

**CHECKLIST – EARNINGS / CONTINUING LIEN GARNISHMENT PACKETS**

CV/TJ \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Attorney Signing the Certification

**Instructions:** Review each garnishment packet thoroughly before submission. Place a check mark next to the document or action taken to indicate that the document is included with the packet and that the action has been taken. **The first four documents must be included and all actions must be taken unless otherwise indicated. Place the checklist on top of the packet. Any packet that does not contain this checklist or contains an incomplete checklist will be summarily rejected and returned without review. An attorney must sign and date the certification and give his / her bar number.**

**After this checklist, please place the relevant documents in the following order (from top to bottom):**

- \_\_\_\_\_ **Order of Continuing Lien** (required)
- \_\_\_\_\_ **Garnishee’s Answer** (required)
- \_\_\_\_\_ **Application for Order of Continuing Lien** (required)
- \_\_\_\_\_ **Underlying Judgment** (required)
- \_\_\_\_\_ **Statement of Costs** (if seeking costs, submit statement with documentation for all costs requested except the filing fee)
- \_\_\_\_\_ **Affidavit for Attorneys’ Fees** (if requesting attorneys’ fees, the affidavit must set forth the tasks performed and time spent on each task, as well as the statutory basis for the award. Please note: **if the garnishee has timely and properly answered and there is no objection to the garnishment proceeding, the garnishment statutes do not authorize an award of attorneys’ fees.**)

**The following actions have been taken:**

- \_\_\_\_\_ The garnishee was served with the writ of garnishment within Arizona. (The Court has no jurisdiction otherwise).
- \_\_\_\_\_ The name of the relevant judgment debtor is set forth in the body (not just the caption) of the order of continuing lien.
- \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_ is the date the garnishee’s Answer shows that the Answer and Notice were delivered to the judgment debtor. **(Do not submit unless the date and manner of delivery are shown in the garnishee’s Answer).**
- \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_ is the date that a copy of the writ, the initial notice to judgment debtor, and the request for hearing form were delivered to the judgment debtor by the judgment creditor, which is within three business days of the date on which the summons and writ of garnishment were served on the garnishee. These documents were delivered to the judgment debtor on said date in the following manner \_\_\_\_\_ **(insert manner of delivery).**
- \_\_\_\_\_ The order of continuing lien provides a space for reasonable compensation if requested by the garnishee in the Answer.
- \_\_\_\_\_ Garnished funds must be released to the debtor and the garnishee discharged if an order of continuing lien is not signed within 45 days of the date the garnishee’s Answer is filed with the Clerk of the Court. A.R.S. § 12-1598.10(E). If submitting the garnishment packet within two weeks of said date, set forth said date here \_\_\_\_\_ and **call the assigned division to make sure the division is not on vacation; clearly mark your packet as a priority.**
- \_\_\_\_\_ Prior to applying for the writ, demand for payment was made on the judgment debtor, but the debtor has not paid the amount due and has not agreed and continued to pay the nonexempt portion of his wages to satisfy the judgment.
- \_\_\_\_\_ The required number of stamped, addressed envelopes and sufficient copies of the order of continuing lien are attached. (If unsure of the required number of envelopes or copies, call the assigned division).

**Review the garnishee’s Answer and check only one of the following:**

- \_\_\_\_\_ The garnishee’s Answer shows that the debtor’s earnings are not already subject to an existing wage assignment; **or**
- \_\_\_\_\_ If the Answer shows that the debtor’s earnings are subject to an existing lien, insert the following words in your form of order prior to setting forth the substantive provisions, “IT IS ORDERED, subject to any existing wage assignment:”

**I certify that I have reviewed the attached garnishment packet.** The documents checked above are included and the actions checked above have been taken. The documents and actions not checked are not relevant to this garnishment.

\_\_\_\_\_  
Attorney Name and Bar Number

\_\_\_\_\_  
Date