

_____ County

In The General Court Of Justice
District Court Division

Name Of Plaintiff

VERSUS

Name Of Defendant

**ORDER ON MOTION TO JOIN
EMPLOYER AS PARTY TO
ENFORCE WAGE WITHHOLDING**

G.S. 110-136.8(e)

Name And Address Of Employer

Name And Address Of Obligor (Employee)

Social Security No.

The Court makes the following findings of fact and conclusions of law based on the record and the evidence presented:

FINDINGS

1. This matter is before the court pursuant to a Motion To Join Employer As Party To Enforce Wage Withholding.
2. The Motion and a Notice of Hearing were properly served on the employer named above. A hearing was held pursuant to that notice, and the employer:
 - a. appeared in person or through an attorney by filing a written answer. attending the hearing.
 - b. did not appear.
3. Pursuant to an Order entered under G.S. 110-136.5 or to an administrative determination made under G.S. 110-136.4, the employer was served on _____, _____, with an Order/Notice To Withhold Income For Child Support.
4. On or after the date on which the Order/Notice To Withhold Income For Child Support was served, the employee named above was was not employed by the employer.
5. The disposable wages of the employee on the date on which the Order/Notice To Withhold Income For Child Support was served were \$ _____ per _____, and on this date are \$ _____ per _____.
6. Pursuant to the terms of Order/Notice To Withhold Income For Child Support the date on which the employer was obligated to begin withholding was _____ and the employer did did not begin withholding on that date.
7. For the following pay periods the employer failed to withhold from the employee's disposable wages and send to the North Carolina Centralized Collection Office the amount, or the percentage of disposable wages, specified in the Order/Notice To Withhold From Income For Child Support. *(Identify pay periods. If none, state none.)*

8. For the following pay periods the employer withheld an amount from the employee's disposable wages but did not send all of the withheld amount to North Carolina Centralized Collection Office within seven (7) business days of the date on which employee was paid. *(Identify pay periods. If none, state none.)*

9. From the date on which the Order/Notice To Withhold From Income For Child Support was served to this date, the employer should have withheld from the employee's disposable wages and sent to the North Carolina Centralized Collection Office a total of \$ _____ but has instead sent only \$ _____.
10. Other *(specify)*

CONCLUSIONS

1. This matter is properly before the court and the court has jurisdiction over the parties and the subject matter.
2. The employer named above should should not be joined as a party to this action.
3. The employer named above has has not willfully refused to comply with the provisions of G.S. 110-136.8.
4. The employer is is not required to withhold under G.S. 110-138.6.
5. The employer is is not liable under G.S. 110-136.8 for the difference between the amount the employer should have withheld and sent to the North Carolina Centralized Collection Office, and the amount the employer did send.

ORDER

It is ORDERED that:

1. The employer named above is joined as a party in this action, and shall:
- a. withhold from the disposable wages of the employee named above, in each pay period which begins after this date, the amount or percentage set forth below, and comply in all other respects with the requirements of G.S. 110-136.8.

<i>Amount*</i> \$	<input type="checkbox"/> <i>Weekly</i>	<input type="checkbox"/> <i>Monthly</i>	<i>Maximum Allowable Percentage</i>
	<input type="checkbox"/> <i>Bi-weekly</i>	<input type="checkbox"/> <i>Other (specify)</i> _____	%

***NOTE:** This amount plus \$2.00 processing fee must not exceed the maximum allowable percentage.

- b. pay on or before _____, _____, to the North Carolina Centralized Collection Office for the benefit of the obligee in this action the amount of \$ _____, being the amount for which the employer is liable under G.S. 110-136.8(e).
- c. (Other):

2. The initiating party's Motion To Join Employer As Party is denied.
3. Costs are: disallowed.
- taxed to: employer. initiating party.
- waived.

<i>Date</i>	<i>Name Of Presiding Judge (Type Or Print)</i>	<i>Signature Of Presiding Judge</i>
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