

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: [] Self [] Attorney [] Other
State Bar No. (if applicable): _____

Maricopa County Justice Courts, State of Arizona

(2) COURT NAME: _____

(5) Petitioner/ Plaintiff [] Judgment Creditor [] Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Phone(s): _____

(6) Respondent/ Defendant [] Judgment Creditor [] Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Phone(s): _____

(8) Case No.: _____

(7) Garnishee

Name: _____

(Address: _____

City, State, Zip Code: _____

Phone(s): _____

Attorney: _____

PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)

I am the judgment creditor or authorized agent of the judgment creditor in this action. I want the Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of the judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees. The Petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on **(9)** _____.
2. Garnishee was served on **(10)** _____, and Garnishee's Answer was due on **(11)** _____.
3. Garnishee's Answer has not been filed with the Court or received by the judgment creditor.
4. Judgment debtor owes judgment creditor **(12)** \$ _____.

(13) _____
Date

Judgment Creditor or Authorized Agent

**INSTRUCTIONS FORM 10
PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (NON-EARNINGS)****WARNING !**

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 10 IF:

- You are the judgment creditor or you represent the judgment creditor.
- The garnishee has failed to file a garnishee's Answer with the Court within 10 business days after receiving the Writ of Garnishment and Summons.

TO COMPLETE FORM 10 YOU WILL NEED:

- Information from the judgment or order that awarded you the money you want to collect in this action.
- Information from the affidavit of service by the constable or private process server you paid to serve the Writ of Garnishment and Summons on the garnishee.

HOW TO COMPLETE FORM 10:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Petition for Order to Show Cause Regarding Garnishee's Default.

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

- (1) Type or print the name, mailing address and the phone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a judgment creditor but you are not an attorney and you are permitted by law to do so, check the box before "Other."
- (2) Check the appropriate box that identifies the Court in which you are filing this application for Garnishment Judgment. If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Petition for Order to Show Cause and the name of the county in which the Court is located.
- (5) Type or print the petitioner/ plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.
- (6) Type or print the respondent/ defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ
- (7) Type or print the garnishee's name as it appears on the writ, mailing address, phone number(s), and attorney (if known).
- (8) Type or print the case number assigned to this garnishment.
- (9) Type or print the date on which the Writ of Garnishment was signed by the Court.
- (10) Type or print the date garnishee was served with the Writ.
- (11) Type or print the date the Garnishee's Answer was due to be filed in Court (10 days after the garnishee was served).
- (12) Type or print the amount of money you are owed by the judgment debtor.
- (13) Date and sign your name where indicated.

WHEN YOU HAVE COMPLETED THIS PETITION FOR ORDER TO SHOW CAUSE (NON-EARNINGS):

- ✓ File this form with the Clerk's filing counter along with an Order to Show Cause Regarding Garnishee's Default (FORM 11).
- ✓ Follow the steps on the Process Check List.