

Tex. R. Civ. P. 663a

Rule 663a - Service of Writ And Other Documents on Defendant

The defendant must be served as provided in Rule 21a or Rule 501.4, as applicable, with a copy of the writ of garnishment, the application, accompanying affidavits, and orders of the court as soon as practicable after service of the writ on the garnishee. The face of the writ served on the defendant must display in at least twelve-point type and in a manner calculated to advise a reasonably attentive person of its contents, the following notice:

"To _____, Defendant: / A _____, Demandado:

Your money or property has been frozen or seized ("garnished") because _____ (the "Garnishor") has filed a garnishment proceeding. That means they are trying to get your money or property from _____ (the "Garnishee"), the company or person who has it, to pay a debt you owe. / *Su dinero o propiedad le han sido inmovilizados o incautados ("embargados") porque _____, (el "Embargante"), ha entablado ante tribunales un auto procesal de embargo con la intención de obtener su dinero o propiedad de _____, (el "Embargado"), que es la compania o persona fisica que los tiene, y como pago de lo que usted le adeuda.*

If you are an individual (not a company), your money or property may be protected ("exempt") from garnishment under federal or state law. Under Texas Rule of Civil Procedure 679b, the Garnishor must send you in the next few days a "Notice of Protected Property Rights" approved by the Supreme Court. Read that notice carefully for more information on what property can be protected and how to get your protected money or property back. You can ask the court to get your money or property back by turning in ("filing") the "Protected Property Claim Form" that will be sent with the Notice of Protected Property Rights. / *Si usted es una persona fisica (y no una compania), su dinero o propiedad pudieran estar protegidos ("eximidos") de ser embargados de acuerdo a lo dispuesto en las leyes federales o estatales. Bajo la Norma de Derecho Procesal Civil Número 679b, el Embargante debe enviarle en los próximos dias una "Notificación Sobre Derechos de Propiedad Protegida" aprobada por el Tribunal Supremo de Justicia. Lea con cuidado esta notificación para que obtenga mayor información sobre que dinero y propiedades estan protegidos y cómo recuperarlos. Puede solicitar que se le regresen sus propiedades y dinero que estan protegidos entregando ("presentando") ante el tribunal el "Formulario de Reclamo de Propiedad Protegida" que le sera enviado junto con la "Notificación Sobre Derechos de Propiedad Protegida".*

You may also file a "motion to dissolve" or "motion to modify" this writ of garnishment with the court because your money or property is exempt from garnishment. You can also get your money back if you file a "replevy bond," which is cash or other security in an amount set by the court. / *Usted tambien pudiera presentar por escrito una "petición de disolución" o "petición de modificación" de este auto procesal de embargo, ya que su dinero y propiedad*

están exentos de dicho embargo. También puede recuperar su dinero si presenta ante tribunales una "fianza reivindicatoria", la cual es una garantía en efectivo o con fiador en una cantidad impuesta por el tribunal.

You can find out more about exemptions and the garnishment process by visiting www.texaslawhelp.org/exempt-property. / *Obtenga mayor información sobre las exenciones y el proceso judicial de embargo, visitando el sitio www.texaslawhelp.org/exempt-property.*

You are encouraged to get a lawyer to help you. **For information on free and low-cost legal services**, visit www.texascourts.gov/programs-services/legal-aid or call the legal aid offices that serve your area: Texas RioGrande Legal Aid at (888) 988-9996, Lone Star Legal Aid at (800) 733-8394, and Legal Aid of Northwest Texas at (888) 529-5277. You can also call the State Bar of Texas at (800) 252-9690. / *Se le recomienda que consiga a un abogado que le ayude. Para información sobre cómo obtener servicios de asesoría legal gratuitos o a un bajo costo, visite el sitio www.texascourts.gov/programs-services/legal-aid o llame a la oficina de asistencia legal que presta servicios en su área: Texas RioGrande Legal Aid al (888) 988-9996; Lone Star Legal Aid al (800) 733-8394; y Legal Aid of Northwest Texas al (888) 529-5277. También puede llamar al Servicio de Información de Abogados en el Colegio de Abogados de Texas al (800) 252-9690.*

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Amended April 25, 2022, effective 5/1/2022.

Comment to 2022 change: Rule 663a is amended to implement section 22.0042 of Texas Government Code and to conform with new Rule 679b. A plaintiff serving a writ of garnishment on the defendant under this rule must also serve the defendant with the Notice of Protected Property Rights, the Instructions for Protected Property Claim Form, and the Protected Property Claim Form approved by the Supreme Court, as required by new Rule 679b. Other clarifying and stylistic changes have been made.
