

PUBLICATION

Georgia Governor Signs Law Allowing Employers To Directly Answer Garnishment

February 14, 2012

On February 8, 2012, Governor Nathan Deal signed HB 683 into law, overturning the Georgia Supreme Court's recent decision requiring Georgia employers to use a Georgia-licensed attorney when filing answers to garnishments in state courts of record. Under the new law, effective immediately, employers may use human resources, payroll and other non-attorney employees, third-party vendors or outside counsel to respond to Georgia garnishment actions.

The new law also doubles the amount employers may deduct to recover their actual expenses, including attorneys' fees, incurred to prepare and file garnishment answers.

Note that Georgia-licensed attorneys are still needed to respond to a traverse or claim filed in a Georgia court of record in response to a garnishment answer.

If you have questions about the impact of this law or garnishment actions in general, please feel free to reach out to any of our nearly 70 Labor & Employment attorneys located in Birmingham, Alabama; Atlanta, Georgia; Baton Rouge, Mandeville and New Orleans, Louisiana; Jackson, Mississippi; and Chattanooga, Johnson City, Knoxville, Memphis and Nashville, Tennessee.