

# MARYLAND LAW: Instructions to Garnishee

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The following information comes from Maryland State laws for civil procedure in the district courts. Parties may also wish to reference the Maryland Rules for civil procedure in the circuit courts if relevant to their judgments. The Clerk's Office cannot give legal advice and the information provided below is not a substitute for legal counsel. Parties seeking and responding to garnishment writs are encouraged to seek the assistance of an attorney.

## MARYLAND RULES OF PROCEDURE

### [3-646\(i\) - Withholding and Remitting of Wages](#)

While the garnishment is in effect, the garnishee shall withhold all garnishable wages payable to the debtor. If the garnishee has asserted a defense or is notified that the debtor has done so, the garnishee shall remit the withheld wages to the court. Otherwise, the garnishee shall remit them to the creditor or the creditor's attorney within 15 days after the close of the debtor's last pay period in each month. The garnishee shall notify the debtor of the amount withheld each pay period and the method used to determine the amount. If the garnishee is served with more than one writ for the same debtor, the writs shall be satisfied in the order in which served.

### [3-646\(k\) - Termination of Garnishment](#)

A garnishment of wages terminates 90 days after cessation of employment unless the debtor is reemployed by the garnishee during that period.

## COMMERCIAL LAW ARTICLE - ANNOTATED CODE OF MARYLAND

### [15-601.1](#)

- (a) In this section, "disposable wages" means the part of wages that remain after deduction of any amount required to be withheld by law.
- (b) The following are exempt from attachment:
  - (1) Except as provided in item (2) of this subsection, the greater of:
    - (i) The product of \$145 multiplied by the number of weeks in which the wages due were earned; or
    - (ii) 75 percent of the disposable wages due;
  - (2) In Caroline, Kent, Queen Anne's, and Worcester counties, for each workweek, the greater of:
    - (i) 75 percent of the disposable wages due; or
    - (ii) 30 times the federal minimum hourly wages under the Fair Labor Standards Act in effect at the time the wages are due; and
  - (3) Any medical insurance payment deducted from an employee's wages by the employer.
- (c) The amount subject to attachment shall be calculated per pay period.

### [15-602](#)

- (a) When an attachment is levied against the wages of a judgment debtor, it shall constitute a lien on all attachable wages that are payable at the time the attachment is served or which become payable until the judgment, interest, and costs, as specified in the attachment, are satisfied.
- (b) Any waiver of the limitations contained in § 15-601.1(b)(1) and (2) of this subtitle is void.