

IN THE \_\_\_\_\_ COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s)/Judgment Creditor,

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) Judgment Debtor,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Garnishee.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**EMPLOYER'S INSTRUCTIONS AND WORKSHEET**  
(UPON COMPLETION, RETURN TO THE ABOVE NAMED COURT,  
TOGETHER WITH YOUR ANSWER TO THE CONTINUING  
WRIT OF GARNISHMENT SERVED UPON YOU)

The garnishment restrictions of Title III of the Consumer Credit Protection Act (15 U.S.C. of 1673) provide that no court of the United States or any state may make, execute or enforce any order or process which provides for the garnishment of the aggregate disposable earning of any individual for any workweek in an amount which is in excess of the lesser of the following restrictions:

- (1) 25% of the individual's disposable earning for the workweek, or;
- (2) The amount by which his disposable earnings for that week exceed 30 times the minimum wage under section 6(a)(1), of the Fair Labor Standards Act of 1938 [29 U.S.C. 206(a)(1)] which is presently \$5.15 an hour.

"DISPOSABLE EARNINGS" means that part of the earnings of any individual remaining after the deductions from these earnings of any amounts required by law to be withheld.

Enter earnings of the Defendant, your employee, after deductions required by law, for the previous pay period (use the particular pay period of the employee; that is, WEEKLY, BI-WEEKLY, SEMI-MONTHLY or MONTHLY.

- A. If your employee is paid on WEEKLY basis and receives:
- |                     |  |
|---------------------|--|
| \$0 - \$154.50      | pay him as if his check were not garnished |
| \$154.51 - \$206.00 | pay him \$154.50                           |
| \$154.51 - \$206.00 | pay him 75% of his disposable earnings     |
- Amount of disposable earning retained by employer:

\$ \_\_\_\_\_

B. If your employee is paid on a BI-WEEKLY basis and receives:

\$0 - \$309.00 pay him as if his check were not garnished

\$309.01 - \$412.00 pay him \$309.01

More than \$412.00 pay him 75% of his disposable earnings

Amount of disposable earning retained by employer: \$ \_\_\_\_\_

C. If your employee is paid on a SEMI-MONTHLY basis and receives:

\$0 - \$334.76 pay him as if his check were not garnished pay him \$334.77

\$334.77 - \$446.35 pay him \$334.77

More than \$446.35 pay him 75% of his disposable earnings

Amount of disposable earning retained by employer: \$ \_\_\_\_\_

D. If your employee is paid on a MONTHLY basis and receives:

\$0 - \$669.44 pay him as if his check were not garnished

\$669.45 - \$829.59 pay him \$669.45

More than \$829.59 pay him 75% of his disposable earnings

Amount of disposable earning retained by employer: \$ \_\_\_\_\_

Enter total amount of disposable earnings retained from employee's disposable income under (2) A,B,C, or D and return this form to the Court \$ \_\_\_\_\_

PLEASE NOTE:

YOU MUST REPORT ALL MONIES DUE FROM YOU TO THE DEFENDANT. However, this Writ is subject to limitations contained in Title 15, U.S.Code Annotated, Section 1671-1677, which prohibits this court from making, executing or enforcing any garnishment process that requires the withholding, for payment of any debt, of more than 25% of an individual's disposable earnings (the part of the earnings remaining after the deduction of any amounts required by law to be withheld) for any workweek, or more than the amount by which the individual's disposable earnings for a workweek exceed \$100.50, whichever is less.

No employer may discharge any employee by reason of the fact that his earnings have been subjected to garnishment for only one indebtedness. The term "one indebtedness" refers to a single debt, regardless of the number of levies made or creditors seeking satisfaction. Whoever willfully violates the discharge provisions of this law may be prosecuted criminally and fined up to \$1,000.00 or imprisoned for not more than one year, or both.

If salary or wages are to be garnished, the Garnishee shall be allowed to collect up to \$5.00 against the salary or wages of the Defendant as reimbursement for administrative costs for the first deduction from the Defendant's salary or wages, and up to \$2.00 for each deduction thereafter.

Information regarding the Federal Wage Garnishment Law may be obtained from any office of the Wage and Hour Division, U.S.Department of Labor:

U.S. DEPARTMENT OF LABOR WAGE AND HOUR DIVISION  
CHARLES E. BENNETT FEDERAL BUILDING  
400 WEST BAY STREET, ROOM 956, BOX 017  
JACKSONVILLE, FL 32202

Office Phone Number: (904) 359-9292

Toll-free Number: 1-866-487-9243

SO THAT YOU MAY OBTAIN LEGAL ADVICE, THE PLAINTIFF HAS DEPOSITED \$100.00 WITH THE COURT TO COVER THE ATTORNEY'S FEE FOR FILING YOUR ANSWER.