

## Kids Health First® / Client Reminder

May 6, 2026

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**Topic:** Garnishments (*in Georgia*)

**Background:** Your employee may fail to pay his/her personal credit card debt, appliance loan, cell phone bill, car loan, etc., resulting in the lender/creditor (henceforth, the “Creditor”) filing suit against the employee to collect the outstanding balance. Sometimes the employee loses the collection case or they simply fail to file a response (because they know they owe the debt), and the Creditor obtains a judgment against him/her (henceforth, the “Judgment Debtor” or “Your Employee”). In order to collect on that judgment, the Creditor may file a Summons of Continuing Garnishment (a “Garnishment Action”) against your medical practice, as the Judgment Debtor’s employer, to force you to garnish/withhold a statutorily-prescribed percentage of Your Employee’s wages until the underlying judgment amount is paid off. If this happens, the Creditor will serve your medical practice with the Garnishment Action (i.e., a deputy or special process server will personally serve you by hand-delivering the Garnishment Action - see attached example - which starts the clock on when you must respond; see “Your Obligations” below).

### **Your**

**Obligations:** As the Garnishee, once served with a Garnishment Action, you are required to:

- (i) Withhold funds from Your Employee’s paycheck starting the day that you are served, so notify your payroll vendor immediately of the Garnishment Action;
- (ii) File an Answer with the Court (where the Garnishment Answer was filed) between 30 and 45 days after you were served with the Garnishment Action;
- (iii) Continue to file Answers to the Garnishment Action with the Court every 30 days thereafter (assuming you are responding to a “Continuing Garnishment”) until the total garnishment claim has been satisfied.

### **Common**

**Pitfalls:** When Your Employee finds out about the Garnishment Action, they may tell you something like: (i) “Don’t worry about it; I’m working it out with the creditor now.”; or (ii) “My sister is an attorney and she’s handling this; you don’t need to do anything with it.” Or, your payroll vendor may tell you that it will handle the garnishment, so there is nothing else that you need to do.

**Warning:** Remember, as the Garnishee, *you* are responsible for filing an Answer; you cannot simply notify your payroll vendor – they just withhold or pay the garnished funds into the Court (and sometimes they fail to do that correctly). If you, as the Garnishee, fail to file a timely answer, the Creditor can and will file a Motion for a Default Judgment against you. And, if the Creditor is successful, you will be solely responsible for satisfying the underlying judgment that the Creditor originally obtained against Your Employee.

[If you have questions about this Client Reminder or a garnishment action that you may have received, please do not hesitate to contact Brent Reece, Director of Risk Management and Claim Advocate at Sterling Seacrest Pritchard, by email at [breece@sspins.com](mailto:breece@sspins.com) or by phone at (706) 300-2033.]

*Disclaimer: Nothing herein should be considered, construed, or interpreted as legal advice. Rather, this material was developed strictly as a risk management resource pursuant to your insurance broker agreement with Sterling Seacrest Pritchard. You should consult with an attorney concerning this matter and any advice, suggestions, and comments provided herein. Moreover, you should also consult with an attorney, at your own cost and expense, to assist you with responding to a garnishment action.*

IN THE STATE COURT OF COBB COUNTY  
STATE OF GEORGIA

ID# E-RWRDKDRF-NH2  
EFILED IN OFFICE  
CLERK OF STATE COURT  
COBB COUNTY, GEORGIA



LVNV FUNDING LLC as successor in interest to CITIBANK N.A (BEST BUY), DBA COE MAGEE L. GOODMAN, DEC 24, 2025 11:49 PM

Plaintiff

Vs

Garnishment Court Information:  
State Court of Cobb County

*Tahnica Phillips*  
Tahnica Phillips, Clerk of State Court  
Cobb County, Georgia

12 East Park Square  
Marietta, Georgia 30090



Defendant and Address



Garnishee and Address

SUMMONS OF CONTINUING GARNISHMENT

TO THE ABOVE-NAMED GARNISHEE:

Total amount claimed due by the Plaintiff .....\$ [REDACTED]  
Plus court cost due on this summons .....\$ [REDACTED]  
Total garnishment claim .....\$ [REDACTED]

Court of Judgment      **MAGISTRATE COURT OF [REDACTED] COUNTY**  
Judgment Case No.      [REDACTED]

**YOU ARE HEREBY COMMANDED** to immediately hold all money, including wages, and other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant named above beginning on the day of service of this summons and including the next 1,095 days. You are **FURTHER COMMANDED** to file your answer, in writing, not later than 45 days from the date you were served with this summons, with the Clerk of this Court and serve a copy of your answer upon the Plaintiff or Plaintiff's Attorney named above and the Defendant named above, or the Defendant's Attorney, if known, at the time of making such answer. Your answer shall state what money, including wages, or other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe beginning on the day of service of this summons and between the time of such service and the time of making your first answer. Thereafter, you are required to file further answers no later than 45 days after your last answer. Every further answer shall state what money, including wages, and other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe at and from the time of the last **answer to the time of the current answer**. YOU MUST FILE ADDITIONAL ANSWERS UNTIL THE SOONER OF: THE PAYMENT OF THE BALANCE SHOWN ON THE SUMMONS OF GARNISHMENT, THE EXPIRATION OF 1,095 DAYS, OR THE TERMINATION OF ANY RELATIONSHIP BETWEEN GARNISHEE AND DEFENDANT WHICH INCLUDES PERIODIC PAYMENT OBLIGATIONS FROM GARNISHEE TO DEFENDANT. Money, including wages, or other property admitted in an answer to be subject to continuing garnishment must be sent or delivered to the Court concurrently with each answer. Should you fail to file Garnishee Answers as required by this summons, a judgment by default will be rendered against you for the amount remaining due on a judgment as shown in the Plaintiff's Affidavit of Continuing Garnishment.

WITNESS the HONORABLE \_\_\_\_\_ Judge of said Court,  
This 30th day of December, 2025.



*Tahnica Phillips*  
Tahnica Phillips, Clerk of State Court  
Cobb County, Georgia

