

Instructions to Garnishee for Garnishment

Pay and make payable all garnished funds to the Polk County Sheriff at Polk County River Place, 2309 Euclid Avenue, Des Moines IA 50310-5703. Phone number is 515-286-3950.

"Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus or otherwise, and includes periodic payments pursuant to a pension or retirement program.

"Disposable Earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld.

Computation Tables Non-Consumer Credit from 2007 Code of Iowa 91.D.1(1)(a)(b)

1. If the employee's disposable earnings are less than:
 - a. \$217.50 for a weekly pay period
 - b. \$435.00 for a bi-weekly pay period
 - c. \$471.25 for a semi-monthly pay period
 - d. \$942.50 for a monthly pay periodPay the employee as if his/her pay check was not garnished.
2. If the employee's disposable earnings are:
 - a. \$217.50 to \$290.00 weekly . . . pay them \$217.50
 - b. \$435.00 to \$580.00 bi-weekly . . . pay them \$435.00
 - c. \$471.25 to \$628.33 semi-monthly . . . pay them \$471.25
 - d. \$942.50 to \$1,256.67 monthly . . . pay them \$942.50Pay the balance of the disposable earnings to the sheriff.
3. If the employee's disposable earnings are more than:
 - a. \$290.00 for a weekly pay period . . . pay them 75%
 - b. \$580.00 for a bi-weekly pay period . . . pay them 75%
 - c. \$628.33 for a semi-monthly pay period . . . pay them 75%
 - d. \$1,256.67 for a monthly pay period . . . pay them 75%Pay 25% of disposable earnings to the sheriff.

Computation Tables Consumer Credit from 2007 Code of Iowa 91.D.1(1)(a)(b)

1. If the employee's disposable earnings are less than:
 - a. \$290.00 for a weekly pay period
 - b. \$580.00 for a bi-weekly pay period
 - c. \$628.33 for a semi-monthly pay period
 - d. \$1,256.67 for a monthly pay periodPay the employee as if his/her pay check was not garnished.
2. If the employee's disposable earnings are:
 - a. \$290.00 to \$386.67 weekly . . . pay them \$290.00
 - b. \$580.00 to \$773.33 bi-weekly . . . pay them \$580.00
 - c. \$628.33 to \$837.77 semi-monthly . . . pay them \$628.33
 - d. \$1,256.67 to \$1,675.56 monthly . . . pay them \$1,256.67Pay the balance of the disposable earnings to the sheriff.
3. If the employee's disposable earnings are more than:
 - a. \$386.67 for a weekly pay period . . . pay them 75%
 - b. \$773.33 for a bi-weekly pay period . . . pay them 75%
 - c. \$837.77 for a semi-monthly pay period . . . pay them 75%
 - d. \$1,675.56 for a monthly pay period . . . pay them 75%Pay 25% of disposable earnings to the sheriff.

Computation for State Taxes Code of Iowa 626.29, 626.31, 422.26

If garnishment is for taxes, there are no exemptions and no expiration date. Continue garnishing until satisfied or released by the sheriff. Deliver 100% of the employee's disposable earnings to the sheriff.

Computation for Support

15 USCA 1673 sub. (b)(1)(2) & (c) is less restrictive than Code of Iowa 627.11 and 627.12

If the garnishment is for support of a person, the amount retained from earnings shall be (a) where the Judgment Debtor is supporting his/her spouse or dependent child (other than a spouse of child with respect to whose support this garnishment is made) fifty (50) percent of the debtor's disposable earnings each week; or (b) where the Judgment Debtor is not supporting a person as set forth in (1), sixty (60) percent of Debtor's disposable earnings each week. An additional five (5) percent of Debtor's disposable earnings shall be retained if the support being collected is more than 12 weeks past due.

Maximum Amounts Garnishable for Calendar Year

Code of Iowa 642.21 subsection 1

The disposable earnings of an individual are exempt from garnishment to the extent provided by the Federal Consumer Credit Protection Act, Title III, 15 U.S.C. secs. 1671-1677. The maximum amount of an employee's earnings which may be garnished during any one calendar year is two hundred fifty dollars for each judgment creditor, except as provided in section 627.12 or when those earnings are reasonably expected to be in excess of twelve thousand dollars for that calendar year as determined from the answers taken by the sheriff or by the court pursuant to section 642.5, subsection 4. When the employee's earnings are reasonably expected to be more than twelve thousand dollars, the maximum amount of those earnings which may be garnished during a calendar year for each creditor is as follows:

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|---|---|
| a. Earnings from \$12,001 to \$15,999.99 withhold . . . \$400 | d. Earnings from \$35,000 to \$49,999.99 withhold . . . \$2,000 |
| b. Earnings from \$16,000 to \$23,999.99 withhold . . . \$800 | e. Earnings from \$50,000 and more withhold . . . 10% |
| c. Earnings from \$24,000 to \$34,999.99 withhold . . . \$1,500 | |

Garnishment at Supervised Financial Organization

A supervised financial organization as defined in 535.1301(42), after paying the sheriff any amounts then in the account, shall monitor the account for any additional amounts at least monthly while the garnishment is effective.

*** When to Cease Garnishment ***

Validity of garnishment notice Code of Iowa 642.22

A notice of garnishment served upon a garnishee is effective without serving another notice until the earliest of the following:

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| 1. Annual maximum under <u>642.21</u> has been withheld for garnished wages (not applicable for tax garnishment or child support garnishment). | 3. The judgment is satisfied. |
| 2. The writ of execution expires (not applicable for tax garnishment). | 4. The garnishment is released by the sheriff. |