

**RCW 6.27.370 Notice to federal government as garnishee defendant
—Deposit, payment, and endorsement of funds received by the clerk—
Fees as recoverable cost.**

(1) Whenever the federal government is named as a garnishee defendant, the attorney for the plaintiff, or the clerk of the court shall, upon submitting a notice in the appropriate form by the plaintiff, issue a notice which directs the garnishee defendant to disburse any nonexempt earnings to the court in accordance with the garnishee defendant's normal pay and disbursement cycle.

(2) Funds received by the clerk from a garnishee defendant may be deposited into the registry of the court or, in the case of negotiable instruments, may be retained in the court file. Upon presentation of an order directing the clerk to disburse the funds received, the clerk shall pay or endorse the funds over to the party entitled to receive the funds. Except for good cause shown, the funds shall not be paid or endorsed to the plaintiff prior to the expiration of any minimum statutory period allowed to the defendant for filing an exemption claim.

(3) The plaintiff shall, in the same manner permitted for service of the writ of garnishment, provide to the garnishee defendant a copy of the notice issued under subsection (1) of this section, and shall supply to the garnished party a copy of the notice.

(4) Any answer or processing fees charged by the garnishee defendant to the plaintiff under federal law shall be a recoverable cost under RCW 6.27.090.

(5) The notice to the federal government garnishee shall be in substantially the following form:

IN THE COURT
OF THE STATE OF WASHINGTON
IN AND FOR COUNTY

..... ,
Plaintiff,
vs. NO
NOTICE TO FEDERAL
GOVERNMENT GARNISHEE
DEFENDANT

..... ,
Defendant,
..... ,
Garnishee Defendant.

TO: THE GOVERNMENT OF THE UNITED STATES
AND ANY DEPARTMENT, AGENCY, OR DIVISION
THEREOF

You have been named as the garnishee defendant in the above-entitled cause. A Writ of Garnishment accompanies this Notice. The Writ of Garnishment directs you to hold the nonexempt earnings of the named defendant, but does not instruct you to disburse the funds you hold.

BY THIS NOTICE THE COURT DIRECTS YOU TO WITHHOLD ALL NONEXEMPT EARNINGS AND DISBURSE THEM IN ACCORDANCE WITH YOUR NORMAL PAY AND DISBURSEMENT CYCLE, TO THE FOLLOWING:

..... County Court Clerk
Cause No
.....
(Address)

PLEASE REFERENCE THE DEFENDANT
EMPLOYEE'S NAME AND THE ABOVE CAUSE
NUMBER ON ALL DISBURSEMENTS.

The enclosed Writ also directs you to respond to the Writ
within twenty (20) days, but you are allowed thirty (30)
days to respond under federal law.

DATED this day of, 20 ...

.....
Clerk of the Court

(6) If the writ of garnishment is issued by the attorney of
record for the judgment creditor, the following paragraph shall
replace the clerk's signature and date:

This notice is issued by the undersigned attorney of record
for plaintiff under the authority of RCW 6.27.370, and must
be complied with in the same manner as a notice issued by
the court.

Dated thisday of....., 20

.....
Attorney for Plaintiff

[2012 c 159 § 16; 1997 c 296 § 9.]