

Effective 4/1/05

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT, IN AND FOR PALM BEACH
COUNTY, FLORIDA

FAMILY DIVISION

_____,
Obligor,

and

CASE NO. _____

_____,
Obligee.

_____ /

INCOME DEDUCTION ORDER

Concurrent with the Court's Order of Support and pursuant to Florida Statute 61.1301, it is ORDERED AND ADJUDGED as follows:

1. Income Deduction shall be (check one):

EFFECTIVE IMMEDIATELY, or

EFFECTIVE UPON THE OBLIGOR BECOMING ONE (1) MONTH DELINQUENT in his/her support obligation. Income deduction is not being implemented immediately because:

- (a) Income deduction is **not** in the best interests of the child(ren); and
- (b) There is proof of timely payment of a previously ordered obligation without an Income Deduction Order in cases of modification; and
- (c) The Obligor has agreed to advise the IV-D agency and Support Disbursement Unit of any change in payor and health insurance; or there is a signed written agreement providing an alternative arrangement between the Obligor and the Obligee and, at the option of the IV-D agency, by the IV-D agency in IV-D cases in which there is an assignment of support rights to the state, reviewed and entered in the record by the Court.

2. Regardless of the effective date of this Income Deduction Order, **all** monies shall be made payable to and mailed to **State of Florida Disbursement Unit, P.O. Box 8500, Tallahassee, Florida 32314-8500.**

3. All payments must include the Obligor's Name (Last, Middle, First), Social Security Number, Case Number, County (where Court Order is located), Current Address, and Obligee's

Name (Last, Middle, First). All payments must be made by check, money order, cashier's check, or certified check. No credit will be given without Court order for any payments made directly to the Obligee (the person receiving support).

4. Upon receipt of this Order, any Payor (employer/income provider of the Obligor) shall deduct from all income due and payable to the Obligor the sum(s) of the Obligor's regular support obligation, plus an additional 20 percent or more of the periodic amount specified in the order, to be applied to arrears, if any, and a service charge of 4% per payment, which shall not exceed \$5.25 nor be less than \$1.00.

5. The amount of child support and alimony and arrearages payments shall be deducted as follows:

- Child Support Arrearages as of ____ day of ____, 200__,.
the following arrearages are also due:
Child support arrearage \$_____
Alimony arrearage \$_____
- Alimony Arrearages are \$__ as of __.
- Child Support: \$__.
- Alimony: \$__.

6. Payments are due:

- Weekly on ___ of each week.
- Every other week
- Semi-monthly on the ___ (i.e., 1st, 15th, 30th).
- Monthly on the ___ (i.e., 1st, 15th, 30th).

7. The Payor shall deduct (check one):

- all
- ____%
- none

of the income which is paid in the form of a **BONUS** or other similar one-time payment, up to the amount of the arrearages reported in the income deduction notice or the remaining balance thereof. For purposes of this paragraph, "**BONUS**" means a payment in addition to Obligor's usual compensation and which is in addition to any amounts contracted for or otherwise legally due and shall not include any commission payments due the Obligor.

8. The Payor shall not deduct in excess of the amounts allowed under s. 303(b) of the Consumer Credit Protection Act, 15 U.S.C., s. 1673(b), as amended.

DONE AND ORDERED in Palm Beach County, this ____ day of _____, 2004.

CIRCUIT JUDGE, KATHLEEN J. KROLL

Copies to:

DEFINITIONS

INCOME: Any form of payment to an individual regardless of the source including, but not limited to, wages, salaries, commissions and bonuses, compensation as an independent contractor, workers' compensation, retirement benefits, pensions, dividends, royalties or trust accounts, or any other payment made by any person, private entity, federal or state government, or any unit of local government. No monies shall be deducted from V.A. benefits or unemployment compensation. However, the amount deducted for each period shall not exceed 65% of the Obligor's net earnings after deductions allowed by law (F.I.C.A. & Federal Withholding); 55% of net earnings if the Obligor supports a spouse or dependent other than those provided herein.

OBLIGOR: The person responsible for making support payments under a Court Order that awards child support, alimony and/or arrearages.

OBLIGEE: The person to whom support payments are made under a Court Order that awards child support, alimony and/or arrearages.

PAYOR: The person or entity providing income to any employee, former employee or any other person or agency providing or administering income to the Obligor.

RIGHTS AND REMEDIES

1. The OBLIGOR and OBLIGEE have the obligation of notifying the Clerk of Court, Support Department, IN WRITING, of any changes in his/her residence address. The OBLIGOR must notify the OBLIGEE and the Clerk of Court, Support Department of any change in his/her employer, and/or the employer's name and address, within seven (7) days of such change. The OBLIGOR is required to notify the OBLIGEE and, when the obligee is receiving IV-D services, the IV-D agency within seven (7) days of changes in the OBLIGOR'S address, payors, and the addresses of his or her payors.

2. The EMPLOYER/PAYOR has the obligation of notifying the Clerk of Court, Support Department and the OBLIGEE, IN WRITING, if the OBLIGOR is not working or is no longer employed at the time this Order and the accompanying documents are received.

3. A copy of the Income Deduction Order will be served on the OBLIGOR'S PAYOR(S). This Order applies to current and subsequent PAYORS.

4. An Income Deduction Order may be contested by filing a Notice of Contest with the Clerk of Court, Support Department, within fifteen (15) days from the date of this Order (forms are available in the Support Department). The enforcement order may only be contested on the grounds of a mistake of fact regarding the amount of support owed pursuant to the order establishing, enforcing, or modifying the obligation, the amount of arrearages, or the identity of the OBLIGOR, PAYOR, or OBLIGEE. Service of this Order on the PAYOR will not be delayed upon the filing of a Notice of Contest.

5. A PAYOR may reduce the amount being deducted only by Order of the Court or upon written notice from the Central Governmental Depository or State Disbursement Unit, once the arrearages have been fully paid.

6. If you require additional information/instructions regarding how to implement the Notice to Payor, you may want to contact Department of Revenue (1-800-622-5437), the Self-Service Center (561-355-7048) or your attorney.