



Burr Alert: Federal Court Declares Georgia's Statutory Garnishment Process Unconstitutional

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On September 8, 2015, United States District Judge Marvin H. Shoob declared Georgia's statutory garnishment process unconstitutional in *Strickland v. Alexander*, No. 1:12-CV-02735-MHS (N.D. Ga. Sept. 8, 2015) (granting summary judgment for plaintiff). In what is sure to be the first of many county-level responses, Gwinnett County officials announced on September 9, 2015 that they will stop issuing garnishment summonses and disbursements pending further judicial instruction. The opinion will potentially affect the debt collection industry (for an unknown duration) throughout Georgia.

Plaintiff Strickland and his wife had modest income and assets, consisting primarily of Social Security disability payments and workers' compensation settlement funds. Mr. Strickland kept and drew the funds for household and medical expenses from an account at JP Morgan Chase ("Chase") and another financial institution.

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