

TO (Employer): \_\_\_\_\_ DATE: \_\_\_\_\_

FROM (Obligee): \_\_\_\_\_ RE (Obligor): \_\_\_\_\_

### NOTICE TO PAYOR / EMPLOYER

Enclosed is an *Income Deduction Order* issued by a court and an *Income Withholding Order for Support* as required by federal law. You are hereby notified pursuant to O.C.G.A. § 19-6-33(e) that you have the rights and responsibilities set forth below with regard to the *Income Deduction Order*, in which your employee (the “obligor”) is ordered to pay child support.

1. You are required to deduct from each payment to the employee/obligor the amount specified in the *Income Withholding Order for Support*, and in the case of a delinquency the amount specified in the notice of delinquency. You are required to pay that amount to the Georgia Family Support Registry on behalf of the parent who is to receive child support payments (the “obligee.”) The amount actually deducted plus all administrative charges on any one occasion may not be in excess of the amount allowed under Section 303(b) of the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673(b). If the amount to be deducted will exceed these limits, you are to reduce the amount deducted accordingly. Employers may find more information regarding income withholding and how to calculate the proper deduction amount here: [http://www.acf.hhs.gov/programs/cse/newhire/employer/private/income\\_withholding.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/private/income_withholding.htm).
2. You are to implement the income deduction order no later than the first pay period that occurs after 14 days following the date this notice is mailed.
3. You are to forward, within two business days after each payment date, to the Georgia Family Support Registry the amount deducted from the obligor’s income and a statement as to whether that amount totally or partially satisfies the periodic payment amount specified in the income deduction order.
4. If you willfully fail to deduct the proper amount from the obligor’s income, you are liable for the amount you should have deducted, plus costs, interest, and reasonable attorney’s fees.
5. You may collect up to \$25.00 against the obligor’s income as reimbursement of administrative costs for the first income deduction and up to \$3.00 for each deduction thereafter. You may not deduct a fee for complying with any order or notice for enrollment in a health benefit plan.
6. The *Income Deduction Order*, the *Income Withholding Order for Support*, and this notice, and in the case of a delinquency the notice of delinquency, are binding

upon you until further notice by the obligee, the Georgia Department of Human Services, or the court, up and until you no longer provide income to the obligor.

7. When you no longer provide income to the obligor, you must notify the obligee and shall also provide the obligor's last known address and the name and address of the obligor's new employer, if known. You may do so by filling out that portion of the *Income Withholding Order for Support* titled "Notification of Termination" and mailing a copy to the obligee. The willful violation of this provision will subject you to a civil penalty not to exceed \$250.00 for the first violation or \$500.00 for any subsequent violation. If the Georgia Department of Human Services is enforcing the order, you shall make these notifications to the agency instead of to the obligee. Penalties shall be paid to the obligee or the agency, whichever is enforcing the income deduction order.
8. Under O.C.G.A. § 19-6-32 you may not discharge the obligor from employment by reason of the fact that income has been subjected to an income deduction order. A violation of this provision subjects you to a civil penalty not to exceed \$250.00 for the first violation or \$500.00 for a subsequent violation. Penalties shall be paid to the obligee or the Georgia Department of Human Services, whichever is enforcing the income deduction order, if any support is owing. If no support is owing, the penalty shall be paid to the obligor.
9. The *Income Deduction Order* has priority over all other legal processes under state law pertaining to the same income. Withholding the income required and paying that income as required is a complete defense against any claims of the obligor or his creditors as to the sum paid.
10. If you receive multiple *Income Deduction Orders* requiring that the income of two or more obligors be deducted and sent to the Georgia Family Support Registry, you may combine the amounts paid in a single payment as long as you identify that portion of the payment attributable to each obligor.
11. If you receive more than one *Income Deduction Order* against the same obligor, you must contact the court which signed the *Income Deduction Order* for further instructions. Upon being so contacted, the court shall allocate amounts available for income deduction giving priority to current child support obligations up to the limits imposed under Section 303(b) of the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673(b).

SIGNED and SUBMITTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Prepared by:

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