

**IN THE [COUNTY COURT / CIRCUIT COURT OF THE [____] JUDICIAL CIRCUIT]
IN AND FOR [____] COUNTY, FLORIDA**

[NAME OF PLAINTIFF],

Plaintiff,

v. Case No.: [CASE NUMBER]

[NAME OF DEFENDANT],

Defendant,

and

[NAME OF GARNISHEE (EMPLOYER)],

Garnishee.

_____/

AFFIDAVIT OF HEAD OF FAMILY EXEMPTION FROM GARNISHMENT

BEFORE ME, the undersigned authority, personally appeared [NAME OF AFFIANT] ("Affiant"), who, being first duly sworn, deposes and says:

1. I am the Defendant in this action. A writ of garnishment directed to my earnings has been served on the Garnishee, my employer.

2. I provide more than one-half of the support for [NAME OF DEPENDENT], my [child / spouse / parent / other dependent — state relationship], and I am therefore a head of family under section 222.11, Florida Statutes.

3. My disposable earnings are \$[AMOUNT] per week. Disposable earnings are the earnings that remain after deduction of the amounts required by law to be withheld; my gross earnings before those deductions are \$[AMOUNT] per week.

4. (Check one:)

☐ My disposable earnings are \$750 a week or less, and all of my disposable earnings are exempt from attachment and garnishment.

☐ My disposable earnings are greater than \$750 a week, and my disposable earnings are exempt from attachment and garnishment because I have not agreed in writing to waive the exemption.

5. The garnished earnings are compensation paid or payable, in money of a sum certain, for my personal services or labor, whether denominated as wages, salary, commission, or bonus.

6. I have not agreed in writing to allow the garnishment or attachment of my wages. [IF PLAINTIFF RELIES ON A SIGNED WAIVER, REPLACE THE SENTENCE ABOVE WITH: The document Plaintiff relies on as a waiver, [IDENTIFY THE DOCUMENT AND THE DATE SIGNED], does not meet the requirements of section 222.11(2)(b), Florida Statutes, because [STATE THE FACTS: it was not contained in a separate document attached to the agreement; it was not printed in at least 14-point type; it was not written in the same language as the agreement; or its wording departs from the form the statute sets out].]

7. Copies of my [pay stubs] are attached as Exhibit A. [A ledger of the support I provide for my dependent / receipts and records of household expenses I pay] [is / are] attached as Exhibit B.

8. I request that the court dissolve the writ of garnishment and order the release of any earnings withheld under it.

FURTHER AFFIANT SAYETH NAUGHT.

[NAME OF AFFIANT], Affiant

STATE OF FLORIDA

COUNTY OF [____]

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20____, by [NAME OF AFFIANT].

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ____ OR Produced Identification ____ Type of Identification Produced ____