

5. This answer covers all pay periods which end during the prior month which is as follows: month: _____, year: _____.

6. The normal pay period for employee is (designate one):
weekly _____ every two weeks _____ semi-monthly _____ monthly _____.

7. Total gross earnings due for the pay period or periods covered by this answer are:
..... \$_____.

8. Amounts required by law to be withheld for the pay period or periods covered are:

- (1) Federal social security tax \$_____.
- (2) Federal income tax \$_____.
- (3) State income tax \$_____.
- (4) Railroad Retirement Tax \$_____.

TOTAL DEDUCTIONS \$_____.
(Deduct only those items listed above)

9. Disposable earnings for the pay period or periods covered are: \$_____.
(7 minus 8)

See the attached Instructions to Garnishee to determine amount of disposable earnings to be withheld.

10. I am subtracting from the disposable earnings in 9 pursuant to an income withholding order for support the amount of \$_____.

11. I am subtracting from the disposable earnings in 9 pursuant to a lien which has priority over garnishments under the law the following amount: type of lien _____
..... \$_____.

12. In accordance with the instructions accompanying this answer form, I have determined that the amount which may be paid to employee is \$_____.

13. I am holding from the amount in 12 an administrative fee in the amount of . \$_____.

See attached Instructions to Garnishee for amount of the administrative fee that can be retained.

14. After paying to the employee the amount stated in 12 less the administrative fee in 13, and deducting any amount shown in 10 and 11, I am holding the remainder of the employee's disposable earnings in the amount of \$_____.

15. If I do not receive an objection to this Answer within 10 days after I deliver it to all parties entitled to a copy, I will pay the amount held in 14 to the following judgment creditors:

Case No.	Name	Address	Amount
A. _____	_____	_____ _____ _____	\$_____
B. _____	_____	_____ _____ _____	\$_____

C. _____ \$ _____

Judgment Debtor Name & Address: _____

If more space is needed, attach separate sheet.

Pursuant to K.S.A. 53-601, as amended, I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED on _____, _____.

Garnishee

THIS COMPLETED ANSWER OF GARNISHEE MUST BE SENT TO ALL OF THE JUDGMENT CREDITORS LISTED ABOVE AND TO THE JUDGMENT DEBTOR. DO NOT SEND TO CLERK OF THE DISTRICT COURT.

INSTRUCTIONS TO GARNISHEE
(To Attach Earnings)

You must complete the Answer form which accompanies these instructions on or before the 15th day of each month. You must complete the Answer form for all pay periods which end during the prior month for that portion of the employee's earnings which is not exempt from wage garnishment. Earnings are defined as compensation for personal services, whether called wages, salary, commission, bonus or otherwise.

The garnishment order takes effect on the day it is served on you. If there is only one garnishment in effect against the judgment debtor, for the first month it is in effect, the order covers all pay periods which end on or after the day the order takes effect. For each subsequent month, the order covers all pay periods which end during each month.

The garnishment order served upon you is a continuing order and shall remain in effect until the judgment against the judgment debtor has been paid or the garnishment is released, whichever occurs sooner. As long as the garnishment order is in effect, you must complete an Answer form for each month.

More than one order of garnishment may be served on you against the same judgment debtor. If more than one order is in effect at the end of the month, you need only complete one Answer for that month, but you must send a copy of it to all judgment creditors who have garnishment orders in effect at the end of the month, and a copy to the judgment debtor (your employee). You may duplicate the Answer form in any manner you desire. You may send a copy to each judgment creditor and the judgment debtor by regular mail, fax transmission, electronic mail, personal delivery, or any other reliable delivery method.

The Answer form is provided for your convenience in furnishing the required information. It is designed so that you may prepare your answer in conjunction with the preparation of your payroll. Wait until the end of the prior month and apply the tests set forth in these instructions to the entire earnings of the employee during the month, completing your answer in accordance with these instructions. If you do not choose to use the Answer form provided, your answer, under penalty of perjury shall contain at least the same information contained on the Answer form provided.

Here are the instructions to complete the Answer form:

1. For all pay periods for the judgment debtor (your employee) which end during the prior month, complete paragraphs 5 through 9 of the form. For the first month the first garnishment is in effect, make your computations for all pay periods which end on and after the day this order takes effect. After that, make your computations for all pay periods which end during the prior month.
2. If the order of garnishment states at the top of the order that it is issued for the purpose of enforcing an order of any court for child support or spousal support, you must retain in your possession until further order of the court 50% of the disposable earnings for all pay periods ending during the month, or such greater percentage as may be indicated in paragraph D in the table below in paragraph 6. If this paragraph applies, sign and date the form at the bottom and send a copy to all judgment creditors who have a garnishment in effect at the end of the month and to the judgment debtor.
3. If paragraph 2 does not apply, continue to paragraph 4.
4. If you are withholding money from the judgment debtor's earnings under an income withholding order, complete paragraph 10 of the form.
5. If you are withholding money from the judgment debtor's earnings under any other lien which has priority over garnishments under the law, complete paragraph 11 of the form.

6. Compute the amount of earnings which may be withheld from the earnings of the judgment debtor (your employee) and complete paragraphs 12, 13 and 14 of the Answer form in accordance with the following table:

DISPOSABLE EARNINGS TABLE

<u>Employee paid weekly</u>		<u>Employee paid every two weeks</u>	
Disposable Earnings:	Withhold:	Disposable Earnings:	Withhold:
Less than 217.51	\$0.00	Less than 435.01	\$0.00
\$217.51 to 290.00	all over \$217.50	\$435.01 to 580.00	all over \$435.00
\$290.01 and over	25% of total disposable earnings	\$580.01 and over	25% of total disposable earnings
<u>Employee paid semimonthly (twice per month)</u>		<u>Employee paid monthly</u>	
Disposable earnings:	Withhold:	Disposable earnings:	Withhold:
Less than 471.26	\$0.00	Less than 942.51	\$0.00
\$471.26 to 628.33	all over \$471.25	\$942.51 to 1256.67	all over \$942.50
\$628.34 and over	25% of total disposable earnings	\$1256.68 and over	25% of total disposable earnings

NOTE: The numbers used in this paragraph are illustrative only and must be adjusted to comply with K.S.A. 60-725.

A. SUPPORT ORDERS. If the person seeking the garnishment for court ordered support desires to garnish more than 50% of disposable earnings, that person may request in writing to the clerk of the court to check one of the below applicable percentages:

- 55% Employee also supports a spouse or dependent child not covered by this support order and payments are 12 weeks overdue.
- 60% Employee does not support a spouse or dependent child and payments are not 12 weeks overdue.
- 65% Employee does not support a spouse or dependent child and payments are 12 weeks overdue.

Any disposable earnings remaining after payment of the above amounts shall be retained until further order of the court.

B. ADMINISTRATIVE FEE: From income due the employee, you may withhold and retain to defray your costs an administrative fee of \$10 for each pay period for which income is withheld, not to exceed \$20 for each month for which income is withheld, whichever is less. Such administrative fee shall be in addition to the amount required to be withheld under the order for garnishment. If the addition of this fee causes the total amount withheld to exceed the amount you are to withhold pursuant to the instructions above, the fee shall be deducted from the amount withheld.

7. Complete paragraph 15 by listing the case number, name and address for all judgment creditors who have a garnishment in effect against the judgment debtor at the end of the prior month. Compute the amount to be paid to each judgment creditor. For example, if there is only one judgment creditor, pay all to that one; if there are two judgment creditors, pay each one-half (1/2); if there are three judgment creditors, pay each one-third (1/3); etc. This allocation should be followed even if some or all of the garnishments were in effect for less than the entire month.

8. Sign and date the Answer form under penalty of perjury on the line provided at the bottom of the form and deliver a copy to all judgment creditors listed in 15 and to the judgment debtor. You may deliver a copy by regular mail, fax transmission, electronic mail, personal delivery, or any other reliable delivery method.

9. If you do not receive an objection to the Answer within 10 days after you have delivered it, send a check to the judgment creditors listed in 15 for the amount due each as shown in 15.