

[2003 c 222 § 2. Prior: 1987 c 442 § 1004; 1987 c 202 § 134; 1969 ex.s. c 264 § 6. Formerly RCW 7.33.060.]

Notes:

Intent -- 1987 c 202: See note following RCW 2.04.190.

6.27.050

Garnishment of money held by officer — Of judgment debtor — Of personal representative.

A sheriff or other peace officer who holds money of the defendant is subject to garnishment, excepting only for money or property taken from a person arrested by such officer, at the time of the arrest. A judgment debtor of the defendant is subject to garnishment when the judgment has not been previously assigned on the record or by writing filed in the office of the clerk of the court that entered the judgment and minuted by the clerk as an assignment in the execution docket. An executor or administrator is subject to garnishment for money due from the decedent to the defendant.

[1987 c 442 § 1005; 1927 c 101 § 1; 1886 p 43 § 19; RRS § 664. Prior: Code 1881 §§ 174-192; 1877 pp 35-40; 1873 pp 43-50; 1871 pp 9, 10; 1869 pp 41-47; 1863 pp 112-120; 1860 pp 30-36; 1854 pp 155-162. Formerly RCW 7.12.180.]

6.27.060

Application for writ — Affidavit — Fee.

The judgment creditor as the plaintiff or someone in the judgment creditor's behalf shall apply for a writ of garnishment by affidavit, stating the following facts: (1) The plaintiff has a judgment wholly or partially unsatisfied in the court from which the writ is sought; (2) the amount alleged to be due under that judgment; (3) the plaintiff has reason to believe, and does believe that the garnishee, stating the garnishee's name and residence or place of business, is indebted to the defendant in amounts exceeding those exempted from garnishment by any state or federal law, or that the garnishee has possession or control of personal property or effects belonging to the defendant which are not exempted from garnishment by any state or federal law; and (4) whether or not the garnishee is the employer of the judgment debtor.

The judgment creditor shall pay to the clerk of the superior court the fee provided by RCW 36.18.020, or to the clerk of the district court the fee provided by RCW 3.62.060. *X*

[2003 c 222 § 17; 1988 c 231 § 22. Prior: 1987 c 442 § 1006; 1987 c 202 § 133; 1981 c 193 § 3; 1977 ex.s. c 55 § 1; 1969 ex.s. c 264 § 4. Formerly RCW 7.33.040.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

Intent -- 1987 c 202: See note following RCW 2.04.190.

6.27.070

Issuance of writ — Form — Dating — Attestation.

(1) When application for a writ of garnishment is made by a judgment creditor and the requirements of RCW 6.27.060 have been complied with, the clerk shall docket the case in the names of the judgment creditor as plaintiff, the judgment debtor as defendant, and the garnishee as garnishee defendant, and shall immediately issue and deliver a writ of garnishment to the judgment creditor in the form prescribed in RCW 6.27.100, directed to the

*This how to get the ball rolling to get a Writ of Garnishment
* RCW 3.62.060 tells us fee for filing a Writ of Garnishment*

garnishee, commanding the garnishee to answer said writ on forms served with the writ and complying with RCW 6.27.190 within twenty days after the service of the writ upon the garnishee. The clerk shall likewise docket the case when a writ of garnishment issued by the attorney of record of a judgment creditor is filed. Whether a writ is issued by the clerk or an attorney, the clerk shall bear no responsibility for errors contained in the writ.

(2) The writ of garnishment shall be dated and attested as in the form prescribed in RCW 6.27.100. The name and office address of the plaintiff's attorney shall be indorsed thereon or, in case the plaintiff has no attorney, the name and address of the plaintiff shall be indorsed thereon. The address of the clerk's office shall appear at the bottom of the writ.

[2003 c 222 § 3; 1987 c 442 § 1007; 1970 ex.s. c 61 § 1. Prior: 1969 ex.s. c 264 § 5. Formerly RCW 7.33.050.]

*This is SUPPOSED
to guide us on how
to complete a Writ
of Garnishment*

6.27.080

Writ directed to financial institution — Form and service.

(1) A writ of garnishment directed to a bank, savings and loan association, or credit union that maintains branch offices shall identify either a particular branch of the financial institution or the financial institution as the garnishee defendant. The head office of a financial institution shall be considered a separate branch for purposes of this section. The statement required by subsection (2) of this section may be incorporated in the writ or served separately.

(2) Service shall be as required by RCW 6.27.110 (1) and (3) and shall be by certified mail, return receipt requested, directed to or by personal service, in the same manner as a summons in a civil action is served, on the manager, cashier, or assistant cashier of the financial institution, except that, if the financial institution, and not a branch, is named as garnishee defendant, service shall be either on the head office or on the place designated by the financial institution for receipt of service of process. There shall be served with the writ, as part of the service, a statement in writing signed by the plaintiff or plaintiff's attorney, stating (a) the defendant's place of residence and business, occupation, trade, or profession, or (b) the defendant's federal tax identification number, or (c) the defendant's account number, if such information is not incorporated in the writ. If the statement is not served with the writ and such information is not included in the writ, the service shall be deemed incomplete and the garnishee shall not be held liable for funds owing to the defendant or property of the defendant in the possession of or under the control of the garnishee defendant that it fails to discover.

(3) A writ naming the financial institution as the garnishee defendant shall be effective only to attach deposits of the defendant in the financial institution and compensation payable for personal services due the defendant from the financial institution. A writ naming a branch as garnishee defendant shall be effective only to attach the deposits, accounts, credits, or other personal property of the defendant (excluding compensation payable for personal services) in the possession or control of the particular branch to which the writ is directed and on which service is made.

A writ of garnishment is effective against property in the possession or control of a financial institution only if the writ of garnishment is directed to and names a branch as garnishee defendant.

[1988 c 231 § 23; 1987 c 442 § 1008.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.090

Amount garnishee required to hold.

(1) The writ of garnishment shall set forth in the first paragraph the amount that garnishee is

required to hold, which shall be an amount determined as follows: (a)(i) If after judgment, the amount of the judgment remaining unsatisfied on the clerk of the court's execution docket, if any, plus interest to the date of garnishment, as provided in RCW 4.56.110, plus taxable costs and attorney's fees, or (ii) if before judgment, the amount prayed for in the complaint plus estimated taxable costs of suit and attorneys' fees, together with, (b) whether before or after judgment, estimated costs of garnishment as provided in subsection (2) of this section. The court may, by order, set a higher amount to be held upon a showing of good cause by plaintiff.

(2) Costs recoverable in garnishment proceedings, to be estimated for purposes of subsection (1) of this section, include filing fee, service and affidavit fees, postage and costs of certified mail, answer fee or fees, other fees legally chargeable to a plaintiff in the garnishment process, and a garnishment attorney fee in the amount of the greater of fifty dollars or ten percent of (a) the amount of the judgment remaining unsatisfied or (b) the amount prayed for in the complaint. The garnishment attorney fee shall not exceed two hundred fifty dollars.

[2000 c 72 § 2; 1988 c 231 § 24; 1987 c 442 § 1009; 1969 ex.s. c 264 § 9. Formerly RCW 7.33.090.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.095

Garnishee's processing fees.

(1) The garnishee of a writ for a continuing lien on earnings may deduct a processing fee from the remainder of the obligor's earnings after withholding the required amount under the writ. The processing fee may not exceed twenty dollars for the first answer and ten dollars at the time the garnishee submits the second answer.

(2) If the writ of garnishment is not a writ for a continuing lien on earnings, the garnishee is entitled to check or money order payable to the garnishee in the amount of twenty dollars at the time the writ of garnishment is served on the garnishee as required under RCW 6.27.110 (1).

[1998 c 227 § 2; 1997 c 296 § 3.]

6.27.100

Form of writ.

(1) The writ shall be substantially in the following form, but if the writ is issued under a court order or judgment for child support, the following statement shall appear conspicuously in the caption: "This garnishment is based on a judgment or court order for child support"; and if the garnishment is for a continuing lien, the form shall be modified as provided in RCW 6.27.340; and if the writ is not directed to an employer for the purpose of garnishing a defendant's earnings, the paragraph relating to the earnings exemption may be omitted and the paragraph relating to the deduction of processing fees may be omitted; and if the writ is issued by an attorney, the writ shall be revised as indicated in subsection (2) of this section:

"IN THE COURT

OF THE STATE OF WASHINGTON IN AND FOR

THE COUNTY OF

.....,

Plaintiff, No.
 vs.

 Defendant WRIT OF
 GARNISHMENT

 Garnishee
 THE STATE OF WASHINGTON TO:
 Garnishee
 AND TO:
 Defendant

The above-named plaintiff has applied for a writ of garnishment against you, claiming that the above-named defendant is indebted to plaintiff and that the amount to be held to satisfy that indebtedness is \$. . .
 . . . , consisting of:

Balance on Judgment or Amount of Claim	\$. . .
Interest under Judgment from to	\$. . .
Taxable Costs and Attorneys' Fees	\$. . .
Estimated Garnishment Costs:	
Filing Fee	\$. . .
Service and Affidavit Fees	\$. . .
Postage and Costs of Certified Mail	\$. . .
Answer Fee or Fees (If applicable)	\$. . .
Garnishment Attorney Fee	\$. . .
Other	\$. . .

YOU ARE HEREBY COMMANDED, unless otherwise directed by the court, by the attorney of record for the plaintiff, or by this writ, not to pay any debt, whether earnings subject to this garnishment or any other debt, owed to the defendant at the time this writ was served and not to deliver, sell, or transfer, or recognize any sale or transfer of, any personal property or effects of the defendant in your possession or control at the time when this writ was served. Any such payment, delivery, sale, or transfer is void to the extent necessary to satisfy the plaintiff's claim and costs for this writ with interest.

YOU ARE FURTHER COMMANDED to answer this writ by filling in the attached form according to the instructions in this writ and in the answer forms and, within twenty days after the service of the writ upon you, to mail or deliver the original of such answer to the court, one copy to the plaintiff or the plaintiff's attorney, and one copy to the defendant, in the envelopes provided.

If, at the time this writ was served, you owed the defendant any earnings (that is, wages, salary, commission, bonus, or other compensation for personal services or any periodic payments pursuant to a nongovernmental pension or retirement program), the defendant is entitled to receive amounts that are exempt from garnishment under federal and state law. You must pay the exempt amounts to the defendant on the day you would customarily pay the compensation or other periodic payment. As more fully explained in the answer, the basic exempt amount is the greater of seventy-five percent of disposable earnings or a minimum amount determined by reference to the employee's pay period, to be calculated as provided in the answer. However, if this writ carries a statement in the heading that "This garnishment is based on a judgment or court order for child support," the basic exempt amount is forty percent of disposable earnings.

IF THIS IS A WRIT FOR A CONTINUING LIEN ON EARNINGS, YOU MAY DEDUCT A PROCESSING FEE FROM THE REMAINDER OF THE EMPLOYEE'S EARNINGS AFTER WITHHOLDING UNDER THIS WRIT. THE PROCESSING FEE MAY NOT EXCEED TWENTY DOLLARS FOR THE FIRST ANSWER AND TEN DOLLARS AT THE TIME YOU SUBMIT THE SECOND ANSWER.

If you owe the defendant a debt payable in money in excess of the amount set forth in the first paragraph of this writ, hold only the amount set forth in the first paragraph and any processing fee if one is charged and release all additional funds or property to defendant.

IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND FEES INCURRED BY THE PLAINTIFF.

Witness, the Honorable, Judge of the above-entitled Court, and the seal thereof, this day of, 20. . .

[Seal]

.....
Attorney for Plaintiff (or Plaintiff, if no attorney)	Clerk of the Court
.....
Address	By

	Address"

(2) If an attorney issues the writ of garnishment, the final paragraph of the writ, containing the date, and the subscribed attorney and clerk provisions, shall be replaced with text in substantially the following form:

"This writ is issued by the undersigned attorney of record for plaintiff under the authority of chapter 6.27 of the Revised Code of Washington, and must be complied with in the same manner as a writ issued by the clerk of the court.

Dated this day of, 20.

.....
Attorney for Plaintiff	
.....
Address"	Address of the Clerk of the Court

[2003 c 222 § 4; 2000 c 72 § 3; 1998 c 227 § 3; 1997 c 296 § 2; 1988 c 231 § 25; 1987 c 442 § 1010; 1981 c 193 § 4; 1969 ex.s. c 264 § 11. Formerly RCW 7.33.110.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.110**Service of writ generally — Forms — Requirements for financial institution — Return.***2 APPS FOR WRIT & WRIT COPIES ✓**Make sure we serve like this:*

(1) Service of the writ of garnishment on the garnishee is invalid unless the writ is served together with (a) four answer forms as prescribed in RCW 6.27.190; (b) three stamped envelopes addressed respectively to the clerk of the court issuing the writ, the attorney for the plaintiff (or to the plaintiff if the plaintiff has no attorney), and the defendant; and (c) check or money order made payable to the garnishee in the amount of twenty dollars for the answer fee if the writ of garnishment is not a writ for a continuing lien on earnings.

N/A no applies to us

(2) Except as provided in RCW 6.27.080 for service on a bank, savings and loan association, or credit union, the writ of garnishment shall be mailed to the garnishee by certified mail, return receipt requested, addressed in the same manner as a summons in a civil action, and will be binding upon the garnishee on the day set forth on the return receipt. In the alternative, the writ shall be served by the sheriff of the county in which the garnishee lives or has its place of business or by any person qualified to serve process in the same manner as a summons in a civil action is served.

(3) If a writ of garnishment is served by a sheriff, the sheriff shall file with the clerk of the court that issued the writ a signed return showing the time, place, and manner of service and that the writ was accompanied by answer forms, addressed envelopes, and check or money order if required by this section, and noting thereon fees for making the service. If service is made by any person other than a sheriff, such person shall file an affidavit including the same information and showing qualifications to make such service. If a writ of garnishment is served by mail, the person making the mailing shall file an affidavit showing the time, place, and manner of mailing and that the writ was accompanied by answer forms and addressed envelopes, and check or money order if required by this section, and shall attach the return receipt to the affidavit.

[1998 c 227 § 4; 1997 c 296 § 4; 1988 c 231 § 26; 1987 c 442 § 1011; 1981 c 193 § 5; 1971 ex.s. c 292 § 8; 1970 ex.s. c 61 § 11; 1969 ex.s. c 264 § 13. Formerly RCW 7.33.130.]

Notes:

Rules of court: Cf. SPR 91.04W(a), (b), and (e).

Severability -- 1988 c 231: See note following RCW 6.01.050.

Severability -- 1971 ex.s. c 292: See note following RCW 26.28.010.

6.27.120**Effect of service of writ.***This obligates the garnishee defendant to hold the money and not deliver to the judgment debtor.*

(1) From and after the service of a writ of garnishment, it shall not be lawful, except as provided in this chapter or as directed by the court, for the garnishee to pay any debt owing to the defendant at the time of such service, or to deliver, sell or transfer, or recognize any sale or transfer of, any personal property or effects belonging to the defendant in the garnishee's possession or under the garnishee's control at the time of such service; and any such payment, delivery, sale or transfer shall be void and of no effect as to so much of said debt, personal property or effects as may be necessary to satisfy the plaintiff's demand.

(2) This section shall have no effect as to any portion of a debt that is exempt from garnishment.

(3) The garnishee shall incur no liability for releasing funds or property in excess of the amount stated in the writ of garnishment if the garnishee continues to hold an amount equal

to the amount stated in the writ of garnishment.

[1987 c 442 § 1012; 1969 ex.s. c 264 § 14. Formerly RCW 7.33.140.]

6.27.130

Mailing of writ and judgment or affidavit to judgment debtor —

Mailing of notice and claim form if judgment debtor is an individual

— Service — Return.

Summers

*MUST send to
the judgment
debtor*

*1. Copy of
Plaintiff's
affidavit
(application for
Writ of Garnishment)*

*2. Copy of Writ
of Garnishment*

*3. Copy of
"Your Rights..."*

(1) When a writ is issued under a judgment, on or before the date of service of the writ on the garnishee, the judgment creditor shall mail or cause to be mailed to the judgment debtor, by certified mail, addressed to the last-known post office address of the judgment debtor, (a) a copy of the writ and a copy of the judgment creditor's affidavit submitted in application for the writ, and (b) if the judgment debtor is an individual, the notice and claim form prescribed in RCW 6.27.140. In the alternative, on or before the day of the service of the writ on the garnishee or within two days thereafter, the stated documents shall be served on the judgment debtor in the same manner as is required for personal service of summons upon a party to an action.

(2) The requirements of this section shall not be jurisdictional, but (a) no disbursement order or judgment against the garnishee defendant shall be entered unless there is on file the return or affidavit of service or mailing required by subsection (3) of this section, and (b) if the copies of the writ and judgment or affidavit and the notice and claim form if the defendant is an individual are not mailed or served as herein provided, or if any irregularity appears with respect to the mailing or service, the court, in its discretion, on motion of the judgment debtor promptly made and supported by affidavit showing that the judgment debtor has suffered substantial injury from the plaintiff's failure to mail or otherwise to serve such copies, may set aside the garnishment and award to the judgment debtor an amount equal to the damages suffered because of such failure.

(3) If the service on the judgment debtor is made by a sheriff, the sheriff shall file with the clerk of the court that issued the writ a signed return showing the time, place, and manner of service and that the copy of the writ was accompanied by a copy of a judgment or affidavit, and by a notice and claim form if required by this section, and shall note thereon fees for making such service. If service is made by any person other than a sheriff, such person shall file an affidavit including the same information and showing qualifications to make such service. If service on the judgment debtor is made by mail, the person making the mailing shall file an affidavit including the same information as required for return on service and, in addition, showing the address of the mailing and attaching the return receipt or the mailing should it be returned to the sender as undeliverable.

[2003 c 222 § 5; 1988 c 231 § 27; 1987 c 442 § 1013; 1969 ex.s. c 264 § 32. Formerly RCW 7.33.320.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.140

Form of returns under RCW 6.27.130. (Effective unless E2SSB 5688 is approved at the November 2009 election under Referendum Measure 71.)

(1) The notice required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in type no smaller than elite type:

You are relieved of your obligation to withhold funds or property of the defendant to the extent indicated in this release. Any funds or property covered by this release which have been withheld, should be returned to the defendant.

Date:
 Attorney for Plaintiff

[2003 c 222 § 7; 2002 c 265 § 3; 1988 c 231 § 28; 1987 c 442 § 1016.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.170

Garnished employee not to be discharged — Exception.

No employer shall discharge an employee for the reason that a creditor of the employee has subjected or attempted to subject unpaid earnings of the employee to a writ of garnishment directed to the employer: PROVIDED, HOWEVER, That this provision shall not apply if garnishments on three or more separate indebtednesses are served upon the employer within any period of twelve consecutive months.

[1987 c 442 § 1017; 1969 ex.s. c 264 § 16. Formerly RCW 7.33.160.]

6.27.180

Bond to discharge writ.

If the defendant in the principal action causes a bond to be executed to the plaintiff with sufficient sureties, to be approved by the officer having the writ of garnishment or by the clerk of the court out of which the writ was issued, conditioned that the defendant will perform the judgment of the court, the writ of garnishment shall, upon the filing of said bond with the clerk, be immediately discharged, and all proceedings under the writ shall be vacated: PROVIDED, That the garnishee shall not be thereby deprived from recovering any costs in said proceeding, to which the garnishee would otherwise be entitled under this chapter. The bond shall be part of the record and, if judgment is against the defendant, it shall be entered against defendant and the sureties.

[1988 c 231 § 29; 1987 c 442 § 1018; 1969 ex.s. c 264 § 17. Formerly RCW 7.33.170.]

Notes:

Severability -- 1988 c 231: See note following RCW 6.01.050.

6.27.190

Answer of garnishee — Contents — Forms.

The answer of the garnishee shall be signed by the garnishee or attorney or if the garnishee is a corporation, by an officer, attorney or duly authorized agent of the garnishee, under penalty of perjury, and the original delivered, either personally or by mail, to the clerk of the court, one copy to the plaintiff or the plaintiff's attorney, and one copy to the defendant. The

answer shall be made on a form substantially as appears in this section, served on the garnishee with the writ. Prior to serving the answer forms for a writ for continuing lien on earnings, the plaintiff shall fill in the minimum exemption amounts for the different pay periods, and the maximum percentages of disposable earnings subject to lien and exempt from lien. If the garnishment is for a continuing lien, the answer forms shall be as prescribed in RCW 6.27.340 and 6.27.350. If the writ is not directed to an employer for the purpose of garnishing the defendant's wages, the paragraphs in section II of the answer relating to earnings and calculations of withheld amounts may be omitted.

IN THE COURT
OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF
..... NO.
Plaintiff
vs. ANSWER
..... TO WRIT OF
Defendant GARNISHMENT
.....
Garnishee Defendant

SECTION I. On the date the writ of garnishment was issued as indicated by the date appearing on the last page of the writ:

(A) The defendant: (check one) was, was not employed by garnishee. If not employed and you have no possession or control of any funds of defendant, indicate the last day of employment:; and complete section III of this answer and mail or deliver the forms as directed in the writ;

(B) The defendant: (check one) did, did not maintain a financial account with garnishee; and

(C) The garnishee: (check one) did, did not have possession of or control over any funds, personal property, or effects of the defendant. (List all of defendant's personal property or effects in your possession or control on the last page of this answer form or attach a schedule if necessary.)

SECTION II. At the time of service of the writ of garnishment on the garnishee there was due and owing from the garnishee to the above-named defendant \$

This writ attaches a maximum of percent of the defendant's disposable earnings (that is, compensation payable for personal services, whether called wages, salary, commission, bonus, or otherwise, and including periodic payments pursuant to a nongovernmental pension or retirement program). Calculate the attachable amount as follows:

Gross Earnings\$. (1)

Less deductions required by law (social security,

federal withholding tax, etc. Do not include

deductions for child support orders or government

liens here. Deduct child support orders and liens

on line 7):\$. (2)

Disposable Earnings (subtract line 2 from
line 1):\$. (3)

Enter percent of line 3:\$. (4)

Enter one of the following exempt amounts*:\$. (5)

If paid:	Weekly	\$.	Semi-monthly	\$.
	Bi-weekly	\$.	Monthly	\$.

*These are minimum exempt amounts that the
defendant must be paid. If your answer
covers more than one pay period, multiply
the preceding amount by the number of pay
periods and/or fraction thereof your answer
covers. If you use a pay period not shown,
prorate the monthly exempt amount.

Subtract the larger of lines 4 and 5 from
line 3:\$. (6)

Enter amount (if any) withheld for ongoing
government liens such as child support:\$. (7)

Subtract line 7 from line 6. This amount
must be held out for the plaintiff:\$. (8)

This is the formula that you will use for withholding each pay period over the required sixty-day garnishment period. Deduct any allowable processing fee you may charge from the amount that is to be paid to the defendant.

If there is any uncertainty about your answer, give an explanation on the last page or on an attached page.

SECTION III. An attorney may answer for the garnishee.

Under penalty of perjury, I affirm that I have examined this answer, including accompanying schedules, and to the best of my knowledge and belief it is true, correct, and complete.

.....
Signature of
Garnishee Defendant

.....
Date

.....
Signature of person answering for garnishee	Connection with garnishee
.....
Print name of person signing
	Address of garnishee

[2003 c 222 § 8; 2000 c 72 § 4; 1997 c 296 § 5; 1988 c 231 § 30; 1987 c 442 § 1019; 1969 ex.s. c 264 § 15.
Formerly RCW 7.33.150.]

Notes:

Rules of court: Cf. SPR 91.04W(c).

Severability -- 1988 c 231: See note following
RCW 6.01.050.

6.27.200

**Default judgment — Reduction upon motion of garnishee —
Attorney's fees.** *(Summons was served)*

(20 Days)
If the garnishee fails to answer the writ within the time prescribed in the writ, after the time to answer the writ has expired and after required returns or affidavits have been filed, showing service on the garnishee and service on or mailing to the defendant, it shall be lawful for the court to render judgment by default against such garnishee, after providing a notice to the garnishee by personal service or first-class mail deposited in the mail at least ten calendar days prior to entry of the judgment, for the full amount claimed by the plaintiff against the defendant, or in case the plaintiff has a judgment against the defendant, for the full amount of the plaintiff's unpaid judgment against the defendant with all accruing interest and costs as prescribed in RCW 6.27.090; PROVIDED, That upon motion by the garnishee at any time within seven days following service on, or mailing to, the garnishee of a copy of the first writ of execution or writ of garnishment under such judgment, the judgment against the garnishee shall be reduced to the amount of any nonexempt funds or property which was actually in the possession of the garnishee at the time the writ was served, plus the cumulative amount of the nonexempt earnings subject to the lien provided for in RCW 6.27.350, or the sum of one hundred dollars, whichever is more, but in no event to exceed the full amount claimed by the plaintiff or the amount of the unpaid judgment against the principal defendant plus all accruing interest and costs and attorney's fees as prescribed in RCW 6.27.090, and in addition the plaintiff shall be entitled to a reasonable attorney's fee for the plaintiff's response to the garnishee's motion to reduce said judgment against the garnishee under this proviso and the court may allow additional attorney's fees for other actions taken because of the garnishee's failure to answer.

[2003 c 222 § 9; 1997 c 296 § 6; 1988 c 231 § 31; 1987 c 442 § 1020; 1970 ex.s. c 61 § 10; 1969 ex.s. c 264 § 19. Formerly RCW 7.33.190.]

Notes:

Rules of court: CR 55, JCR 55.

Severability -- 1988 c 231: See note following
RCW 6.01.050.

6.27.210

Answer of garnishee may be controverted by plaintiff or defendant.

Send paper to Garnishee (before)
RCW 6.27.30 (2)
SAY RECOVERABLE COSTS INCLUDE
→ FILING FEES
→ SERVICE & AFFIDAVIT FEES
→ CERTIFIED MAIL POSTAGE
→ ANSWER FEES
→ GARNISHMENT ATTORNEY FEE
→ "OTHER FEES LEGALLY CHARGABLE TO A PLAINTIFF IN A GARNISHMENT PROCESS"