

Garnishment Proceedings; HB 2163

HB 2163 amends the requirement in garnishment proceedings that a garnishee respond to an order of garnishment within 14 days after service by completing the answer in substantial compliance with the forms provided by the Judicial Council and stating the facts with respect to the demands of the order. If the garnishee does not have the assets of the judgment debtor, the bill requires the garnishee to send the completed answer to the judgment creditor's attorney at the address listed on the answer form or, if the judgment creditor does not have an attorney, to the judgment creditor at the address listed on the answer form. The bill also requires such an answer be supported by an unsworn declaration in the manner set forth on the answer form. Further, in instances where the garnishee does have the assets of the judgment debtor, the bill requires the answer to be sent to the judgment creditor's attorney or, if the judgment creditor does not have an attorney, to the judgment creditor.