

RULE CHANGE 2005 (01)

COLORADO RULES OF CIVIL PROCEDURE

CHAPTER 13

SEIZURE OF PERSON OR PROPERTY

Rule 103. Garnishment

SECTION 3

WRIT OF GARNISHMENT FOR SUPPORT

(a) - (f) No Change.

(g) Answer and Tender of Payment by Garnishee.

(1) No Change.

(2) The garnishee shall pay any nonexempt earnings and deliver a calculation of the amount of exempt earnings, as directed in the writ of garnishment for ~~to~~-support, to the family support registry, the clerk of the court which issued such writ, or to the judgment creditor no less than five (5) nor more than ten (10) days following the time the judgment debtor receives earnings during the Effective Garnishment Period of such writ.

(h) Disbursement of Garnished Earnings. The family support registry or the clerk of the court shall disburse nonexempt earnings to the judgment creditor without further application or order and enter such disbursement in the court records. The judgment creditor shall refund to the clerk of the court any disbursement in excess of the amount necessary to satisfy the judgment.

**Amended and adopted by the Court, En Banc January 13, 2005
effective February 1, 2005**

BY THE COURT:

**Nancy E. Rice
Justice of the Colorado Supreme Court**