

IN THE SUPERIOR COURT OF HOUSTON COUNTY

STATE OF GEORGIA

_____	)	
Plaintiff	)	CIVIL ACTION
v.	)	NO. _____
_____	)	
Defendant	)	

**INCOME DEDUCTION ORDER**

The above-styled matter was heard by the court on \_\_\_\_\_, 20\_\_\_. The \_\_\_\_\_ was properly served and present and represented by counsel. This court having entered an order requiring the \_\_\_\_\_ to pay child support to the \_\_\_\_\_, this Income Deduction Order is entered pursuant to O.C.G.A. § 19-6-32(a.1)(1).

- Defendant shall pay child support of \$ \_\_\_\_\_ [ ] weekly [ ] bi-weekly [ ] semi-monthly [ ] monthly with the next payment due on \_\_\_\_\_, 20\_\_.
- Defendant shall pay \$ \_\_\_\_\_ [ ] weekly [ ] bi-weekly [ ] semi-monthly [ ] monthly with the next payment due on \_\_\_\_\_, 20\_\_.
- The total amount to be withheld is \$ \_\_\_\_\_ [ ] weekly [ ] bi-weekly [ ] semi-monthly [ ] monthly. This amount shall be made payable to \_\_\_\_\_ and forwarded within two (2) business days of each payment date. Payments shall be made by cash, cashier's check, or money order, personally or by mailing it to: \_\_\_\_\_.

The maximum amount to be deducted shall not exceed the amounts allowed under § 303(b) of the Consumer Credit Protection Act, 15 U. S. C. § 1673(b), as amended. This order applies to current and subsequent employers and periods of employment, and may only be contested on the grounds of mistake of fact regarding the amount of support owed pursuant to a support order, the arrearage, or the identity of the obligor. The obligor shall notify the \_\_\_\_\_ within seven (7) days of any change of address, employer or employer's address. A copy of this order shall be served on the obligor and the employer.

Other: \_\_\_\_\_

This order shall become effective immediately upon signing and shall remain in full force and effect until modified, suspended, or terminated by order of this Court.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
JUDGE, Superior Courts  
\_\_\_\_\_ Judicial Circuit

Notice To: Employer or any other person, private entity, Federal or State Government, or any unit of local government providing or administering income due to Defendant

Re: Income Deduction Order

DATE: \_\_\_\_\_

Attached you will find an Income Deduction Order. Please read this order carefully and follow the instructions as written. If you have any questions you should contact your attorney.

Employers are required by law to deduct from income due and payable an employee the amount designated by the court to meet support obligations. Income includes wages, salary, bonuses, commissions, compensation as an independent contractor, workers' compensation, disability benefits, annuities and retirement benefits, pensions, dividends, royalties, or any other payment to an employee. **FAILURE TO DEDUCT THE AMOUNT DESIGNATED BY THE COURT MAKES THE EMPLOYER LIABLE FOR THE AMOUNT THAT SHOULD HAVE BEEN DEDUCTED, PLUS COSTS, INTEREST AND REASONABLE ATTORNEYS' FEES.**

Payments must begin no later than the first pay period after fourteen (14) days following the postmark of the notice. You are required to forward to the person or entity specified in the Income Deduction Order within two (2) days after each payment date the amount deducted from the employee's income and a statement as to whether the amount forwarded totally or partially satisfies the periodic amount specified in the Income Deduction Order.

This deduction has priority over all other legal processes under Georgia law pertaining to the same income and the payment required by the Income Deduction Order. It is a complete defense against any claims of the employee or the employee's creditors as to the sum paid.

Employers must continue to deduct the child support amount and send it to the person or entity specified in the Income Deduction Order until further notice by the Court or until the income is no longer provided to the employee. In the event the income is no longer provided, the employer is required to notify the person or entity specified in the Income Deduction Order immediately of such and to give the employee's last known address and to provide a name and address of any new employer of this employee if known. **FAILURE TO DO THIS WILL RESULT IN A CIVIL PENALTY BEING IMPOSED, NOT TO EXCEED \$250.00 FOR THE FIRST VIOLATION OR \$500.00 FOR A SUBSEQUENT VIOLATION.**

Employers may not discharge an employee by reason of the entry of an Income Deduction Order. If an employee is discharged because of this reason, **A FINE OF NOT MORE THAN \$250.00 FOR THE FIRST VIOLATION AND \$500.00 FOR A SUBSEQUENT VIOLATION WILL BE IMPOSED AGAINST THE EMPLOYER.**

Employers should contact their attorney if more than one Income Deduction Order is received against the same employee.

Employers may send a single payment if multiple employees have Income Deduction Orders to pay to the same depository provided the amount attributed to each employee is identified.

An employer may collect up to \$25.00 against the employee's income to reimburse for the administrative costs of the first income deduction and up to \$3.00 for each subsequent income deduction.