

IN THE CIRCUIT COURT, IN AND FOR SANTA ROSA COUNTY, FLORIDA
ORDER FOR CONTINUING WRIT OF GARNISHMENT AFTER JUDGMENT

DIVISION: _____

CASE NO: _____

PLAINTIFF: _____

DEFENDANT: _____

GARNISHEE: _____

This cause having come on to be heard upon the Plaintiff's Ex Parte Motion for a Continuing Writ of Garnishment and the court having considered the evidence and being duly advised in the premises it is:

Adjudged that the Clerk of the Court shall issue a standard continuing Writ of Garnishment directed to:

DONE AND ORDERED, this day _____ of _____, 20____, in Santa Rosa County, Florida

JUDGE

ORDER FOR CONTINUING WRIT OF GARNISHMENT AFTER JUDGMENT

PLAINTIFF _____

CASE NUMBER _____

If you are a person with disability who needs any accommodation in order to participate in this proceeding you are entitled at no cost to you to the provision of certain assistance. Please contact: Court Administration ADA Liaison Santa Rosa County 6865 Caroline Street Milton FL 32570 Phone 850-983-0602 ADA.SantaRosa@flcourts1.gov at least days before your scheduled court appearance, or immediately upon receiving notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

IMPORTANT NOTICE

Federal Wage Garnishment Law
Effective July 1, 1970
(For Attachment to Garnishment Order)

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

- (1) 25 percent of the individual's disposable earnings for the worksheet, 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)).

These restrictions do not apply in the case of (1) Court orders for the support of any person, (2) Court orders under Chapter XIII of the Bankruptcy Act, and (3) Any debt due for any State or Federal Tax.

"Disposable earnings" is compensation paid or payable for personal services less any amounts required to be withheld by law. The law also prohibits an employer from discharging any employee because his earnings have been subjected to garnishment for any 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 \$1000.00, or imprisoned for not more than one year, or both.

A section or provision of the State law that requires a larger amount to be garnished than the Federal law permits is considered preempted by the Federal Law. On the other hand, the State law provision is to be applied if it results in a smaller garnishment amount.

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

Room 14, Romark Building
3521 W. Broward Boulevard
Fort Lauderdale, FL 33312
Room 552, New Federal Building
400 West Bay Street, Box 35047
Jacksonville, FL 32202
Room 309, Orlando Professional Center
22 West Lake Beauty Drive P.O Box 8024-A
Orlando, FL 32806

Room 1527, Federal Office Building
51 S.W. First Avenue
Miami, FL 33130
Room 505, New Federal Building
500 Zack Streets
Tampa, FL 33602

NOTICE TO THE EMPLOYER:

Pursuant to this Writ of Garnishment you must report to this Court ALL sums due from you to the Defendant. However, you should only retain and withhold 25% of such sums for disposition as the Court may order. You should pay the other 75% to the employee as you ordinarily would. For further details, read the above notice carefully.