

INSTRUCTIONS FOR COMPLETING AN INCOME DEDUCTION ORDER FOR ALIMONY ONLY

An Income Deduction Order (IDO) is a court order directing that alimony payments be withheld from the wages of the party that has been ordered to pay. To have your alimony payments taken directly from the opposing party's wages, you must have an IDO.

NOTE: This form is for an IDO for alimony *only*. If you want an IDO for child support only or child support and alimony, this is the wrong form.

This packet contains:

- Notice to Employer or Other Income Payor For Alimony Only
- Income Deduction Order on Defendant For Alimony Only (for Defendant to pay)
- Income Deduction Order on Plaintiff For Alimony Only (for Plaintiff to Pay)
- Certificate of Service on Income Deduction Order For Alimony Only
- Income Deduction Order Information Sheet
- Notice of Delinquency

NOTE: It is important that you understand the different words used in this packet. The Obligor is the person that has to pay. The Obligee is the party that will receive the payments. Please read the additional definitions on the Notice to Employer or Other Payor.

Overview of IDO Process

The process for obtaining and serving an *IDO* is a bit complicated, but can be done correctly by carefully following the instructions for each step. As you go through the steps, you will:

1. Fill out the *IDO* form and get it signed by the judge and filed with the clerk.
2. Fill out the *Notice to Employer* and serve it with the *IDO* on the Obligor's employer and the Obligor.
3. Fill out the *Certificate of Service* on *IDO*, and file it with the clerk's office.

If you do not follow all the steps correctly, the employer may not withhold the money correctly or send it to you.

Income Deduction Order on (Plaintiff or Defendant)

If the party ordered to pay in the original case was the Defendant, use the "IDO on Defendant". If the party that was ordered to pay was the Plaintiff, use the "IDO on Plaintiff". **Be sure to use the correct IDO.** You do not have to use both IDO's.

You must mail a copy of the IDO and Notice to Employer to the Obligor's job in order for them to begin deducting the support payments. You should call the employer first to make sure the address is correct and to find out which department or person is responsible for handling IDO's.

▲ **Step 1: Complete The Heading**

In the space provided, insert your name as the Plaintiff. Insert the Defendant's name where indicated. Do not fill in the Civil Action Number. The clerk in the Clerk's office will provide that number when you file the case. However, if you have already filed your case, then fill in the Civil Action Number you were given on the line provided.

▲ **Step 2:**

Fill in the Obligor's name, social security number and date of birth.

▲ **Step 3:**

Fill in the Obligee's name, social security number and date of birth.

▲ **Step 4: Paragraph 1**

- (a) Fill in the amount of alimony ordered.
- (b) If the Obligor is behind in his/her support payments, fill in the amount of support he/she owes. If there is a prior support order, fill in the dates for which he/she is behind and write the total amount that is owed.

If the Obligor owes support from a prior order, add the monthly amount owed to the current amount of support ordered. This is the total amount of deduction. Write the amount that the payments will be once the Obligor has paid the support owed from a prior order.

If the Obligor's pay period is not monthly, chose the correct pay period and fill in the amount the Obligor will owe each pay period.

▲ **Step 5: Paragraph 2**

Fill in the address where the employer is to mail your alimony payments.

▲ **Step 6: Paragraph 6**

Check the box that says "immediately" if you want the IDO to take effect right away. Check the other box if you don't want the IDO to take effect unless and until the Obligor falls behind in his/her support payments for at least 1 month.

▲ **Step 7: Paragraph 7**

Serve the papers on the Employer by mailing them by regular first class mail. Serve the papers on the Obligor in person, by certified mail or statutory overnight delivery, return receipt requested, or by regular mail.

▲ **Step 8:**

Do *not* sign or date this form.

Notice to Employer or Other Income Payor For Alimony Only

▲ **Step 1:**

Next to the word “TO,” fill in the Obligor’s employer and the employer’s address. You should call the employer first to confirm the address and find out which department or person is responsible for handing IDO’s.

▲ **Step 2:**

Fill in today’s date in the space provided.

▲ **Step 3:**

Fill in the Obligor’s name, social security number and birthdate in the spaces provided.

▲ **Step 4:**

Carefully read the entire form.

▲ **Step 5:**

At the end of the form, if you are the Obligee, sign your name and print your name, address and telephone number below.

Certificate of Service on Income Deduction Order For Alimony Only

You must send copies of the IDO and the Notice to Employer to the Obligor and to the Employer. You must complete this form to show that you have mailed the copies. Sign and date this form on the day that you mail this information.

▲ **Step 1:**

In the space provided, insert your name as the Plaintiff. Insert the Defendant's name where indicated. Do *not* fill in the Civil Action Number. The clerk of the court will provide that number when you file the case. However, if you have already filed your case, then fill in the Civil Action Number on the line provided.

▲ **Step 2:**

In the following set of blank spaces, fill in the Obligor's name and address on one side. Fill in the Obligor's employer and the employer's address on the other side.

▲ **Step 3:**

Fill in today's date in the space provided

▲ **Step 4:**

Sign your name, check whether you are the plaintiff or Defendant in this action and print your name, address and phone number below.

Notice of Delinquency

NOTE: This form is not used in most cases. It is only required if your *IDO* says that the *IDO* does not take effect immediately. (If your *IDO* is on our form, check *Paragraph 6* to find out the effective date.) If your *IDO* does not take effect until a *Notice of Delinquency* has been served, then you must use this form before serving the *IDO* on the employer or other payor.

The obligor must be at least one month behind in his/her support payments before you send out this notice.

▲ **Step 1:**

Next to the word "TO," fill in the Obligor's name and address.

▲ **Step 2:**

Fill in today's date in the space provided.

▲ **Step 3: (Paragraph 1)**

Fill in the date the IDO was filed in the Clerk's office of the Superior Court and the Civil Action Number. Check the second box and fill in the amount of alimony that was ordered as well as the date the payments were to begin.

▲ **Step 4: (Paragraph 2)**

Fill in the total amount of support that is past due at the time you sign and date this document. Write in the date that the support payments became past due.

▲ **Step 5: (Paragraph 3)**

Interest accrues at 12% annually, so you should write "12%" on the third line of this paragraph. To figure out the dollar amount of interest that should be written on the second line of this paragraph, determine each month that payments were missed and count of the number of months the obligor is in arrears up to the date you are filing the Notice of Delinquency. For periods less than a year, take a percentage of the arrearage at 1% per month of delinquency as the interest accrued

▲ **Step 6: (Paragraph 4)**

To complete this paragraph of the *Notice of Delinquency*, you must fill in amounts shown on your *IDO*. If your *IDO* includes an extra payment for arrears, there will be two amounts shown on the *IDO* for the total amount of deduction. Write the higher total amount (whichever does not include an arrearage payment) on the second line. If there is only one amount shown on your *IDO* for the total amount of deduction, write that amount on both lines of this paragraph.

▲ **Step 7: (Paragraph 7)**

Do *not* check this box. This box is only applicable for child support cases.

▲ **Step 8:**

Sign your name and print your name, address and telephone number below.

▲ **Step 9:**

Make three copies of this document and keep one for your records. Serve one copy on the Obligor by regular first class mail, postage pre-paid. Serve the other copy on the Obligor's employer along with the IDO by mailing to the employer's address by regular first class mail, postage pre-paid. File the original copy with the Clerk's office of the Superior Court.