Can My Wages Be Garnished?

Wage garnishment is a real consequence of unresolved debt, but it does not happen automatically. There is a specific legal process behind it, and knowing that process removes a lot of the uncertainty.

What has to happen first

For most consumer debt, a creditor cannot simply start deducting money from your paycheck. They generally have to sue you, win the case, and obtain a court judgment. Only after that judgment exists can they typically pursue wage garnishment, and even then, the process and limits vary significantly by state.

What limits usually apply

- ✓ **Federal limits cap the amount.** Federal law generally limits how much of your disposable income can be garnished for most debts, though the specific cap depends on the type of debt involved.
- ✓ **Some states offer more protection.** A number of states restrict or prohibit wage garnishment for consumer debt entirely, or set stricter limits than federal law requires.
- ✓ **Certain income is often protected.** Social Security, disability benefits, and some retirement income are generally protected from garnishment for this type of debt in most circumstances.

What to do if you are worried about this

If you have already been sued or believe a judgment may be entered against you, this is worth discussing directly with an attorney familiar with your state's rules. Understanding your specific exposure, and your specific protections, matters more than a general answer can provide.