

Garnishment Research Guide

Overview

This research guide includes information and resources on the topic of garnishment. Garnishment is “a judicial proceeding in which a creditor (or potential creditor) asks the court to order a third party who is indebted to or is bailee for the debtor to turn over to the creditor any of the debtor’s property (such as wages or bank accounts) held by that third party; a plaintiff initiates a garnishment action as a means of either prejudgment seizure or postjudgment collection.” (*Black’s Law Dictionary, 11th ed.*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes & Codes

Texas Statutes Online: www.statutes.capitol.texas.gov

Texas Constitution

- Art. 16 §28 Garnishment of Wages
<https://statutes.capitol.texas.gov/Docs/CN/htm/CN.16/CN.16.28.htm>

Civil Practice and Remedies Code

- Ch. 63 – Garnishment
<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.63.htm>

Texas Rules of Civil Procedure

- Rule 657 *et seq* Judgment Final for Garnishment
<https://www.txcourts.gov/rules-forms/rules-standards/>

Secondary Resources in Print

Texas Civil Practice & Remedies Code Plus REF KFT 1728 .A196 A2

- CPRC Ch. 63 Garnishment

Dorsaneo’s Texas Litigation Guide REF KFT 1730 .T4

- Vol. 1, Ch. 3 Professional Responsibility
- Vol. 3, Ch. 42 Garnishment
- Vol. 19, Ch. 295 Attorney’s Fees §295.23 Garnishment Proceedings

Texas Collections Manual REF KFT 1367 .C6 T49

- Vol. 2, Ch. 27 Post-Judgment Remedies, Section IV. Postjudgment Garnishment

Texas Practice Series REF KFT 1280 .T4

- Vol. 11-14 (Methods of Practice)
- Vol. 15 (Foreclosure)
- Vol. 16 (Action)

West’s Texas Forms REF KFT 1268 .W47

- Vol. 1A Cred. Rem. & Debt. Rights §14:1 *et seq*
- Vol. 1A West’s Texas Forms §28:5 Procedures for Postjudgment Garnishment of Property for Debt

West’s Texas Digest REF KFT 1257 .W48

- Vol. 12C, pp. 641, 644 *et seq*

Texas Jurisprudence Forms: Pleading and Practice REF KFT 1730 .A65 T482

- Vol. 2, Ch. 36 Attachment & Garnishment
- Vol. 8, Ch. 153 Justice and Other Inferior Courts §153.26 Writ of Garnishment

Texas Family Law Practice Manual REF KFT 1294 .T4S7

- Vol. 3, Ch. 31 Enforcement - Property

CLE Materials

Collections and Creditors' Rights KFT 1367 .C6S7

- 2022 Ch. 2 Post-Judgment Remedies (*PDF only*)
- 2020 Ch. 8 Post-Judgment Remedies

Advanced Family Law KFT 1294 .S83

- 2021 Ch. 29 Securing the Deal (*Sample Application for Writ of Garnishment included in Appendices*)
- 2020 Ch. 9 Bring It Home to Me: Post-Judgment Collection

- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)

Online Resources

Protect Your Social Security from Garnishment (Texas Law Help) <https://texaslawhelp.org/article/protect-your-social-security-from-garnishment>

Post Judgment Remedies (Texas Judicial Branch) <https://www.txs.uscourts.gov/sites/txs/files/PostJudgmentRemedies2014.pdf>

Guide to Garnishments in Texas (Texas Young Lawyers Association) <https://tyla.org/resource/garnishment-guide/>

Guide to Garnishments in Texas (State Bar of Texas) https://www.texasbar.com/AM/Template.cfm?Section=Free_Legal_Information2&Template=/CM/ContentDisplay.cfm&ContentID=52777

Texas Wage Garnishment Law (NOLO) <https://www.nolo.com/legal-encyclopedia/texas-wage-garnishment-law.html>

Debt Collection: Collecting the Debt (TSLL) <https://guides.sll.texas.gov/debt-collection/collecting-the-debt>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>