

MAGISTRATE COURT OF OCONEE COUNTY  
23 N. MAIN STREET / P O BOX 1099  
WATKINSVILLE, GA 30677  
(706) 769-3940  
Angela Elder-Johnson, Clerk  
Contact Stacy via email- [scarson@oconee.ga.us](mailto:scarson@oconee.ga.us) with questions

**PROCEDURES FOR FILING A ONE-TIME GARNISHMENT**

The filing Fee is \$108.00 per garnishment. Check made payable to: Ocone County Magistrate Court.

The Defendant's bank must be located in Ocone County for the garnishment to be filed with this court.

The jurisdictional limit for filing a garnishment in the Magistrate's Court is \$15000.00. Any claims exceeding this amount must be filed with the Clerk of Superior Court.

The Plaintiff is the party filing the garnishment, the Defendant is the party that the original claim was against, and the Garnishee is the name of the financial institution the defendant holds an account with.

The Garnishment papers must be completely filled out and notarized including the complete street address of Garnishee (no P.O. Boxes acceptable) and the mailing address for the Plaintiff. Please include a copy of the Judgment you are basing the Garnishment filing on.

Deliver or mail the original of the Garnishment forms along with the filing fee to the Magistrate Court. **ANY FORMS RECEIVED THAT ARE NOT FILLED OUT CORRECTLY WILL BE RETURNED TO YOU. THIS INCLUDES THE FILING FEE.**

Once your garnishment has been filed with the Court, the forms will be processed and forwarded to the Sheriff's Department for service. Once the forms are processed, no refunds will be made. Garnishments must be served personally on the garnishee; they cannot be tacked and mailed.

You **MUST** give the defendant notice that you have filed a garnishment against them. This must be done via certified mail to the defendant's last known address. Upon receipt of either the green card or the returned undelivered envelope, you must provide the court with either the original or a copy of the green card or envelope. **WE WILL NOT DISBURSE ANY FUNDS TO THE PLAINTIFF UNTIL WE RECEIVE PROOF OF NOTIFICATION ON THE DEFENDANT BY CERTIFIED MAIL.**

Once service is completed, the Court will mail you a copy of the Sheriff's Entry of Service form. The garnishee has 45 days to answer the garnishment to the court in writing. This could either be with or without money. Any money we receive must stay in the magistrate registry account for a minimum of fifteen (15) days before we can disburse the money to you. We must have a written request for the money to be disbursed to you. We do not automatically send out the money. Keep in mind also that you can only receive as much money from the bank that is currently in the defendant's account. Therefore, if all the money owed to you is not currently in the account, you will only receive the amount that is in the account at that time. To receive any further money from the bank, you will have to file another garnishment.

IN THE MAGISTRATE COURT OF OCONEE COUNTY  
STATE OF GEORGIA

Plaintiff

v.

Civil Action  
File No. \_\_\_\_\_

Defendant

Garnishee

Address

#### AFFIDAVIT OF GARNISHMENT

Personally appeared the undersigned affiant who on oath says that he is the above plaintiff, his agent, or his attorney at law and that he has personal knowledge that the above defendant is indebted to said plaintiff in the sum of \_\_\_\_\_  
Dollars, Principal, \$ \_\_\_\_\_ Interest, \$ \_\_\_\_\_ Attorney's Fees, and \$ \_\_\_\_\_  
Cost; and that said Plaintiff has - a suit pending - or judgment obtained in case number \_\_\_\_\_  
in \_\_\_\_\_ Court of \_\_\_\_\_ County, that no agreement has been made with the  
defendant for payment of the judgment, or if an agreement was made, the defendant is in default and that Affiant has reason  
to apprehend the loss of said sum or some part thereof unless process of garnishment issues.

\_\_\_\_\_  
Affiant

Sworn to and Subscribed Before me,

This \_\_\_\_\_, 20 \_\_\_\_\_.

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

Approved:

This \_\_\_\_\_, 20 \_\_\_\_\_.

MAGISTRATE Court of OCONEE County

\_\_\_\_\_  
Judge, Magistrate

\_\_\_\_\_  
Plaintiff's Attorney

IN THE Magistrate COURT OF Oconee COUNTY  
STATE OF GEORGIA

|                           |  |
|---------------------------|--|
| Plaintiff                 | Civil Action                             |
| v.                        | File No. _____                           |
| Defendant                 |  |
| Garnishee                 | Amount Claimed Due by Plaintiff \$ _____ |
| Address                   | Court Cost Due _____                     |
| Social Security No. _____ | TOTAL COST DUE \$ _____                  |

## SUMMONS OF GARNISHMENT

To: \_\_\_\_\_ Garnishee

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named below. Money or other property subject to this summons should be delivered to the court with your answer. Should you fail to answer this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

Witness the Honorable \_\_\_\_\_, Judge Magistrate of said Court.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Clerk \_\_\_\_\_

Court of \_\_\_\_\_ County \_\_\_\_\_

Plaintiff's Attorney \_\_\_\_\_

Address \_\_\_\_\_  
Service perfected on garnishee, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Deputy, Sheriff, or Constable \_\_\_\_\_

MAGISTRATE COURT OF OCONEE COUNTY, GEORGIA

Date Filed \_\_\_\_\_

Case No: \_\_\_\_\_

Plaintiff(s) Name, Address  
vs

Defendant(s) Name, Address

Garnishee Name, Address

**GARNISHMENT**

Court Information:  
Angela Elder-Johnson, Clerk  
Oconee Co Superior, Magistrate and Juvenile  
Courts  
P.O. Box 1099  
Watkinsville Ga 30677

**FINANCIAL INSTITUTION GARNISHEE ANSWER**

1. At the time of service of the Summons of Garnishment on a Financial Institution and including the next five days, the Garnishee had in its possession the following described money and property of the Defendant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \$ \_\_\_\_\_ is the amount herewith paid into court.

3. ( ) Check if the Defendant is not presently an account holder of the Garnishee.

4. The Garnishee further states: \_\_\_\_\_

Garnishee,  
Garnishee's Attorney, or  
Officer or Employee of Garnishee

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served the Defendant and the Garnishee in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Garnishee (Attorney) (Officer/Employee)

IN THE MAGISTRATE COURT OF OCONEE COUNTY  
STATE OF GEORGIA

Plaintiff

Vs

Garnishment File No: \_\_\_\_\_

Defendant

Vs

Garnishee

AFFIDAVIT OF COMPLIANCE

PERSONALLY APPEARED before the undersigned, an officer duly authorized to administer oaths, plaintiff, who, being duly sworn under oath, stated that service upon Defendant has been completed pursuant to Georgia Law in the following manner:

The Defendant is being served by certified mail at:

Plaintiff

Sworn to and subscribed before me  
This \_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_

Notary Public/Deputy Clerk