



CLERK OF SUPERIOR COURT
STATE COURT AND MAGISTRATE COURT
Gwinnett County Courthouse
Post Office Box 880
Lawrenceville, GA 30046-0880

Richard T. Alexander, Jr.
Clerk of Court

Date: October 6, 2015
To: Post Judgment Collection - Garnishees
From: Richard T. Alexander, Jr., Esq., Clerk of Courts
Subject: Amended Order re: Federal Court Injunction and Order Declaring Georgia's Garnishment Statutes O.C.G.A. § 18-4-60 et seq. Unconstitutional

To Whom It May Concern:

On September 8, 2015, Senior Judge Marvin H. Shoob of the United States District Court, Northern District of Georgia, Atlanta Division entered his Order declaring various aspects, and indeed, the whole Georgia garnishment statute unconstitutional in various aspects. As Clerk of the courts impacted, I was enjoined from issuing any further garnishment summons due to the findings by the Court.

As a result of the Order, all courts in Gwinnett County stopped issuing summons in garnishment cases pending revision of the garnishment statute or removal of the injunction. Garnishees' answers with funds attached, received after September 8, 2015, were filed; however, the funds associated with the answers were returned to the garnishee.

On October 5, 2015, Judge Shoob issued an Amended Order which states, "This declaratory judgment and injunction do not apply to continuing wage garnishments filed against a judgment debtor's employer pursuant to O.C.G.A. §§ 18-4-110 et seq. and 18-4-130 et seq."

Due to this ruling and Order, the Clerk's office will take the following actions as stated below:

1. Wage and support garnishment summons will be issued.
2. Answers resulting from wage and support garnishment actions will be filed, funds will be accepted, and the Clerk's office will resume paying out said funds pursuant to the statute.
3. The Clerk's office will continue to accept regular garnishment filings filed against a financial institution; however, no summons will be issued.

The Orders may be found in Strickland v. Richard T. Alexander, Clerk of the State Court of Gwinnett County, Georgia, Civil Action No. 1:12-CV-02735-MHS.

Richard T. Alexander, Jr., Esq.
Clerk of Superior, State and Magistrate Courts