

642.14A Notice to defendant — nonemployer garnishees.

1. If the garnishment is to property other than earnings an employer owes a defendant, the judgment creditor shall serve upon a debtor who is a natural person not later than seven business days after the sheriff's filing of a garnishee's answers pursuant to [section 642.5, subsection 2](#), which show that the garnishee is indebted to the defendant, a notice of garnishment and levy notifying the defendant of the information required in [subsection 3](#).

2. The notice required by [this section](#) shall be served by personal service or restricted certified mail and first class mail to the last known address of the defendant. Service shall not be made by a party to the action or an attorney for a party to the action. Service may be made by taking acknowledgment of service from the defendant. Proof of such service shall be filed with the court.

3. The notice required by [this section](#) shall:

a. Inform the defendant that judgment has been entered in the main action and the defendant's funds or other property is subject to execution under the judgment.

b. Inform the defendant that the defendant has the right to claim funds or other property exempt from execution or garnishment and a right to request and have a timely hearing before a judge to claim such exemptions.

c. Inform the defendant that if the defendant does not file a motion or other appropriate pleading to claim funds or other property exempt from execution or garnishment under state or federal law, the defendant may lose any such rights and the funds or other property may be applied to the judgment against the defendant.

d. Inform the defendant that state and federal laws may place limits on the amount of earnings that may be garnished annually and per pay period and limits on other funds and property that may be garnished or levied against.

e. Contain the full text of [section 630.3A](#).

f. State that the defendant may wish to consult a lawyer for advice as to the meaning of the notice.

g. Inform the defendant that any garnishment for fines imposed on a defendant in a criminal case is subject to [section 909.6](#), including the provision that any law which exempts a person's personal property from any lien or legal process is not applicable for such garnishment.

4. An additional court filing fee shall not be assessed for proceedings under [this section](#).

[2014 Acts, ch 1090, §2](#); [2015 Acts, ch 79, §4](#)

Referred to in [§642.14, §642.14B](#)

Section amended