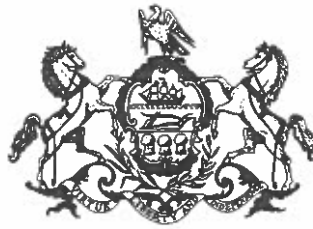


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MEMORANDUM

To: All Members of the House of Representatives

From: Representative Kevin Boyle *KB*

Date: January 12, 2012

Subject: Co-sponsorship: Wage Garnishment for Money Awarded in Small Claims Lawsuits

In the near future, I will be introducing legislation that would amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes to allow people's wages to be garnished if they have judgments rendered against them for less than \$5,000.

Recently, it was brought to my attention that, in Pennsylvania, individuals often are unable to collect judgments owed to them after winning civil lawsuits, simply because the guilty party decides not to pay. Under current law, magisterial district judges are unable to garnish people's wages for failure to pay a judgment against them. However, in states such as New York and New Jersey, judges can order the garnishment of wages to force individuals to pay for judgments rendered against them. In part, my legislation is based on the New York and New Jersey models.

Under my legislation, people who have \$5,000 judgments rendered against them will have their wages garnished every pay check until the judgment amount is paid in full. However, the garnishment cannot exceed 10 percent of the net wages per pay period of the debtor. Furthermore, if an individual's gross wages is less than \$8,000 annually, then he or she would not be subject to wage garnishment. Moreover, if the debtor is subject to garnishment of wages for alimony or child support, either one will take priority over a civil judgment and when combined cannot exceed 25 percent of the debtor's gross income. The goal of my legislation is to allow citizens the opportunity to receive the judgments owed to them, and it is my hope that you join me in this effort.

If you would like to co-sponsor this legislation, please contact Deborah R. Brady in my Harrisburg office at 717-783-4944 or drbrady@pahouse.net .