

Rep. Goodman  
BILL DRAFT (revised 1/7/2012)  
Proposed Sub to HB 1552

1 AN ACT Relating to garnishment;

2

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4

5 **Sec. 1.** RCW 6.27.090 and 2000 c 72 s 2 are each amended to read  
6 as follows:

7 (1) The writ of garnishment shall set forth in the first paragraph  
8 the amount that garnishee is required to hold, which shall be an  
9 amount determined as follows: (a)(i) If after judgment, the amount of  
10 the judgment remaining unsatisfied on the clerk of the court's  
11 execution docket, if any, plus interest to the date of garnishment, as  
12 provided in RCW 4.56.110, plus estimated interest that may accrue  
13 during the garnishment process on a per diem basis under subsection  
14 (3) of this section plus taxable costs and ((attorney's)) attorneys'  
15 fees, or (ii) if before judgment, the amount prayed for in the  
16 complaint plus estimated taxable costs of suit and attorneys' fees,  
17 together with, (b) whether before or after judgment, estimated costs  
18 of garnishment as provided in subsection (2) of this section. The  
19

1 court may, by order, set a higher amount to be held upon a showing of  
2 good cause by plaintiff.

3 (2) Costs recoverable in garnishment proceedings, to be estimated  
4 for purposes of subsection (1) of this section, include filing and ex  
5 parte fees, service and affidavit fees, postage and costs of certified  
6 mail, answer fee or fees, other fees legally chargeable to a plaintiff  
7 in the garnishment process, and a garnishment attorney fee in the  
8 amount of the greater of one hundred fifty dollars or ten percent of  
9 (a) the amount of the judgment remaining unsatisfied or (b) the amount  
10 prayed for in the complaint. The garnishment attorney fee shall not  
11 exceed (~~two~~) three hundred fifty dollars.

12 (3) For purposes of subsection (1) of this section, the plaintiff  
13 must indicate in the writ a specific dollar amount of estimated  
14 interest that may accrue during the garnishment process per day. The  
15 amount must be based on an interest rate of twelve percent or the  
16 interest rate set forth in the judgment, whichever rate is less. The  
17 amount of estimated interest may not exceed thirty days' interest for  
18 a writ of garnishment or one hundred fifty days' interest for a writ  
19 for a continuing lien on earnings.

20  
21 **Sec. 2.** RCW 6.27.100 and 2003 c 222 s 4 are each amended to read  
22 as follows:

23 (1) (~~the writ~~) A writ issued for a continuing lien on earnings  
24 shall be substantially in the form provided in section 3 of this act.  
25 All other writs of garnishment shall be substantially in the following  
26 form, but if the writ is issued under (~~a court~~) an order or  
27 judgment for child support, the following statement shall appear  
28 conspicuously in the caption: "This garnishment is based on a  
29 judgment or (~~court~~) order for child support"; and (~~if the~~  
30 garnishment is for a continuing lien, the form shall be modified as  
31 provided in RCW 6.27.340; and if the writ is not directed to an  
32 employer for the purpose of garnishing a defendant's earnings, the  
33 paragraph relating to the earnings exemption may be omitted and the  
34 paragraph relating to the deduction of processing fees may be omitted.

1 ~~and~~) if the writ is issued by an attorney, the writ shall be revised  
2 as indicated in subsection (2) of this section:

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"IN THE . . . . . COURT  
OF THE STATE OF WASHINGTON IN AND FOR  
THE COUNTY OF . . . . .

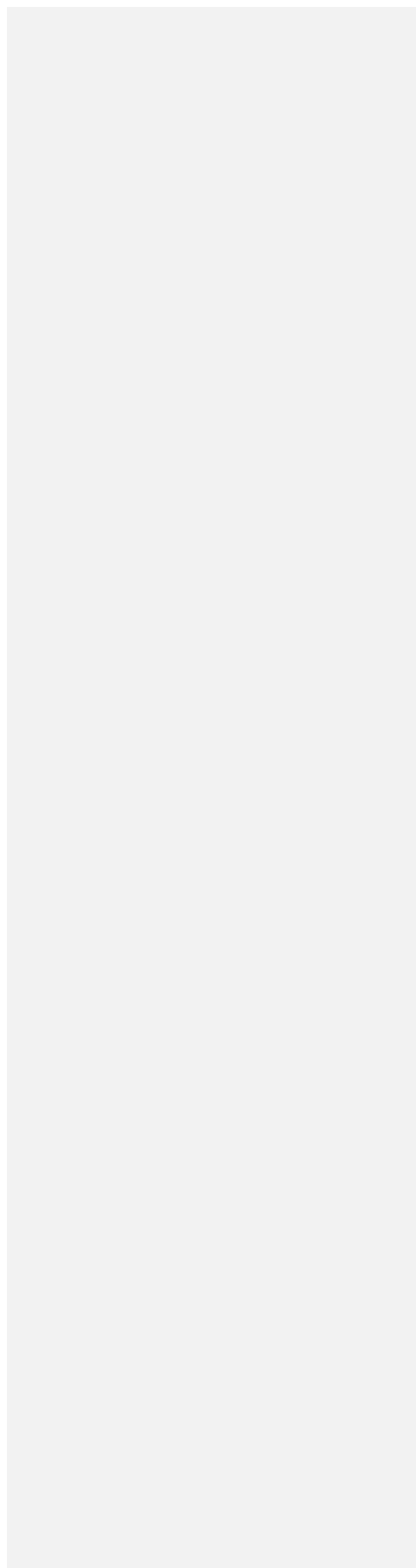
..... ,  
Plaintiff, No. . . . .  
vs.  
..... , WRIT OF  
Defendant, GARNISHMENT  
..... ,  
Garnishee

THE STATE OF WASHINGTON TO: ...  
Garnishee

AND TO: .....  
Defendant

The above-named plaintiff has applied for a writ of garnishment against you, claiming that the above-named defendant is indebted to plaintiff and that the amount to be held to satisfy that indebtedness is \$ . . . . ., consisting of:

Balance on Judgment or	\$ . . . .
Amount of Claim	
Interest under Judgment	\$ . . . .
from . . . . to . . . .	
<u>Per Day Rate of Estimated</u>	<u>\$ . . . .</u>
<u>Interest</u>	<u>per day</u>
Taxable Costs and	\$ . . . .



1 Attorneys' Fees  
2 Estimated Garnishment Costs:  
3 Filing and Ex Parte \$ . . . .  
4 Fees  
5 Service and Affidavit \$ . . . .  
6 Fees  
7 Postage and Costs of \$ . . . .  
8 Certified Mail  
9 Answer Fee or Fees \$ . . . .  
10 ((If applicable))  
11 Garnishment Attorney \$ . . . .  
12 Fee  
13 Other \$ . . . .  
14  
15

16 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
17 by the attorney of record for the plaintiff, or by this writ, not to  
18 pay any debt, whether earnings subject to this garnishment or any  
19 other debt, owed to the defendant at the time this writ was served and  
20 not to deliver, sell, or transfer, or recognize any sale or transfer  
21 of, any personal property or effects of the defendant in your  
22 possession or control at the time when this writ was served. Any such  
23 payment, delivery, sale, or transfer is void to the extent necessary  
24 to satisfy the plaintiff's claim and costs for this writ with  
25 interest.

26 YOU ARE FURTHER COMMANDED to answer this writ ~~by filling in the~~  
27 ~~attached form~~ according to the instructions in this writ and in the  
28 answer forms and, within twenty days after the service of the writ  
29 upon you, to mail or deliver the original of such answer to the court,  
30 one copy to the plaintiff or the plaintiff's attorney, and one copy to  
31 the defendant, ~~in the envelopes provided.~~

32 ((If, at the time this writ was served, you owed the defendant any  
33 earnings (that is, wages, salary, commission, bonus, or other  
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1 ~~compensation for personal services or any periodic payments pursuant~~  
2 ~~to a nongovernmental pension or retirement program), the defendant is~~  
3 ~~entitled to receive amounts that are exempt from garnishment under~~  
4 ~~federal and state law. You must pay the exempt amounts to the~~  
5 ~~defendant on the day you would customarily pay the compensation or~~  
6 ~~other periodic payment. As more fully explained in the answer, the~~  
7 ~~basic exempt amount is the greater of seventy five percent of~~  
8 ~~disposable earnings or a minimum amount determined by reference to the~~  
9 ~~employee's pay period, to be calculated as provided in the answer.~~  
10 ~~However, if this writ carries a statement in the heading that "This~~  
11 ~~garnishment is based on a judgment or court order for child support,"~~  
12 ~~the basic exempt amount is forty percent of disposable earnings.~~  
13 ~~IF THIS IS A WRIT FOR A CONTINUING LIEN ON EARNINGS, YOU MAY~~  
14 ~~DEDUCT A PROCESSING FEE FROM THE REMAINDER OF THE EMPLOYEE'S EARNINGS~~  
15 ~~AFTER WITHHOLDING UNDER THIS WRIT. THE PROCESSING FEE MAY NOT EXCEED~~  
16 ~~TWENTY DOLLARS FOR THE FIRST ANSWER AND TEN DOLLARS AT THE TIME YOU~~  
17 ~~SUBMIT THE SECOND ANSWER.))~~

18 If you owe the defendant a debt payable in money in excess of the  
19 amount set forth in the first paragraph of this writ, hold only the  
20 amount set forth in the first paragraph and any processing fee if one  
21 is charged and release all additional funds or property to defendant.

22 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
23 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
24 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND COSTS  
25 WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU PROPERLY  
26 ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED THE AMOUNT  
27 OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT PROPERTY OR  
28 EFFECTS IN YOUR POSSESSION OR CONTROL.

29 JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
30 FEES INCURRED BY THE PLAINTIFF.

31

32 Witness, the Honorable . . . . ., Judge of the above-  
33 entitled Court, and the seal thereof, this . . . . day of . . . . .,  
34 20. . .

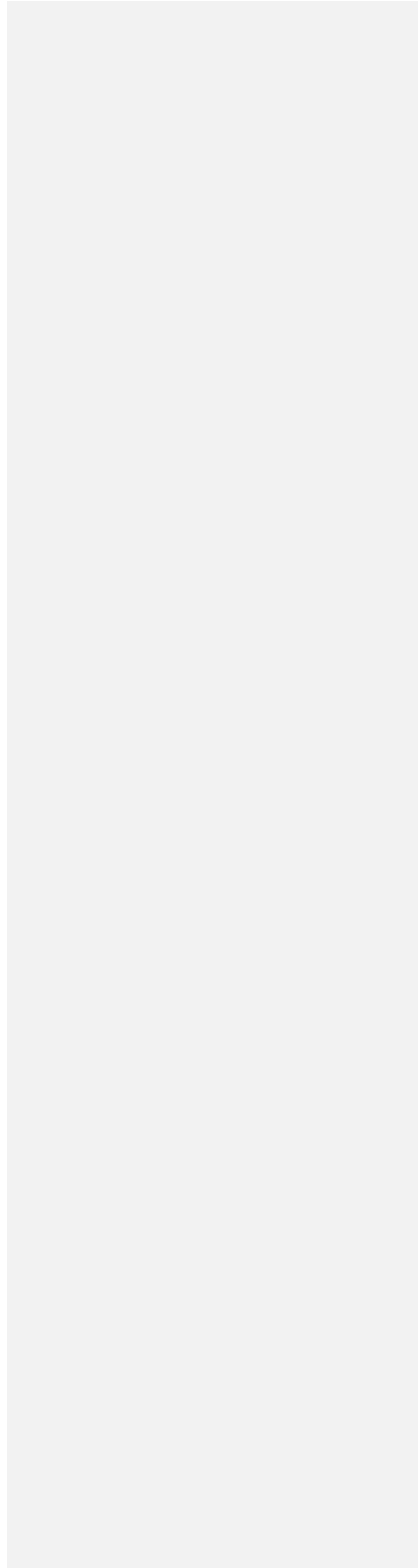
1  
2 [Seal]

3  
4 .....  
5 Attorney Clerk of  
6 for the Court  
7 Plaintiff  
8 (or  
9 Plaintiff,  
10 if no  
11 attorney)  
12 .....  
13 Address By  
14 .....  
15 Address"  
16  
17

18 (2) If an attorney issues the writ of garnishment, the final  
19 paragraph of the writ, containing the date, and the subscripted  
20 attorney and clerk provisions, shall be replaced with text in  
21 substantially the following form:

22  
23 "This writ is issued by the undersigned attorney of record for  
24 plaintiff under the authority of chapter 6.27 of the Revised Code of  
25 Washington, and must be complied with in the same manner as a writ  
26 issued by the clerk of the court.

27  
28 Dated this . . . . .day  
29 of . . . . .,  
30 20 . . . . .  
31  
32 .....  
33 Attorney for  
34 Plaintiff



1 .....  
2 Address( "   )      Address of the  
3                              Clerk of the  
4                              Court"  
5

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 6.27 RCW  
7 to read as follows:

8       (1) A writ that is issued for a continuing lien on earnings shall  
9 be substantially in the following form, but if the writ is issued  
10 under an order or judgment for child support, the following statement  
11 shall appear conspicuously in the caption: "This garnishment is based  
12 on a judgment or order for child support;" and if the writ is issued  
13 by an attorney, the writ shall be revised as indicated in subsection  
14 (2) of this section:

15  
16                              "IN THE . . . . . COURT  
17                              OF THE STATE OF WASHINGTON IN AND FOR  
18                              THE COUNTY OF . . . . .  
19                              ..... ,  
20                              Plaintiff,                      No. . . . .  
21                              vs.  
22                              ..... ,                              WRIT OF  
23                              Defendant                      GARNISHMENT FOR  
24    CONTINUING LIEN ON  
25                              ..... ,                              EARNINGS  
26                              Garnishee  
27                              THE STATE OF WASHINGTON TO: .....  
28    Garnishee  
29                              AND TO: .....  
30    Defendant

31  
32                              The above-named plaintiff has  
33 applied for a writ of  
34 garnishment against you, claiming

1 that the above-named  
2 defendant is indebted to plaintiff  
3 and that the amount to be  
4 held to satisfy that indebtedness is  
5 \$ . . . . ., consisting of:

6 Balance on Judgment or \$ . . . .  
7 Amount of Claim  
8 Interest under Judgment \$ . . . .  
9 from . . . . to . . . .  
10 Per Day Rate of Estimated \$ . . . .  
11 Interest per day  
12 Taxable Costs and \$ . . . .  
13 Attorneys' Fees  
14 Estimated Garnishment Costs:  
15 Filing and Ex Parte \$ . . . .  
16 Fees  
17 Service and Affidavit \$ . . . .  
18 Fees  
19 Postage and Costs of \$ . . . .  
20 Certified Mail  
21 Answer Fee or Fees \$ . . . .  
22 Garnishment Attorney \$ . . . .  
23 Fee  
24 Other \$ . . . .  
25  
26

27 THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD  
28 the nonexempt portion of the defendant's earnings due at the time of  
29 service of this writ and shall also hold the defendant's nonexempt  
30 earnings that accrue through the last payroll period ending on or  
31 before ONE HUNDRED TWENTY days after the date of service of this writ.  
32 HOWEVER, IF THE GARNISHEE IS PRESENTLY HOLDING THE NONEXEMPT PORTION  
33 OF THE DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT FOR A  
34



1 CONTINUING LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only the  
2 defendant's nonexempt earnings that accrue from the date the  
3 previously served writ or writs terminate and through the last payroll  
4 period ending on or before one hundred twenty days after the date of  
5 termination of the previous writ or writs. IN EITHER CASE, THE  
6 GARNISHEE SHALL STOP WITHHOLDING WHEN THE SUM WITHHELD EQUALS THE  
7 AMOUNT STATED IN THIS WRIT OF GARNISHMENT.

8 YOU ARE HEREBY COMMANDED, unless otherwise directed by the court,  
9 by the attorney of record for the plaintiff, or by this writ, not to  
10 pay any debt, whether earnings subject to this garnishment or any  
11 other debt, owed to the defendant at the time this writ was served and  
12 not to deliver, sell, or transfer, or recognize any sale or transfer  
13 of, any personal property or effects of the defendant in your  
14 possession or control at the time when this writ was served. Any such  
15 payment, delivery, sale, or transfer is void to the extent necessary  
16 to satisfy the plaintiff's claim and costs for this writ with  
17 interest.

18 YOU ARE FURTHER COMMANDED to answer this writ ~~by filling in the~~  
19 ~~attached form~~ according to the instructions in this writ and in the  
20 answer forms and, within twenty days after the service of the writ  
21 upon you, to mail or deliver the original of such answer to the court,  
22 one copy to the plaintiff or the plaintiff's attorney, and one copy to  
23 the defendant, ~~in the envelopes provided.~~

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24 If, at the time this writ was served, you owed the defendant any  
25 earnings (that is, wages, salary, commission, bonus, tips, or other  
26 compensation for personal services or any periodic payments pursuant  
27 to a nongovernmental pension or retirement program), the defendant is  
28 entitled to receive amounts that are exempt from garnishment under  
29 federal and state law. You must pay the exempt amounts to the  
30 defendant on the day you would customarily pay the compensation or  
31 other periodic payment. As more fully explained in the answer, the  
32 basic exempt amount is the greater of seventy-five percent of  
33 disposable earnings or a minimum amount determined by reference to the  
34 employee's pay period, to be calculated as provided in the answer.



1 attorney)  
2 .....  
3 Address By  
4 .....  
5 Address"  
6  
7

8 (2) If an attorney issues the writ of garnishment, the final  
9 paragraph of the writ, containing the date, and the subscribed  
10 attorney and clerk provisions, shall be replaced with text in  
11 substantially the following form:

12  
13 "This writ is issued by the undersigned attorney of record for  
14 plaintiff under the authority of chapter 6.27 of the Revised Code of  
15 Washington, and must be complied with in the same manner as a writ  
16 issued by the clerk of the court.

17  
18 Dated this . . . . .day  
19 of . . . . .,  
20 20 . . . . .  
21  
22 .....  
23 Attorney for  
24 Plaintiff  
25 .....  
26 Address Address of the  
27 Clerk of the  
28 Court"  
29

30 (3) An alternative form of writ of garnishment for continuing  
31 lien on earning is authorized in district court in cases where the  
32 judgment creditor is represented by a licensed attorney. A  
33 garnishment issued under this section does not require a court-  
34 issued judgment for costs or order to pay to effect payment of

1 withheld amounts by the garnishee defendant to the judgment  
2 creditor. The writ shall be substantially in the following form,  
3 but if the writ is issued under a court order or judgment for child  
4 support, the following statement shall appear conspicuously in the  
5 caption: "This garnishment is based on a judgment or court order for  
6 child support":

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7  
8 "IN THE . . . . . COURT

9  
10 OF THE STATE OF WASHINGTON IN AND  
11 FOR

12  
13 THE COUNTY OF . . . . .

14 . . . . . / -  
15 Plaintiff, No. . . . .

16 vs. -

17 . . . . . /  
18 Defendant WRIT OF  
19 GARNISHMENT  
20 FOR CONTINUING  
21 Garnishee LIEN ON EARNINGS

22  
23 THE STATE OF WASHINGTON TO: . . . . .

24 Garnishee

25 AND TO: . . . . .

26 Defendant

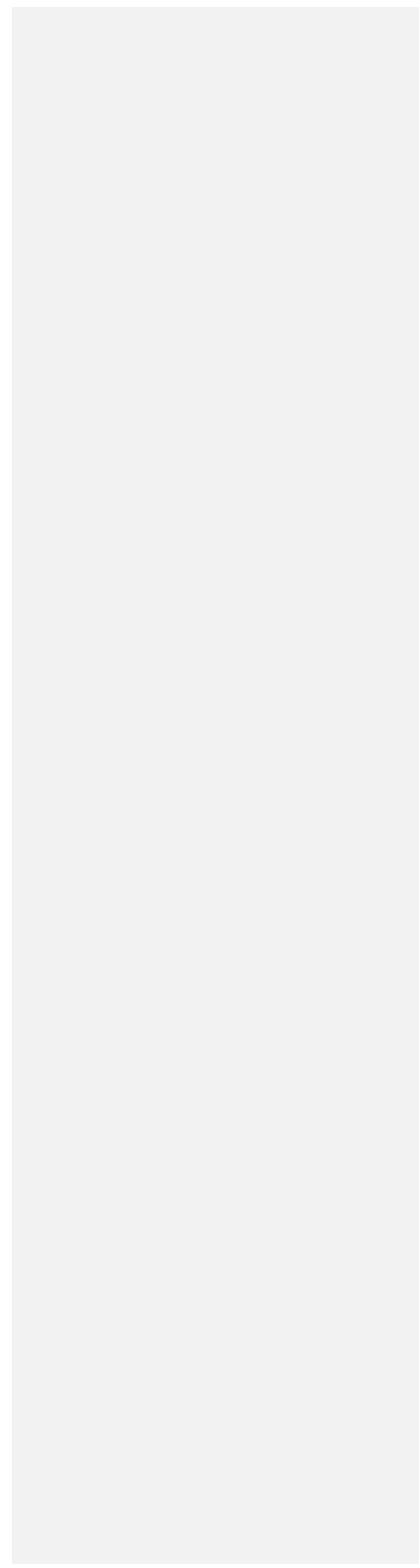
27  
28 The above-named plaintiff has  
29 applied for a writ of garnishment  
30 against you, claiming that the  
31 above-named defendant is indebted to  
32 plaintiff and that the amount to be  
33 held to satisfy that indebtedness is  
34 \$. . . . . , consisting of:

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Balance on Judgment or      \$ . . . .  
Amount of Claim  
Interest under Judgment      \$ . . . .  
from . . . . to . . . .  
Per Day Rate of Estimated      \$ . . . .  
Interest                              per day  
Taxable Costs and                      \$ . . . .  
Attorneys' Fees

Estimated Garnishment Costs:  
- Filing and Ex Parte              \$ . . . .  
Fees  
- Service and Affidavit              \$ . . . .  
Fees  
- Postage and Costs of              \$ . . . .  
Certified Mail  
- Answer Fee or Fees (if              \$ . . . .  
Applicable)  
- Garnishment Attorney              \$ . . . .  
Fee  
- Other                                      \$ . . . .

YOU ARE HEREBY COMMANDED, unless otherwise directed by the  
court, by the attorney of record for the plaintiff, or by this writ,  
not to pay any debt, whether earnings subject to this garnishment or  
any other debt, owed to the defendant at the time this writ was  
served and not to deliver, sell, or transfer, or recognize any sale  
or transfer of, any personal property or effects of the defendant in  
your possession or control at the time when this writ was served.  
Any such payment, delivery, sale, or transfer is void to the extent  
necessary to satisfy the plaintiff's claim and costs for this writ  
with interest.



1 YOU ARE FURTHER COMMANDED to answer this writ ~~by filling in the~~  
2 ~~attached form~~ according to the instructions in this writ and in the  
3 answer form and, within twenty days after the service of the writ  
4 upon you, to mail or deliver the original of such answer to the court,  
5 one copy to the plaintiff or the plaintiff's attorney, and one copy to  
6 the defendant, ~~in the envelopes provided.~~ AMOUNTS YOU WITHHOLD TO  
7 SATISFY THIS WRIT, IF ANY, ARE TO BE PAID DIRECTLY TO THE PLAINTIFF  
8 OR THE ATTORNEY FOR PLAINTIFF THIRTY (30) DAYS AFTER YOU RECEIVED  
9 THIS WRIT, AND ON EVERY PAYDAY THEREAFTER, UNLESS YOU RECEIVE AN  
10 EXEMPTION CLAIM, A NOTICE OF CONTROVERSION OF ANSWER, OR ARE  
11 OTHERWISE NOTIFIED BY THE PLAINTIFF OR COURT TO NOT PAY OVER  
12 WITHHELD FUNDS. OTHERWISE, NO COURT-ISSUED ORDER TO PAY IS REQUIRED  
13 TO PAY OVER WITHHELD FUNDS. MAKE YOUR CHECK PAYABLE TO: . . . .  
14 . . . . . (specify plaintiff or attorney for plaintiff) AND MAIL  
15 TO THE FOLLOWING: \_\_\_\_\_

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16  
17 (Name)

18 (Mailing Address)

19  
20 THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD  
21 the nonexempt portion of the defendant's earnings due at the time of  
22 service of this writ and shall also hold the defendant's nonexempt  
23 earnings that accrue through the last payroll period ending on or  
24 before ONE HUNDRED TWENTY days after the date of service of this  
25 writ. HOWEVER, IF THE GARNISHEE IS CURRENTLY HOLDING THE NONEXEMPT  
26 PORTION OF THE DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT  
27 FOR A CONTINUING LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only  
28 the defendant's nonexempt earnings that accrue from the date the  
29 previously served writ or writs terminate and through the last  
30 payroll period ending on or before one hundred twenty days after the  
31 date of termination of the previous writ or writs. IN EITHER CASE,  
32 THE GARNISHEE SHALL STOP WITHHOLDING WHEN THE SUM WITHHELD EQUALS  
33 THE AMOUNT STATED IN THIS WRIT OF GARNISHMENT. ~~When paying withheld~~  
34 funds to the Plaintiff, you must provide a statement indicating how

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1 you arrived at the amount paid. If the defendant's employment  
2 terminates, you must advise the plaintiff of the date of  
3 termination.

4  
5 If, at the time this writ was served, you owed the defendant  
6 any earnings (that is, wages, salary, commission, tips, bonus, or  
7 other compensation for personal services or any periodic payments  
8 pursuant to a nongovernmental pension or retirement program), the  
9 defendant is entitled to receive amounts that are exempt from  
10 garnishment under federal and state law. You must pay the exempt  
11 amounts to the defendant on the day you would customarily pay the  
12 compensation or other periodic payment. As more fully explained in  
13 the answer, the basic exempt amount is the greater of seventy-five  
14 percent of disposable earnings or a minimum amount determined by  
15 reference to the employee's pay period, to be calculated as provided  
16 in the answer. However, if this writ carries a statement in the  
17 heading that "This garnishment is based on a judgment or court order  
18 for child support," the basic exempt amount is fifty percent of  
19 disposable earnings.

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20  
21 You may deduct a processing fee from the remainder of the  
22 employee's earnings after withholding under the writ. The processing  
23 fee may not exceed twenty dollars for the first answer and ten  
24 dollars at the time you submit your first payment.

25  
26 If you owe the defendant a debt payable in money in excess of  
27 the amount set forth in the first paragraph of this writ, hold only  
28 the amount set forth in the first paragraph and any processing fee  
29 if one is charged and release all additional funds or property to  
30 defendant.

31  
32 IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE  
33 ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM  
34 AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND

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1 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU  
2 PROPERLY ANSWER THIS WRIT AND PAY OVER ANY WITHHELD FUNDS AS  
3 INSTRUCTED, NO JUDGMENT WILL BE ENTERED AGAINST YOU.

4  
5 JUDGMENT MAY BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND  
6 FEES INCURRED BY THE PLAINTIFF IF NOT PAID BY THE GARNISHEE  
7 DEFENDANT THROUGH THIS GARNISHMENT.

8  
9 This writ is issued by the undersigned attorney of record for  
10 plaintiff under the authority of chapter 6.27 of the Revised Code of  
11 Washington, and must be complied with in the same manner as a writ  
12 issued by the clerk of the court.

13  
14 Dated this . . . . . day  
15 of. . . . . , 20. . . . .

16  
17 —  
18 . . . . .  
19 Attorney for  
20 Plaintiff  
21 . . . . .  
22 Address"

23  
24  
25 **Sec. 4.** RCW 6.27.340 and 2003 c 222 s 13 are each amended to read  
26 as follows:

27 (1) Service of a writ for a continuing lien shall comply fully  
28 with RCW 6.27.110.

29 (2) ~~((The caption of the writ shall be marked "CONTINUING LIEN ON~~  
30 ~~EARNINGS" and the following additional paragraph shall be included in~~  
31 ~~the writ form prescribed in RCW 6.27.100+.~~

32 ~~"THIS IS A WRIT FOR A CONTINUING LIEN. THE GARNISHEE SHALL HOLD the~~  
33 ~~nonexempt portion of the defendant's earnings due at the time of~~  
34 ~~service of this writ and shall also hold the defendant's nonexempt~~



1 earnings that accrue through the last payroll period ending on or  
2 before SIXTY days after the date of service of this writ. HOWEVER, IF  
3 THE GARNISHEE IS PRESENTLY HOLDING THE NONEXEMPT PORTION OF THE  
4 DEFENDANT'S EARNINGS UNDER A PREVIOUSLY SERVED WRIT FOR A CONTINUING  
5 LIEN, THE GARNISHEE SHALL HOLD UNDER THIS WRIT only the defendant's  
6 nonexempt earnings that accrue from the date the previously served  
7 writ or writs terminate and through the last payroll period ending on  
8 or before sixty days after the date of termination of the previous  
9 writ or writs. IN EITHER CASE, THE GARNISHEE SHALL STOP WITHHOLDING  
10 WHEN THE SUM WITHHELD EQUALS THE AMOUNT STATED IN THIS WRIT OF  
11 GARNISHMENT."

12 (3) The answer forms served on an employer with the writ shall  
13 include in the caption, "ANSWER TO WRIT OF GARNISHMENT FOR CONTINUING  
14 LIEN ON EARNINGS," and the following paragraph shall be added to  
15 section I of the answer form prescribed in RCW 6.27.190:

16 "If you are withholding the defendant's nonexempt earnings under a  
17 previously served writ for a continuing lien, answer only sections I  
18 and II of this form and mail or deliver the forms as directed in the  
19 writ. Withhold from the defendant's future nonexempt earnings as  
20 directed in the writ, and a second set of answer forms will be  
21 forwarded to you later.

22 ANSWER: I am presently holding the defendant's nonexempt earnings  
23 under a previous writ served on . . . . . that will terminate not  
24 later than . . . . ., 20 . . . .

25  
26 . . . . .

27  
28  
29 If you are NOT withholding the defendant's earnings under a  
30 previously served writ for a continuing lien, answer this  
31 entire form and mail or deliver the forms as directed in the  
32 writ. A second set of answer forms will be forwarded to you  
33 later for subsequently withheld earnings.") If the writ is  
34 directed to an employer for the purpose of garnishing the

1 defendant's wages, the first answer shall accurately state, as  
2 of the date the writ of garnishment was issued as indicated by  
3 the date appearing on the last page of the writ, whether the  
4 defendant was employed by the garnishee defendant (and if not  
5 the date employment terminated), whether the defendant's  
6 earning were subject to a pre-existing writ of garnishment for  
7 continuing liens on earnings (and if so the date such writ will  
8 terminate and the current writ will be enforced), whether the  
9 defendant maintained a financial account with garnishee, and  
10 whether the garnishee defendant had possession of or control  
11 over any funds, personal property, or effects of the defendant  
12 (and if so the garnishee defendant shall list all of  
13 defendant's personal property or effects in its possession or  
14 control). The first answer shall further accurately state, as  
15 of the time of service of the writ of garnishment on the  
16 garnishee defendant, the amount due and owing from the  
17 garnishee defendant to the defendant, and the defendant's  
18 total earnings, allowable deductions, disposable earnings,  
19 exempt earnings, deductions for superior liens such as child  
20 support, and net earnings withheld under the writ. The first  
21 answer may be substantially in the following form:

Comment [k1]: This allows GD to use its own form.

22  
23  
24 IN THE . . . . . COURT  
25 OF THE STATE OF WASHINGTON IN  
26 AND FOR  
27 THE COUNTY OF . . . . .  
28  
29 ..... , NO. ....  
30 Plaintiff,  
31 vs. **FIRST ANSWER**  
32 ..... , TO WRIT OF  
33 Defendant, GARNISHMENT  
34 ..... FOR CONTINUING

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LIEN

Garnishee            ON EARNINGS  
Defendant

SECTION I. If you are withholding the defendant's nonexempt earnings under a previously served writ for a continuing lien, answer only sections I and III of this form and mail or deliver the forms as directed in the writ. Withhold from the defendant's future nonexempt earnings as directed in the writ, and a second set of answer forms will be forwarded to you later.

If you are NOT withholding the defendant's earnings under a previously served writ for a continuing lien, answer this ENTIRE form and mail or deliver the forms as directed in the writ. A second set of answer forms will be forwarded to you later for subsequently withheld earnings.

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ANSWER: I am presently holding the defendant's nonexempt earnings under a previous writ served on . . . . . that will terminate not later than . . . . ., 20 . . .

On the date the writ of garnishment was issued as indicated by the date appearing on the last page of the writ:

(A) The defendant: (check one) [ ] was, [ ] was not employed by garnishee. If not employed and you have no possession or control of any funds of defendant, indicate the last day of employment: . . . . .; and complete section III of this answer and mail or deliver the forms as directed in the writ;

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(B) The defendant: (check one) [ ] did, [ ] did not maintain a financial account with garnishee; and

(C) The garnishee: (check one) [ ] did, [ ] did not have possession of or control over any funds, personal property, or effects of the defendant. (List all of defendant's personal property or effects in your possession or control on the last page of this answer form or attach a schedule if necessary.)

SECTION II. At the time of service of the writ of garnishment on the garnishee there was due and owing from the garnishee to the above-named defendant \$ . . . . .

This writ attaches a maximum of . . . . percent of the defendant's disposable earnings (that is, compensation payable for personal services, whether called wages, salary, commission, bonus, or otherwise, and including periodic payments pursuant to a nongovernmental pension or retirement program).

Calculate the attachable amount as follows:

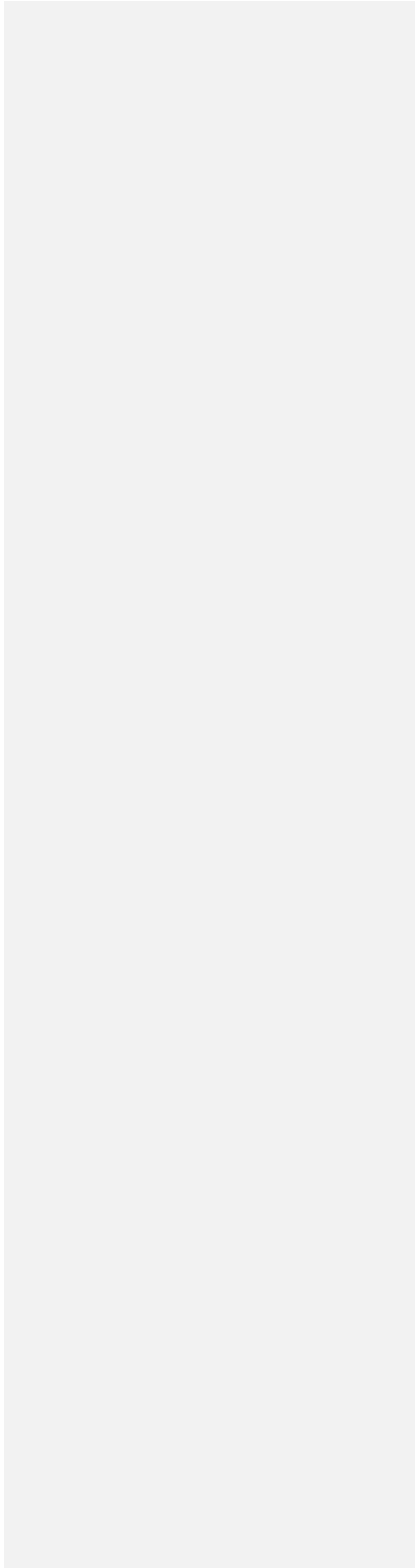
Gross Earnings . . . . . \$ . . . . . (1)

Less deductions required by law (social security,

federal withholding tax, etc. Do not include

deductions for child support orders or government

liens here. Deduct child support orders and liens



1  
2 on line 7): .....\$ .....(2)

3  
4 Disposable Earnings (subtract line 2 from  
5  
6 line 1): .....\$ .....(3)

7  
8 Enter . . . percent of line 3: .....\$ .....(4)

9  
10 Enter one of the following exempt amounts\*:\$ .....(5)

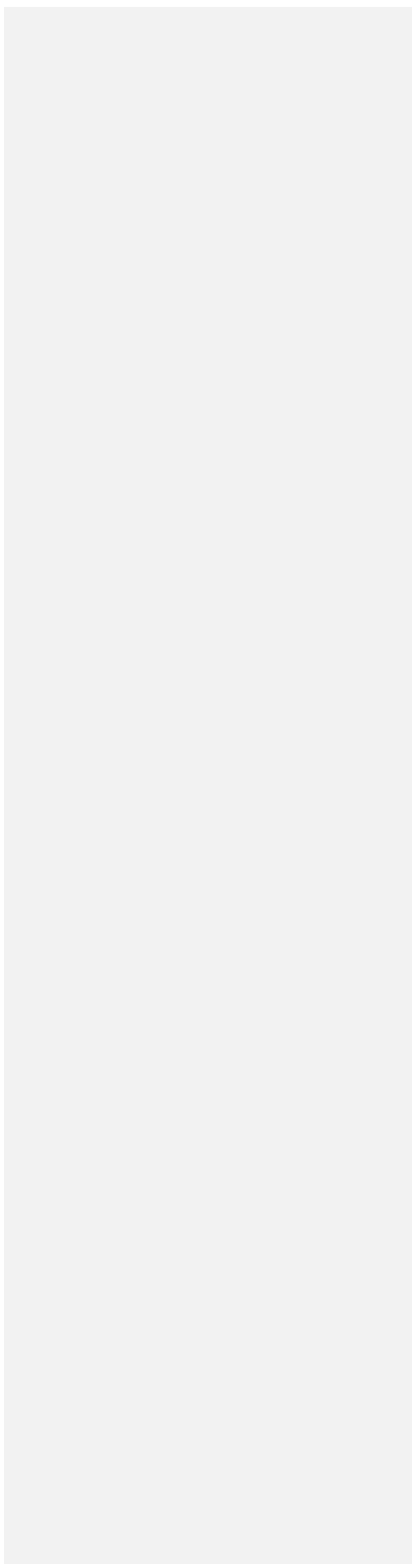
11					
12					
13	<u>If paid:</u>	<u>Weekly</u>	<u>\$ . . . . .</u>	<u>Semi-monthly</u>	<u>\$ . . . . .</u>
14		<u>Bi-weekly</u>	<u>\$ . . . . .</u>	<u>Monthly</u>	<u>\$ . . . . .</u>
15					

16

17 \*These are minimum exempt amounts that the  
18 defendant must be paid. If your answer  
19 covers more than one pay period, multiply  
20 the preceding amount by the number of pay  
21 periods and/or fraction thereof your answer  
22 covers. If you use a pay period not shown,  
23 prorate the monthly exempt amount.

24

25 Subtract the larger of lines 4 and 5 from  
26  
27 line 3: .....\$ .....(6)





1                    Garnishee  
2                    .....  
3                    Print Name of .....  
4                    Person                    Address                    of  
5                    Signing                    Garnishee  
6  
7

8 (3) Prior to serving the answer forms for a writ for continuing lien  
9 on earnings, the plaintiff shall fill in the minimum exemption amounts  
10 for the different pay periods, and the maximum percentages of  
11 disposable earnings subject to lien and exempt from lien.

12 (4) If the writ for continuing lien is one issued under subsection  
13 3 of section 3 of this Act, the writ may be titled "ANSWER TO WRIT OF  
14 GARNISHMENT FOR CONTINUING LIEN ON EARNINGS" and the following  
15 sentence may be omitted from SECTION I of the answer form: A second  
16 set of answer forms will be forwarded to you later for subsequently  
17 withheld earnings.

**Comment [k2]:** This accommodates pay-as-you-go writs

18 (5) In the event plaintiff fails to comply with this section,  
19 employer may elect to treat the garnishment as one not creating a  
20 continuing lien.

21  
22 **Sec. 5.** RCW 6.27.110 and 1998 c 227 s 4 are each amended to read  
23 as follows:

24 (1) Service of the writ of garnishment, including a writ for  
25 continuing lien on earnings, on the garnishee is invalid unless the  
26 writ is served together with: (a) ~~Four An~~ answer forms as prescribed  
27 in RCW 6.27.190; and (b) ~~three stamped envelopes addressed~~  
28 ~~respectively to the clerk of the court issuing the writ, the attorney~~  
29 ~~for the plaintiff (or to the plaintiff if the plaintiff has no~~  
30 ~~attorney), and the defendant; and (c) a~~ check or money order made  
31 payable to the garnishee in the amount of twenty dollars for the  
32 answer fee if the writ of garnishment is not a writ for a continuing  
33 lien on earnings.

**Comment [k3]:** Employers don't fill out 4 forms, they Xerox or use own forms.

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1 (2) Except as provided in RCW 6.27.080 for service on a bank,  
2 savings and loan association, or credit union, the writ of garnishment  
3 shall be mailed to the garnishee by certified mail, return receipt  
4 requested, addressed in the same manner as a summons in a civil  
5 action, and will be binding upon the garnishee on the day set forth on  
6 the return receipt. In the alternative, the writ shall be served by  
7 the sheriff of the county in which the garnishee lives or has its  
8 place of business or by any person qualified to serve process in the  
9 same manner as a summons in a civil action is served.

10 (3) If a writ of garnishment is served by a sheriff, the sheriff  
11 shall file with the clerk of the court that issued the writ a signed  
12 return showing the time, place, and manner of service and that the  
13 writ was accompanied by an answer forms, addressed envelopes, and  
14 check or money order if required by this section, and noting thereon  
15 fees for making the service. If service is made by any person other  
16 than a sheriff, such person shall file an affidavit including the same  
17 information and showing qualifications to make such service. If a  
18 writ of garnishment is served by mail, the person making the mailing  
19 shall file an affidavit showing the time, place, and manner of mailing  
20 and that the writ was accompanied by an answer forms and addressed  
21 envelopes, and check or money order if required by this section, and  
22 shall attach the return receipt or electronic return receipt delivery  
23 confirmation to the affidavit.

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Comment [k4]: RCW 1.12.060 (HB 1462 2009)

24  
25 **Sec. 6.** RCW 6.27.140 and 2010 1st sp.s. c 26 s 2 are each amended  
26 to read as follows:

27 (1) The notice required by RCW 6.27.130(1) to be mailed to or  
28 served on an individual judgment debtor shall be in the following  
29 form, printed or typed in ((type)) no smaller than ((elite)) size  
30 twelve point font type:

31  
32 NOTICE OF GARNISHMENT  
33 AND OF YOUR RIGHTS  
34



1 A Writ of Garnishment issued in a Washington court has been or  
2 will be served on the garnishee named in the attached copy of  
3 the writ. After receipt of the writ, the garnishee is  
4 required to withhold payment of any money that was due to you  
5 and to withhold any other property of yours that the garnishee  
6 held or controlled. This notice of your rights is required by  
7 law.

8  
9

10 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

11  
12

13 WAGES. If the garnishee is your employer who owes wages or  
14 other personal earnings to you, your employer is required to  
15 pay amounts to you that are exempt under state and federal  
16 laws, as explained in the writ of garnishment. You should  
17 receive a copy of your employer's answer, which will show how  
18 the exempt amount was calculated. If the garnishment is for  
19 child support, the exempt amount paid to you will be  
20 a ~~((forty))~~ percent of ~~((wages due you, but if you are~~  
21 ~~supporting a spouse, state registered domestic partner, or~~  
22 ~~dependent child, you are entitled to claim an additional ten~~  
23 ~~percent as exempt))~~ your disposable earnings, which is fifty  
24 percent of that part of your earnings remaining after your  
25 employer deducts those amounts which are required by law to be  
26 withheld.

27  
28

29 BANK ACCOUNTS. If the garnishee is a bank or other  
30 institution with which you have an account in which you have  
31 deposited benefits such as Temporary Assistance for Needy  
32 Families, Supplemental Security Income (SSI), Social Security,  
33 veterans' benefits, unemployment compensation, or any ~~((United~~  
34 ~~States))~~ federally qualified pension, such as a state or

1 federal pension, individual retirement account (IRA), or 401K  
2 plan, you may claim the account as fully exempt if you have  
3 deposited only such benefit funds in the account. It may be  
4 partially exempt even though you have deposited money from  
5 other sources in the same account. An exemption is also  
6 available under RCW 26.16.200, providing that funds in a  
7 community bank account that can be identified as the earnings  
8 of a stepparent are exempt from a garnishment on the child  
9 support obligation of the parent.

10  
11  
12 OTHER EXEMPTIONS. If the garnishee holds other property of  
13 yours, some or all of it may be exempt under RCW 6.15.010, a  
14 Washington statute that exempts certain property of your  
15 choice (including specified cash or money in a bank account)  
16 and certain other property such as household furnishings,  
17 tools of trade, and a motor vehicle (all limited by differing  
18 dollar values).

19 **KU: This is the current text:**

20 **(Effective until January 1, 2018.)**

21 OTHER EXEMPTIONS. If the garnishee holds other property of yours, some or all of it may be exempt under RCW 6.15.010,  
22 a Washington statute that exempts certain property of your choice (including money in a bank account up to \$200.00 for  
23 debts owed to state agencies, or up to \$500.00 for all other debts) and certain other property such as household furnishings,  
24 tools of trade, and a motor vehicle (all limited by differing dollar values).

25 **(Effective January 1, 2018.)**

26 OTHER EXEMPTIONS. If the garnishee holds other property of yours, some or all of it may be exempt under RCW 6.15.010,  
27 a Washington statute that exempts certain property of your choice (including up to \$500.00 in a bank account) and certain  
28 other property such as household furnishings, tools of trade, and a motor vehicle (all limited by differing dollar values).

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1 hearing date will be mailed to you at the address that you put  
2 on the claim form.

3  
4

5 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY,  
6 AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS,  
7 BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY DELAY.

8  
9

10 (2)(a) If the writ is to garnish funds or property held by a  
11 financial institution, the claim form required by RCW 6.27.130(1) to  
12 be mailed to or served on an individual judgment debtor shall be in  
13 the following form, printed or typed in ((type)) no smaller than  
14 ((elite)) size twelve point font type:

15

[Caption to be filled in by judgment  
creditor  
or plaintiff before mailing.]

16  
17  
18

.....  
Name of Court  
..... No . . . . .

19  
20  
21

Plaintiff,  
vs.

22  
23  
24

..... EXEMPTION CLAIM  
Defendant,  
.....

25  
26  
27

Garnishee  
Defendant

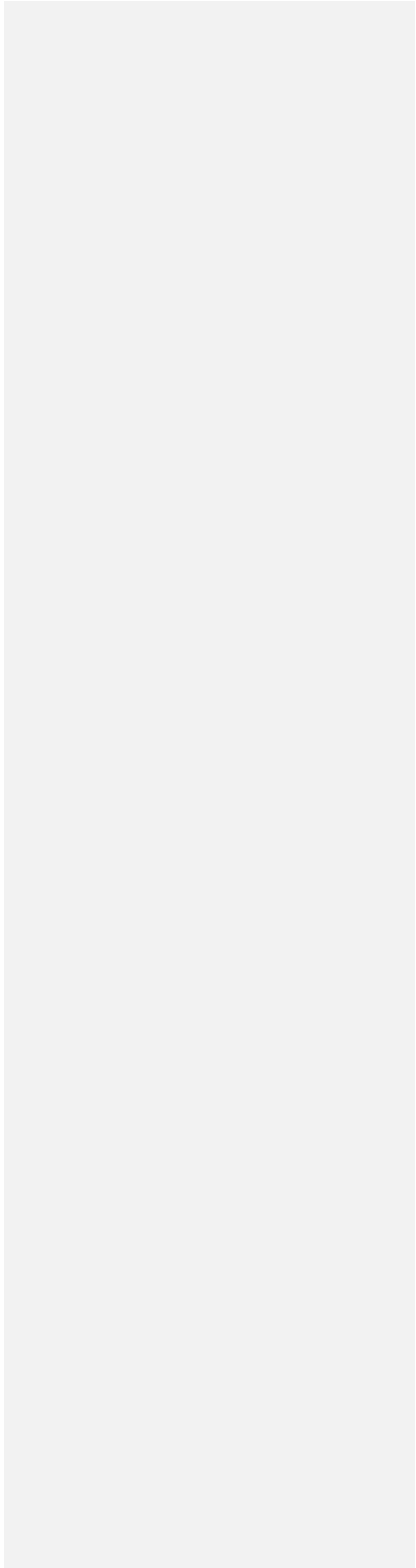
28  
29

INSTRUCTIONS:

- 1. Read this whole form after reading the enclosed notice. Then put an X in the

30  
31  
32

33  
34



1 box or boxes that  
2 describe your exemption claim  
3 or claims and write in  
4 the necessary information on  
5 the blank lines. If  
6 additional space is needed, use  
7 the bottom of the last  
8 page or attach another sheet.

- 9 2. Make two copies of the  
10 completed form. Deliver the  
11 original form by first-class  
12 mail or in person to the  
13 clerk of the court, whose  
14 address is shown at the  
15 bottom of the writ of  
16 garnishment. Deliver one of  
17 the copies by first-class mail  
18 or in person to the  
19 plaintiff or plaintiff's  
20 attorney, whose name and  
21 address are shown at the bottom  
22 of the writ. Keep  
23 the other copy. YOU SHOULD DO  
24 THIS AS  
25 QUICKLY AS POSSIBLE, BUT NO  
26 LATER  
27 THAN 28 DAYS (4 WEEKS) AFTER  
28 THE DATE  
29 ON THE WRIT.

30 I/We claim the following money or  
31 property as exempt:

32 IF BANK ACCOUNT IS GARNISHED:

33 [ ] The account contains payments  
34

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from:

[ ] Temporary assistance for needy families, SSI, or other public assistance. I receive \$ . . . . . monthly.

[ ] Social Security. I receive \$ . . . . . monthly.

[ ] Veterans' Benefits. I receive \$ . . . . . monthly.

[ ] ~~((U.S. Government))~~ Federally qualified Pension, such as a state or federal pension, individual retirement account (IRA), or 401K plan. I receive \$ . . . . . monthly.

[ ] Unemployment Compensation. I receive \$ . . . . . monthly.

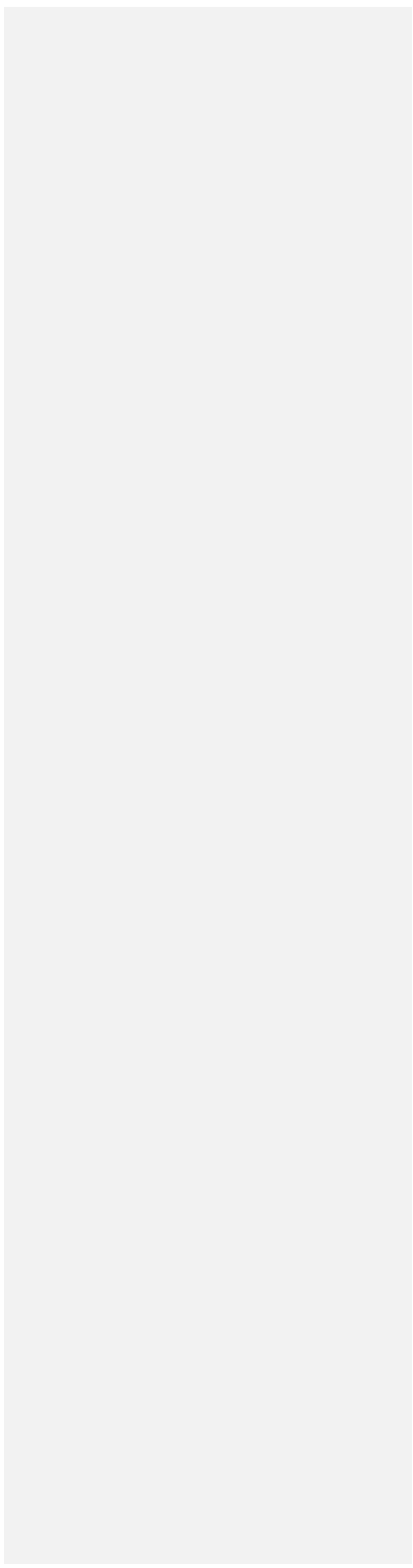
[ ] Child support. I receive \$ . . . . . monthly.

[ ] Other. Explain .....

IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,  
ANSWER ONE OR BOTH OF THE FOLLOWING:

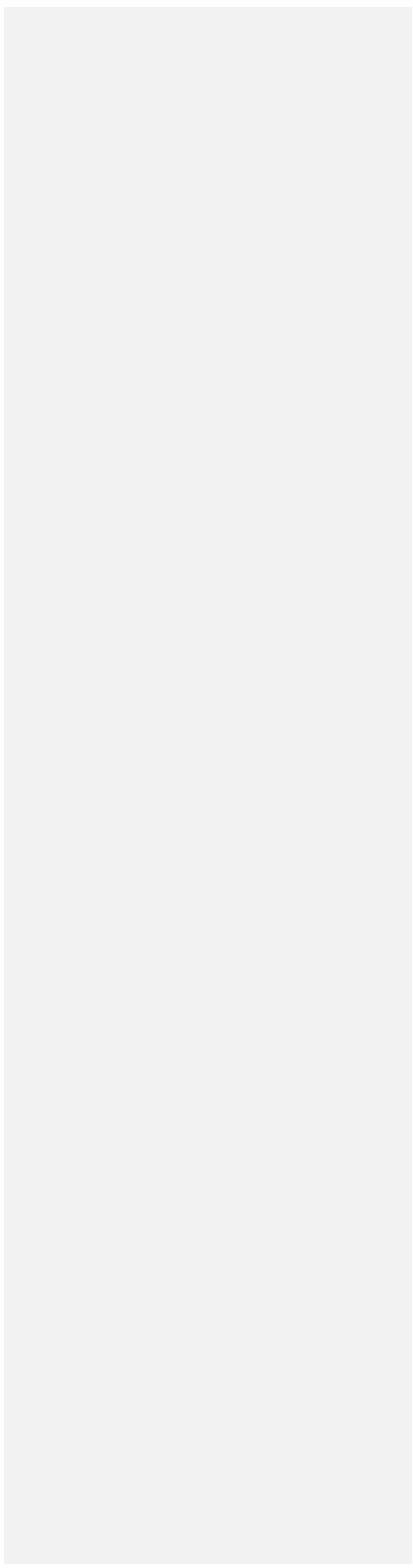
[ ] No money other than from above payments are in the account.

[ ] Moneys in addition to the above payments have been deposited in the account. Explain .....



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.....  
.....  
(~~IF EARNINGS ARE CARNISHED FOR CHILD SUPPORT:~~  
~~[ ] I claim maximum exemption.~~  
~~[ ] I am supporting another child or other children.~~  
~~[ ] I am supporting a husband, wife, or state registered domestic partner.~~  
~~IF PENSION OR RETIREMENT BENEFITS ARE CARNISHED:~~  
~~[ ] Name and address of employer who is paying the benefits:— .....~~  
~~.....)~~  
OTHER PROPERTY:  
[ ] Describe property .....  
.....  
(If you claim other personal property as exempt, you must attach a list of all other personal property that you own.)  
.....  
Print: If married or in a  
Your name state  
registered  
domestic  
partnership,  
name of  
husband/wife/state  
registered

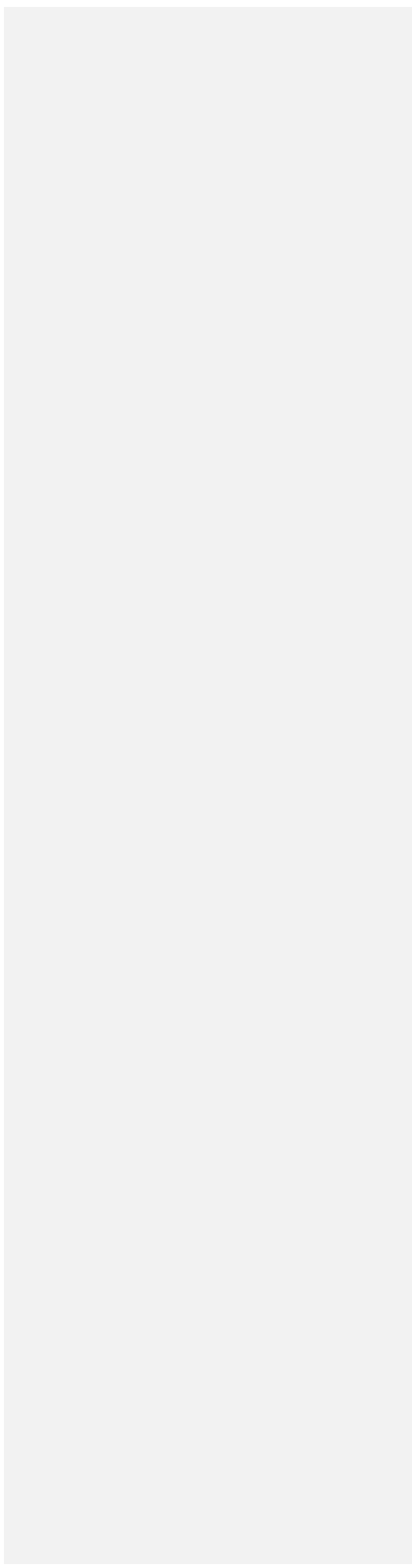


1 domestic partner  
2 .....  
3 Your Signature of  
4 signature husband,  
5 wife, or state  
6 registered  
7 domestic partner  
8 .....  
9 .....  
10 Address Address  
11 (if different from  
12 yours)  
13 .....  
14 Telephone Telephone number  
15 number  
16 (if different from  
17 yours)  
18  
19  
20

21 CAUTION: If the plaintiff objects to your claim, you will have to  
22 go to court and give proof of your claim. For example, if you claim  
23 that a bank account is exempt, you may have to show the judge your  
24 bank statements and papers that show the source of the money you  
25 deposited in the bank. Your claim may be granted more quickly if you  
26 attach copies of such proof to your claim.

27 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
28 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
29 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
30 PLAINTIFF'S ATTORNEY FEES.  
31

32  
33 (b) If the writ is directed to an employer to garnish earnings, the  
34 claim form required by RCW 6.27.130(1) to be mailed to or served on an



1 individual judgment debtor shall be in the following form, subject to  
2 (c) of this subsection, printed or typed in no smaller than size  
3 twelve point font type:

4  
5 [Caption to be filled in by judgment  
6 creditor  
7 or plaintiff before mailing.]

8 .....

9 Name of Court

10 ..... No . . . . .

11 Plaintiff,

12 vs.

13 ..... EXEMPTION CLAIM

14 Defendant,

15 .....

16 Garnishee

17 Defendant

18 INSTRUCTIONS:

- 19 1. Read this whole form after  
20 reading the enclosed  
21 notice. Then put an X in the  
22 box or boxes that  
23 describe your exemption claim  
24 or claims and write in  
25 the necessary information on  
26 the blank lines. If  
27 additional space is needed, use  
28 the bottom of the last  
29 page or attach another sheet.
- 30 2. Make two copies of the  
31 completed form. Deliver the  
32 original form by first-class  
33 mail or in person to the  
34 clerk of the court, whose



1                   address is shown at the  
2                   bottom of the writ of  
3                   garnishment. Deliver one of  
4                   the copies by first-class mail  
5                   or in person to the  
6                   plaintiff or plaintiff's  
7                   attorney, whose name and  
8                   address are shown at the bottom  
9                   of the writ. Keep  
10                   the other copy. YOU SHOULD DO  
11                   THIS AS  
12                   QUICKLY AS POSSIBLE, BUT NO  
13                   LATER  
14                   THAN 28 DAYS (4 WEEKS) AFTER  
15                   THE DATE  
16                   ON THE WRIT.

17 I/We claim the following money or  
18 property as exempt:

19  
20  
21  
22  
23  
24 IF PENSION OR RETIREMENT BENEFITS ARE  
25 GARNISHED:

26 [ ] Name and address of employer  
27 who is paying the  
28 benefits: .....

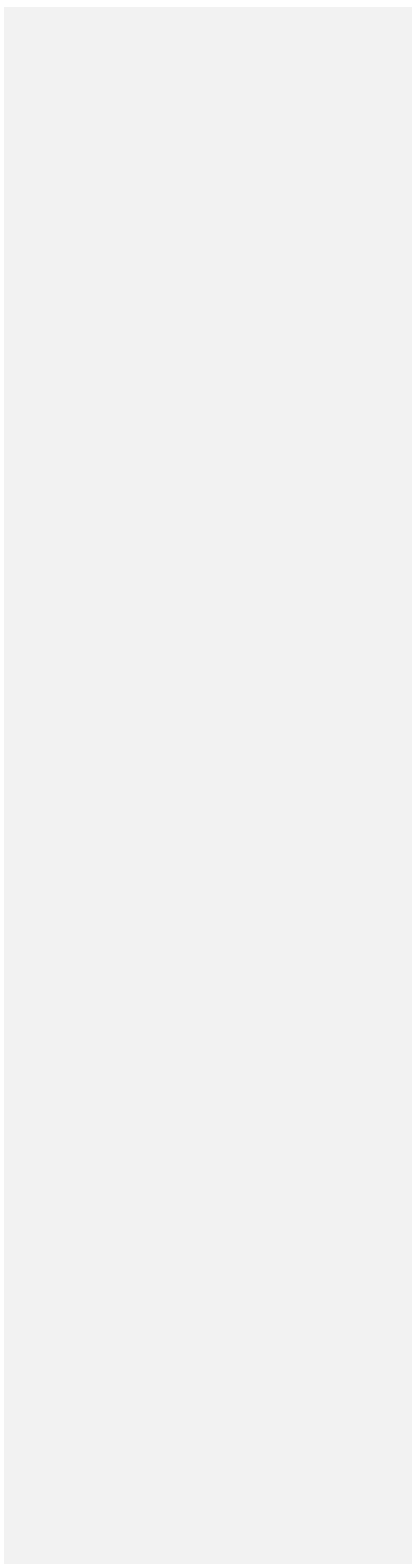
29 .....

30 IF EARNINGS ARE GARNISHED FOR CHILD  
31 SUPPORT:

32 [ ] I claim maximum exemption.

1 .....  
2 Print: If married or in a  
3 Your name state  
4 registered  
5 domestic  
6 partnership,  
7 name of  
8 husband/wife/state  
9 registered  
10 domestic partner  
11 .....  
12 Your Signature of  
13 signature husband,  
14 wife, or state  
15 registered  
16 domestic partner  
17 .....  
18 .....  
19 Address Address  
20 (if different from  
21 yours)  
22 .....  
23 Telephone Telephone number  
24 number  
25 (if different from  
26 yours)  
27  
28

29 CAUTION: If the plaintiff objects to your claim, you will have to go  
30 to court and give proof of your claim. For example, if you claim that  
31 a bank account is exempt, you may have to show the judge your bank  
32 statements and papers that show the source of the money you deposited  
33 in the bank. Your claim may be granted more quickly if you attach  
34 copies of such proof to your claim.



1 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
2 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
3 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
4 PLAINTIFF'S ATTORNEY FEES.

5 (c) If the writ under (b) of this subsection is not a writ for the  
6 collection of child support, the exemption language pertaining to  
7 child support may be omitted.

8

9 **Sec. 7.** RCW 6.27.150 and 1991 c 365 s 26 are each amended to read  
10 as follows:

11 (1) Except as provided in subsection (2) of this section, if the  
12 garnishee is an employer owing the defendant earnings, then for each  
13 week of such earnings, an amount shall be exempt from garnishment  
14 which is the greatest of the following:

15 (a) ~~((Thirty))~~ Forty-Thirty-five times the federal minimum hourly  
16 wage prescribed by section 206(a)(1) of Title 29 of the United States  
17 Code in effect at the time the ~~((earnings are payable))~~ writ is  
18 issued; or

19 (b) Seventy-five percent of the disposable earnings of the  
20 defendant.

21 (2) In the case of a garnishment based on a judgment or other  
22 ~~((court))~~ order for child support or court order for spousal  
23 maintenance, other than a mandatory wage assignment order pursuant to  
24 chapter 26.18 RCW, or a mandatory assignment of retirement benefits  
25 pursuant to chapter 41.50 RCW, the exemption shall be fifty percent of  
26 the disposable earnings of the defendant ~~((if the individual is~~  
27 ~~supporting a spouse or dependent child (other than a spouse or child~~  
28 ~~on whose behalf the garnishment is brought), or forty percent of the~~  
29 ~~disposable earnings of the defendant if the individual is not~~  
30 ~~supporting such a spouse or dependent child)).~~

31 (3) The exemptions stated in this section shall apply whether such  
32 earnings are paid, or are to be paid, weekly, monthly, or at other  
33 intervals, and whether earnings are due the defendant for one week, a  
34 portion thereof, or for a longer period.

1 (4) Unless directed otherwise by the court, the garnishee shall  
2 determine and deduct exempt amounts under this section as directed in  
3 the writ of garnishment and answer, and shall pay these amounts to the  
4 defendant.

5 (5) No money due or earned as earnings as defined in RCW 6.27.010  
6 shall be exempt from garnishment under the provisions of RCW 6.15.010,  
7 as now or hereafter amended.

8

9 **Sec. 8.** RCW 6.27.190 and 2003 c 222 s 8 are each amended to read  
10 as follows:

11 (1) The answer of the garnishee shall be signed by the garnishee or  
12 attorney or if the garnishee is a corporation, by an officer, attorney  
13 or duly authorized agent of the garnishee, under penalty of perjury,  
14 and the original and copies delivered, either personally or by mail,  
15 ~~((to the clerk of the court, one copy to the plaintiff or the  
16 plaintiff's attorney, and one copy to the defendant))~~ as instructed in  
17 the writ. The answer shall be made on a form substantially as appears  
18 in this section, served on the garnishee with the writ. ~~((Prior to  
19 serving the answer forms for a writ for continuing lien on earnings,  
20 the plaintiff shall fill in the minimum exemption amounts for the  
21 different pay periods, and the maximum percentages of disposable  
22 earnings subject to lien and exempt from lien.))~~

23 (2) If the writ of garnishment is for a continuing lien, the answer  
24 forms shall be as prescribed in RCW 6.27.340 and 6.27.350.

25 (3) If the writ is not directed to an employer for the purpose of  
26 garnishing the defendant's wages, the ~~((paragraphs in section II of  
27 the answer relating to earnings and calculations of withheld amounts  
28 may be omitted.))~~ answer shall be substantially in the following form:

29

30 IN THE . . . . . COURT  
31 OF THE STATE OF WASHINGTON IN  
32 AND FOR  
33 THE COUNTY OF . . . . .

34

**Comment [k5]:** This contradicts sub-2, and is redundant as to sub-3

1 ..... NO. . . . .  
2 Plaintiff  
3 vs. ANSWER  
4 ..... TO WRIT OF  
5 Defendant GARNISHMENT  
6 .....  
7 Garnishee  
8 Defendant

9 SECTION I. On the date the writ of garnishment was issued as  
10 indicated by the date appearing on the last page of the writ:

11 (A) The defendant: (check one) . . . . was, . . . . was not employed  
12 by garnishee. If not employed and you have no possession or control  
13 of any funds of defendant, indicate the last day of employment: . . .  
14 . . . .; and complete section III of this answer and mail or deliver  
15 the forms as directed in the writ;

16 (B) The defendant: (check one) . . . . did, . . . . did not maintain  
17 a financial account with garnishee; and

18 (C) The garnishee: (check one) . . . . did, . . . . did not have  
19 possession of or control over any funds, personal property, or effects  
20 of the defendant. (List all of defendant's personal property or  
21 effects in your possession or control on the last page of this answer  
22 form or attach a schedule if necessary.)  
23

24 SECTION II. At the time of service of the writ of garnishment on  
25 the garnishee there was due and owing from the garnishee to the above-  
26 named defendant \$ . . . . .

27 ~~((This writ attaches a maximum of . . . . percent of the~~  
28 ~~defendant's disposable earnings (that is, compensation payable for~~  
29 ~~personal services, whether called wages, salary, commission, bonus, or~~  
30 ~~otherwise, and including periodic payments pursuant to a~~  
31 ~~nongovernmental pension or retirement program). Calculate the~~  
32 ~~attachable amount as follows:~~

33 ~~Gross Earnings~~ ..... \$ .....(1)  
34

1 ~~Less deductions required by law (social security,~~  
2 ~~federal withholding tax, etc. Do not include~~  
3 ~~deductions for child support orders or government~~  
4 ~~liens here. Deduct child support orders and liens~~  
5 ~~on line 7):~~ ..... \$ .....(2)  
6 ~~Disposable Earnings (subtract line 2 from~~  
7 ~~line 1):~~ ..... \$ .....(3)  
8 ~~Enter . . . percent of line 3:~~ ..... \$ .....(4)  
9 ~~Enter one of the following exempt amounts\*:~~..... \$ .....(5)

10

11 ~~If paid:~~            Weekly            \$ .....    Semi-monthly    \$ .....  
12                            Bi-weekly            \$ .....    Monthly            \$ .....

13 ~~\*These are minimum exempt amounts that the~~  
14 ~~defendant must be paid. If your answer~~  
15 ~~covers more than one pay period, multiply~~  
16 ~~the preceding amount by the number of pay~~  
17 ~~periods and/or fraction thereof your answer~~  
18 ~~covers. If you use a pay period not shown,~~  
19 ~~prorate the monthly exempt amount.~~

20 ~~Subtract the larger of lines 4 and 5 from~~  
21 ~~line 3:~~ ..... \$ .....(6)

22 ~~Enter amount (if any) withheld for ongoing~~  
23 ~~government liens such as child support:~~..... \$ .....(7)

24 ~~Subtract line 7 from line 6. This amount~~  
25 ~~must be held out for the plaintiff:~~ ..... \$ .....(8)

26 ~~This is the formula that you will use for withholding each pay period~~  
27 ~~over the required sixty-day garnishment period. Deduct any allowable~~  
28 ~~processing fee you may charge from the amount that is to be paid to~~  
29 ~~the defendant.)~~

30

31        If there is any uncertainty about your answer, give an explanation  
32 on the last page or on an attached page.

33

34        SECTION III. An attorney may answer for the garnishee.

1 Under penalty of perjury, I affirm that I have examined this  
2 answer, including accompanying schedules, and to the best of my  
3 knowledge and belief it is true, correct, and complete.

4  
5 .....

6 Signature of Date  
7 Garnishee  
8 Defendant

9 .....

10 Signature of Connection with  
11 person  
12 answering for garnishee  
13 garnishee

14 .....

15 Print name of .....  
16 person Address of  
17 signing garnishee

18

19 **Sec. 9.** RCW 6.27.200 and 2003 c 222 s 9 are each amended to read  
20 as follows:

21 If the garnishee fails to answer the writ within the time  
22 prescribed in the writ, after the time to answer the writ has expired  
23 and after required returns or affidavits have been filed, showing  
24 service on the garnishee and service on or mailing to the defendant,  
25 it shall be lawful for the court to render judgment by default against  
26 such garnishee, after providing a notice to the garnishee by personal  
27 service or first-class mail deposited in the mail at least ten  
28 calendar days prior to entry of the judgment, for the full amount  
29 claimed by the plaintiff against the defendant, or in case the  
30 plaintiff has a judgment against the defendant, for the full amount of  
31 the plaintiff's unpaid judgment against the defendant with all  
32 accruing interest and costs as prescribed in RCW 6.27.090: PROVIDED,  
33 That upon motion by the garnishee at any time within seven days  
34 following service on, or mailing to, the garnishee of a copy of the

1 first writ of execution or writ of garnishment under such judgment,  
2 the judgment against the garnishee shall be reduced to the amount of  
3 any nonexempt funds or property which was actually in the possession  
4 of the garnishee at the time the writ was served, plus the cumulative  
5 amount of the nonexempt earnings subject to the lien provided for in  
6 RCW 6.27.350, or the sum of one hundred dollars, whichever is more,  
7 but in no event to exceed the full amount claimed by the plaintiff or  
8 the amount of the unpaid judgment against the principal defendant  
9 (~~plus~~) with all accruing interest and costs and attorney's fees as  
10 prescribed in RCW 6.27.090, plus the accruing interest and costs and  
11 attorneys' fees as prescribed in RCW 6.27.090 for any garnishment on  
12 the judgment against the garnishee, and in addition the plaintiff  
13 shall be entitled to a reasonable attorney's fee for the plaintiff's  
14 response to the garnishee's motion to reduce said judgment against the  
15 garnishee under this proviso and the court may allow additional  
16 attorney's fees for other actions taken because of the garnishee's  
17 failure to answer.

18

19 **Sec. 10.** RCW 6.27.250 and 2003 c 222 s 10 are each amended to  
20 read as follows:

21 (1)(a) if it appears from the answer of the garnishee or if it is  
22 otherwise made to appear that the garnishee was indebted to the  
23 defendant in any amount, not exempt, when the writ of garnishment was  
24 served, and if the required return or affidavit showing service on or  
25 mailing to the defendant is on file, the court shall render judgment  
26 for the plaintiff against such garnishee for the amount so admitted or  
27 found to be due to the defendant from the garnishee, unless such  
28 amount exceeds the amount of the plaintiff's claim or judgment against  
29 the defendant with accruing interest and costs and attorney's fees as  
30 prescribed in RCW 6.27.090, in which case it shall be for the amount  
31 of such claim or judgment, with said interest, costs, and fees. If  
32 there is no unresolved exemption claim and no controversion, the  
33 plaintiff may apply for the judgment and order to pay ex parte. In  
34 the case of a superior court garnishment, the court shall order the



1 garnishee to pay to the plaintiff or to the plaintiff's attorney  
2 through the registry of the court the amount of the judgment against  
3 the garnishee, the clerk of the court shall note receipt of any such  
4 payment, and the clerk of the court shall disburse the payment to the  
5 plaintiff. In the case of a district court garnishment, the court  
6 shall order the garnishee to pay the judgment amount directly to the  
7 plaintiff or to the plaintiff's attorney. In either case, the court  
8 shall inform the garnishee that failure to pay the amount may result  
9 in execution of the judgment, including garnishment.

10

11 (1)(a) If it appears from the answer of the garnishee or if it is  
12 otherwise made to appear that the garnishee was indebted to the  
13 defendant in any amount, not exempt, when the writ of garnishment was  
14 served, and if the required return or affidavit showing service on or  
15 mailing to the defendant is on file, the court shall render judgment  
16 for the plaintiff against such garnishee for the amount so admitted or  
17 found to be due to the defendant from the garnishee, unless such  
18 amount exceeds the amount of the plaintiff's claim or judgment against  
19 the defendant with accruing interest and costs and attorney's fees as  
20 prescribed in RCW 6.27.090, in which case it shall be for the amount  
21 of such claim or judgment, with said interest, costs, and fees. If  
22 there is no unresolved exemption claim and no controversion, the  
23 plaintiff may apply for the judgment and order to pay ex parte. In  
24 the case of a superior court garnishment, the court shall order the  
25 garnishee to pay to the plaintiff or to the plaintiff's attorney  
26 through the registry of the court the amount of the judgment against  
27 the garnishee, the clerk of the court shall note receipt of any such  
28 payment, and the clerk of the court shall disburse the payment to the  
29 plaintiff. In the case of a district court garnishment, the court  
30 shall order the garnishee to pay the judgment amount directly to the  
31 plaintiff or to the plaintiff's attorney. In either case, the court  
32 shall inform the garnishee that failure to pay the amount may result  
33 in execution of the judgment, including garnishment.

34

1 (b) If, prior to judgment, the garnishee tenders to the plaintiff  
2 or to the plaintiff's attorney or to the court any amounts due, such  
3 tender will support judgment against the garnishee in the amount so  
4 tendered, subject to any exemption claimed within the time required in  
5 RCW 6.27.160 after the amounts are tendered, and subject to any  
6 controversion filed within the time required in RCW 6.27.210 after the  
7 amounts are tendered. Any amounts tendered to the court by or on  
8 behalf of the garnishee or the defendant prior to judgment shall be  
9 disbursed to the party entitled to same upon entry of judgment or  
10 order, and any amounts so tendered after entry of judgment or order  
11 shall be disbursed upon receipt to the party entitled to same.

12 (c) In the case of a writ of garnishment for continuing lien on  
13 earnings issued under subsection 3 of section 3 of this Act, when the  
14 garnishment is concluded by payment of non-exempt withheld funds to  
15 the plaintiff, no judgment or order to pay shall be required for the  
16 amounts paid over. The plaintiff shall file with the court a notice  
17 that the garnishment has concluded, which notice shall identify the  
18 amount of costs accrued in the garnishment and the funds received.  
19 No judgment shall be required for the plaintiff to apply the funds  
20 paid over to the judgment, interest, fees or costs. The notice may  
21 be in substantially the following form:

**Comment [k6]:** Necessary to conclude writ in court file.

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22  
23 IN THE . . . . . COURT  
24  
25 OF THE STATE OF WASHINGTON IN AND  
26 FOR  
27  
28 THE COUNTY OF . . . . .  
29 . . . . . NO. . . . .  
30 Plaintiff  
31 vs. NOTICE OF  
32 . . . . . CONCLUSION OF  
33 Defendant GARNISHMENT  
34



1 judgment, including interest and recoverable costs, has been  
2 satisfied, plaintiff may mail or deliver to the garnishee defendant  
3 a notice that the garnishment has concluded and that no further  
4 funds should be withheld. The notice ~~can, may be, but need not be~~  
5 combined with the notice described in subsection (1)(c) of this  
6 section, and may contain text in substantially the following form:  
7 "The writ of garnishment previously served upon you in this case has  
8 been concluded. You are directed to cease withholding further funds  
9 from amounts owed to the defendant. This notice is issued by the  
10 undersigned attorney of record for plaintiff under the authority of  
11 chapter 6.27 of the Revised Code of Washington, and must be complied  
12 with in the same manner as a notice issued by the court."

13 (3) If it shall appear from the answer of the garnishee and the  
14 same is not controverted, or if it shall appear from the hearing or  
15 trial on controversion or by stipulation of the parties that the  
16 garnishee is indebted to the principal defendant in any sum, but that  
17 such indebtedness is not matured and is not due and payable, and if  
18 the required return or affidavit showing service on or mailing to the  
19 defendant is on file, the court shall make an order requiring the  
20 garnishee to pay such sum into court when the same becomes due, the  
21 date when such payment is to be made to be specified in the order, and  
22 in default thereof that judgment shall be entered against the  
23 garnishee for the amount of such indebtedness so admitted or found  
24 due. In case the garnishee pays the sum at the time specified in the  
25 order, the payment shall operate as a discharge, otherwise judgment  
26 shall be entered against the garnishee for the amount of such  
27 indebtedness, which judgment shall have the same force and effect, and  
28 be enforced in the same manner as other judgments entered against  
29 garnishees as provided in this chapter: PROVIDED, That if judgment is  
30 rendered in favor of the principal defendant, or if any judgment  
31 rendered against the principal defendant is satisfied prior to the  
32 date of payment specified in an order of payment entered under this  
33 subsection, the garnishee shall not be required to make the payment,  
34 nor shall any judgment in such case be entered against the garnishee.

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1 | (34) The court shall, upon request of the plaintiff at the time  
2 judgment is rendered against the garnishee or within one year  
3 thereafter, or within one year after service of the writ on the  
4 garnishee if no judgment is taken against the garnishee, render  
5 judgment against the defendant for recoverable garnishment costs and  
6 attorney fees. However, if it appears from the answer of garnishee or  
7 otherwise that, at the time the writ was issued, the garnishee held no  
8 funds, personal property, or effects of the defendant and, in the case  
9 of a garnishment on earnings, the defendant was not employed by the  
10 garnishee, or, in the case of a writ directed to a financial  
11 institution, the defendant maintained no account therein, then the  
12 plaintiff may not be awarded judgment against the defendant for such  
13 costs or attorney fees.

14

15 **Sec. 11.** RCW 6.27.330 and 1987 c 442 s 1032 are each amended to  
16 read as follows:

17 A judgment creditor may obtain a continuing lien on earnings by a  
18 garnishment pursuant to ((~~RCW 6.27.340, 6.27.350, 6.27.360, and~~  
19 ~~7.33.390~~)) this chapter.

20

21 **Sec. 12.** RCW 6.27.350 and 2003 c 222 s 14 are each amended to  
22 read as follows:

23 (1) Where the garnishee's answer to a garnishment for a continuing  
24 lien reflects that the defendant is employed by the garnishee, the  
25 judgment or balance due thereon as reflected on the writ of  
26 garnishment shall become a lien on earnings due at the time of the  
27 effective date of the writ, as defined in this subsection, to the  
28 extent that they are not exempt from garnishment, and such lien shall  
29 continue as to subsequent nonexempt earnings until the total subject  
30 to the lien equals the amount stated on the writ of garnishment or  
31 until the expiration of the employer's payroll period ending on or  
32 before ((~~sixty~~)) one hundred twenty days after the effective date of  
33 the writ, whichever occurs first, except that such lien on subsequent  
34 earnings shall terminate sooner if the employment relationship is

1 terminated or if the underlying judgment is vacated, modified, or  
2 satisfied in full or if the writ is dismissed. The "effective date"  
3 of a writ is the date of service of the writ if there is no previously  
4 served writ; otherwise, it is the date of termination of a previously  
5 served writ or writs.

6 (2) Except in the case of a writ of garnishment for continuing  
7 lien on earnings issued under subsection 3 of section 3 of this Act,  
8 At at the time of the expected termination of the lien, the plaintiff  
9 shall mail to the garnishee three additional stamped envelopes  
10 addressed as provided in RCW 6.27.110, and four one additional copies  
11 copy of the answer form prescribed in RCW ((6.27.190)) 6.27.340350.

12 The plaintiff shall replace the text of section I of the answer form  
13 with a statement in substantially the following form: "ANSWER SECTION  
14 II OF THIS FORM WITH RESPECT TO THE TOTAL AMOUNT OF EARNINGS WITHHELD  
15 UNDER THIS GARNISHMENT, INCLUDING THE AMOUNT, IF ANY, STATED IN YOUR  
16 FIRST ANSWER, AND WITHIN TWENTY DAYS AFTER YOU RECEIVE THESE FORMS,  
17 MAIL OR DELIVER THEM AS DIRECTED IN THE WRIT."

18  
19 Amount due and owing \$ . . .  
20 stated in first answer  
21 Amount accrued since \$ . . .  
22 first answer  
23 TOTAL AMOUNT WITHHELD \$ .  
24  
25

26 (3) Within twenty days of receipt of the second answer form the  
27 garnishee shall file a second answer, in the form as provided in  
28 subsection (2) of this section, stating the total amount held subject  
29 to the garnishment.

30  
31 **Sec. 13.** RCW 6.27.360 and 1997 c 296 s 8 are each amended to read  
32 as follows:

33 (1) Except as provided in subsection ((+2)) (3) of this section,  
34 a lien obtained under RCW 6.27.350 shall have priority over any

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Comment [k8]: This looks like an error in the statute 6.27.340 is the first answer; 350 is the second answer.

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1 subsequent garnishment lien or wage assignment except that service of  
2 a writ shall not be effective to create a continuing lien with such  
3 priority if a writ in the same case is pending at the time of the  
4 service of the new writ.

5 (2) A lien obtained under RCW 6.27.350 shall have priority over  
6 any prior wage assignment, except an assignment for child support as  
7 provided in subsection (3) of this section and an assignment for legal  
8 financial obligations as provided under RCW 9.94A.760, 9.94A.7702, and  
9 72.09.111.

10 (3) A lien obtained under RCW 6.27.350 shall not have priority  
11 over a notice of payroll deduction issued under RCW 26.23.060 or a  
12 wage assignment or other garnishment for child support issued under  
13 chapters 26.18 and 74.20A RCW. Should nonexempt wages remain after  
14 deduction of all amounts owing under a notice of payroll deduction,  
15 wage assignment, or garnishment for child support, the garnishee shall  
16 withhold the remaining nonexempt wages under the lien obtained under  
17 RCW 6.27.350.

18

19 **Sec. 14.** RCW 6.27.370 and 1997 c 296 s 9 are each amended to read  
20 as follows:

21 (1) Whenever the federal government is named as a garnishee  
22 defendant, the attorney for the plaintiff, or the clerk of the court  
23 ~~shall,~~ upon submitting a notice in the appropriate form by the  
24 plaintiff, shall issue a notice which directs the garnishee defendant  
25 to disburse any nonexempt earnings to the court in accordance with the  
26 garnishee defendant's normal pay and disbursement cycle. In the case  
27 of a writ of garnishment for continuing lien on earnings issued  
28 under subsection 3 of section 3 of this Act, the notice shall direct  
29 the garnishee defendant to disburse any nonexempt earnings to the  
30 plaintiff or its attorney.

31 (2) Funds received by the clerk from a garnishee defendant may be  
32 deposited into the registry of the court or, in the case of negotiable  
33 instruments, may be retained in the court file. Upon presentation of  
34 an order directing the clerk to disburse the funds received, the clerk

1 shall pay or endorse the funds over to the party entitled to receive  
2 the funds. Except for good cause shown, the funds shall not be paid  
3 or endorsed to the plaintiff prior to the expiration of any minimum  
4 statutory period allowed to the defendant for filing an exemption  
5 claim.

6 (3) The plaintiff shall, in the same manner permitted for service  
7 of the writ of garnishment, provide to the garnishee defendant a copy  
8 of the notice issued ~~by the clerk and an envelope addressed to the~~  
9 court hereunder, and shall supply to the garnished party a copy of the  
10 notice.

11 (4) Any answer or processing fees charged by the garnishee  
12 defendant to the plaintiff under federal law shall be a recoverable  
13 cost under RCW 6.27.090.

14 (5) The notice to the federal government garnishee shall be in  
15 substantially the following form:

16  
17 IN THE . . . . . COURT OF THE  
18 STATE OF  
19 WASHINGTON  
20 IN AND FOR . . . . . COUNTY  
21  
22 ..... NO . . . . .  
23 Plaintiff, NOTICE TO FEDERAL  
24 vs. GOVERNMENT  
25 GARNISHEE  
26 DEFENDANT  
27  
28 Defendant,  
29  
30 Garnishee  
31 Defendant.  
32 TO: THE GOVERNMENT OF THE UNITED  
33 STATES  
34



1  
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34

AND ANY DEPARTMENT, AGENCY, OR  
DIVISION  
THEREOF

You have been named as the  
garnishee defendant in the  
above-entitled cause. A Writ of  
Garnishment accompanies  
this Notice. The Writ of  
Garnishment directs you to hold  
the nonexempt earnings of the  
named defendant, but does  
not instruct you to disburse the  
funds you hold.

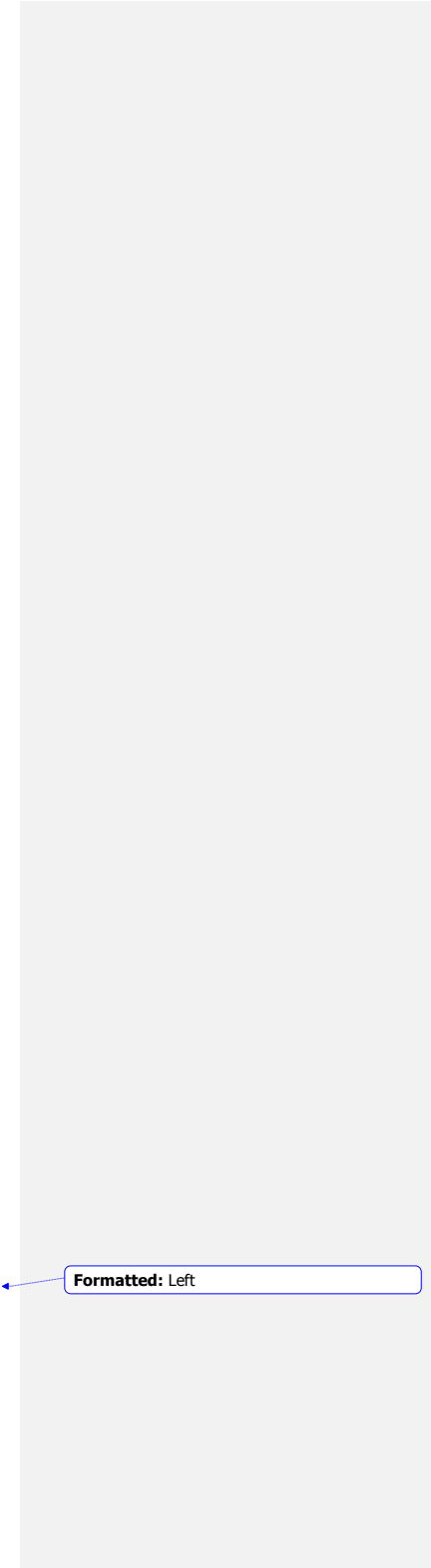
BY THIS NOTICE THE COURT DIRECTS  
YOU TO  
WITHHOLD ALL NONEXEMPT EARNINGS  
AND  
DISBURSE THEM IN ACCORDANCE WITH  
YOUR  
NORMAL PAY AND DISBURSEMENT CYCLE,  
TO  
THE FOLLOWING:

(If to clerk:)  
. . . . . County  
. . . . . Court Clerk  
Cause No . . . . .  
.....

(Address)

(If to plaintiff or  
its attorney:)

(Name, cause number  
or account number,



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1 | and address)

2  
3 PLEASE REFERENCE THE DEFENDANT  
4 EMPLOYEE'S NAME AND THE ABOVE  
5 CAUSE  
6 | NUMBER OR ACCOUNT NUMBER ON ALL  
7 DISBURSEMENTS.

8 The enclosed Writ also directs you  
9 to respond to the Writ  
10 within twenty (20) days, but you  
11 are allowed thirty (30)  
12 days to respond under federal law.

13  
14 DATED this . . . . day of  
15 . . . . ., (~~19~~) 20 . . . .

16 .....  
17 Clerk of the  
18 Court  
19  
20

21 (6) If the writ of garnishment is issued by the attorney of record for  
22 the judgment creditor, the following paragraph shall replace the  
23 clerk's signature and date:

24 This notice is issued by the undersigned attorney of record for  
25 plaintiff under the authority of RCW 6.27.370, and must be complied  
26 with in the same manner as a notice issued by the court.

27  
28 Dated this . . . . .day  
29 of . . . . .,  
30 20 . . . . .

31  
32 .....  
33 Attorney for  
34 Plaintiff

1 Sec. 15. RCW 6.27.210 and -- are each amended to read as follows:

2  
3 *[[RCW 6.27.210 Answer of garnishee may be controverted by plaintiff*  
4 *or defendant. **This section is added by KU; revisions to existing***  
5 ***statute are redlined.]]***

6  
7 (1) If the garnishee files an answer, either the plaintiff or  
8 the defendant, if not satisfied with the answer of the garnishee,  
9 may controvert within twenty days after the filing of the answer, by  
10 filing an affidavit in writing signed by the controverting party or  
11 attorney or agent, stating that the affiant has good reason to  
12 believe and does believe that the answer of the garnishee is  
13 incorrect, stating in what particulars the affiant believes the same  
14 is incorrect. Copies of the affidavit shall be served on or mailed  
15 by first-class mail to the garnishee at the address indicated on the  
16 answer or, if no address is indicated, at the address to or at which  
17 the writ was mailed or served, and to the other party, at the  
18 address shown on the writ if the defendant controverts, or at the  
19 address to or at which the copy of the writ of garnishment was  
20 mailed or served on the defendant if the plaintiff controverts,  
21 unless otherwise directed in writing by the defendant or defendant's  
22 attorney.

23 (2) In the case of a writ of garnishment for continuing lien on  
24 earnings issued under subsection 3 of section 3 of this Act, where a  
25 party disputes the amount of money withheld by the garnishee  
26 defendant, or the garnishee's failure to withhold funds or pay funds  
27 over to the plaintiff as required in the writ, a party can contest  
28 the actions of the garnishee defendant in the same manner as a  
29 controversion under this chapter.

30  
31 Sec. 16. RCW 6.27.230 and -- are each amended to read as  
32 follows:

1 [[RCW 6.27.230 Controversion - Costs and attorney's fees **This**  
2 **section is added by KU; revisions to existing statute are**  
3 **redlined.**]]

4  
5 Where the answer is controverted, the costs of the proceeding,  
6 including a reasonable compensation for attorney's fees, shall be  
7 awarded to the prevailing party: PROVIDED, That no costs or  
8 attorney's fees in such contest shall be taxable to the defendant in  
9 the event of a controversion by the plaintiff: PROVIDED FURTHER That  
10 where the plaintiff contests a controversion submitted by the  
11 defendant and the defendant substantially prevails, the plaintiff  
12 shall be liable to the defendant for actual damages or \$50,  
13 whichever is greater.

14  
15  
16 Sec. 17. RCW 6.27.350 and -- are each amended to read as follows:

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17  
18 [[RCW 6.27.350 Continuing lien on earnings - When lien becomes  
19 effective - Termination - Second answer. **This section is added by KU**  
20 **1-16-12; revisions to existing statute are redlined.**]]

21  
22 (1) Where the garnishee's answer to a garnishment for a continuing  
23 lien reflects that the defendant is employed by the garnishee, the  
24 judgment or balance due thereon as reflected on the writ of  
25 garnishment shall become a lien on earnings due at the time of the  
26 effective date of the writ, as defined in this subsection, to the  
27 extent that they are not exempt from garnishment, and such lien  
28 shall continue as to subsequent nonexempt earnings until the total  
29 subject to the lien equals the amount stated on the writ of  
30 garnishment or until the expiration of the employer's payroll period  
31 ending on or before sixty days after the effective date of the writ,  
32 whichever occurs first, except that such lien on subsequent earnings  
33 shall terminate sooner if the employment relationship is terminated  
34 or if the underlying judgment is vacated, modified, or satisfied in

1 full or if the writ is dismissed. The "effective date" of a writ is  
2 the date of service of the writ if there is no previously served  
3 writ; otherwise, it is the date of termination of a previously  
4 served writ or writs.

5

6 (2) Except in the case of a writ of garnishment for continuing  
7 lien on earnings issued under subsection 3 of section 3 of this Act,  
8 at the time of the expected termination of the lien, the plaintiff  
9 shall mail to the garnishee ~~three additional stamped envelopes~~  
10 ~~addressed as provided in RCW 6.27.110, and four additional copies~~  
11 one copy of the answer form prescribed in RCW ~~6.27.190340~~. The  
12 plaintiff shall replace the text of section I of the answer form  
13 with a statement in substantially the following form: "ANSWER  
14 SECTION II OF THIS FORM WITH RESPECT TO THE TOTAL AMOUNT OF EARNINGS  
15 WITHHELD UNDER THIS GARNISHMENT, INCLUDING THE AMOUNT, IF ANY,  
16 STATED IN YOUR FIRST ANSWER, AND WITHIN TWENTY DAYS AFTER YOU  
17 RECEIVE THESE FORMS, MAIL OR DELIVER THEM AS DIRECTED IN THE WRIT."

18

19 Non-exempt amount due\$. .  
20 and owing stated in first.  
21 answer

22 Non-exempt amount\$. .  
23 accrued since first answer .  
24 TOTAL AMOUNT WITHHELD \$ .

25 . .  
26 . .  
27 . .  
28 . .  
29 . .  
30 . .  
31 .

32 (3) Within twenty days of receipt of the second answer form the  
33 garnishee shall file a second answer, in the form as provided in  
34

1 subsection (2) of this section, stating the total amount held  
2 subject to the garnishment, or otherwise containing the information  
3 required in subsection (2) of this section and a calculation  
4 indicating the total amount due and owing from the garnishee defendant  
5 to the defendant, the defendant's total earnings, allowable  
6 deductions, disposable earnings, exempt earnings, deductions for  
7 superior liens such as child support, and net earnings withheld under  
8 the writ.  
9  
10

--- END ---

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