

HOW TO FILE A REGULAR GARNISHMENT IN THE STATE COURT OF FULTON COUNTY

1. You must have a **judgment** against someone before you can file a garnishment.
2. You are acting as **your own attorney**, and the garnishment staff **cannot** give you legal advice. If you do not understand these instructions, you will need to consult an attorney.
3. The bank or someone you can serve on their behalf must be located in Fulton County. You may call the **Secretary of State's** office at **404-656-2817** to find out where the garnishee is located. Please make sure all information on your forms is correct. We **will not** refund any costs because of incorrect information.
4. You must furnish the bank as much information as possible on the defendant. This is done by filing out an attachment form. This attachment form needs to be attached to the summons. This form **is not** provided by the court. A sample may be obtained for .25¢.
5. Cost for filing this garnishment is **\$130.50**. You may add additional defendants for **\$8.00** each. If the Defendant is a resident of Fulton County and you want us to serve them with their copy of the garnishment, please add an additional **\$6.00** to the cost. You may add additional banks to your garnishment, if you wish. It will cost **\$14.00** for each that you add. Rush fee for immediate filing is **\$15.00**.
6. All costs paid by you for the filing of the garnishment will be recovered from the Defendant, if sufficient funds are received. **Note:** if you file using a Paupers Affidavit, the Court will take its costs out first from funds received.
7. You will need the following forms: one Attachment sheet(if the garnishee is a bank),one three-part Regular Garnishment set(additional copies of the summons, for each bank other than the first),and one Service sheet for each garnishee.
8. The amount that you were awarded in your judgment, the cost of your judgment, any interest and other costs to which you may be entitled must be added together. This total is the amount claimed. Put this in the first blank in the 'Notice' Section. **Do not place** dollar amounts outside the 'Notice' Section. They will not be picked up. Garnishment cost goes in the second blank.
9. If we do not serve the Defendant with their copy of the garnishment, you must send it to them by certified mail, with return receipt requested. This should be done immediately. Please send the Court a **copy** of the signed green receipt card when the Post Office returns it to you. If the certified mail is refused, please make a **copy** of the front of the envelope and send that into the Court. If the Court does not have this in their files, no funds can be released to you.
10. You **must** attach a self-addressed stamped envelope to the Service Sheet. This is in order for you to receive your copy and the date the bank was served. It will also contain the garnishment case number, including Judges codes. It may take up to 60 days from the date of service before the Court hears from the party served. A bank will freeze the person's account, and at the proper time send the Court the amount you filed your garnishment for, or the amount in the account, whichever is greater, minus their cost for processing the garnishment.
11. If you find out at a later date that the person has more money in another bank, you can file an additional Summons of Garnishment for \$25.00, per bank.
12. The Court **will not contact** you if no money is received, or no answer is filed. If, after 60 days, you have not received a check from us, you may call to see if an answer has been filed. If no answer has been filed, you will need to consult an attorney to be advised of your legal rights.
13. The Court **cannot guarantee** that you will receive any money when you file a garnishment. All funds received will be processed and mailed in a timely manner. If the Court does not have proof in its files that the Defendant has been served, we will hold your check until we receive the proof. Due to the large number of checks we process, none can be picked up.
14. You may contact the Garnishment Office at **404-730-5030** for general information about your case. It can take up to 60 days before any information is available.
15. All correspondence should be addressed to: **Garnishment Division, State Court of Fulton County, 185 Central Ave., SW, Room TG900, Justice Center Tower,**

Atlanta, GA 30303, and must include the complete case number, including Judge code.

16. This information is only a general summary. There are exceptions to these rules. Because the law is complicated, you may wish to consult an attorney to determine you exact legal rights.