642.5 Sheriff may take answers.

1. When the plaintiff, in writing, directs the sheriff to take the answer of the garnishee, the sheriff shall put to the garnishee the following questions:

> [1] Are you in any manner indebted to the defendant in this suit, or do you owe the defendant money or property which is not yet due? If so, state the particulars.
>
> [2] Have you in your possession or under your control any property, rights, or credits of the said defendants? If so, what is the value of the same? State all particulars.
>
> [3] Do you know of any debts owing the said defendant, whether due or not due, or any property, rights, or credits belonging to the defendant and now in the possession or under the control of others? If so, state the particulars.
>
> [4] Do you compensate the defendant in this suit for any personal services whether denominated as wages, salary, commission, bonus or otherwise, including periodic payments pursuant to a pension or retirement program? If so, state the amount of the compensation reasonably anticipated to be paid defendant during the calendar year.

2. The sheriff shall serve to the garnishee the notice of garnishment in the same manner as an original notice by personal service, certified mail service, first class mail, or electronic means. The recipient of the garnishment notice may return service in the same manner as the notice was received. The garnishee shall submit answers within twenty-one days of service.

3. The sheriff conducting the garnishment shall also notify the sheriff of the county where the action is being enforced.

4. The sheriff shall file the answers to the examination within seven business days of receiving the answers.

[C51, §1864, 1865; R60, §3200, 3201; C73, §2980; C97, §3939; C24, 27, 31, 35, 39, §**12162;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §642.5]

84 Acts, ch 1239, §9; 2011 Acts, ch 25, §76; 2015 Acts, ch 79, §2; 2021 Acts, ch 153, §1
Referred to in §642.2, 642.14A, 642.21
NEW subsections 2 and 3 and former subsection 2 renumbered as 4