

## **Income Withholding for Child Support**

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Issued by:

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Administrative Director

The 1991 manual Income Withholding for Child Support: Process and Procedures for New Jersey incorporates all legislative and regulatory changes in the use of income withholding to collect child support that have been adopted since 1985. Included are sections on General Income Withholding Requirements, Immediate Withholding, Initiated Withholding, Interstate Withholding and Income Withholding in Non-Title IV-D cases. These procedures were prepared to assist Family Division Judges and Probation in this complex and important area of law.

In accordance with Chapter 92, Laws of 1990 there are two types of income withholding in New Jersey: immediate, effective at the time a support order is entered or modified and initiated, processed by Probation if a support arrearage accumulates which is equal to at least 14 days of support. *N.J.S.A. 2A:17-56.7, et seq.*, requires that an immediate income withholding provision be included in all orders entered or modified after October 1, 1990 unless the parties agree to an alternative arrangement or either party shows, and the court finds, good cause for an alternative arrangement. Initiated income withholding applies to orders entered before October 1, 1990 and to those cases in which the parties have entered into an alternative arrangements in lieu of immediate income withholding.

Income withholding is the most effective child support collection mechanism available to the courts. In Court Year 1990, Probation collected over \$106 million through income withholding. With the enactment of Chapter 92, the Legislature has strengthened this mechanism in an effort to guarantee adequate and continuous financial support for New Jersey's single-parent families. To ensure the most effective use of income withholding, the Supreme Court has requested that the procedures and forms contained in the new manual, AOC - 1991 approved by Conference of Family Division Presiding Judges and by the New Jersey Supreme Court, be used in all vicinages. Copies of the manual can be obtained from Probation Child Support Policy and Planning Unit at 609-292-8908.

### **EDITOR-S NOTE**

The manual referred to in the directive was enclosed with it and this directive had served as a cover letter. All references to an enclosure have been removed and the location for obtaining copies has been inserted.