

**IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT IN AND
FOR FLAGLER COUNTY, FLORIDA**

IN RE: The Marriage of,

_____,
Petitioner,

and,

_____,
Respondent. Case No.: _____
_____ /

INCOME DEDUCTION ORDER

[Check all that apply. Fill in blanks where appropriate.]

This Matter is before the Court for an income deduction order pursuant to Florida Statutes § 61.1301. Having reviewed the file, any record evidence, and being otherwise advised on the merits, the Court finds the following:

I. Obligor's Support Obligations

___ Pursuant to this order, obligor must pay _____ per _____ [month] _____ [week] or _____ [other] in child support.

___ Pursuant to the order, obligor must pay \$_____ per _____ [month] _____ [week] or _____ [other] in spousal support.

___ Pursuant to the order, obligor must pay \$_____ per _____ [month] _____ [week] or _____ [other] in attorney's fees and costs until such fee and costs are paid in full.

___ Pursuant to this Court's most recent order Respondent was in arrears in the amount of _____ on his support obligations as of _____.

___ Pursuant to the order, obligor is responsible for \$_____ in past public support received by obligee, _____ [name] which is now due and owing.

II. Income Deduction

It is hereby ORDERED and ADJUDGED that Payor / Obligor's Employer shall deduct from all income due and payable to obligor, _____, the following amounts each pay period:
____ [weekly] ____ [biweekly] ____ [twice a month] ____ [monthly].

____ \$ _____ towards ongoing child support obligations.

____ \$ _____ towards ongoing spousal support obligations.

____ \$ _____ towards the outstanding arrearage / obligation for ____ [support arrearage] ____ [past public assistance] until such time as the arrearage or obligation has been paid in full including any applicable interest.

____ \$ _____ towards outstanding attorney's fees and costs until such fees and costs have been paid in full.

____ The applicable depository service fee under Florida Statutes § 61.181 of four percent (4%) of the total amount withheld but no less than \$1.25 and no more than \$5.25 each pay period.

____ \$ _____ or 10% from any bonuses or similar one time payments received by obligor. For purposes of this provision, "bonus or similar one time payment" shall include any payments in addition to obligor's usual compensation or in addition to amounts contracted for or legally due to obligor but shall not include commissions paid to obligor.

Payor / Obligor's Employer shall deduct the above sums from obligor's income and shall forward said sums to:

**The State of Florida Disbursement Unit
Post Office Box 8500
Tallahassee, Florida 32314-8500**

NOTWITHSTANDING THE ABOVE PROVISIONS, PAYOR SHALL NOT DEDUCT IN EXCESS OF THE AMOUNTS ALLOWED UNDER SECTION 303(b) OF THE CONSUMER CREDIT PROTECTION ACT FOUND AT 15 U.S.C. § 1673(b), AS AMENDED, A COPY OF WHICH IS ATTACHED TO THIS ORDER.

III. Effective Date

___ This Income Deduction Order shall be effective immediately.

___ This Income Deduction Order shall be effective upon a delinquency in the amount of \$___ or one month's payment whichever is less. [*The Court must make specific findings of good cause for this provision pursuant to Florida Statutes § 61.1301(1)(c).*]

This Income Deduction Order shall be effective as long as the order upon which it is based is effective or until further order of this Court.

DONE and ORDERED in chambers at the Kim C. Hammond Justice Center in Bunnell, Florida this ___ day of _____.

Circuit Court Judge

Copies To:

STATEMENT OF OBLIGOR'S RIGHTS PURSUANT TO FLA. STAT. § 61.1301(1)(e)

1. A depository service fee shall be deducted along with the deduction for your support obligations. Pursuant to Florida Statutes § 61.181 the depository fee is set at four percent (4%) of the total amount withheld but cannot be less than \$1.25 and cannot exceed \$5.25 per pay period.
2. A payor or employer is entitled to collect up to \$5.00 against your income for reimbursement of administrative costs incurred as a result of the first income deduction pursuant to this order and up to \$2.00 for each subsequent income deduction pursuant to this order.
3. Interest will accrue on any amounts for which you are found in arrears and shall continue to accrue at twelve percent (12%) annually.
4. Pursuant to this order, the total amount of \$_____ shall be deducted from your income until such time as the existing arrearage, if any, has been paid in full, and the total amount of \$_____ shall be deducted from your income once the existing arrearage, if any, has been paid in full.
5. The amounts deducted from your income pursuant to this order may not exceed the amounts allowed by Section 303(b) of the Consumer Credit Protection Act found at 15 U.S.C. § 1673(b). A copy of this section is attached to this order.
6. This income deduction order shall apply to current and subsequent payors / employers and periods of employment for as long as this order remains in effect.
7. A copy of this income deduction order and/or an income deduction notice shall be served on your payor(s) / employer(s).
8. Enforcement of this income deduction order may only be contested on the ground of mistake of fact regarding the amount owed pursuant to the order establishing, enforcing, or modifying the obligation, the arrearages, or the identity of the obligor, the payor, or the obligee.
9. You are required to notify the obligee, _____, within 7 days of any changes in your address, your payor(s) / employer(s), and the addresses of your payor(s) / employer(s).