

**INSTRUCTIONS
FORM 1
APPLICATION FOR WRIT OF GARNISHMENT
(NON-EARNINGS)**

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 1 IF:

- You are the judgment creditor, or you represent the judgment creditor.
- You are seeking to collect a money judgment from a third party who holds personal property or money, other than wages, belonging to the judgment debtor.

TO COMPLETE FORM 1 YOU WILL NEED:

- Information from the judgment or order which awarded you the money you want to collect in this action.
- Name, mailing address, email address, and phone numbers for the petitioner/plaintiff, respondent/defendant and garnishee.
- The amount of the judgment currently owed in this case by the judgment debtor, including interest. If an interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.
- The name of the Court in which you are filing this application.

HOW TO COMPLETE FORM 1:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Application for Writ of Garnishment (Non-Earnings).

- (1) Type or print the name, mailing address, email address, and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before “Self.”

Check the box before “Other” if you are representing a judgment creditor and you are not an attorney, and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer’s primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Application for Writ of Garnishment (Non-Earnings).

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Application and the name of the county in which the Court is located.

- (3) If you checked this box, type or print the name of the city or town in which you are filing the Application and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.
- (5) Type or print the name, mailing address and, if known, email address and phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (6) Type or print the name, mailing address and, if known, email address and phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (7) Type or print the name, mailing address, email address, phone number and attorney (if known) of the person or company (garnishee) that owes or will owe earnings to the judgment debtor within the next 60 days that you are seeking to collect in this lawsuit.
- (8) Type or print the case number assigned to the judgment or order.
- (9) Type or print the dollar amount of the money judgment, including interest and costs, minus any amounts you have already collected.
- (10) Type or print the interest rate being applied to the outstanding debt. If the interest rate is not stated on the judgment or order, A.R.S. § 44-1201 may apply. If you need help interpreting this statute or calculating the interest owed to you, please consult an attorney.
- (11) Type or print the time frame by which your interest rate is calculated, i.e., daily, weekly, monthly, annually.
- (12) Check all boxes that apply.
- (13) Date and sign the Application where indicated.

WHEN YOU HAVE COMPLETED THE APPLICATION:

- ü Complete the Writ of Garnishment and Summons (Non-Earnings) (FORM 2).
- ü Follow the steps on the Process Checklist.