

CITY COURT OF PORT ALLEN

WARD III - PARISH OF WEST BATON ROUGE

WILLIAM T. KLEINPETER

JUDGE

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GARNISHMENT INSTRUCTIONS

- 1.) GARNISHEE MUST BEGIN WITHHOLDING FROM THE DATE SERVED WITH THE WRIT OF SEIZURE (PETITION FOR GARNISHMENT).
- 2.) Answer the Interrogatories contained in the Petition for Garnishment. File the ORIGINAL NOTARIZED answers to Interrogatories with the appropriate court within 15 days of the date of service and provide the attorney of record with a copy of same at the address listed on the petition. A Garnishment Judgment will be obtained and served upon garnishee. Garnishee then begins making payments to the appropriate Sheriff, Constable or Marshal.
- 3.) Instructions for deducting from employee wages:
Garnishee, deduct and pay, for any time while defendant is in the employ of garnishee, the lesser of the following: (a) 25% of the disposable earnings (as defined by La. R.S. 13:3881, as amended by Act 563 of 1978), or (b) the amount by which the disposable earnings of defendant exceed the sum of \$217.50 per week; and forthwith to pay the same to the Sheriff, Constable, or Marshal; said deductions and payments to being upon satisfaction of any prior garnishments or from date of service of garnishment on garnishee, and to continue so long as said defendant is in the employ of said garnishee or until the full amount of the judgment rendered against defendant shall have been paid in full, including any commission due by law. Should debtor leave the employ of garnishee and subsequently return to work for the garnishee within 180 days, then and in that event garnishee is To resume making deductions as herein above outlined, and that as provided By La. R.S. 13:3921, the garnishee is entitled to deduct a processing fee of \$3.00 from the non-exempt income of the defendant for each pay period during which the judgment is in effect.
- 4.) The balance in the current statement of account reflects all credits since suit filing, however interest and attorney's fees continue to accrue. The total Court costs are not included in the balance since they are assessed by the Court and continue to accrue. However, they ARE subject to this garnishment. It is also important to remember that the Sheriff, Constable or Marshal deducts a commission from all payments before they are forwarded to the attorney for the plaintiff.
CONSEQUENTLY, DO NO DISCONTINUE WITHHOLDING WITHOUT CONFIRMING THE TOTAL BALANCE DUE WITH THE APPROPRIATE SHERIFF, CONSTABLE OR MARSHAL AND/OR THE ATTORNEY FOR THE PLAINTIFF'S OFFICE.