

## **NOTICE TO GARNISHEE**

The Garnishee shall file an answer within 30 days after service of the Writ. The answer shall admit or deny that the Garnishee is indebted to the Judgement Debtor or has possession of property of the Judgement Debtor and shall specify the amount and nature of any debt and describe any property. Financial Institutions shall indicate if the judgement debtor's account has protected amounts and if account consists of only protected amounts, request a judgement in favor of the garnishee terminating the garnishment. The Garnishee may assert any defense that the Garnishee may have to the Garnishment, as well as any defense that the Judgement Debtor could assert. After answering, the Garnishee may pay any garnished indebtedness into court and may deliver to the sheriff any garnished property, which shall be treated as if levied upon by the sheriff. A Garnishee who has filed an answer admitting indebtedness to the Judgment Debtor or possession of property of the Judgment Debtor is not required to file an amended answer solely because of an increase in the Garnishee's indebtedness to the Judgment Debtor or the Garnishee's receipt of additional property of the Debtor.

If the Garnishee fails to file a timely answer, the Judgement Creditor may proceed pursuant to Md. Rule 3-509 for a judgement by default against the Garnishee.

If the Garnishee files a timely answer, the matters set forth in the answer shall be treated as established for the purpose of the Garnishment proceeding unless the Judgement Creditor files a reply contesting the answer within 20 days after its filing. If a timely reply is not filed, the Court may enter the judgment upon request of the Judgement Creditor, the Judgment Debtor, or the Garnishee. If a timely reply is filed to the answer of the Garnishee, the matter shall proceed as if it were an original action between the Judgment Creditor as Plaintiff and the Garnishee as Defendant and shall be governed by the rules applicable to civil actions.

## **NOTICE TO JUDGMENT DEBTOR CONCERNING EXEMPTIONS**

As a result of the judgment entered against you, the bank or other person holding your money or property has been ordered by this court to hold your money or property that does not constitute a protected amount subject to further order of the court. You may be entitled to claim an exemption of all or part of your money or property, but in order to do so you must file a motion with the court as soon as possible. If you do not file a motion within 30 days of when the Garnishee was served, your property may be turned over to the Judgment Creditor. You may include in your motion a request for a hearing. If you file a motion under Rule 3-643 © (2), claiming an exemption, and request a hearing, a hearing shall be held promptly. Some Federal benefit payments may be automatically protected from garnishment and will not be held in response to the writ of garnishment. Any claim for exemption for a non-protected amount must be filed with the court no later than 30 days after service of the writ of garnishment on the garnishee.

You have the right under the Annotated Code of MD to claim an exemption of certain kinds of personal property such as: wearing apparel, books, tools, instrument or appliances in an amount not to exceed \$5,000 in value necessary for the practice of any trade or profession except those kept for sale, lease or barter; money payable in the event of sickness, accident, injury or death of any person including compensation for loss of future earnings (however, disability income benefits are not exempt if the judgment is for necessities contracted for after the disability is incurred); professionally prescribed health aids for the debtor or dependent of the debtor; debtor's interest not to exceed \$1,000 in value, in household furnishings, household goods, wearing apparel, appliances, books, animals kept as pets, and other items that are held primarily for the personal, family or household use of the debtor or any dependent of the debtor. **IN ADDITION, WITHIN THIRTY DAYS AFTER THE DATE OF SERVICE OF THE WRIT OF GARNISHMENT ON THE BANK OF OTHER PERSON HOLDING YOUR MONEY OR PROPERTY, YOU MAY ELECT TO EXEMPT A TOTAL OF \$6000.** (This exemption does not apply to an Attachment Before Judgment.)

You may be entitled to claim an exemption under Maryland law of certain money such as Social Security disability benefits; Supplemental Security Income benefits; annuity payments based on retired or retainer pay from the Armed Forces; Civil Service retirement and disability funds; annuities to widows and surviving dependent children of judges; federal worker's compensation; and federal retirement pensions.

**YOU MAY ALSO BE ENTITLED TO PROTECT OTHER MONEY OR PROPERTY NOT MENTIONED ABOVE.**

**TO PROTECT YOUR RIGHTS FULLY, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER.**