohio 43015 . R.C. § 2716.13.
[ ]7. Submit additional copy of all pages to be file-stamped & returned to applicant. If submitting by mail, submit self-addressed, postage-paid return envelope.
[ ]8. Submit $1 Garnishee fee (check payable to Garnishee Account Holder) R.C. § 2716.1, with affidavit.
[ ]7. Submit sufficient advance for court costs.