

**Rule Change 2010(19)**

**CHAPTER 13 -- SEIZURE OF PERSON OR PROPERTY**

Rule 103. Garnishment

SECTION 1

WRIT OF CONTINUING GARNISHMENT  
(ON EARNINGS OF A NATURAL PERSON)

**(a)-(j)** [No change]

**(k) Answer and Tender of Payment by Garnishee.**

(1) The garnishee shall file the answer to the writ of continuing garnishment with the clerk of the court and send a copy to the judgment creditor no less than five (5) nor more than ten (10) days following the time the judgment debtor receives earnings for the first pay period affected by such writ, or forty (40) days following the date such writ was served pursuant to section (1)(d) of this rule, whichever is less. However, if the judgment creditor is represented by an attorney or is a collection agency licensed pursuant to section 12-14-101, et seq., C.R.S., the garnishee shall only mail the answer and subsequent calculations of the amount of exempt earnings to the attorney or licensed collection agency.

(2) The garnishee shall pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the clerk of the court which issued such writ no less than five (5) nor more than ten (10) days following the time the judgment debtor receives earnings affected by such writ. However, if the answer and subsequent calculations are only mailed to an attorney or licensed collection agency under subsection (k)(1), the payment shall accompany the answer~~if the judgment creditor is represented by an attorney, or is a collection agency licensed pursuant to section 12-14-101, et seq, C.R.S., the garnishee may be directed to pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the attorney or the licensed~~

~~collection agency.~~

**(k) (3) - (m)** [No change]

**SECTIONS 2-13** [No change]

**CHAPTER 25 -- THE COLORADO RULES OF COUNTY COURT CIVIL PROCEDURE**

Rule 403. Garnishment

SECTION 1

WRIT OF CONTINUING GARNISHMENT  
(ON EARNINGS OF A NATURAL PERSON)

**(a) - (j)** [No change]

**(k) Answer and Tender of Payment by Garnishee.**

(1) The garnishee shall file the answer to the writ of continuing garnishment with the clerk of the court and send a copy to the judgment creditor no less than five (5) nor more than ten (10) days following the time the judgment debtor receives earnings for the first pay period affected by such writ, or forty (40) days following the date such writ was served pursuant to section (1)(d) of this rule, whichever is less. However, if the judgment creditor is represented by an attorney or is a collection agency licensed pursuant to section 12-14-101, et seq., C.R.S., the garnishee shall only mail the answer and subsequent calculations of the amount of exempt earnings to the attorney or licensed collection agency.

(2) The garnishee shall pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the clerk of the court which issued such writ no less than five (5) nor more than ten (10) days following the time the judgment debtor receives earnings affected by such writ. However, if the answer and subsequent calculations are only mailed to an attorney or licensed collection agency under subsection (k)(1), the payment shall accompany the answer ~~if the judgment creditor is represented by an attorney, or is a collection agency licensed pursuant to section 12-14-101,~~

~~et seq, C.R.S., the garnishee may be directed to pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings to the attorney or the licensed collection agency.~~

**(k) (3) - (m)** [No change]

**SECTIONS 2 - 13** [No change]

**APPENDIX TO CHAPTERS 1-17A -- THE COLORADO RULES OF CIVIL  
PROCEDURE**

**AMENDED FORMS**

Form 26 Writ of Continuing Garnishment  
Form 28 Objection to Calculation of the Amount of Exempt  
Earnings  
Form 30 Claim of Exemption to Writ of Garnishment with Notice

(Forms in this Appendix are available online at  
<http://www.courts.state.co.us/Forms/Index.cfm>).

**Amended by the Court, En Banc November 18, 2010, effective  
immediately.**

**By the Court:**

**Nancy E. Rice  
Justice, Colorado Supreme Court**