

In the District Court of \_\_\_\_\_ County  
State of Oklahoma

\_\_\_\_\_) )  
Plaintiff, )  
vs. )  
\_\_\_\_\_) )  
Defendant, ) Case No. \_\_\_\_\_  
and )  
\_\_\_\_\_) )  
Garnishee )

**Continuing Garnishee's Answer/Affidavit**

State of Oklahoma )  
County of \_\_\_\_\_ ) SS

I, \_\_\_\_\_, being duly sworn deposes and says:

– **If Garnishee is an Individual:**

That he is the garnishee herein. That he does business in the name of \_\_\_\_\_.

– **If Garnishee is a Partnership:**

That he is a member of \_\_\_\_\_, a partnership composed of garnishee and \_\_\_\_\_.

– **If Garnishee is a Corporation:**

That he is the \_\_\_\_\_ (*official title*) of \_\_\_\_\_, (*garnishee*) organization, organized under the laws of the state of \_\_\_\_\_.

Garnishee, or \_\_\_\_\_ on behalf of garnishee, having been served with a garnishment summons on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and having knowledge of the facts and being sworn, states:

1. At the time of the service of the garnishment summons, or upon the date it became effective, the garnishee was not indebted to the judgment debtor for any amount of money nor did the garnishee have possession or control of any property, money, goods, chattels, credits, negotiable instruments or effects belonging to the judgment debtor or in which the judgment debtor had an interest because the employee/individual/judgment debtor was: *(Please check appropriate response)*

\_\_\_\_\_ Not employed

\_\_\_\_\_ Employed but no amounts due; specify reason: \_\_\_\_\_

\_\_\_\_\_ Other; specify: \_\_\_\_\_

\_\_\_\_\_

2. At the time of service of the garnishment summons or upon the date it became effective, the garnishee was indebted to the judgment debtor or had possession or control of the following property, money, goods, chattels, credits, negotiable instruments or effects belonging to the judgment debtor as follows: *(Please check appropriate response)*

\_\_\_\_\_ Earnings as shown on the attached Calculation for Garnishment of Earnings form which is incorporated by reference into this answer;

\_\_\_\_\_ Other; specify: \_\_\_\_\_  
\_\_\_\_\_

3. Nothing has been withheld due to a prior garnishment or continuing garnishment which will expire on \_\_\_\_\_ and is in Case Number \_\_\_\_\_ in the District Court of \_\_\_\_\_ County, Oklahoma.

4. On \_\_\_\_\_, 20\_\_\_\_\_, the garnishee mailed a copy of the Notice of Garnishment & Exemptions and Application for Hearing by first-class mail to the judgment debtor at:

Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Date Mailed \_\_\_\_\_

Or, hand delivered the same to judgment debtor at:

Judgment Debtor \_\_\_\_\_  
Place \_\_\_\_\_

**Note: This must be done during each pay period in which the garnishment is in effect.**

5. The garnishee makes the following claim of exemption on the part of the judgment debtor, or has the following objections, defenses, or setoffs to judgment creditor's right to apply garnishee's indebtedness to judgment debtor upon judgment creditor's claim: \_\_\_\_\_  
\_\_\_\_\_

Check here [ ] if additional pages are necessary.

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

A continuing garnishment remains in effect until one of the following occurs: (1) the judgment is paid in full; (2) the employment relationship is terminated; (3) the judgment is vacated, modified or paid in full; (4) the garnishment action is dismissed; (5) the expiration of 180 days from the date of service of the summons. (If a pay period begins within 180 days but ends after the expiration, the pay period is subject to the garnishment).

## Calculation for Continuing Garnishment of Earnings

For the pay period in effect at the time of said service:

1. (a) Enter the pay period of judgment debtor 1(a) \_\_\_\_\_  
(weekly, biweekly, semimonthly, monthly, or other)  
If other, please describe: \_\_\_\_\_
- (b) Enter the date the judgment debtor's present pay period 1(b) \_\_\_\_\_  
began (present pay period means the pay period for which the  
calculation is made):
- (c) Enter the date the judgment debtor's present pay period ends: 1(c) \_\_\_\_\_
  
2. (a) Enter the gross earnings for entire pay period: 2(a) \_\_\_\_\_
- (b) Calculate deductions from said amount as required by law: 2(b) \_\_\_\_\_  
(2(b) is the total of i, ii, and iii)
  - i. Federal income tax withholding \_\_\_\_\_
  - ii. FICA income tax withholding \_\_\_\_\_
  - iii. State income tax withholding \_\_\_\_\_
- (c) Net earnings: 2(a) less 2(b): 2(c) \_\_\_\_\_
  
3. (a) If judgment debtor is subject to withholding for child support 3(a) \_\_\_\_\_  
garnishment or income assignment, enter maximum allowable  
percentage (50%, 55%, 60% 65%)
- (b) Enter actual percentage withheld: 3(b) \_\_\_\_\_
- (c) Subtract 3(b) from 3(a) and enter percentage: 3(c) \_\_\_\_\_
- (d) Enter the lesser of 25% or line 3(c) here (if no child support or 3(d) \_\_\_\_\_  
income assignment, enter 25%):
  
4. Multiply the percentage in 3(d) times the net earnings in 2(c) and enter: 4. \_\_\_\_\_
  
5. (a) Multiply and enter the present federal minimum wage as follows: 5(a) \_\_\_\_\_  
Weekly or more often by 30;  
Biweekly by 60;  
Semimonthly by 65;  
Monthly by 130.  
For any other pay period, increase the multiple for a weekly pay  
period using the assumption that a month contains 4-1/3 weeks.
- (b) Subtract the amount on line 5(a) from the amount on line 2(c): 5(b) \_\_\_\_\_

6. Enter the smaller of the amounts entered on line 4 or 5(b). Pay this amount to the attorney for judgment creditor, or judgment creditor if not represented by an attorney.

6. \_\_\_\_\_

When completed, mail original answer to: \_\_\_\_\_, District Court Clerk, \_\_\_\_\_ County Court House in \_\_\_\_\_ County, Oklahoma.

You must send your check for the amount garnished with a copy of your answer to the attorney for judgment creditor, or the judgment creditor if there is no attorney. (Check the appropriate response and show address used in the mailing):

\_\_\_\_\_ Attorney for Judgment Creditor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Judgment Creditor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_