

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTICS RELATIONS

§ 19108. Content of Income Withholding Notice.

The income withholding notice shall:

(a) Be in the standard format prescribed by the United States Department of Health and Human Services; and

(b) State the date of entry of the order for support upon which the income withholding notice is based; and

(c) Direct any payor to withhold the dollar amount required for current support under the order for support; and

(d) Direct any payor to withhold the dollar amount required to be paid periodically under the order for support for payment of the amount of any arrearage stated in the order for support; and

(e) In the case of a delinquency, direct the payor to withhold the dollar amount required to be paid periodically until payment in full of the delinquency; and

(f) In the standard format of the National Medical Support Notice, direct any payor or labor union or trade union to enroll a child as a beneficiary of a health insurance plan and withhold or cause to be withheld, if applicable, any required premiums; and

(g) State the amount of the payor income withholding fee specified under this statute; and

(h) State that the amount actually withheld from the obligor's income for support and other purposes, excluding the payor withholding fee specified under this statute, may not be in excess of the maximum amount permitted under the federal Consumer Credit Protection Act; and

(i) State the duties of the payor and the fines and penalties for failure to withhold and pay over income and for discharging, disciplining, refusing to hire, or otherwise penalizing the obligor because of the duty to withhold and pay over income under this section; and

(j) State the rights, remedies, and duties of the obligor under this statute; and

(k) Include the Social Security Numbers of the obligor, the obligee, and the child or children included in the order for support; and

(l) Include the date that withholding for current support terminates, which shall be the date of termination of the current support obligation set forth in the order for support; and

(m) Contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office, except that the failure to contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office shall not affect the validity of the income withholding notice; and

(n) Direct any payor to pay over amounts withheld for payment of support to the CNMI Support Disbursement Unit.

Source: PL 14-34, § 10; redesignated by PL 20-22 § 5 (Oct. 6, 2017).

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In codifying PL 20-22, the Commission renumbered 8 CMC § 1578 pursuant to 1 CMC § 3806(a).