

**Florida A & M University  
Office of Human Resources**

**HR OPERATING POLICY-PROCEDURE**

**Procedure No. HR – 2003**

<b>Subject: Court Ordered Garnishment</b>	
<b>Authority: Bureau of State Payrolls, Department of Financial Services, All Federal, State and County Court</b>	<b>Effective Adopted Date:: 3/21/06</b>
<b>Revision(s)</b>	<b>3/2017</b>
<b>Related References</b>	
<b>Purpose</b>	Court Ordered Garnishment

**1.0 General Information**

- A. This describes the procedures that will be used in processing Garnishments received by Florida A & M University. The complete process shall be accomplished within the 20 days timeframe set by law.

**2.0 Definition**

- A. Court Ordered Garnishment is an involuntary garnishment upon an employee's wage.

**3.0 Responsibilities**

- A. **The Court** is responsible for serving the University with the Writ of Garnishment correctly.
- B. **Office of Human Resources (HR)** is responsible for notifying the Bureau of State Payrolls, Department of Financial Services of pending deductions actions against University employees.
- C. **General Counsel Office (GC)** is responsible for reviewing and processing the faxed copy of the Writ of Garnishment.
- D. **The Bureau of State Payrolls (BOSP)** is responsible for the input of mandatory deductions.

**4.0 Procedures**

- A. Upon receipt of a Writ of Garnishment, the Garnishment documentation shall be immediately hand delivered to the Payroll Coordinator in the Office of Human Resources.
- B. Upon receiving the Writ of Garnishment, the Payroll Coordinator shall determine whether or not the judgement debtor is currently employed at the University and was it served correctly. A copy of the Garnishment shall be immediately faxed to the Office of the General Counsel.
- C. If the debtor is not employed at Florida A & M University, notify the General Counsel's Office (GCO) via telephone. A notation of "not employed" with the day's date will be made on the garnishment document and filed. If served incorrectly, contact the court using the address and telephone number in the order.
- D. If employed, the following steps shall be followed within two (2) days of receipt of the Garnishment, HR will complete form DBF-BP-55 (attachment 1) and fax the form to the Garnishment Section of BOSP . On the subject form, HR shall make a written request to BOSP for the computation of the debtor's disposable income.
- E. GC Will determine if claim is valid and if so, prepare and send a draft Answer of Garnishee Document to HR.

- F. Upon receipt of the debtor's disposable income from the BOSP and the draft answer from GC, HR will complete the payroll calculations and the information of the judgement debtor in the draft Answer of Garnishee (attachment 2) and fax the draft Answer of Garnishee to GC for final disposition.
- G. GC will check by phone to see if BOSP has established the withholding account for the debtor. A notation of the information received, name of the BOSP individual giving the information, date of the call, and the name of the HR representative taking the information shall be indicated on the first page of the Garnishment.
- H. Upon receipt of the Final Answer, HR will mail a partially completed Judgment Debtor Information form, DBF-BP-54 (attachment 3) to the judgment creditor or judgment creditor's attorney with instructions for completing and returning the original form to HR. Upon receipt of the Judgment Debtor Information form from the Creditor of the Creditor's attorney, HR shall forward it to BOSP.
- I. Upon receipt of the Final Order of Garnishment from the Court, GC will transmit a copy to HR.
- J. Within two working days of receipt of the Final Order of Garnishment, HR will fax a copy to BOSP utilizing form Bureau of State Payroll Garnishment Tax form, DBF-BP-55.

## **5.0 Records**