

DEADLINES

Federal

No relevant statutory provisions.

Alabama

Private and public employers: After 30 days from the first retention of any sum from an employee's wages, employers must begin paying the funds into court as they are withheld and must continue to do so on a monthly or more frequent basis until the full amount is withheld (Ala Code, Sec. 6-10-7).

Alaska

No relevant statutory provisions.

Arizona

Private and public employers: Within three days, not including weekends and holidays, employers must deliver to the employee a copy of the underlying judgment and notice to the debtor and a copy of the request for hearing form (Ariz RevStat, Sec. 12-1574).

Arkansas

Private and public employers: On the day that a creditor sues out a writ of garnishment, the creditor may prepare interrogatories that require an answer by the employer (Ark CodeAnn, Sec. 16-110-403). Employers must file full, direct, and true answers to the interrogatories on the return day named in the writ (Ark CodeAnn, Sec. 16-110-404).

California

Private and public employers: The withheld amount must be paid no later than the 15th of each month but may be paid more frequently. Employers may elect to pay over withheld amounts no later than 10 days after the close of the pay period (Cal CivProcCode, Sec. 706.025).

Colorado

Private and public employers: Employers must answer a garnishment order no less than 7 nor more than 14 days following the time the employee receives earnings for the first pay period affected by the writ, or 42 days following the date the writ was served, whichever is less. If an attorney or collections agency is used, the employer may be directed to pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the attorney or the licensed collection agency. The employer is to pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the clerk of the court that issued the writ no less than 7 nor more than 14 days following the time the employee receives earnings affected by such writ; However, if the answer and subsequent calculations are only mailed to an attorney or licensed collection agency, the payment shall accompany the answer (CRCP, Rule 103).

Connecticut

No relevant statutory provisions.

Delaware

No relevant statutory provisions.

District of Columbia

Private and public employers: Within 15 days after the close of the last pay period of the month, employers must withhold and pay over withheld amounts to the creditor (DC CodeAnn, Sec. 16-573).

Florida

Private and public employers: A writ of garnishment issued to an employer will require the employer to answer the creditor within 20 days after service of the writ stating whether the garnishee is or was indebted to the debtor/employee at the time of the answer, plus up to 1 business day; in what sum and what tangible or intangible personal property of the employee the garnishee has or had in possession or control at the time of the answer, or had at time of service of the writ; whether the garnishee knows of any other person indebted to the employee or who may have the employee's property in his possession or control. The writ shall state the amount named in plaintiff's motion. If the garnishee is a business entity, an authorized employee or agent of the entity may execute, file, and serve the answer on behalf of the entity (Fla Stat, Sec. 77.04, as amended by Ch. 233 (S.B. 592), L. 2013, effective July 1, 2013).

Georgia

Private and public employers: The garnishee's answer to a garnishment shall be filed with the court issuing the summons 30-45 days after service of the summons, together with payment of the amounts due. If the employment relationship between the garnishee and the defendant does not exist at the time of service of the summons of continuing garnishment, the garnishee shall state in the garnishee answer that such relationship does not exist and may immediately file the garnishee's answer; provided, however, that such garnishee's answer shall be filed not later than 45 days after service of the summons of continuing garnishment. When the defendant has been an employee of the garnishee, and if the defendant is no longer employed by the garnishee, the garnishee may immediately file the garnishee's answer; provided, however, that such garnishee's answer shall be filed not later than 45 days after service of the summons of continuing garnishment. If the employment relationship between the garnishee and the defendant terminates on or after service of the summons of continuing garnishment, the garnishee shall state in the garnishee answer that such relationship has been terminated, giving the date of termination, and may immediately file the garnishee's answer; provided, however, that such garnishee's answer shall be filed not later than 45 days after service of the summons of continuing garnishment. Upon the termination of employment of the defendant by the garnishee, the garnishee shall be required to file a final garnishee answer stating the date of the defendant's termination. When a garnishee answer is made, no claim has been filed, and no traverse has been filed within 20 days after such garnishee answer is filed, the garnishee shall be discharged from further liability and obligation with respect to the period of continuing garnishment remaining after the employment relationship is terminated (Ga CodeAnn, Sec. 18-4-10 and 18-4-42, added by Act 325 (S.B. 255), L. 2016).

Hawaii

No relevant statutory provisions.

Idaho

No relevant statutory provisions.

Illinois

Private and public employers: A garnishment notice with written interrogatories to be returned will include a due date in the notice (735 ILCS 5/12-705).

For wage deduction orders, orders must provide that deducted wages are to be remitted to the creditor or to the creditor's attorney on a monthly basis (735 ILCS 5/12-808, as last amended by Public Act 95-661 (S.B. 229), L. 2007, effective January 1, 2008).

Indiana

No relevant statutory provisions.

Iowa

No relevant statutory provisions.

Kansas

An order of garnishment of earnings and the appropriate form for the garnishee's answer must be served on the garnishee in the same manner as process is served at the garnishee's business or office location. The order of garnishment must have the effect of attaching the nonexempt portion of the judgment debtor's earnings for all pay periods which end while the order is in effect.

Computation of the nonexempt portion of the judgment debtor's wages for the pay period or periods covered by the garnishment order must be made in accordance with the directions accompanying the garnishee's answer form. A party or the court may request a written explanation of the garnishee's computation of earnings withheld during any pay period and the explanation must be submitted by affidavit to all parties and the court within 14 days of the request. The party requesting garnishment must provide the garnishee the unsatisfied balance of the judgment at the time of issuance of the garnishment order (Kan StatAnn, Sec. 60-734 and 61-3507, as amended by S.B. 234, L. 2010, effective July 1, 2010). Within 14 days following the end of each month, the garnishee must complete the answer in accordance with instructions accompanying the answer form for all pay periods ending during the month and send the completed answer to each judgment creditor and judgment debtor listed on the answer form (Kan StatAnn, Sec. 60-737 and Sec. 61-3510, as amended by S.B. 234, L. 2010, effective July 1, 2010). Hearings relating to exemptions must be requested within 14 days following the date notice is served on the judgment debtor (Kan StatAnn, Sec. 61-3508, as amended by H.B. 2656, L. 2010, effective July 1, 2010).

Kentucky

No relevant statutory provisions.

Louisiana

No relevant statutory provisions.

Maine

Private and public employers: Employers served with a garnishment order must withhold as instructed in the order. The court will serve an order to withhold and answer, which will demand an answer under oath listing the dollar amounts of all earnings owed or payable to the employee and the calculation of his disposable earnings. Employers must calculate the maximum dollar amount of the employee's disposable earnings that may be applied to the debt by using the answer form attached to the garnishment order. The completed answer form must be filed with the court within 20 days, and employers must also serve copies on the answer on the employee and the creditor (Me RevStatAnn, Tit. 14, Sec. 3127-B).

Maryland

Private and public employers: Amounts withheld must be remitted within 15 days after the close of the last pay period in the month (Md CodeAnn, ComLaw, Sec. 15-603).

Massachusetts

No relevant statutory provisions.

Michigan

Private and public employers: A garnishment of periodic payments remains in effect until the balance of the judgment is satisfied (Mich CompLaws, Sec. 600.4012, as amended by Public Act 14 (H. 4119), L. 2015, enacted April 14, 2015).

A garnishment of periodic payments or a notice of failure is not valid or enforceable unless the garnishment is served on the garnishee in accordance with the Michigan court rules (Mich CompLaws, Sec. 600.4012(4), as amended by Public Act 14 (H. 4119), L. 2015, enacted April 14, 2015).

A garnishment of any money due or to become due for the personal work and labor of the employee defendant upon a judgment made payable in installments either by court order or agreement of the parties is prohibited, except upon the written order of the judge. Any writ of garnishment issued without the order of the judge is void (Mich CompLaws, Sec. 600.6231).

Minnesota

Private and public employers: For delinquent taxes, payment is due within 10 days after the pay period (Minn Stat, Sec. 290.92).

Mississippi

Private and public employers: Unless the court otherwise authorizes the employer to make earlier payments or releases, the employer must retain all sums collected pursuant to the writ of garnishment and make only one payment into court when the total amount due has been accumulated, provided that at least one payment per year is made of amounts withheld during the preceding year (Miss CodeAnn, Sec. 11-35-23). For state or federal taxes due, once a warrant is served on an employer by the State Tax Commission, the employer must pay over monies in complete or partial satisfaction of the tax liability within 30 days after service of the warrant (Miss CodeAnn, Sec. 27-3-33).

Missouri

Private and public employers: Employers must file his answer to creditor interrogatories within 6 days after the return term of the writ unless otherwise ordered by the court (Mo RevStat, Sec. 525.140).

Montana

No relevant statutory provisions.

Nebraska

Private and public employers: Beginning with the pay period during which the garnishment was served and as long as it remains in effect, the employer must deliver the nonexempt earnings to the court for each pay period or on a monthly basis if it so desires (Neb RevStat, Sec. 25-1056). Interrogatories must be answered by the employer within 10 days from the date they were served (Neb RevStat, Sec. 25-1010).

Nevada

No relevant statutory provisions.

New Hampshire

Private and public employers: *Unemployment compensation overpayments.* Effective August 10, 2012, the Department of Employment Security may garnish the wages of individuals with delinquent unemployment compensation benefits. Upon the failure of a debtor to pay an overpayment due to the state within 90 days of the date the determination creating the fraud overpayment becomes final, the Department will serve upon the employer duplicate notices of garnishment upon wages the employer owes or will owe, as well as serving notice upon the debtor. The employer must implement garnishment no later than the first earnings that are paid 21 days after the notice was mailed. If an individual debtor files for suspension of the notice of garnishment, the department shall suspend the notice of garnishment and advise the employer to suspend garnishment of earnings paid not later than 8 days following receipt of notice to suspend. Also, the employer must notify the commissioner within 20 days of the individual debtor's termination of employment, and must provide the individual debtor's last known address and the name and address of the present employer, if known (NH RevStat, Sec. 282-A:164, added by Ch. 176 (H.B. 1579), L. 2012, enacted June 11, 2012).

New Jersey

Private and public employers: Employers must remit wages levied on by a judgment or support order within 10 days of the first wage payment after receipt of the order (NJ StatAnn, Sec. 2A:17-56.6).

New Mexico

Private and public employers: Employers served with a garnishment order must withhold as instructed in the order. Employers will be ordered to appear in court within 20 days to answer questions on the debtor/employee (NM StatAnn, Sec. 35-12-2). If the employer answers that he is not indebted to the employee, the employer will be discharged (NM StatAnn, Sec. 35-12-4).

New York

No relevant statutory provisions.

North Carolina

Private and public employers: Employers served with a garnishment order must withhold as instructed in the order. An employer will receive a garnishment summons requiring him to file an answer within 20 days after service of the summons (NC GenStat, Sec. 1-440.23). Also, a notice of garnishment for delinquent taxes must be answered within 10 days after service (NC GenStat, Secs. 105-242 and 105-368).

North Dakota

No relevant statutory provisions.

Ohio

Private and public employers: The answer to a notice must be returned to the issuing court within 5 business days after receipt or before the date of a scheduled hearing (Ohio RevCodeAnn, Sec. 2716.21).

Oklahoma

Private and public employers: Employers must pay over withheld amounts to the court within 7 days after the end of each pay period, together with an affidavit stating the beginning and ending dates of the pay period, the total amount earned, and any other facts and circumstances necessary (Okla Stat, Tit. 12, Sec. 1173.4).

Oregon

Private and public employers: A garnishee response must be delivered by the garnishee not later than seven calendar days after the date on which the writ of garnishment was delivered to the garnishee. If the seventh calendar day after delivery of a writ of garnishment is a Saturday, Sunday or legal holiday, a garnishee response must be delivered by the garnishee on or before the next following day that is not a Saturday, Sunday or legal holiday (Or RevStat, Sec. 18.680).

Pennsylvania

No relevant statutory provisions.

Puerto Rico

No relevant statutory provisions.

Rhode Island

No relevant statutory provisions.

South Carolina

No relevant statutory provisions.

South Dakota

Private and public employers: Employers served with a garnishment order must withhold as instructed in the order. A written answer is required within 30 days after service of the summons (SD CodifiedLaws, Sec. 21-18-6). If employers do not make affidavit that they were not indebted to the debtor/employee, they must file a garnishment disclosure form within 30 days (SD CodifiedLaws, Sec. 21-18-26 and 21-18-27).

Tennessee

Private and public employers: Withheld amounts must be remitted to the court not less than once each 30 calendar days (Tenn CodeAnn, Sec. 26-2-215).

Texas

No relevant statutory provisions.

Utah

Private and public employers: Employers must answer interrogatories regarding the debtor/employee within 7 business days from the date of service of a writ or garnishment (URCP, Rule 64D).

Vermont

No relevant statutory provisions.

Virginia

No relevant statutory provisions.

Washington

Private and public employers: Employers that receive a notice of payroll deduction must file an answer within 20 days of the date of service of the notice (Wash RevCodeAnn, Sec. 9.94A.7604). Employers must immediately withhold and deliver withheld amounts to the clerk of the court within 10 days from the date payable to the employee (Wash RevCodeAnn, Sec. 9.94A.7607).

West Virginia

Private and public employers: Withheld amounts must be paid over every 90 days (WVa Code, Sec. 38-5A-5).

Wisconsin

Private and public employers: Earnings must be paid over to the creditor between 5 and 10 business days after each payday (Wis Stat, Sec. 812.39). At any time while an earnings garnishment is in effect, the debtor and creditor may stipulate in writing to an extension of the garnishment for additional pay periods. The extension may commence on the first day after the earnings garnishment ends and ends within 13 weeks after the last day of the last pay period affected by the earnings garnishment. The garnishee shall be bound by the extension if a copy of the stipulation is delivered or mailed to the garnishee, together with the additional \$15 garnishee fee, before the last day of the last pay period affected by the earnings garnishment or any prior stipulated extension of the earnings garnishment. A stipulated extension is void and the fee shall be refunded if, prior to the last day of the last pay period affected by the earnings garnishment, the garnishee is served under section 812.35(3) by a creditor seeking to satisfy a different judgment against the debtor (Wis Stat, Sec. 812.40, as amended by Act 337 (A.B. 872), L. 2015, enacted March 30, 2016, published March 31, 2016, and effective April 1, 2016).

Wyoming

Private and public employers: Payments must be made to the clerk of the court that issued the garnishment order not less than 5 or more than 10 days following the day the employee is paid, not counting Saturdays, Sundays, and legal holidays (Wyo StatAnn, Sec. 1-15-506).