

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ST JOSEPH )

IN THE ST JOSEPH SUPERIOR COUR  
SMALL CLAIMS DIVISION, SOUTH BEND

CAUSE NO.:

\_\_\_\_\_  
Plaintiff(s) )

vs. )

\_\_\_\_\_  
Judgment Defendant(s) )

\_\_\_\_\_  
Garnishee-Defendant )

**PROCEEDINGS SUPPLEMENTARY**

**FINAL ORDER TO EMPLOYER**

\_\_\_\_\_  
Address  
\_\_\_\_\_

It appears that the Garnishee-Defendant having been served with notice of hearing on proceedings supplemental to execution and that \_\_\_\_\_ has answered that it has in its employment \_\_\_\_\_, the judgment debtor herein, the Court now finds that the judgment debtor is employed by the Garnishee-Defendant and that the Garnishee-Defendant will be indebted to the judgment for wages and income, which shall be determinable from time to time, as they become due and payable.

It is therefore, ORDERED, by this Court that the Garnishee-Defendant pay to the Clerk of the Court, under the condition hereinafter described on the front and back of this page, and in the manner following:

- (a) If the disposable earnings are \$217.50 or less per week, the total income is exempt;**
- (b) If the disposable earnings are more than \$217.50, but less than \$290.00 the garnishee is to deduct the excess over \$217.50 and pay this deducted sum to the Clerk of the Court.**
- (c) If the disposable earnings area more than \$290.00 per week, the Garnishee-Defendant is to deduct 25% of the disposable earnings and to pay the deducted sum to the Clerk of the Court**

Such deductions are to be made as the disposable earnings accrue, and, this execution when duly served, shall constitute a continuing lien until the judgment is paid in full with costs and interest a total of \$\_\_\_\_\_, and it is further ordered that said Garnishee-Defendant shall compute interest on the balance due from the date of this order at the rate of 8% (percent), per annum, and shall pay said interest with the principal amount due. And failing to so pay such interest and principal, the said Garnishee-Defendant shall be liable therefore as provided by law.

ORDERED \_\_\_\_\_

\_\_\_\_\_  
Magistrate, St. Joseph Superior Court

**NOTE:**

1. Garnishment proceedings are regulated by the Federal Wage Garnishment Law and Burns Indiana Statutes Sec. 24-4.5-5-105.
2. Disposable earnings are the wages or salaries paid after all legally required deductions are withheld.
3. The dollar amounts listed on the front page are based on the Federal Minimum Wages as of July 24, 2007. The minimum exception is based on 30 times the federal minimum hourly wage. A subsequent increase in the minimum wage shall increase the amount (a) exempt from garnishment and shall change the amount levels when clause (b) or (c) applies.
4. The Federal Law prohibits the discharge of any employee for garnishment or like proceedings being directed to the employer for the purpose of paying a judgment or judgments.
5. The Indiana Statutes prohibit the discharge of any employee for garnishment or like proceedings being directed to the employer for the purpose of paying a judgment or judgments.

B. Burns Indiana Statutes Sec. 24-4.5-5-105. The 1979 Amendment *provides that the employer-garnishee may deduct as a fee for processing an amount equal to the greater of \$12.00 or 3% of the amount subject to garnishment. One-half of the service fee is to be paid by the debtor and one-half by the creditor.*

**PLEASE NOTE: THE GARNISHMENT REMITTANCE SHOULD BE MADE BY CHECK, PAYABLE TO:**

**THE CLERK OF ST. JOSEPH SUPERIOR COURT  
SMALL CLAIMS DIVISION  
1855 COURTHOUSE  
112 S. LAFAYETTE BLVD.  
SOUTH BEND, IN 46601**

**\*\*\*\* This form should not be used for judgments based on an order for the support of any person. Different exemptions apply in such cases. See- 24-4.5-5-105 [3(a) & 3(b)]**