

AOC-152 Doc Code: OSUP
 Rev. 1-11 OSUPW
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 Commonwealth of Kentucky
 Court of Justice www.courts.ky.gov
*** See Footnotes & Additional Information**



UNIFORM CHILD SUPPORT ORDER AND/OR WAGE/BENEFIT WITHHOLDING ORDER FOR KENTUCKY EMPLOYERS
 NEW ORDER AMENDED ORDER
 ORDER FOR WAGE/BENEFIT WITHHOLDING

Case No. _____
 Court District
 Circuit
 Family
 County _____
 IV-D Case No. _____

Plaintiff/Petitioner Name _____ **Birthdate** _____ **SSN** _____

Defendant/Respondent Name _____ **Birthdate** _____ **SSN** _____

In Re: Child's Name _____

Social Security No. _____ Birthdate _____

Child's Name _____

Social Security No. _____ Birthdate _____

If there are more than two (2) children, attach separate sheet with identifying information and check here . Said attachment is incorporated into this Order by reference.

IT IS HEREBY ORDERED AND ADJUDGED THAT: The Mother Father Other _____ shall pay child support as follows:

- 1) \$_____ per month as **current child support** effective _____, _____: As determined by KY Child Support Guidelines; By written agreement of parties with knowledge of Guidelines; Upon a finding that application of Guidelines would be unjust or inappropriate because: _____
- 2) \$_____ per month toward **arrearage judgment** totaling \$_____, calculated for period beginning _____, _____ and ending _____, _____.
- 3) Health insurance **is** currently accessible and reasonable in cost. The Mother Father is ordered to provide and maintain health insurance coverage for the minor child(ren). Health insurance **is not** currently accessible and reasonable in cost but shall be provided by the Mother Father when it becomes accessible and reasonable in cost. Extraordinary medical expenses shall be paid as follows: _____.
- 4) \$_____ per month for other expenses: _____
- 5) \$_____ **TOTAL MONTHLY AMOUNT** to be paid at: ¹\$_____ per week bi-weekly semi-monthly month
- 6) Other conditions: _____

DOMESTIC VIOLENCE PROTECTIVE ORDER ISSUED YES NO
PROTECTED PARTY:
 PETITIONER
 RESPONDENT

Child Support Recipient's Name & Address ² -

1. If child support paid by wage withholding, job change may affect frequency and amount of wages to be withheld in order to meet monthly obligation amount.
 2. Child support recipient may elect not to provide address information in this section but in order to be properly disbursed his/her mailing address **must be** provided to the child support agency.

WAGE/BENEFIT WITHHOLDING ORDER FOR EMPLOYER OF _____

This order of wage withholding shall be effective _____, _____. Within 7 working days, employer shall pay pay withheld amount to: **Kentucky Child Support Enforcement, P.O. Box 14059, Lexington, KY 40512-4059** (include SSN on payment). Amount withheld shall not exceed _____% of employee's disposable earnings.

This sum shall be withheld in the following increments: \$ _____ per week if employee is paid weekly; \$ _____ bi-weekly if employee is paid every two weeks; \$ _____ semi-monthly if employee is paid twice per month; or \$ _____ per month if employee is paid monthly. **EMPLOYEE IS RESPONSIBLE FOR MAKING CHILD SUPPORT PAYMENTS TO RECIPIENT [] DIRECTLY OR [] THROUGH _____ UNTIL SUCH TIME AS CHILD SUPPORT IS WITHHELD FROM EMPLOYEE'S PAYCHECK. THIS ORDER SHALL APPLY TO ANY SUBSEQUENT EMPLOYER.**

EMPLOYER NAME: _____

ADDRESS: _____

[] **Wage withholding is NOT implemented immediately** for good cause shown and child support shall be paid as follows:
 [] mailed directly to Kentucky Child Support Enforcement, P.O. Box 14059, Lexington, KY 40512-4059.
 [] _____

The wage assignment shall take effect when an arrearage accrues that is equal to the amount of child support payable for 1 month without the need for a judicial or administrative hearing.

DOCUMENT PREPARER: _____

Address: _____

Phone No. _____ Contact the preparer with any questions.

NOTICE: THE PREPARER OF THIS ORDER SHALL COMPLETE, AND IS RESPONSIBLE FOR, THE DISTRIBUTION OF THIS ORDER AS INDICATED BELOW. FOR WAGE/BENEFIT WITHHOLDING, THE REQUESTING PARTY MUST MAIL A COPY BY CERTIFIED MAIL TO EMPLOYER WITHIN 2 WORKING DAYS.

INSTRUCTIONS TO PERSON ORDERED TO PAY CHILD SUPPORT ("OBLIGOR") & EMPLOYER

- A. Per KRS 405.465 & 205.710, this Withholding Order is binding on any benefits provider. The sum ordered withheld shall be withheld from commissions, earnings, salaries, & any other income, including but not limited to, benefits for social security unemployment; workers' compensation; disability insurance; supplemental employment; severance; retirement and pension.
- B. The maximum part of an individual's disposable earnings which is subject to wage withholding for child support is stated in 15 USC Sec. 1673 as follows: **50%** if obligor is supporting a second family; **60%** if obligor is NOT supporting a second family; **55%** if obligor is supporting a second family and owes an arrearage that is 12 weeks or more past due; **OR 65%** if obligor is NOT supporting a second family and owes an arrearage that is 12 weeks or more past due. "Disposable Earnings" is that part of a person's earnings remaining after deduction from those earnings of amounts required by law to be withheld. Amounts required by law to be withheld include income taxes, occupational license taxes, social security, railroad retirement and retirement for teachers and state & county employees.
- C. This Withholding Order shall be **binding** on the employer **until further order** of this Court. This Withholding Order shall have priority over any attachment, execution or other withholding, unless otherwise ordered by this Court.
- D. This Withholding Order shall not constitute grounds for dismissal of the employee/obligor, refusal to employ the employee, or any disciplinary action against the employee.
- E. Any **violation** of this Withholding Order **by the employer may be grounds for contempt** and/or may subject employer to **civil liability**. Employer may deduct and retain the additional sum of \$1.00 for administrative expenses for each payment made pursuant to this Withholding Order. KRS 405.465.
- F. Employee/Obligor shall be responsible for making child support payments until such time as child support is withheld from the employee's/obligor's paycheck.
- G. **Obligor:** interest may be charged on any delinquent child support payments. KRS 360.040 and 405.467(2).
- H. This order reflects statutory provisions of KRS 403.211-.212, 405.467, 360.040, 405.465, 205.710, 205.712, 403.215, 403.750, and 610.170.

Date: _____, _____ Judge

Distribution: Court File - Original CHFS (place in Contracting Official's basket) Petitioner Respondent
 *For private cases, preparer to send send copy to Division of Child Support, NIVD Unit, P.O. Box 24828, Lexington, Kentucky 40524-4828
 *Send copy to employer if wage/benefit withholding begins immediately.