

AFFIDAVIT & SUMMONS OF CONTINUING GARNISHMENT (CHILD SUPPORT)

MAGISTRATE COURT OF PEACH COUNTY

AFFIDAVIT FOR GARNISHMENT CHILD SUPPORT

_____ Plaintiff

(Address)

vs.

CASE NUMBER: _____

_____ Defendant

_____ Garnishee

Personally appeared the undersigned affiant who upon oath says he (she) is the above Plaintiff, agent, or attorney at law for said Plaintiff, and that affiant has personal knowledge that the above Defendant is in arrears on the obligation of support in an amount equal to or in excess of one month's obligation as decreed on a judgement described as follows:

1. \$ _____ is the amount of arrearage due as of the date of this affidavit.
2. Judgement was obtained in the _____ Court of _____ County, and that said judgement is for the periodic support of a family member as defined by O.C.G.A. 18-4-131(5). Case number of said judgement is _____.
3. Plaintiff believes that Garnishee is or may be an employer of Defendant or otherwise subject to Writ of Continuing Garnishment for support of a family member as defined in O.C.G.A. 18-4-131(3).
4. A certified copy of said judgement is attached hereto.
5. The periodic amount of support due under said Judgement for each obligee named therein is as follows:

Periodic Amount Due	Frequency Due	Obligee	Termination Date/Obligation
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____

for a total of \$ _____ per _____ due under the terms of said Judgement, plus _____ court costs. Affiant states that the foregoing computations take into account the possible attainment of majority, emancipation and death of each obligee.

Affiant

Witness this _____ day of _____, 20____

Approved: This _____, 20____

Deputy Clerk

Magistrate

**SUMMONS OF CONTINUING GARNISHMENT
CHILD SUPPORT**

TO: _____

GARNISHMENT NO. _____
Amount Claimed Due on Judgement \$ _____
Cost of Garnishment \$ _____
Total Amount of Summons \$ _____
Court of Judgement _____
Judgement Case No. _____

Address

Withhold 50%

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons to and including the one hundred seventy-ninth day thereafter. Not later than 45 days after you are served with this summons, you are commanded to file your answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named below. This answer shall state what property, money, and wages, except what is exempt, belonging to the defendant or debts owed to the defendant, you hold or owe at and from the time of this answer to the time of the current answer. The last answer required by summons shall be filed no later than the one hundred ninety-fifth day after you receive this summons. Money or other property admitted in an answer to be subject to continuing garnishment must be delivered to the court with your answers. Should you fail to file answers as required by this summons, a judgement will be rendered against you for the amount the plaintiff claims due by the defendant.
FAILURE TO COMPLY WITH THE ABOVE REQUIREMENTS MAY RESULT IN A JUDGEMENT AGAINST THE GARNISHEE FOR THE ENTIRE AMOUNT CLAIMED DUE ON THE JUDGEMENT AGAINST THE DEFENDENT.

Witness the Honorable _____ Judge of said Court.

This _____, 19____

Clerk, Magistrate Court of Rockdale County