

STATE OF WISCONSIN, CIRCUIT COURT, \_\_\_\_\_ COUNTY

(Name and Address)

Creditor(s): \_\_\_\_\_

\_\_\_\_\_

-vs-

Debtor(s): \_\_\_\_\_

\_\_\_\_\_

and

Garnishee: \_\_\_\_\_

\_\_\_\_\_

**Summons and Complaint  
Non-Earnings Garnishment  
(Small Claims - 31005)**

Case No. \_\_\_\_\_

**TO THE DEBTOR: (Person who owes money)**

If you have a defense to the garnishment claim of the creditor (person to whom money is owed) or you have an exemption that applies to the amount that is subject to garnishment, you must

- appear at the time and place stated.
- file a written answer and provide a copy to the plaintiff or plaintiff's attorney on or before the date and time stated.

Answer forms are available at the office of the clerk of court or at <https://www.wicourts.gov/forms1/circuit/index.htm>. You must file the original of your answer with the clerk and serve a copy on the creditor's attorney or creditor and on the garnishee.

**TO THE GARNISHEE: (Entity who may have debtor's asset)**

You are summoned as garnishee of the debtor(s). You are required to answer as described in Ch. 799 and 812, Wis. Stats., whether you are indebted to or have in your possession or under your control any property of the debtor(s).

- You must appear at the time and place stated.
- You must file a written answer on or before that time. Answer forms are available at the office of the clerk of circuit court or at <https://www.wicourts.gov/forms1/circuit/index.htm>. You must file the original of your answer with the clerk and serve a copy on the creditor's attorney or creditor and on the debtor.

**If you fail to answer within 20 days from service of this summons, judgment will be entered against YOU for the amount of the creditor's judgment against the debtor(s) plus the costs of this action.**

If you are indebted to the debtor(s) for payment of the sale of agricultural products grown or produced by a person or his or her minor children, you are ordered to pay to the debtor(s) the prescribed amount. You are ordered to retain from the balance the amount of the creditor's claim and disbursements, as stated in the annexed complaint pending the further order of the court.

Any excess indebtedness shall not be subject to the garnishment. If you have property belonging to the debtor(s) and the amount of indebtedness retained is less than the amount claimed and disbursements, you are to retain the property pending the further order of the court. The amount retained by you for the creditor's disbursements may not exceed \$40.

If you are notified by the debtor's answer that a defense or exemption applies, you are still ordered to withhold the amount of creditor's claim and disbursements, pending further order of the court.

**COURT SEAL**

When to Appear/File a Written Answer	
Date	Time
Place to Appear/ File a Written Answer	

## CREDITOR'S CLAIM

THE CREDITOR STATES that a judgment, as described below, was entered in circuit court:

Name of Debtor(s)		County (State of Wisconsin)
Case Number	Date of Entry of Judgment	<b>Amount of Judgment</b> \$

and that this summary provides the total amount due over and above all offsets.

Creditor's Claim \$	Disbursements/Costs \$	Interest \$	<b>Total Due on Creditor's Claim</b> \$
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The creditor believes that the garnishee is indebted to or has control or possession over property of the debtor(s) which is not exempt from execution.

Creditor/Attorney	
Creditor/Attorney Name (Print or Type Name)	Date
Address	Attorney's Telephone Number
	Attorney's State Bar Number