

INSTRUCTIONS FOR COMPLETING AND SERVING AN INCOME DEDUCTION ORDER FOR CHILD SUPPORT AND ALIMONY

An *Income Deduction Order (IDO)* is a court order directing that child support and/or alimony payments be withheld from the wages of the party that has been ordered to pay. The money is taken from the person's pay and sent to the Family Support Registry (FSR), which keeps track of it and then sends it to the custodial parent. However, if the paying parent also owes child support for other children under other orders, the FSR may divide the money received so that each parent gets some of it.

NOTE: This set of forms is for an *IDO* for child support only, or child support and alimony. If you want an *IDO* for alimony only, this is the wrong form. There is a different form for an *IDO* for alimony only that does not include child support. .

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. There are additional definitions on the *Notice to Employer or Other Payor*.

This packet contains:

- Income Deduction Order on Defendant (for Defendant to pay)
- Income Deduction Order on Plaintiff (for Plaintiff to pay)
- Income Deduction Order on Respondent (for Respondent to pay in a TPO)
- Notice to Employer or Other Income Payor
- Income Deduction Order Information Sheet
- Certificate of Service on Income Deduction Order
- Notice of Delinquency

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, the Obligor and the IDO Registry.
3. Fill out the *Information Sheet*, and send it to the FSR.
4. 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 the FSR may not send out the money.

PART A - Income Deduction Order (on Plaintiff or Defendant)

If the party that was ordered to pay support 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*. If you use the wrong *IDO*, you would be asking to have the support withheld from your own wages. You do not have to use both *IDO*'s.

Step 1: Complete The Heading (Page 1)

In the space provided, fill in the names for Plaintiff and Defendant. Fill in the Civil Action Number. (The clerk in the Clerk's office will have provided that number when you filed the case.)

▲ **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:**

For each minor child covered by the order, fill in his/her name and date of birth.

▲ **Step 5: Paragraph 1 (Page 2)**

- (a) Fill in the amount of child support ordered.
- (b) Fill in the amount of alimony ordered (if any).
- (c) If the Obligor is behind in his/her support payments, fill in the amount of support he/she owes. Fill in the date through which the arrearage has been figured, and write the total amount that is owed in arrears.
- (d) Calculate 5% of the support payment and fill in on this line. (Multiply the monthly support amount by 0.05.) This will be the FSR fee, however as it says on the *IDO*, Child Support Enforcement will notify you if and when the FSR fee is to be deducted.
- (e) Write the total amount of money that the Obligor has been ordered to pay per month. To figure out this amount, add up all the monthly payments listed in (a), (b) and (c) of this paragraph.

This is the total amount of deduction. On the second line in (e), write the amount that the payments will be once the Obligor has paid the support owed from a prior order. To figure out this amount, add together only (a) and (b) of this paragraph

The *IDO* may be in effect for many years, and the Obligor may have different pay cycles over all that time. So, you must figure out the correct amount for the employer to withhold in case the pay cycle is not monthly. Then you must fill in the amounts on the lines in the section on “Adjustment for Various Pay Cycles” on page 2 of the *IDO*.

- To figure out the weekly amount, multiply the total monthly deduction by 4.3 (because there are not exactly four weeks in a month).
- To figure out the bi-weekly amount, multiply the total monthly deduction by 2.15.
- To figure out the semi-monthly amount, multiply the total monthly deduction by 2.

Check the box at the bottom of page 2 if the children listed on page 1 must be enrolled in any health insurance coverage available through the Obligor’s employment.

▲ **Step 6: Paragraph 6 (Page 4)**

Check only one box here.

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:**

Do **not** sign or date this form. The judge is the one who signs and dates it. Normally, you will give the form to the judge for signature at the same time you give the *Temporary Order* or *Final Judgment*.

▲ **Step 8:**

After you have filled out the *IDO* form, take it to the judge’s office. Give it to the judge’s secretary or law clerk for presentation to the judge. Usually, you will have to leave it there; ask when you should call or come by to check and find out whether or not it has been signed by the judge. Get the name and phone number of the staff person you should call.

▲ **Step 9:**

Call the judge’s staff person to find out if the *IDO* has been signed, or if you need to make changes before the judge will sign it.

▲ **Step 10:**

After the judge has signed the *IDO*, the judge's staff may file it with the clerk's office, or you may have to file it. This is up to the judge's staff. If they file it, you need to get a copy of the signed and stamped order from the clerk's office. If the judge's staff does not file it with the clerk's office, you must do it. To do so, get the signed *IDO* from the judge's staff. Take it to the Superior Court Clerk's office on the 2nd floor, and have it stamped by the clerk. Ask the clerk to make one copy for you.

PART B - Notice to Employer or Other Income Payor

If the *IDO* takes effect immediately and the Obligor is employed, the *IDO* and *Notice* should be sent to the Obligor's Employer. If the Obligor is not employed, but has another regular source of income (such as worker's compensation, trust fund payments or retirement benefits), they should be sent to the payor of that income. If the *IDO* does not take effect until there is an arrearage, complete PART F next.

▲ **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 handling *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.

PART C - Income Deduction Order Information Sheet

You must send copies of this form with the *IDO* to the Employer and to the Family Support Registry at the following address: Child Support Enforcement, IDO Registry/FCSU, P.O. Box 857, Jonesboro, GA 30237-0857.

▲ **Step 1:**

Fill in the Clayton County Superior Court Case Number which is the same as the Civil Action Case Number found on the Complaint.

▲ **Step 2:**

Fill in the information about the Obligor that is asked.

▲ **Step 3:**

Fill in the information about the Obligee that is asked. The address you use for the Obligee should be the one where FSR should send the support payments. It does not have to be your home address, but should be an address where you trust that you will receive the checks.

▲ **Step 4:**

Under "Court Order Information," fill in the County and State (Clayton County, Georgia) where the order for support was signed by the Judge, as well as the date the order of support was signed by the Judge. You can find this information on the last page of the order for support. The order for support is the *Temporary Order* or the *Final Judgment and Decree*, whichever one is more recent.

▲ **Step 5:**

Fill in the first due date which is the date the first support payment is or was due to the Obligee. If there was a *Temporary Order* in this case, use that due date. If there was not a *Temporary Order*, use the due date under the *Settlement Agreement* or *Final Judgment and Decree*.

▲ **Step 6:**

Fill in the amount of the support payments and how often the order says they are to be paid (monthly).

▲ **Step 7:**

Fill in the Civil Action Case Number, found in the heading of the *Temporary Order* or *Final Judgment and Decree*.

▲ **Step 8:**

If the Obligor has fallen behind in his/her support payments, fill in the total amount that is past due and the dates for which the amount is past due. If the Court has ordered installment payments on the arrearage, fill in the amount on the spaces for "Repayment Amount."

▲ **Step 9:**

Under "Children Covered by Order," write the names and birthdates of all the children for which the Obligor has been ordered to pay child support.

PART D - Serving the IDO

▲ **Step 1:**

Make 3 copies of each of the following papers:

- IDO
- Notice to Employer or Other Income Payor
- IDO Information Sheet

▲ **Step 2:**

Mail one copy of all three documents to each of the following:

- the Obligor
- the Obligor's Employer/Payor
- the Family Support Registry, at this address:
Child Support Enforcement
IDO Registry/FCSU
P.O. Box 857
Jamesboro, GA 30237-0857

▲ **Step 3:**

As always, keep the remaining copies for your own records. Now, complete the *Certificate of Service*.

PART E - Certificate of Service on Income Deduction Order

You have sent copies of the *IDO* and the *Notice to Employer* to the Obligor, Employer and to the Child Support Enforcement IDO Registry. Now, you must complete this form to show that you have mailed the copies. Sign and date this form on the day that you mail the copies.

▲ **Step 1: The Caption**

In the space provided, insert the Plaintiff's and the Defendant's names where indicated. Fill in the Civil Action Number.

▲ **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:**

If you are also serving a *Notice of Delinquency*, check the box. (See PART F below for details about the *Notice of Delinquency*.)

▲ **Step 4:**

Fill in the date you mailed the papers in the space provided.

▲ **Step 5:**

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

▲ **Step 6:**

Make one copy of the Certificate.

▲ **Step 7:**

Take the original and copy of the Certificate to the clerk's office for filing. The clerk will keep the original and return the stamped copy to you. Keep the stamped copy for your records.

PART F - 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 Superior Court Clerk’s office and the Civil Action Number on the spaces provided.

▲ **Step 4: (Paragraph 1, continued)**

If child support was ordered, check the first box and fill in the amount of child support that was ordered, as well as the date the payments were to begin. If alimony was ordered, check the second box and fill in the amount of alimony ordered and the date it was to begin.

▲ **Step 5: (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 6: (Paragraph 3)**

Under O.C.G.A. Section 7-4-12.1, the interest rate on child support is 12% per year, starting 30 days after the payment was due. So, you should write “12%” on the third line of this paragraph.

▲ **Step 8: (Paragraph 3, continued)**

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 9: (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. (On our form orders, this information appears in paragraph 1(e) of the *IDO* and in Paragraph 1(c) of the *IDO for Alimony Only*.) Write the higher total amount

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(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 10: (Paragraph 7)**

Check this box only if Child Support Enforcement or Maximus Child Support is handling your case.

▲ **Step 11:**

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

▲ **Step 12:**

Make three copies of this document.

▲ **Step 13:**

Now, go back up to PART B of these *IDO* instructions, and complete PARTS B, C, D and E.