

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

600.6205 Payment of judgment in installments; notice; petition; affidavit; garnishment.

Sec. 6205. (1) At any time after the rendition of a judgment or the filing of a transcript of a judgment the defendant may file a petition with the clerk of the court in which the judgment was rendered, or transcript filed, requesting the clerk to issue a notice, directed to the plaintiff personally, or if plaintiff's action was filed by an agent or attorney or acted upon by an agent or attorney either at the time of the rendition of the judgment, or after, as shown by the court files in the cause, the notice may be directed to the plaintiff with the name of the agent or attorney designated, and served on the agent or attorney of record and have the same force and effect as a notice served on the plaintiff personally.

(2) The notice shall notify the plaintiff that on a certain day and time to be therein specified, the defendant will move the court for an order permitting the payment of the judgment in installments.

(3) The petition of the defendant shall be supported by the affidavit of the moving party setting forth his inability to pay the judgment with funds other than those earned by him as wages, and setting forth the name and address of his employer, the amount of the wages and the date of payment thereof.

(4) A garnishment shall not issue on the judgment after the filing of the petition herein mentioned excepting upon the written order of the judge or justice.

History: 1961, Act 236, Eff. Jan. 1, 1963;—Am. 1974, Act 297, Eff. Apr. 1, 1975.