

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
District Superior Court Division

Civil: Plaintiff

Criminal: STATE

VERSUS

ORDER TO WITHHOLD WAGES TO ENFORCE CHILD SUPPORT

G.S. 110-136.5(c)

Name Of Defendant

Name And Address Of Employer

Name And Address Of Obligor (Employee)

The Court makes the following findings of fact and conclusions of law based on the record and the evidence presented.

FINDINGS

1. This matter is before the Court pursuant to:

- a show cause order issued in this action.
the parties' request for entry of a Consent Order.
the State's motion for wage withholding.
the Obligees motion for an order for wage withholding.
the Obligor's request for wage withholding.
Other (specify)

2. The Obligor

- was served on (date)
submitted to the Court's jurisdiction.

3. Present at the hearing were the

- Obligor, represented by
Obligee, represented by

4. The Obligor is obligated to pay child support in the amount shown below. As of the date of the hearing, the Obligor is in arrears as shown below.

Amount Of Support Obligation Weekly Monthly Date Of Support Order Or Judgment
\$ Bi-weekly Other (specify)

Amount Of Past Due Support As Of (Date)

(check if applicable) At the time of the filing of the motion issuance of the show cause order, hearing, the Obligor was in arrears equal to or more than support payable for one month. was delinquent in making child support payments. had been erratic in making child support payments.

5. The Obligor receives disposable wages as defined in G.S. 110-129(6) from the employer named above as set out below.

Amount Of Disposable Wages Weekly Monthly
\$ Bi-weekly Other (specify)

6. Other findings:

(Note: This form may be used in both civil and criminal cases.)

(Over)

**CONCLUSIONS**

1. This matter is properly before the Court and the Court has jurisdiction over the parties and the subject matter.
2. The Support Order or Judgment referred to above is valid and continues to be in force and effect.
3. The Obligor's wages are subject to withholding to enforce the child support obligation.
4. \$ \_\_\_\_\_ OR 40 percent (*state different percent if applicable*) \_\_\_\_\_ (%), **WHICHEVER IS LESS**, is an appropriate amount to order withheld from the Obligor's disposable wages each pay period, which is  
 Weekly.     Bi-weekly.     Monthly.     Other (*specify*) \_\_\_\_\_.

**ORDER**

It is ORDERED that:

1. The Obligor's disposable wages be subjected to withholding to enforce the child support obligation referred to herein.
2. The Obligor's employer be served with a "Notice Of Obligation To Withhold," directing said employer to withhold and transmit to the North Carolina Centralized Collection Office from the Obligor's disposable wages each pay period the percentage set out below minus the \$2 processing fee, or the exact amount set out below, **WHICHEVER IS LESS**.

Amount*	<input type="checkbox"/> Weekly	<input type="checkbox"/> Monthly	Maximum Allowable Percentage
\$	<input type="checkbox"/> Bi-weekly	<input type="checkbox"/> Other ( <i>specify</i> ) _____	%

**\*NOTE:** This amount plus \$2.00 processing fee must not exceed the maximum allowable percentage.

3. The withheld amounts shall be allocated as follows:

(a) to obligor's continuing child support obligation.....	\$
(b) to the Arrearages until paid in full.....	\$
<b>Total</b> ( <b>Note:</b> Total should equal amount ordered withheld.)	\$

4. The Employer is entitled to retain a processing fee of \$2.00 in addition to the amount of withholding for each withholding made.
5. The Obligor shall remain responsible for the payment of support as previously ordered by the Court, and is responsible for payments that are due before withholding becomes effective and for any amount of the support obligation or arrearages that is not covered by the withheld amounts.
6. The Obligor shall notify the Court when this Order and/or the "Notice Of Obligation To Withhold" needs to be modified for any reason.
7. If the Obligor changes employment within the State, this Order shall remain in effect, the Obligor shall inform the Clerk of Superior Court in writing, and the Clerk of Superior Court shall serve a "Notice Of Obligation To Withhold," according to the terms of this Order, on the new Employer and on the Obligor. If the Obligor or the Employer gives notice that an adjustment to withholding is needed the matter shall be scheduled for hearing before the Court.
8. Other:
9. The costs of this action are taxed against     plaintiff.     defendant.

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
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**CONSENTED TO:** (*if applicable*)

Signature Of Plaintiff	Signature Of Defendant
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