



WAGE GARNISHMENT

1. What is a Wage Garnishment or an Earnings Withholding Order?

A Wage Garnishment or an Earnings Withholding Order is a legal method by which a creditor may enforce a judgment for money against a debtor by requiring the employer of the debtor to pay over a portion of the debtor's income to satisfy the judgment.

2. What is a proper Order for Wage Garnishment?

A proper order for Wage Garnishment consists of the original and a copy of the Order, the form of the Employers Return, a Notice to the Employee and a copy of the Employers Instructions. These documents are served by a levying officer and must be served within 180 days from the date the writ was issued on which it is based. It creates a lien on the income of the employee that is effective for one year unless the amount required to be withheld is paid.

3. What steps do I take when I receive an Order for Garnishment of Wages?

Fax a copy of the Order to the Legal Department at (213) 637-6123. The Employers Instructions will tell you exactly what to do and how much time you have to complete it. In general, the employer must deliver a copy of the Order to the employee within 10 days and must complete the Employers Return and mail it to the levying officer within 15 days. Payments are generally made to the levying officer. If you have an outside Payroll Service, give them a copy as they will most likely handle the payments for you.

4. What do I do if I receive more than one Order for the same employee?

Wage Garnishment Orders and Earnings Withholding Orders have different priorities. Orders for withholding spousal and child support, and for payment of taxes generally have priority over other Orders, regardless of which order was served first. You should consult with the Legal Department if you receive multiple Orders.