





# HOW CAN I AVOID WAGE GARNISHMENT IN THE FUTURE?

Before you find yourself in a situation where you have one or more money judgments against you, there are steps you can take. You may want to consider contacting a reputable consumer credit counseling service. You can find a reputable consumer credit counseling agency by contacting the United States Department of Justice, U.S Trustee program at 202-514-2000, or visiting their website at:

[http://www.justice.gov/ust/eo/bapcpa/ccd/ecc\\_approved.htm](http://www.justice.gov/ust/eo/bapcpa/ccd/ecc_approved.htm)

A reputable consumer credit counseling agency will help you enter into an agreement to pay your debts. This is called an “agreement for debt scheduling.” Under such an agreement, you will have to regularly pay a portion of your income to the consumer credit counseling agency. The agency will send some of this money to each of the people or businesses you owe money to until all of the debts subject to the agreement are paid off. If you have such an agreement and make regular payments to the consumer credit counseling agency, the people or businesses getting payments under the agreement cannot garnish your wages.

## CONTACT US:

-  41 N. Perry Street, Room 104, Dayton, OH 45422
-  937-496-7623
-  Clerkhelpcenter@mcoho.org
-  Monday-Friday 8:30AM to 4:30PM

To view our outreach schedule or find out more information, please visit our website at [WWW.COURTHOUSETOYOU.COM](http://WWW.COURTHOUSETOYOU.COM).



## OUR DIVISIONS:

- CIVIL: 937-225-4512
- CRIMINAL: 937-225-4536
- DOMESTIC RELATIONS: 937-225-4562
- RECORDS: 937-496-7762
- AUTO TITLE: 937-225-4480
- EASTERN MUNICIPAL COURT (HUBER HEIGHTS): 937-496-7231
- WESTERN MUNICIPAL COURT (TROTWOOD): 937-687-9099



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**BRIDGING THE JUSTICE GAP ONE  
CONSTITUENT  
AT A TIME.**

# WAGE GARNISHMENT

## MIKE FOLEY

MONTGOMERY COUNTY  
CLERK OF COURTS



## HOW DOES A COURT DECIDE TO GARNISH MY WAGES?

Before a wage garnishment can be filed, the person or business who has obtained the money judgment against you must send you a document called "NOTICE OF COURT PROCEEDING TO COLLECT DEBT." The Notice must give you options to avoid a wage garnishment. The options may include:

- Pay the debt in full;
- Join a court trustee program;
- Work with a debt counseling service to negotiate a debt payment schedule; or
- Pay the creditor an amount equal to what would be garnished.

If you do not respond to make arrangements to pay the judgment within 15 days after the Notice is mailed to you, the person or business with the money judgment can file a wage garnishment.



## HOW MUCH CAN BE TAKEN FROM MY PAYCHECK?

You must be earning a certain amount before any wages can be garnished. If you are making this threshold amount, up to 25% of your "disposable earnings" can be taken to pay the judgment. The "disposable earnings" amount is the amount you earn in one pay period after taxes and mandatory deductions such as child support have been taken out.

**FOR MORE INFORMATION CONTACT OUR CIVIL DIVISION AT 937-225-4512**



## WHY ARE MY WAGES BEING GARNISHED?

Your wages are being garnished because a person or a business obtained a money judgment against you. Once a court has decided that you owe the money, the person or business you owe can ask the court to take that money from your paycheck.