

§ 4-11-9.3. Duty to make arrangements for care of impounded animal; lien for cost of care; return of animal to owner

(a) It shall be the duty of any person impounding an animal under [Code Section 4-11-9.2](#) to make reasonable and proper arrangements to provide the impounded animal with humane care and adequate and necessary veterinary services. Such arrangements may include, but shall not be limited to, providing shelter and care for the animal at any state, federal, county, municipal, or governmental facility or shelter; contracting with a private individual, partnership, corporation, association, or other entity to provide humane care and adequate and necessary veterinary services for a reasonable fee; or allowing a private individual, partnership, corporation, association, or other entity to provide humane care and adequate and necessary veterinary services as a volunteer and at no cost.

(b) Any person impounding an animal under this article or providing care for an impounded animal shall have a lien on such animal for the reasonable costs of caring for such animal. Such lien may be foreclosed in any court that is competent to hear civil cases, including, but not limited to, magistrate courts. Liens shall be foreclosed in magistrate courts only when the amount of the lien does not exceed the jurisdictional limits established by law for such courts.

Note, if you cost exceed 15,000 then you file in State court, if your cost will not exceed 15,000, then Magistrate court. Also, a copy of this lien along with a certificate of service shall be mailed to the defendant's attorney. You have may Jane review if she is willing. Please have the other fosters do the same. Note, if they are filing in Magistrate, they need to change the style (in red) to read MAGISTRATE.

When filing the lien into the court you should have 3 copies of the following:

- The Petition for Lien
- The COS
- And whatever court forms the clerk ask you to fill out (one copy only of this)

Ask the clerk to stamped "filed/date" on

What do you send the defendant?

A stamped filed copy of the

- petition
- COS

You should keep a stamped filed copy of:

A stamped filed copy of the

- petition
- COS

Your lien should say something like:

**IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA**

IN RE: 274 DOGS SEIZED FROM

_____ ON ____ (DATE)

,

Defendants.

)
)
)
)
)

PEITION TO FILE LIEN FOR COST AND CARE OF DOGS PURSUANT TO CODE SECTION 4-11-9.3 (a) and (b)

COMES NOW PETITIONER, *insert your name*, and files this lien pursuant to Code Section 4-11-9.3 (b) allowing any person providing care for an impounded animal shall have a lien on such animal for the reasonable costs of caring for such animal. Such lien may be foreclosed in any court that is competent to hear civil cases, including, but not limited to, magistrate courts. Liens shall be foreclosed in magistrate courts only when the amount of the lien does not exceed the jurisdictional limits established by law for such courts.

_____ have obtained ____ (how many) animals due to an impoundment on _____. Pursuant to Code Section 4-11-9.3 (a) the agency impounding the animal(s) may contract with a private individual, partnership, corporation, association, or other entity to provide humane care and adequate and necessary veterinary services for a reasonable fee.

Attached hereto as addendum "A" is a list of each dog and the cost accumulated to date. The total cost accrued by or on ____ (put the date you are filing lien) is \$---. It is anticipated basic cost will accrue ____ daily. Other fees, including medical fees, may accumulate based on special needs for each animal. Therefore, the court should include the cost accruing since the date of this lien was filed when considering the lien.

File on this ____ day of ____, 2008

Petitioner Date

**IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA**

IN RE: 274 DOGS SEIZED FROM)
_____ **ON** ____ (**DATE**))
,) _____
)
Defendants.)

CERTIFICATE OF SERVICE

This is to certify that I have this date served the **PEITION TO FILE LIEN FOR COST AND CARE OF DOGS PURSUANT TO CODE SECTION 4-11-9.3 (a) and (b)** within by depositing a copy via United States Mail in an envelope with sufficient postage affixed thereto, properly addressed to the following:

This _____ day of March, 2008.

By: _____
