

INSTRUCTIONS FOR EMPLOYER

Case Number

ID YR Number

Read the attached Withholding Order carefully.

The Withholding Order will instruct you as to the amount(s) to be withheld and to whom the payments should be made. When remitting payments, please identify the employee(s) who are subject to withholding orders by including a list containing the employee's names, social security numbers, court case numbers, and the total monthly amount withheld **on each employee.**

This CONTINUING ORDER for the enforcement of support has been served upon you, the employer of the obligated parent or spouse, as is required by both federal and state law.

YOU MUST FILE THE ENCLOSED ANSWER FORM WITH THE CLERK OF THE COURT WITHIN FOURTEEN (14) DAYS OF THE SERVICE OF THIS ORDER ON YOU. FAILURE TO ANSWER MAY LEAD TO A JUDGMENT AGAINST YOU FOR THE AMOUNT(S) OF SUPPORT ORDERED.

PLEASE FOLLOW THESE GUIDELINES WHEN COMPLETING THE ANSWER FORM:

1. The total of all amount(s) ordered to be withheld for child support or child and spousal support should be deducted out of the employee's disposable earnings. "DISPOSABLE EARNINGS" are defined as the amount of wages remaining after deducting any amounts required by law to be withheld, such as Federal Income Taxes, Social Security Taxes and State and City Taxes. YOU MUST WITHHOLD THE TOTAL DOLLAR AMOUNT(S) STATED IN THE COURT'S ORDER AND CHECK BLOCK I.(A) UNLESS THE TOTAL DOLLAR AMOUNT(S) EXCEED THE PERCENTAGE OF THE EMPLOYEE'S DISPOSABLE EARNINGS WHICH IS INDICATED IN THE COURT'S ORDER. In that event, withhold ONLY that percentage of the employee's disposable earnings and complete BLOCK I.(B) on the Answer form.

EXAMPLE: The Court Order recites that a total of \$250 per month is to be withheld for both current child support and child support arrearages, but not to exceed 50% of employee's disposable earnings. Employee's monthly disposable earnings are \$400. Since \$250 is more than 50% of the \$400 disposable earnings, only \$200 (50%) may be withheld and forwarded to the office indicated in the Court's order. The office to whom you make the total payment will disburse the payment in the correct order of priority as indicated in the Order.

2. If the defendant is not employed by you, complete II. on the Answer form.

3. Under state law, the Order of Income Withholding for Support takes **priority** over any writ of garnishment served upon you on the same employee, even if the writ of garnishment was served upon you prior to this Order of Income Withholding. Additionally, you may already be withholding a portion of this employee's wages under another income withholding order for support. In such situations you should briefly explain the facts in paragraph III. on the Answer form.

COURT COSTS INFORMATION

COSTS OF THIS PROCEEDING ARE \$ _____ AND HAVE BEEN TAXED AGAINST THE DEFENDANT. THIS AMOUNT MUST BE WITHHELD BY YOU IN ADDITION TO THE FIRST MONTH'S WITHHOLDING, ONLY, AND SHALL BE PAID DIRECTLY TO THE CLERK/REGISTER AT (ADDRESS) _____

In the event the defendant changes employment or the income is terminated you are required by law to notify the office to which you make these payments of any such change and the name and address of the defendant's new employer, if known by you.

Discharge of an employee or refusal to hire a person because they are subject to an Income Withholding Order may, under the provision of the law, subject you to the contempt powers of the Court.

UNDER THE LAW, YOU ARE PERMITTED TO WITHHOLD AND RETAIN A FEE OF UP TO \$2.00 EACH MONTH TO COVER YOUR EXPENSES OF ADMINISTERING THIS ORDER. SUCH FEE IS IN ADDITION TO THE SUPPORT AMOUNTS WITHHELD EACH MONTH.