

**425.511 Appearance of garnishee -- Failure to appear.**

- (1) Each garnishee summoned shall appear. The appearance may be in person; or by the affidavit of the garnishee, served and filed in the manner and at the time required for an answer by the Rules of Civil Procedure, disclosing truly the sum owing by him to the defendant, whether due or not, and the property of the defendant in the possession or under the control of the garnishee; and, in the case of a corporation, any shares of stocks therein held by or for the benefit of the defendant, at or after the service of the order of attachment.
- (2) If such garnishee or officer make default, by not appearing, the court may, on the motion of the plaintiff, compel him to appear in person for examination, by process as in cases of contempt; or it may hear proof of any debt owing or property held by the garnishee to or for the defendant, and make such order in relation thereto as if what is so proved had appeared on the examination of the garnishee or officer.

**History:** Created 1976 Ky. Acts ch. 91, sec. 32.