

Scott Law Firm clients wishing to issue their own garnishments should carefully follow these instructions:

1. Fill out the "Garnishment Computations Worksheet" below in this document. See the chart of "days of year" which below in this document to compute the number of days between two dates.
2. Complete the form titled "Execution/Garnishment/Sequestration Application and Order," which is a multi-copy automatic carbon form that can be obtained from the Circuit Clerk's office. See the sample of the form below in this document. It is preferred that the form be typed on a typewriter, but it can be hand-printed so long as you press hard enough for the writing to show through on all the copies. While most of the blanks on the form are self-explanatory, a few require some explanation:
 - a. In the "Please Issue:" box, always check "General Execution." If you are doing a garnishment on an employer or bank, also check "Garnishment." If you are doing a garnishment on a government employee, check "Sequestration."
 - b. You can select the period of time during which the garnishment will be in force in the box headed "Requested Return Date." Scott Law Firm recommends a 30-day garnishment for bank accounts and a 180-day garnishment for wages, earnings or salary unless you are sure the judgment can be collected in less time.
 - c. The "To" box should name the county in which the garnishment will be served. If the garnishment is to be served in a county other than the county in which the judgment was entered, there may be an additional filing fee – check with the court clerk to determine if this is the case.
 - d. In the "Debtor/Address" box, insert the judgment debtor's name and current address if known. If the address is not known and you are doing a wage/earnings/salary garnishment, show the address as care of the employer and include the employer's address.
 - e. Technically, the last four digits of the judgment debtor's Social Security Number should be placed in the "Debtor SSN" box. If you do not have the judgment debtor's SSN, you can leave this box blank, but some employers may decline to honor a garnishment without this information unless the judgment debtor can otherwise be identified.
 - f. Type or print your name in the "Requested By" box. Leave the adjacent "Missouri Bar No." box blank unless you are an attorney.
 - g. In the box immediately below the "Requested By" box, check both of the check-boxes and sign your name on the "Signature" line.
 - h. Type or print your address and phone number in the "Address & Telephone Number" Box.
 - i. Fill in the amounts in the columns to the right based on the "Garnishment Computations Worksheet" you completed.

j. Following are sample clauses to include in the "Instructions for Service" area:

1) **For garnishments of wages/earnings/salary:** "Please serve garnishment writ and garnishment interrogatories on [Name and Address of Employer] to garnish [Name of Judgment Debtor]'s wages/earnings/salary to collect the above-stated amounts.

2) **For bank account garnishments:** Please serve garnishment writ and garnishment interrogatories on [Name and Address of Bank] to garnish all accounts owned by [Name of Judgment Debtor] at said bank to collect the above-stated amounts.

3. Prepare a set of "Garnishment Interrogatories" to be submitted to the Circuit Clerk with the garnishment form. See the garnishment interrogatories form below in this document. Be sure to insert your name and address in the space provided so you will receive a copy of the interrogatory answers. Your name and address also should be placed adjacent to your signature box. Check with the Circuit Clerk on the number of copies of garnishment interrogatories to be submitted.

4. Check with the Circuit Clerk on the filing fee required and be prepared to submit that fee in the form of cash or money order (because Circuit Clerk's do not generally accept personal and business checks). Some clerks' offices also accept credit or debit cards.

5. Prepare a cover letter to the Circuit Clerk. Suggested text:

Your Letterhead

Date

Name of Clerk

Clerk's Address

Re: Case Name
Case No. _____

Dear _:

Judgment was entered in the above-referenced case on behalf of Plaintiff and against Defendant on [date]. Plaintiff hereby requests a garnishment. Enclosed are:

1. Execution/Garnishment Application and Order.

2. _ copies of Garnishment Interrogatories.

3. Garnishment cost deposit check in the amount of \$_.

Sincerely yours,

6. Submit the cover letter, Execution/Garnishment/Sequestration form, garnishment interrogatories and payment to the Circuit Clerk.

7. You may receive multiple checks from the Circuit Clerk while a garnishment is running. However, some clerks' offices only send a lump-sum of everything collected when the garnishment expires. If you receive multiple checks, you will need to recalculate interest due according to the date of each check received when you issue another garnishment if the earlier garnishment did not result in full collection of the judgment.
8. After a garnishment has expired, you will need to request a new garnishment to be issued to continue collecting on the judgment.
9. When a judgment has been paid in full, you are required by law to file a "Satisfaction of Judgment" with the court to show on the public record that the judgment has been paid. Sometimes a pending garnishment results in a judgment being paid in full before the ending date of the garnishment; when this happens, you should file a combination form to satisfy the judgment and terminate the garnishment. See the forms for these purposes below in this document.
10. You may run into questions or problems not covered in these instructions. If so, please call us for guidance. Depending on the complexity of the question or problem, we may need to refer you to a collection specialist attorney for guidance. We recommend the following collection specialist attorneys in Boone County, Missouri:

Bart Brand

Faber & Brand, LLC
6750 New Town Ave. S.
P.O. Box 10110
Columbia, MO 65205-1010
Phone: 573-449-3141
Fax: 573-442-1072
bart@faberandbrand.com

Norman W. Lampton

Law Offices of Norman W. Lampton
4002 Imperial Ct., Suite B
Columbia, MO 65202-4162
Phone: 573-219-9103
Fax: 1-888-884-8396
norm@normlamptonlaw.com

Beverly S. Riordan

Beverly S. Riordan Law Offices
200 Old 63 South, Suite 201
Columbia, MO 65201-6081
Phone: 573-875-5596
Fax: 573-875-5977
riordan@riordanlaw.com

Garnishment Computations Worksheet

Case Name:	Case No.:
Judgment Date:	Computation Date:

Total Amount Owed as of Date of Computation	
Judgment Principal Remaining Unpaid: \$	Interest Rate: 9% simple
Date Interest Begins (Date of Judgment if First Computation):	
Date of Computation:	Number of Days:
Interest (Principal multiplied by .09 divided by 365 multiplied by Number of Days): \$	
Judgment Principal (from above).....	\$
Interest through Date of Computation (from above).....	\$
Court Costs.....	\$
Attorney Fees (if not included in Judgment Principal).....	\$
Other Amounts Due (if not included above):	\$
Total Due (put on "Subtotal" line on garnishment form)	\$

Application of Payment as of Payment Date on Check from Clerk	
Date Interest Begins (same as above):	Date of Check Received from Clerk:
Number of Days between Date Interest Begins and Date of Check Received from Clerk:	
Interest (Principal multiplied by .09 divided by 365 multiplied by Number of Days): \$	
Amount of Payment.....	\$
Applied to Interest (amount on second line above).....	\$
Applied to Court Costs (include prior garnishment fees paid).....	\$
Applied to Attorney Fees.....	\$
Applied to Other Amounts Due:	\$
Remainder of Payment Applied to Judgment Principal.....	\$
Remaining Judgment Principal Due.....	\$

NOTES: Start next computation sheet with **Remaining Judgment Principal Due** and compute interest from the date of the previous check received.

DAYS OF YEAR FOR REGULAR YEARS

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
1	1	1 32	1 60	1 91	1 121	1 152	1 182	1 213	1 244	1 274	1 305	1 335
2	2	2 33	2 61	2 92	2 122	2 153	2 183	2 214	2 245	2 275	2 306	2 336
3	3	3 34	3 62	3 93	3 123	3 154	3 184	3 215	3 246	3 276	3 307	3 337
4	4	4 35	4 63	4 94	4 124	4 155	4 185	4 216	4 247	4 277	4 308	4 338
5	5	5 36	5 64	5 95	5 125	5 156	5 186	5 217	5 248	5 278	5 309	5 339
6	6	6 37	6 65	6 96	6 126	6 157	6 187	6 218	6 249	6 279	6 310	6 340
7	7	7 38	7 66	7 97	7 127	7 158	7 188	7 219	7 250	7 280	7 311	7 341
8	8	8 39	8 67	8 98	8 128	8 159	8 189	8 220	8 251	8 281	8 312	8 342
9	9	9 40	9 68	9 99	9 129	9 160	9 190	9 221	9 252	9 282	9 313	9 343
10	10	10 41	10 69	10 100	10 130	10 161	10 191	10 222	10 253	10 283	10 314	10 344
11	11	11 42	11 70	11 101	11 131	11 162	11 192	11 223	11 254	11 284	11 315	11 345
12	12	12 43	12 71	12 102	12 132	12 163	12 193	12 224	12 255	12 285	12 316	12 346
13	13	13 44	13 72	13 103	13 133	13 164	13 194	13 225	13 256	13 286	13 317	13 347
14	14	14 45	14 73	14 104	14 134	14 165	14 195	14 226	14 257	14 287	14 318	14 348
15	15	15 46	15 74	15 105	15 135	15 166	15 196	15 227	15 258	15 288	15 319	15 349
16	16	16 47	16 75	16 106	16 136	16 167	16 197	16 228	16 259	16 289	16 320	16 350
17	17	17 48	17 76	17 107	17 137	17 168	17 198	17 229	17 260	17 290	17 321	17 351
18	18	18 49	18 77	18 108	18 138	18 169	18 199	18 230	18 261	18 291	18 322	18 352
19	19	19 50	19 78	19 109	19 139	19 170	19 200	19 231	19 262	19 292	19 323	19 353
20	20	20 51	20 79	20 110	20 140	20 171	20 201	20 232	20 263	20 293	20 324	20 354
21	21	21 52	21 80	21 111	21 141	21 172	21 202	21 233	21 264	21 294	21 325	21 355
22	22	22 53	22 81	22 112	22 142	22 173	22 203	22 234	22 265	22 295	22 326	22 356
23	23	23 54	23 82	23 113	23 143	23 174	23 204	23 235	23 266	23 296	23 327	23 357
24	24	24 55	24 83	24 114	24 144	24 175	24 205	24 236	24 267	24 297	24 328	24 358
25	25	25 56	25 84	25 115	25 145	25 176	25 206	25 237	25 268	25 298	25 329	25 359
26	26	26 57	26 85	26 116	26 146	26 177	26 207	26 238	26 269	26 299	26 330	26 360
27	27	27 58	27 86	27 117	27 147	27 178	27 208	27 239	27 270	27 300	27 331	27 361
28	28	28 59	28 87	28 118	28 148	28 179	28 209	28 240	28 271	28 301	28 332	28 362
29	29		29 88	29 119	29 149	29 180	29 210	29 241	29 272	29 302	29 333	29 363
30	30		30 89	30 120	30 150	30 181	30 211	30 242	30 273	30 303	30 334	30 364
31	31		31 90		31 151		31 212	31 243		31 304		31 365

DAYS OF YEAR FOR LEAP YEARS

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
1	1	1 32	1 61	1 92	1 122	1 153	1 183	1 214	1 245	1 275	1 306	1 336
2	2	2 33	2 62	2 93	2 123	2 154	2 184	2 215	2 246	2 276	2 307	2 337
3	3	3 34	3 63	3 94	3 124	3 155	3 185	3 216	3 247	3 277	3 308	3 338
4	4	4 35	4 64	4 95	4 125	4 156	4 186	4 217	4 248	4 278	4 309	4 339
5	5	5 36	5 65	5 96	5 126	5 157	5 187	5 218	5 249	5 279	5 310	5 340
6	6	6 37	6 66	6 97	6 127	6 158	6 188	6 219	6 250	6 280	6 311	6 341
7	7	7 38	7 67	7 98	7 128	7 159	7 189	7 220	7 251	7 281	7 312	7 342
8	8	8 39	8 68	8 99	8 129	8 160	8 190	8 221	8 252	8 282	8 313	8 343
9	9	9 40	9 69	9 100	9 130	9 161	9 191	9 222	9 253	9 283	9 314	9 344
10	10	10 41	10 70	10 101	10 131	10 162	10 192	10 223	10 254	10 284	10 315	10 345
11	11	11 42	11 71	11 102	11 132	11 163	11 193	11 224	11 255	11 285	11 316	11 346
12	12	12 43	12 72	12 103	12 133	12 164	12 194	12 225	12 256	12 286	12 317	12 347
13	13	13 44	13 73	13 104	13 134	13 165	13 195	13 226	13 257	13 287	13 318	13 348
14	14	14 45	14 74	14 105	14 135	14 166	14 196	14 227	14 258	14 288	14 319	14 349
15	15	15 46	15 75	15 106	15 136	15 167	15 197	15 228	15 259	15 289	15 320	15 350
16	16	16 47	16 76	16 107	16 137	16 168	16 198	16 229	16 260	16 290	16 321	16 351
17	17	17 48	17 77	17 108	17 138	17 169	17 199	17 230	17 261	17 291	17 322	17 352
18	18	18 49	18 78	18 109	18 139	18 170	18 200	18 231	18 262	18 292	18 323	18 353
19	19	19 50	19 79	19 110	19 140	19 171	19 201	19 232	19 263	19 293	19 324	19 354
20	20	20 51	20 80	20 111	20 141	20 172	20 202	20 233	20 264	20 294	20 325	20 355
21	21	21 52	21 81	21 112	21 142	21 173	21 203	21 234	21 265	21 295	21 326	21 356
22	22	22 53	22 82	22 113	22 143	22 174	22 204	22 235	22 266	22 296	22 327	22 357
23	23	23 54	23 83	23 114	23 144	23 175	23 205	23 236	23 267	23 297	23 328	23 358
24	24	24 55	24 84	24 115	24 145	24 176	24 206	24 237	24 268	24 298	24 329	24 359
25	25	25 56	25 85	25 116	25 146	25 177	25 207	25 238	25 269	25 299	25 330	25 360
26	26	26 57	26 86	26 117	26 147	26 178	26 208	26 239	26 270	26 300	26 331	26 361
27	27	27 58	27 87	27 118	27 148	27 179	27 209	27 240	27 271	27 301	27 332	27 362
28	28	28 59	28 88	28 119	28 149	28 180	28 210	28 241	28 272	28 302	28 333	28 363
29	29	29 60	29 89	29 120	29 150	29 181	29 211	29 242	29 273	29 303	29 334	29 364
30	30		30 90	30 121	30 151	30 182	30 212	30 243	30 274	30 304	30 335	30 365
31	31		31 91		31 152		31 213	31 244		31 305		31 366



IN THE 13TH JUDICIAL CIRCUIT COURT, BOONE COUNTY, MISSOURI

Judge or Division:	Case Number:	
Petitioner(s):	Please Issue: <input type="checkbox"/> General Execution <input type="checkbox"/> Garnishment <input type="checkbox"/> Sequestration	
	vs. Date Judgment Entered Against Debtor: _____	(Date File Stamp)
Respondent(s):	Original Amount of Judgment:	Requested Return Date: <input type="checkbox"/> 30 Days <input type="checkbox"/> 60 Days <input type="checkbox"/> 90 Days <input type="checkbox"/> 120 Days <input type="checkbox"/> 150 Days <input type="checkbox"/> 180 Days

Execution/Garnishment/Sequestration Application and Order

To (County):	Amount Remaining Unpaid (To be completed by Applicant)	
Debtor/Address:	Principal	\$
	Interest	\$
	Court Costs (paid by party/atty)	\$
Debtor SSN (last four digits):	Attorney Fees	\$
Requested By:	Missouri Bar No.:	Taxes
Attorney For:	Date:	Child Support/Maint under 12 wks.
<input type="checkbox"/> A judgment was entered on the above referenced date and remains unsatisfied. <input type="checkbox"/> The garnishor knows or has good reason to believe that the garnishee is indebted to debtor, that the garnishee is obligated to make periodic payments to debtor, or that the garnishee has control or custody of property belonging to debtor.		Child Support/Maint over 12 wks.
		Subtotal
	To Be Completed by Clerk	
		Costs Due to Court
Signature: _____		Sheriff's Commission
Address & Telephone Number:		Fee for Service
		Total Due

Instructions for Service (To be completed by Applicant)

Include applicable instructions such as, name and address of garnishee; description of property; location of bank account; for a sequestration, include political subdivision, department, and name and title of disbursing officer:

Writ of Execution

The State of Missouri to the Sheriff of any County in the State of Missouri

Because a judgment was entered against the above debtor in this court and there is a balance, accrued interest, and costs as stated above unpaid from said judgment, you are commanded to execute this writ by following the instructions on the reverse side of this writ and on the return date shown below to certify to this court how you executed this writ.

Mail Funds To: Boone County Circuit Clerk's Office, Attn: Garnishments, 705 E. Walnut St., Columbia, Mo. 65201

Issued (County):	Execution No.:	Date Issued:
Return Date:	By (Clerk):	

Summons to Garnishee

To: _____

You are notified that I attach all goods, personal property, money, credit, bonds, bills, notes, checks, choices in action, or other effects and all debts owed to the above named debtor that are in your possession or charge or under your possession or charge or under your control from this time until the return date or a sufficient sum to satisfy the total amount of garnishment shown above. You are further notified to file your answers to the interrogatories served within ten days after the above return date.

Date:	Sheriff/Server:
County:	Service Acknowledged By:

IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI

Judge or Division:	Case Number: Garnishment Number:	
Plaintiff(s):	Garnishee's Name/Address:	(Date File Stamp)
Defendant(s):	Judgment Debtor's Name/Address:	

INTERROGATORIES TO GARNISHEE

Instructions to Garnishee: You are required by law to answer the following interrogatories *under oath* within 10 days after the garnishment return date stated on the garnishment summons. If the space provided is insufficient for your answers, attach separate pages containing answers as necessary. You must mail the **original** answers to:

_____ County Circuit Clerk, _____

At the same time you must also mail a copy of the interrogatory answers to:

1. At the time of service of the garnishment or at any time thereafter until the return date stated in the garnishment summons, have you had in your possession or under your control any property, money (excluding wages, salary, and commissions), or other effects of the judgment debtor? If so, state what property, how much, of what value, and what money or effects.

Answer:

2. At the time of service of the garnishment or at any time thereafter until the return date stated in the garnishment summons, did you owe the judgment debtor any money (including wages, salary, and commissions), or do you owe the judgment debtor any now?

Answer:

If not yet due, when will it become due?

Answer:

If amount owed judgment debtor is for wages, salary or commission, state:

a. Amount owed after deductions required by law: \$_____. (Deductions required by law are limited to federal, state and city income and earnings taxes and FICA taxes.)

b. Amount withheld pursuant to garnishment: \$_____.

3. Is the judgment debtor still in your employ? Yes No If not, state the date his or her employment terminated:

Answer:

4. At the time of service of the garnishment or any time thereafter until the return date stated in the garnishment summons, will you be, or have you since become, or are you now bound in any contract to pay the judgment debtor money not yet due? Yes No If yes, state the amount to be paid out and when due and payable:

Answer:

5. Do you know of any person or entity, other than the judgment debtor, who claims an ownership interest in any property, money or effects of the judgment debtor or any amounts owed to the judgment debtor as disclosed by you in answer to interrogatories 1, 2 and 4? Yes No If yes, please provide the name and address of each person or entity and identify the property, money or effects of the judgment debtor in which each such person or entity claims an interest.

Answer:

Interrogatories propounded by:	Signature of Plaintiff propounding interrogatories:
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The undersigned, of lawful age, being duly sworn, states that the foregoing garnishment interrogatory answers are true to the best of his or her knowledge and belief.

Signature of Garnishee

Printed or typed name and title of person signing

The foregoing answers to interrogatories were subscribed and sworn to before me on the ____ day of _____, 20____. My commission expires: _____.

(Notary Seal)

Notary Public

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI

_____ ,	}	
Plaintiff(s),		
v.		Case No. _____
_____ ,		
Defendant(s).	}	

SATISFACTION OF JUDGMENT

Plaintiff(s) hereby acknowledge(s) payment and satisfaction in full by Defendant(s) _____ of the Judgment entered in the above-captioned action on _____ [date] in favor of Plaintiff(s) and against Defendant(s), including principal, interest, costs, and attorney fees. Accordingly, Plaintiff(s) does/do hereby release, acquit, and forever discharge said Defendant(s) of and from all liability to and demand of Plaintiff(s) with respect to said Judgment.

This Satisfaction of Judgment shall be filed in the office of the Clerk of the Circuit Court of Boone County, Missouri, and the said Clerk is hereby authorized and directed to enter said Satisfaction of Judgment on the Judgment Docket of said Court and to release the said Judgment of record.

Signature

Name _____

Address _____

Phone number _____

Certificate of Service: The person signing above certifies that on _____, 20____, a true copy of the foregoing was mailed by first-class mail, postage pre-paid, to the above-named judgment debtor at:

IN THE CIRCUIT COURT OF BOONE COUNTY, MISSOURI

_____ ,] <table border="0" style="margin-left: 20px;"> <tr><td>Plaintiff(s),</td></tr> <tr><td>Case No. _____</td></tr> <tr><td>Defendant(s).</td></tr> </table>	Plaintiff(s),	Case No. _____	Defendant(s).
Plaintiff(s),				
Case No. _____				
Defendant(s).				
v.				
_____ ,				

**SATISFACTION OF JUDGMENT AND
TERMINATION OF GARNISHMENT**

Plaintiff(s) hereby acknowledge(s) payment and satisfaction in full by Defendant(s) _____ of the Judgment entered in the above-captioned action on _____ [date] in favor of Plaintiff(s) and against Defendant(s), including principal, interest, costs, and attorney fees. Accordingly, Plaintiff(s) does/do hereby release, acquit, and forever discharge said Defendant(s) of and from all liability to and demand of Plaintiff(s) with respect to said Judgment.

This Satisfaction of Judgment shall be filed in the office of the Clerk of the Circuit Court of Boone County, Missouri, and the said Clerk is hereby authorized and directed to enter said Satisfaction of Judgment on the Judgment Docket of said Court and to release the said Judgment of record.

Plaintiff(s) further hereby withdraw and terminate the unexpired garnishment(s) currently pending against said Defendant(s).

Signature

Name _____

Address _____

Phone number _____

Certificate of Service: The person signing above certifies that on _____, 20_____, a true copy of the foregoing was mailed by first-class mail, postage pre-paid, to the above-named judgment debtor at:

