



WASHINGTON COURTS

July 22, 2019

TO: Public

FROM: Merrie Gough, Senior Legal Analyst

SUBJECT: GARNISHMENT FORMS - NOTES ON USAGE, INCLUDING
EXEMPTION AMOUNTS

This Garnishment Forms packet includes reproductions of the forms found in Chapter 6.27 RCW and other forms authorized by Chapter 6.27 RCW and other relevant chapters of the Revised Code of Washington. An exception is WPF GARN 01.0570, Notice to Defendant of Non-Responsive Exemption Claim, which is based upon local court rule and can be used only in counties that have enacted a local court rule that authorizes the procedure reflected in the form. (See **NOTE ON USAGE: NOTICE TO DEFENDANT OF NON-RESPONSIVE EXEMPTION CLAIM.**)

The forms are set up to reflect the normal situation in which the plaintiff is the judgment creditor and the defendant is the judgment debtor, and the plaintiff is garnishing the defendant. If the circumstances in a case do not reflect the normal situation (for example, if the defendant obtained a judgment against the plaintiff and is garnishing the plaintiff), the forms will need to be modified.

Please note that the Garnishment Forms packet contains several alternate forms. There is a separate form for a Writ of Garnishment for debts other than earnings and for a Writ of Garnishment for continuing lien on earnings. There is a separate form for an Answer to Writ of Garnishment for debts other than earnings and for an Answer to Writ of Garnishment for continuing lien on earnings. There is a separate form for a Satisfaction of Judgment against garnishee, a Satisfaction of Judgment against defendant and a Partial Satisfaction of Judgment against defendant(s). You may use the WPF GARN 01.0500, Exemption Claim (Writ to garnish funds or property held by a financial institution), WPF GARN 01.0520, Exemption Claim, (Writ directed to employer to garnish earnings) or the WPF GARN 01.0550, Claim of Exemption, to claim an exemption from garnishment. Please refer to Chapter 6.27 RCW to confirm that you are using the correct forms or consult with a lawyer.

Before providing answer forms to the garnishee under a Writ of Garnishment for Continuing Lien on Earnings, the judgment creditor is required to fill in the minimum

exempt amounts at SECTION II, line item (5) in WPF GARN 01.0750, First Answer to Writ of Garnishment for Continuing Lien on Earnings, and in SECTION II, line item (5) WPF GARN 01.0770, Second Answer to Writ of Garnishment for Continuing Lien on Earnings.

The following information is provided for your information regarding minimum exempt amounts for Writ of Garnishment for Continuing Lien on Earnings, but the judgment creditor is responsible for ensuring that the correct minimum exempt amounts are included in the answer forms. The following information is believed to be accurate as of July, 2019:

- The minimum exempt amount formulas for various judgment types are:
 - General: Greater of 35x *federal* min wage, or 75% of disposable wages
 - Consumer debt: Greater of 35x *state* min wage, or 80% of disposable wages
 - Private student loan: Greater of 50x *highest WA min wage*, or 85% of disposable wages
 - Child support: 50% of disposable wages
- The minimum exempt amounts based on the different minimum wages are, as of July, 2019:

Federal Minimum Wage is \$7.25 (use this wage for Judgments that are not for consumer debt, private student loan debt, or child support):

Weekly	Biweekly	Semi-monthly	Monthly
\$253.75	\$507.50	\$549.79	\$1,099.58

The federal Minimum wage is set by federal statute (29 U.S.C. § 206). The following link was active as of July 2019:

<http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title29-section206&num=0&edition=prelim>.

State Minimum Wage is \$12.00 (use this wage for Judgments that are for consumer debt):

Weekly	Biweekly	Semi-monthly	Monthly
\$420.00	\$840.00	\$910.00	\$1,820.00

The state minimum wage increases to \$13.50 on January 1, 2020; and thereafter is adjusted annually for inflation on January 1. The following link to the Washington Department of Labor and Industries was active as of July 2019:

<http://www.lni.wa.gov/WorkplaceRights/Wages/Minimum/default.asp>.

Highest Minimum Wage in the state currently is in SeaTac at \$16.09 (use this wage for Judgments that are for private student loan debt):

Weekly	Biweekly	Semi-monthly	Monthly
\$804.50	\$1,609.00	\$1,743.08	\$3,486.16

The SeaTac minimum wage is adjusted annually for inflation on January 1. The following link was active as of July 2019 (click on “City Manager Minimum Wage Bulletin”; also, the Labor & Industries site listed above has information on local minimum wages): <http://www.seatacwa.gov/our-city/employment-standards-ordinance>.

In the Judgment on Answer and Order to Pay, WPF GARN 01.0800, the garnishment judgment debtor is the garnishee and the costs judgment debtor is the defendant (in the normal situation where plaintiff is garnishing the defendant). The Judgment on Answer and Order to Pay may be entered 20 days after the answer is filed and in no event less than 28 days from the date the writ was originally issued.