

**JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA**

Name: _____ **CASE NO.:** _____
Address: _____ **DEPT. NO.:** _____

Plaintiff,

WRIT OF GARNISHMENT

VS.

Name: _____
Address: _____

Defendant.

THE STATE OF NEVADA TO:

_____, Garnishee.

You are hereby notified that you are attached as garnishee in the above entitled action and you are commanded not to pay any debt from yourself to _____, Defendant(s), and that you must retain possession and control of all personal property, money, credits, debts, effects, and choses in action of said Defendant(s) in order that the same may be dealt with according to law; where such property consists of wages, salaries, commissions or bonuses, the amount you shall retain shall be in accordance with 15 U.S. Code 1673 and Nevada Revised Statutes 31.295.

Plaintiff believes that you have property, money, credits, debts, effects, and choses in action in your hands and under your custody and control belonging to said Defendant(s), more particularly described as:

YOU ARE REQUIRED within 20 days from the date of service of this Writ of Garnishment to answer the interrogatories set forth herein and forward such answer to the office of the Sheriff or Constable which issued the Writ of Garnishment. In case of your failure to answer the interrogatories within 20 days, a Judgment by Default will be entered against you for:

- (a) The amount demanded in the writ of garnishment or the value of the property described in the writ, as the case may be; or
- (b) If the garnishment is pursuant to NRS 31.291, the amount of the lien created pursuant to that section, which amount or property must be clearly set forth in the writ of garnishment.

IF YOUR ANSWERS TO the interrogatories indicate that you are the employer of the Defendant(s), this Writ of Garnishment shall be deemed to **CONTINUE FOR 120 DAYS** or until the amount demanded in the attached Writ of Execution is satisfied, whichever occurs earlier.

YOU ARE FURTHER DIRECTED to forward all funds due to the Defendant(s) each payday in the future, **UP TO 120 DAYS**, less any amount which is exempt and less \$3.00 per pay period (not to exceed \$12.00 per month) which you may retain as a fee for compliance. The \$3.00 fee does not apply to the first pay period covered by this Writ.

YOU ARE FURTHER REQUIRED to serve a copy of your answers to the interrogatories on Plaintiff's attorney, if an address for Plaintiff's attorney appears below.

Issued at direction of: (Circle One) **SHERIFF/CONSTABLE—LAS VEGAS TOWNSHIP**
By: _____
Plaintiff OR Attorney for Plaintiff Title Date

Address of Plaintiff OR Attorney for Plaintiff

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

The undersigned being duly sworn states that I received the within WRIT OF GARNISHMENT on the _____ day of _____, 20_____, and personally served the same on the _____ day of _____, 20_____ in the same manner as provided by rule of court or law of this state for the service of a summons in a civil action, and I tendered the statutory fee of \$5.00 to _____ at _____, City of _____, County of _____, State of Nevada.

BY: _____
Title

INTERROGATORIES TO BE ANSWERED BY THE GARNISHEE AND SIGNED UNDER PENALTY OF PERJURY:

1. Are you in any manner indebted to the Defendants _____, or either of them, either in property or money, and is the debt now due? If not due, when is the debt to become due? State fully all particulars.

Answer: _____

2. Are you an employer of one or all of the Defendants? If so, state the length of your pay period and the amount each Defendant presently earns during a pay period.

Answer: _____

3. Did you have in your possession, in your charge or under your control, on the date the **WRIT OF GARNISHMENT** was served upon you, any money, property, effects, goods, chattels, rights, credits or choses in action of the Defendants, or either of them, or in which Defendant(s) is/are interested? If so, state its value, and state fully all particulars.

Answer: _____

4. Do you know of any debts owing to the Defendant(s), whether due or not due, or any money, property, effects, goods, chattels, rights, credits or choses in action, belonging to the Defendant(s) or in which Defendant(s) is/are interested, and now in the possession or under the control of others? If so, state particulars.

Answer: _____

5. State your correct name and address, or the name and address of your attorney upon whom written notice of further proceedings in this action may be served.

Answer: _____

I declare under penalty of perjury under the law of the State of Nevada that the answers to the foregoing interrogatories by me subscribed are true.

Executed on the _____ day of the month of _____ of the year 20_____.

(Signature of Garnishee)

NOTE: Under NRS 31.297, if an employer, without legal justification, refuses to withhold the earnings of a Defendant demanded in a **WRIT OF GARNISHMENT** or knowingly misrepresents the earnings of the Defendant, the court may order the employer to appear and show cause why he should not be subject to the following penalties:
(1) If the plaintiff has received a judgment against the defendant, an order to the employer to pay the plaintiff the amount of arrearages caused by the employer's refusal to withhold or his misrepresentation of the defendant's earnings.
(2) In addition, the court may order the employer to pay the plaintiff punitive damages **in an amount not to exceed \$1,000** for each pay period in which the employer has, without legal justification, refused to withhold the defendant's earnings or has misrepresented the earnings.