

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

Name Of Defendant

ORDER ON MOTION TO JOIN
PAYOR AS PARTY TO
ENFORCE WITHHOLDING FROM
INCOME OTHER THAN WAGES

G.S. 110-136.8

Name And Address Of Payor

Name And Address Of Obligor

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

FINDINGS

- 1. This matter is before the Court pursuant to a Motion To Join Payor As Party To Enforce Withholding From Income Other Than Wages.
2. The Motion and a Notice of Hearing were properly served on the payor named above. A hearing was held pursuant to that notice, and the payor:
[] appeared in person or through an attorney by [] filing a written answer. [] attending the hearing.
[] did not appear.
3. Pursuant to an Order entered under G.S. 110-136.5 or to an administrative determination made under G.S. 110-136.4, the payor was served on _____, with a Notice Of Obligation To Withhold From Income Other Than Wages For Child Support.
4. On or after the date on which the Notice Of Obligation To Withhold was served, the obligor named above
[] was [] was not entitled to receive disposable income from the payor.
5. The disposable income of the obligor on the date on which the Notice Of Obligation To Withhold was served was \$ _____ per _____, and on this date is \$ _____ per _____.
6. Pursuant to the terms of the Notice Of Obligation To Withhold, the date on which the payor was obligated to begin withholding was _____ and the employer/payor [] began [] did not begin withholding on that date.
7. For the following pay periods the payor failed to withhold from the obligor's disposable income and send to the North Carolina Child Support Centralized Collection Office, PO Box 900012, Raleigh, NC 27675, the amount, or the percentage of disposable income, specified in the Notice Of Obligation To Withhold. (Identify pay periods. If none, state "none.") _____
8. For the following pay periods the payor withheld an amount from the obligor's disposable income but did not send all of the withheld amount to the North Carolina Child Support Centralized Collection Office, PO Box 900012, Raleigh, NC 27675, within ten (10) days of the date on which obligor was paid. (Identify pay periods. If none, state "none.") _____
9. From the date on which the Notice Of Obligation To Withhold was served to this date, the payor should have withheld from the obligor's disposable income and sent to the North Carolina Child Support Centralized Collection Office, PO Box 900012, Raleigh, NC 27675, a total of \$ _____, but has instead only sent \$ _____.
10. Other: (specify)

(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 payor named above should should not be joined as a party to this action.
3. The payor named above has has not willfully refused to comply with the provisions of G.S. 110-136.8.
4. The payor is is not required to withhold under G.S. 110-136.8.
5. The payor is is not liable under G.S. 110-136.8 for the difference between the amount the payor should have withheld and sent to the North Carolina Child Support Collection Office, PO Box 900012, Raleigh, NC 27675, and the amount the payor did send.

ORDER

It is ORDERED that:

- The payor named above is joined as a party in this action, and shall:
- withhold from the disposable income of the obligor named above, in each pay period which begins after this date, the amount or percentage set forth below, and comply in all other respects with the requirements of G.S. 110-136.8.

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

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

- pay on or before _____, _____, to the North Carolina Child Support Collection Office, PO Box 900012, Raleigh, NC 27675, for the benefit of the obligee(s) in this action the amount of \$ _____, being the amount for which the employer is liable under G.S. 110-136.8(e).
- Other:

The initiating party's Motion To Join Employer As Party is denied.

- Cost are: disallowed.
- taxed to payor. initiating party.
 - waived.

Date Order Entered (if different from date signed)

Date Signed

Name Of Presiding Judge (type or print)

Signature Of Presiding Judge