

RCW 6.27.340 Continuing lien on earnings—Forms for answer to writ. (1) Service of a writ for a continuing lien shall comply fully with RCW 6.27.110.

(2) If the writ is directed to an employer for the purpose of garnishing the defendant's wages, the first answer shall accurately state, as of the date the writ of garnishment was issued as indicated by the date appearing on the last page of the writ, whether the defendant was employed by the garnishee defendant (and if not the date employment terminated), whether the defendant's earnings were subject to a preexisting writ of garnishment for continuing liens on earnings (and if so the date such writ will terminate and the current writ will be enforced), whether the defendant maintained a financial account with garnishee, and whether the garnishee defendant had possession of or control over any funds, personal property, or effects of the defendant (and if so the garnishee defendant shall list all of defendant's personal property or effects in its possession or control). The first answer shall further accurately state, as of the time of service of the writ of garnishment on the garnishee defendant, the amount due and owing from the garnishee defendant to the defendant, and the defendant's total earnings, allowable deductions, disposable earnings, exempt earnings, deductions for superior liens such as child support, and net earnings withheld under the writ. The first answer may be substantially in the following form:

IN THE COURT
OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF

<p>....., Plaintiff, vs., Defendant, Garnishee Defendant</p>	<p>NO. FIRST ANSWER TO WRIT OF GARNISHMENT FOR CONTINUING LIEN ON EARNINGS</p>
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SECTION I. If you are withholding the defendant's nonexempt earnings under a previously served writ for a continuing lien, answer only sections I and III of this form and mail or deliver the forms as directed in the writ. Withhold from the defendant's future nonexempt earnings as directed in the writ, and a second set of answer forms will be forwarded to you later.

If you are NOT withholding the defendant's earnings under a previously served writ for a continuing lien, answer this ENTIRE form and mail or deliver the forms as directed in the writ. A second set of answer forms will be forwarded to you later for subsequently withheld earnings.

ANSWER: I am presently holding the defendant's nonexempt earnings under a previous writ served on that will terminate not later than, 20

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

(3) 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.

(4) In the event plaintiff fails to comply with this section, employer may elect to treat the garnishment as one not creating a continuing lien. [2012 c 159 § 5; 2003 c 222 § 13; 1988 c 231 § 34; 1987 c 442 § 1033; 1970 ex.s. c 61 § 6. Formerly RCW 7.33.360.]

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