

Small Claims Garnishments

The following is the South Dakota statute that relates to Small Claims garnishments along with links to three different related forms.

21-18-1. Actions or small claims proceedings in which garnishment available-- Persons and agencies subject to garnishment. In any action or small claims proceeding to recover damages founded upon contract, express or implied, or pursuant to judgment or decree, any creditor is entitled to proceed by garnishment in any court having jurisdiction of the subject of the action, against any person, as defined in § 15-7-1, including the state and any municipal or public corporation, and including any corporation organized or authorized to be organized by or under the laws of any state or of the United States, which has the power to sue or be sued who shall be indebted to or have any property, real or personal, in its possession or under its control belonging to such creditor's debtor, in the cases, upon the conditions, and in the manner prescribed in this chapter.

Source: SDC 1939, § 37.2801; SL 1939, ch 143; SL 1990, ch 157, § 1; SL 2001, ch 107, § 1.

Garnishee Summons Affidavit

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=21-18-6>

Garnishee's Affidavit Denying Liability

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=21-18-26>

Service of Garnishment Disclosure

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=21-18-27.1>