

STATE OF NORTH CAROLINA

Court File No.

IV-D Case No.

_____ County

In The General Court Of Justice
 District Superior Court Division

Civil: _____
 Criminal: _____ (Name Of Plaintiff)

STATE
VERSUS

**ORDER TO WITHHOLD FROM INCOME
OTHER THAN WAGES
TO ENFORCE CHILD SUPPORT**

G.S. 110-136.8

Name Of Defendant

Name And Address Of Payor (Source Of Income)

Name And Address Of Obligor (Supporting Party)

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 income withholding.
 - recipient's motion for an order for income withholding.
 - obligor's request for income withholding.
 - Other: (specify)

- 2. The obligor
 - was served on _____, _____.
 - submitted to the Court's jurisdiction.

- 3. Present at the hearing were
 - obligor, represented by _____.
 - recipient, 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	<input type="checkbox"/> Weekly	<input type="checkbox"/> Monthly	Date Of Support Order Or Judgment
\$ _____	<input type="checkbox"/> Bi-weekly	<input type="checkbox"/> Other (specify) _____	

Amount Of Support Obligation	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 income as defined in G.S. 110-129(6) from the payor named above as set out below.

Amount Of Disposable Income	<input type="checkbox"/> Weekly	<input type="checkbox"/> Monthly	Type Of Income
\$ _____	<input type="checkbox"/> Bi-weekly	<input type="checkbox"/> Other (specify) _____	

- 6. Other findings:

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

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 disposable income is 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 income each pay period, which is weekly. bi-weekly. monthly.
 Other (specify) _____.

ORDER

It is ORDERED that:

1. The obligor's disposable income be subjected to withholding to enforce the child support obligation referred to herein.
2. The obligor's payor be served with a **Notice Of Obligation To Withhold From Income Other Than Wages For Child Support**, directing said payor to withhold and transmit to the North Carolina Centralized Collection Office, PO Box 900012, Raleigh, NC 27675 from the obligor's disposable income 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 (specify) _____	%

***NOTE:** This amount plus the \$2 processing fee may 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.

\$

Total (NOTE: Total should equal amount ordered withheld.)

\$

4. When all arrearages are paid in full, the amount to be withheld shall be automatically reduced to the amount sufficient to pay the obligor's continuing child support obligation as listed in 3(a) above. The North Carolina Child Support Centralized Collection Office shall notify the payor and obligor of the reduced amount to be withheld.
5. The payor is entitled to retain a processing fee of \$2.00 in addition to the amount of withholding for each withholding made.
6. 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.
7. The obligor shall notify the Court when this Order and/or the **Notice Of Obligation To Withhold From Income Other Than Wages For Child Support** needs to be modified for any reason.
8. If the obligor or the payor gives notice that an adjustment to withholding is needed, or if it so appears to the Clerk, this matter shall be scheduled for hearing before the Court.
9. Other:

10. The costs of this action are taxed against plaintiff. defendant.

Date Order Entered (if different from date signed)	Date Signed
Name Of Presiding Judge (type or print)	Signature Of Presiding Judge

CONSENTED TO: (if applicable)

Signature Of Plaintiff	Signature Of Defendant
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