

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF THE ATTORNEY GENERAL



WAGE WITHHOLDING FOR THE EMPLOYER

CHILD SUPPORT SERVICES DIVISION

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CHILD SUPPORT WAGE WITHHOLDING REQUIREMENTS

- The Child Support Services Division (CSSD) is required to issue a Order/Notice to Withhold in every case. It must be served on the employer along with any modifications within 2 days of the date the support order was entered; or when the non-custodial parent changes employment and the new employer's address is known; or, if unknown, when located.

ROLE OF THE EMPLOYER

- An Order/ Notice to Withhold is binding upon all existing and future employers of the non-custodial parent. An Order/ Notice to Withhold is issued by the D.C. Superior Court or by the Child Support Services Division. If issued by CSSD it is as binding on an employer as an order by the Court.
- Employers are required to cooperate with CSSD to provide relevant information, such as the employee's full name, last known address, date of birth, social security number, dates of employment, past and present earnings, and availability of health insurance coverage.
- Employers must inform CSSD when employment is terminated on or before the next payment due date and provide the employee's last known residence address and telephone number. No employer shall incur liability for providing information to CSSD.



EMPLOYMENT VERIFICATION FORM

The Employment Verification Form is a request for employee information and is signed under penalty of perjury by the employer. It may be used as evidence in court and may avoid a subpoena for records.



WHEN SHOULD EMPLOYERS WITHHOLD SUPPORT?

- Within 10 business days after being served with the Order/ Notice to Withhold, employers must begin withholding support from the employee's net disposable income. The actual amount withheld cannot exceed 50-65% of the net disposable income (NDI), even if the amount of the court order is higher.
- NDI is gross earnings minus any amounts required to be withheld by law. All other deductions are subtracted after the support order deduction.

WHAT ARE THE D.C. WITHHOLDING LIMITATIONS?

- 50% to 55% of net disposable income (NDI): If the employee is supporting a spouse or dependent child in the household other than the child at issue in the support order.
- 60% to 65% of NDI: If the employee is not supporting a spouse or dependent child in his/her household.

WHEN SHOULD EMPLOYERS FORWARD SUPPORT?

- Employers must send payments to D.C. Child Support Clearinghouse, P.O. Box 37868, Washington, D.C. 20013-7868, within seven (7) business days of the employee being paid, and continue to do so until served with an order that modifies or terminates the Notice to Withhold.
- The employee's name, SSN, date of collection, and the case number must be included with each payment. If there are Notices to Withhold for more than one employee, payments may be combined in one payment with an itemization.

PRIORITY OF WITHHOLDING

1. Current Child/Family Support (CC/S)
2. Health Insurance Premium
3. Other Current Cash Support (medical support, Medicaid reimbursement, spousal support, etc.)
4. Arrears

OTHER REQUIREMENTS

- All CSSD records are confidential; employers can only be supplied with information needed to comply with the Order/ Notice to Withhold.
- An employer who willfully fails to withhold and forward child support payments pursuant to a valid Notice to Withhold is liable to the CSSD and/or to the custodial parent for that amount.
- An employer cannot discriminate against or terminate an employee because of an Order/ Notice to Withhold.

CALCULATING THE MAXIMUM SUPPORT DEDUCTION (MSD)

Net Disposable Income (NDI) x 50% = Maximum Support Deduction (MSD)

CASE 1: Multiple Orders That Total Less than MSD

Step 1: Determine MSD.

Example assumes NDI of \$662

NDI	\$662
	X 50%
MSD	\$331



Step 2: Add Current Child Support and Arrears.

Order	CC/S	Arrears	Total
A	\$150 +	\$37.50	\$187.50
B	\$100 +	\$25	<u>\$125.00</u>
Total			\$312.50

Continued

CASE 2: Total Current Child/Family Support (CC/S) Exceeds the Maximum Support Deductions

Step 1: Determine the MSD.

(Example assumes MSD is \$331).

Step 2: Add the current child support

Orders and Arrears.				
Order	CC/S	Arrears	Total	
A	\$150 +	\$37.50	=	\$187.50
B	\$100 +	\$25	=	\$125
C	<u>\$175</u> +	<u>\$43.75</u>	=	<u>\$218.75</u>
Total	\$425	\$106.25	=	\$531.25

Step 3: Divide the current child support of each order by total current child support to obtain percentages.

Order	CC/S	Total	Percentage
A	\$150 /	\$425	= 35%
B	\$100 /	\$425	= 24%
C	<u>\$175</u> /	<u>\$425</u>	= <u>41%</u>
Total	\$425		100 %

Step 4: Multiply the MSD by percentages for the total to allocate to each order.

Order	MSD	Percentage	Allocate
A	\$331 x	35%	= \$115.85
B	\$331 x	24%	= \$79.44
C	\$331 x	41%	= \$135.71



Continued

CASE 3: Total CC/S with Arrears Exceeds Maximum Support Deductions

Step 1: Determine the MSD.

(Example assumes MSD is \$331.)

Step 2: Add the Current Child Support Orders and Arrears.

Order	CC/S	Arrears	Total
A	\$100 +	\$25	= \$125
B	\$75 +	\$18.75	= \$93.75
C	<u>\$100</u> +	<u>\$25</u>	= <u>\$125</u>
Total	\$275	\$68.75	= \$343.75

The MSD satisfies the CC/S in all three orders, but not the arrears obligation.

Step 3: Subtract total CC/S from the MSD for amount to allocate to arrears.

MSD Allocation	CC/S	Arrears
\$331	(all three orders) - \$275	= \$56

Step 4: Divide the amount to be allocated by the total number of orders (example has three orders).

Order	Arrears	Paid to Arrears
A	\$25	\$18.67
B	\$18.75	\$18.66
C	\$25	<u>\$18.67</u>
Total		\$56.00

Step 5: Add CC/S and arrears for the total to allocate to each order.

Order	CC/S	Arrears	Allocate
A	\$100 +	\$18.67	= \$118.67
B	\$75 +	\$18.66	= \$93.66
C	<u>\$100</u> +	<u>\$18.67</u>	= <u>\$118.67</u>
Total	\$275	\$56.00	= \$331.00

QUESTIONS

For questions concerning wage withholding call the Child Support Customer Service Unit at (202) 442-9900.

