

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

600.8306 Power with respect to attachment and garnishment; conditions upon which relief available; compliance with rules; garnishment proceedings as auxiliary actions; fees.

Sec. 8306.

(1) Subject to the limitations of jurisdictional amount and venue otherwise applicable in the particular court, the district court and municipal courts shall have the same power with respect to attachment and garnishment as the circuit court.

(2) The conditions upon which relief is available under this section shall be the same as are applicable to actions in the circuit court under section 4001 with respect to attachment and under sections 4011 and 4012 with respect to garnishment.

(3) The district court and municipal courts may exercise the jurisdiction granted by this section only if action is taken in accordance with rules adopted by the supreme court to protect the parties.

(4) In the district court, except where service of a writ of garnishment is a prerequisite to the exercise of jurisdiction under the conditions prescribed in section 4011(3), all garnishment proceedings shall be treated as auxiliary actions to the principal action. The party commencing such a proceeding in the district court shall not be required to pay an additional filing fee or jury fee with respect to that garnishment proceeding. The clerk shall charge and collect a \$15.00 service fee for each writ of garnishment, attachment, or execution or for each judgment debtor discovery subpoena issued.

(5) Fees shall not be required with respect to attachment and garnishment except as otherwise provided by law.

History: Add. 1971, Act 41, Eff. Mar. 30, 1972 ;-- Am. 1974, Act 371, Eff. Apr. 1, 1975 ;-- Am. 1984, Act 278, Eff. Jan. 1, 1985 ;-- Am. 1993, Act 189, Eff. Oct. 8, 1993

Compiler's Notes: Section 3 of Act 371 of 1974 provides: "The provisions of this act shall apply to all actions pending or commenced on or after the effective date of this act."