

**IN THE MAGISTRATE COURT OF DEKALB COUNTY
STATE OF GEORGIA**

STANDING ORDER – GARNISHMENT CASES

This order shall apply to all garnishment actions filed on or after January 1, 2021.

Whereas, the Stone Mountain Judicial Circuit, DeKalb County, Georgia, is committed to the speedy, efficient, and inexpensive resolution of disputes and prosecutions,

Whereas, O.C.G.A. 18-4-4 (c)(1) provides as follows:

“The garnishment period shall begin on the day of service of the summons of garnishment and, for: (1) A continuing garnishment, shall include the next 1,095 days;”

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

In continuing garnishment cases, funds shall be accepted from Garnishee through the 1,095th day of service of the summons of garnishment on the Garnishee. For continuing garnishment cases that remain open after the 1095th day of service of the summons of garnishment on the Garnishee, the clerk shall close the file and disburse any funds remaining in the registry of the court, according to O.C.G.A. 18-4-20. If no Motion for Disbursement of funds has been filed by the 1,095th day, the clerk shall place the garnishment on the next available hearing calendar.

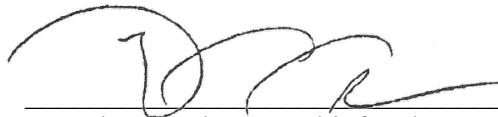
Further, in garnishment cases other than continuing garnishment or continuing garnishment for support, no new summons of garnishment shall be issued after two years from the date of filing the original affidavit of garnishment has elapsed. After two years from such original filing date and provided that no unadjudicated claims, traverses, appeals, motions or other pleadings remain before the court, the garnishment proceeding, other than a continuing

garnishment or continuing garnishment for support, shall stand dismissed unless there are funds remaining in the registry of the court or a new summons of garnishment has been issued within the preceding 30 days. If there are funds remaining in the registry of the court, the clerk shall close the file and disburse any funds remaining in the registry of the court, according to O.C.G.A. 18-4-20. If no Motion for Disbursement of funds has been filed the clerk shall place the garnishment on the next available hearing calendar.

If there are funds remaining in the registry of the court, the clerk shall close the file and disburse any funds remaining in the registry of the court, according to O.C.G.A. 18-4-20. If no Motion for Disbursement of funds has been filed, the clerk shall place the garnishment on the next available hearing calendar.

A copy of this Order shall be filed with the Standing Orders of the Court.

SO ORDERED, this 15 day of February, 2024.

A handwritten signature in black ink, appearing to read 'B. Anderson', written over a horizontal line.

Berryl A. Anderson, Chief Judge
Magistrate Court of DeKalb County