

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.4027 Writ of garnishment; filing; additional garnishee defendants; actions.

Sec. 4027.

(1) If after a hearing officer orders the payment of a civil fine or costs under section 4q of the home rule city act, 1909 PA 279, MCL 117.4q, the defendant does not appeal the order within the time allowed under section 4q(17) of the home rule city act, 1909 PA 279, MCL 117.4q, and if the city has not obtained a lien under section 4r of the home rule city act, 1909 PA 279, MCL 117.4r, for the fine or costs, the city may file an action for a writ of garnishment in the appropriate court. The initial papers filed with the court shall include a properly authenticated copy of the applicable order.

(2) A court in which an action is filed under this section shall, immediately after the action is filed, issue a writ of garnishment. A writ of garnishment issued under this section serves in lieu of a summons and complaint in the action, and the time for the defendant and an initial garnishee defendant to respond is the same as for a response under statutes and court rules applicable to other garnishments.

(3) An action under this section may name more than 1 initial garnishee defendant. After the issuance of an initial writ of garnishment in an action under this section, the city may, without leave of court, obtain subsequent writs of garnishment against the same or additional garnishee defendants.

(4) A defendant or garnishee defendant in an action under this section may not raise in the action any issue that could have been appealed under section 4q(17) of the home rule city act, 1909 PA 279, MCL 117.4q.

(5) Except as provided in this section and in any rules adopted by the supreme court to apply to actions under this section, an action under this section shall proceed according to the statutes and court rules applicable to other garnishment actions.

History: Add. 2013, Act 191, Eff. Mar. 14, 2014