

Approved, SCAO

• **STATE OF MICHIGAN**

JUDICIAL DISTRICT

JUDICIAL CIRCUIT

**REQUEST AND WRIT FOR GARNISHMENT
(INCOME TAX REFUND/CREDIT)**

• **CASE NO.**

Court address

• Zip Code

Court telephone no.

Plaintiff's name and address (judgment creditor)

Plaintiff FE no./Social Security no.

Plaintiff's attorney, address

Plaintiff attorney FE no.

Plaintiff attorney telephone no.

v

Defendant's name and address (judgment debtor)

Social security no.

Garnishee

Third Party Withholding Unit
Michigan Department of Treasury
PO Box 30785
Lansing, Michigan 48909

REQUEST

NOTE for item 2: If a civil judgment includes judgment interest in the "total judgment" field (as in the forms in use before the 5/07 revisions), the interest amount reported in item 2 should not include any postfiling interest already included in the judgment.

- On _____, the plaintiff received judgment against the defendant for: \$ _____.
- The total amount of judgment interest accrued to date is: \$ _____.
The total amount of postjudgment costs accrued to date is: \$ _____.
The total amount of postjudgment payments made and credits to date is: \$ _____.
- The amount of the unsatisfied judgment now due (including interest and costs) is:** \$ _____.
- Plaintiff knows or with good reason believes the garnishee is indebted to or possesses or controls property belonging to defendant.
- Plaintiff requests** a writ of income tax garnishment be paid to ☐ plaintiff, ☐ plaintiff's attorney, ☐ the court, and mailed to ☐ plaintiff, ☐ plaintiff's attorney, ☐ the court.

I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Plaintiff/Agent/Attorney signature

WRIT OF GARNISHMENT

To be completed by the court.

TO THE PLAINTIFF:

- The social security number field is blacked out for security reasons on all parts except the garnishee copy.
- You must serve this writ on the state treasurer along with a \$6.00 fee and any discovery request for information related to this garnishment.
- You must serve a copy of this writ on the defendant within 7 days after serving the writ on the state treasurer.
- You are responsible for paying to the state treasurer any reasonable costs incurred by the state treasurer in providing information in response to your discovery request.
- If a state tax refund or credit is not intercepted before October 31 of the year during which this writ of garnishment is to be processed, you will not receive a disclosure unless you file a written request with the state treasurer between November 1 and December 31 of the tax year following the tax year for which this writ was filed.

TO THE DEFENDANT: See separate instructions.

- If a state tax refund or credit is intercepted pursuant to this writ, the state treasurer will notify you on a disclosure form.
- You have **14 days** after being notified of an intercept to file objections to the writ of garnishment with the court. If you do not object within this time, the intercepted tax refund or credit held under this writ will be applied to the judgment **28 days** after the disclosure was filed with the court.

TO THE GARNISHEE:

- Upon intercepting a state tax refund or credit, calculate the amount available to satisfy all or part of the garnishment.
- Within 90 days after establishing any other liability for which the state tax refund or credit may be applied under MCL 205.30a, file with the court a verified disclosure identifying the intercepted amount, less any setoff, counterclaim, or other demand of the state against the defendant.
- Unless notified by the court that objections to the writ of garnishment have been filed, payment of the intercepted amount must be made not less than 28 days after filing the disclosure.
- You are ordered to pay the amount intercepted under this writ as specified in the request.**

Date of issue

Deputy court clerk