

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 8.01-512.3 of the Code of Virginia, relating to garnishments.

[H 1883]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-512.3 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-512.3. Form of garnishment summons.

Any garnishment issued pursuant to § 8.01-511 shall be in the following form:

(a) Front side of summons:

GARNISHMENT SUMMONS

(Court Name)

(Name, address and telephone number of judgment creditor except that when the judgment creditor's attorney's name, address and telephone number appear on the summons, only the creditor's name shall be used.)

(Name, address and telephone number of judgment creditor's attorney)

(Name, street address and social security number of judgment debtor)

(Name and street address of garnishee)

..... Hearing Date and Time

MAXIMUM PORTION OF	STATEMENT	
DISPOSABLE EARNINGS SUBJECT	Judgment Principal	\$...
TO GARNISHMENT	Credits	\$...
	Interest	\$...
<input type="checkbox"/> Support	Judgment Costs	\$...
<input type="checkbox"/> 50% <input type="checkbox"/> 55% <input type="checkbox"/> 60% <input type="checkbox"/> 65%	Attorney's Fees	\$...
(if not specified, then 50%)	Garnishment Costs	\$...
<input type="checkbox"/> state taxes, 100%		

If none of the above are checked, then § 34-29 (a)	TOTAL BALANCE DUE	\$...
(printed on the reverse side of this summons) applies.	The garnishee shall	
.....	rely on this amount.	

Date of Judgment

TO ANY AUTHORIZED OFFICER: You are hereby commanded to serve this summons on the judgment debtor and the garnishee.

TO THE GARNISHEE: You are hereby commanded to

(1) File a written answer with this court, or
 (2) Deliver payment to this court, or
 (3) Appear before this court on the return date and time shown on this summons to answer the Suggestion for Summons in Garnishment of the judgment creditor that, by reason of the lien of writ of fieri facias, there is a liability as shown in the statement upon the garnishee.

As garnishee, you shall withhold from the judgment debtor any sums of money to which the judgment debtor is or may be entitled from you during the period between the date of service of this summons on you and the date for your appearance in court, subject to the following limitations:

(1) The maximum amount which may be garnished is the "TOTAL BALANCE

ENROLLED

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53 DUE" as shown on this summons.

54 (2) If the sums of money being garnished are earnings of the
55 judgment debtor, then the provision of "MAXIMUM PORTION OF DISPOSABLE
56 EARNINGS SUBJECT TO GARNISHMENT" shall apply.

57 If a garnishment summons is served on an employer having 1,000 or
58 more employees, then money to which the judgment debtor is or may be
59 entitled from his or her employer shall be considered those wages,
60 salaries, commissions or other earnings which, following service on
61 the garnishee-employer, are determined and are payable to the
62 judgment debtor under the garnishee-employer's normal payroll
63 procedure with a reasonable time allowance for making a timely return
64 by mail to this court.

65 Clerk
66 Date of Issuance of Summons
67

68 Date of delivery of writ of fieri facias to sheriff if different
69 from date of issuance of this summons.

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71 (b) A verbatim copy of § 34-29 shall be printed on the reverse side of the summons.