

CHECKLIST – BANK ACCOUNT / NONEARNINGS 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:

- _____ Judgment Against Garnishee (required)
- _____ Garnishee’s Answer (required)
- _____ Application For Judgment Against Garnishee (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(s) is set forth in the body (not just the caption) of the judgment.
- _____/_____/_____ 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**).
- _____ The judgment provides a space for reasonable compensation if requested by the garnishee in the Answer.
- _____ Garnished monies or property must be released to the debtor and the garnishee discharged if a judgment is not signed within 90 days of the date the garnishee’s Answer is filed with the Clerk of the Court. A.R.S. § 12-1587. 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.**

If the garnishment involves a bank account, review the garnishee’s Answer and check only one of the following:

- _____ The Answer shows that the bank account is not jointly held with a third party who is not a judgment debtor; **or**
- _____ If a third party is involved, submit a motion and order to join the third party, as well as a copy of the answer. **Use the template for third party joinder found on the court’s website as the format for your form of order. Submit the required number of stamped, addressed envelopes and sufficient copies of the order joining the third party.** (If unsure of the required number of envelopes or copies, call the assigned division).

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