

IN THE SUPERIOR COURT OF CHEROKEE COUNTY
BLUE RIDGE JUDICIAL CIRCUIT
STATE OF GEORGIA

In the matter of:

**Clerk's Supervision of the Initiation of
Garnishment Proceedings**

Administration and Procedure

ORDER

Pursuant to O.C.G.A. § 18-4-61(5), the Clerk or Deputy Clerk of the Court shall have the authority to approve an affidavit in a post judgment garnishment action, where the Court has jurisdiction over the garnishee. Approval of the affidavit shall be conditioned on the satisfaction of the following requirements:

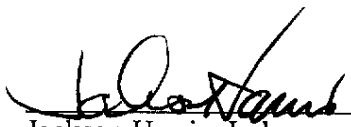
1. Plaintiff is represented by counsel;
2. Plaintiffs attorney makes, on personal knowledge, the affidavit before the Clerk or Deputy Clerk of the Court in which the garnishment is filed or before any officer authorized to administer oaths, including a notary public; and
3. The affidavit includes:
 - a. the statement that Plaintiff has a judgment against a named defendant;
 - b. the amount claimed to be due on the judgment,
 - c. the name of the court which rendered the judgment, and
 - d. the case number thereof.

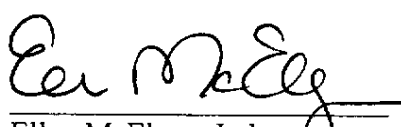
Should the Clerk or Deputy Clerk approve the above described affidavit, the Clerk shall cause a summons of garnishment to issue forthwith.

This Order supersedes that Order entered on March 30, 2007, and recorded in Minute Book 188, Page 2453.

SO ORDERED this 30 day of October, 2009.


Frank C. Mills, III, Chief Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit


Jackson Harris, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit


Ellen McElyea, Judge
Cherokee County Superior Court
Blue Ridge Judicial Circuit

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
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PATTY BAKER, CLERK