

ADMINISTRATIVE ORDER

14-002

ORDER REGARDING CIVIL JUDGMENTS AND JUDGMENTS OF FULL
FAITH AND CREDIT

Effective immediately, Tribal Court will be implementing the following process to enforce civil and foreign money judgments.

The petitioning, service and scheduling procedures will remain in effect. The civil judgment procedure will now involve granting the judgment without designation of how the plaintiff collects the funds (unless specifically agreed to by plaintiff and defendant).

The plaintiff may petition the court for a Writ of Garnishment after 21 days of the date of judgment. The Writ of Garnishment allows plaintiff to request a withholding from percapita or payroll. There will be a \$20 filing fee associated with filing a Writ of Garnishment. If granted, the percapita/payroll departments will remit the funds directly to plaintiff or their designee. This will no longer be a court function.

The court will keep files open for 60 days after judgment. If the plaintiff does not file within 60 days, the file will close and the plaintiff may be charged a motion fee if they wish to reopen and seek garnishment.

Plaintiff may seek garnishment for the amount of the judgment only.

Date

2/9/14

Patrick M. Shannon, Chief Judge

SAGINAW CHIPPEWA INDIAN TRIBE OF MICHIGAN	REQUEST AND WRIT FOR GARNISHMENT (PERIODIC)	CASE NO.
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6954 EAST BROADWAY, MT PLEASANT, MICHIGAN 48858

989-775-4800

Plaintiff name and address (judgment creditor)
Plaintiff attorney and address
Telephone no.

v

Defendant name and address (judgment debtor)	
Social security no. (required) XXX-XX-	Employee ID, DOB or TM #:
Garnishee name and address	

REQUEST

1. Plaintiff received judgment against defendant for \$ _____ on _____.
2. Plaintiff has attached a copy of said judgment to this garnishment.
3. The amount of unsatisfied judgment now due is \$ _____.
4. At least 21 days have passed since the judgment was entered and defendant has not paid said debt or made payment arrangements with the plaintiff.
5. Plaintiff knows or with good reason believes the garnishee (payroll/percapita) is indebted to or possesses or controls property belonging to defendant.
6. Plaintiff requests a writ of periodic garnishment in the amount of \$ _____ bi weekly as established in civil judgment order. The Plaintiff attests that the amount requested complies with all laws and limitations.
7. Plaintiff attests that Defendant is a/n Tribal Member Employee of _____
8. **Plaintiff requests that payments be remitted to:** _____

I declare that the statements above are true to the best of my information, knowledge and belief.

Date

Plaintiff/Agent/Attorney signature

WRIT OF GARNISHMENT TO: PERCAPITA/PAYROLL DEPARTMENT

You are ordered to make all payments withheld under this writ payable to the payee (item #6 above)

in the amount of \$ _____ bi weekly toward the outstanding judgment amount of \$ _____.

The withholding shall begin on the next disbursement cycle in accordance with tribal accounting policies and procedures.

Date

Judge