

**PROPOSED AMENDMENTS TO THE  
UNIFORM RULES FOR SUPERIOR COURT,  
APPROVED FOR FIRST READING, JULY 31, 2024**

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**Rule 24.11. Separate Income ~~Deduction~~ Withholding Orders**

(A) In all cases in which the payment of child support is ordered, a separate income ~~deduction~~ withholding order stating that the payment of child support shall be made by wage withholding is required, unless:

(1) the support is being enforced by the Georgia Department of Human Services;

(2) the court issuing the order finds there is good cause not to require such immediate withholding, which includes a finding that wage withholding is not in the best interest of the child, and in cases involving modification of support orders, proof of timely payment of previous ordered support; or

(3) a written agreement is reached between both parties which provides for an alternative arrangement.

(B) Income ~~deduction~~ withholding orders shall designate ~~which~~ the obligee as the party is responsible for initiating the ~~wage~~ income withholding by completing and transmitting all documents and notices required by Title 19 of OCGA, Title 42 of USC, and the Georgia Family Support Registry.

(C) If multiple worksheets are used and more than one amount of support is ordered, a separate income ~~deduction~~ withholding order shall be signed by the court for each such amount of child support ordered.

(D) At the same time an income ~~deduction~~ withholding order is submitted to an employer, by the party designated in paragraph (B) of this rule, an income withholding notice, which is a form promulgated by the federal Office of Management and Budget (OMB) currently approved form entitled "Income Withholding for Support," shall also be completed and submitted to the employer, but that notice OMB-approved form shall not be signed by a superior court judge nor filed with a clerk of superior court.

**Rule 24.12. Required Income Withholding ~~Deduction~~ Order Form**

Any income ~~deduction~~-withholding order issued pursuant to Rule 24.11 shall be in the following form:

IN THE SUPERIOR COURT OF \_\_\_\_\_ COUNTY  
STATE OF GEORGIA

_____	)	
Plaintiff,	)	
	)	CIVIL ACTION
v.	)	FILE No. _____
	)	
_____	)	
Defendant.	)	

**INCOME ~~DEDUCTION~~ WITHHOLDING ORDER**

This Court having entered an order establishing, modifying, or enforcing a child support obligation owed by the (check one) Plaintiff  Defendant , and the Court having determined that an Income ~~Deduction~~ Withholding Order (“~~IDO~~ IWO”) should be entered in accordance with Official Code of Georgia Annotated (“OCGA”) § 19-6-30 et seq., it is ORDERED AND ADJUDGED:

**1. Identification of Parties**

Name of Person Paying Support (“Obligor”): \_\_\_\_\_

Address of Obligor: \_\_\_\_\_

Name of Person Receiving Support (“Obligee”): \_\_\_\_\_

Child(ren):

Name: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

Name: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

Check here if a page is attached naming additional children.

**2. Service**

The Obligee shall initiate wage withholding by completing and transmitting all documents and notices required by OCGA § 19-6-30 et seq.; 42 USC § 666 (b) (6) (A) (ii); and the Georgia Family Support Registry. Additionally, the Obligee shall serve upon the Obligor a copy of this order and all other documents required to be served pursuant to OCGA § 19-6-30 et seq. Service on the Obligor shall be made by personal service, certified mail, statutory overnight delivery with return receipt requested, or by regular mail in accordance with the alternative service provisions of OCGA §§ 9-11-4 (j) and 19-6-33 (c). The Obligee shall also mail a copy of this order to:

Family Support Registry  
P.O. Box 1800  
Carrollton, Georgia 30112-1800

**3. Effective Date of this Order**

The effective date of this order shall be as follows:

- Immediately.
- Upon a delinquency equal to one month's support. This Court finds that good cause was shown to delay the effective date of this order. The Obligee or the IV-D agency\* may enforce this ~~DO~~ IWO by serving a "Notice of Delinquency" on the Obligor as provided in OCGA § 19-6-32 (h).

\* An "IV-D agency" is a state agency that runs a child support enforcement program under Title IV-D of the federal Social Security Act.

**4. Duration of this Order**

This order hereby supersedes any previous ~~DO~~ IWO; and it shall remain in force so long as the order of support upon which it is based is effective or arrearages remain upon payment due under such order, or until further order of this Court. Thus, this order shall continue until (check one):  the last child of the parties for whom the Obligor has a duty to support reaches the age of majority;  the last child of the parties for whom the Obligor has a duty of support graduates from high school and reaches the age of majority, or reaches the age of 20 years, whichever shall first occur. See OCGA § 19-6-15 (e).

**5. Income Deduction Withholding**

The Obligor's employer, future employer, or any other person, private entity, federal or state government, or any unit of local government providing or administering any periodic form of payment due to the Obligor, regardless of source, including without limitation wages, salary, commissions, bonuses, workers' compensation, disability, payments from a pension or retirement program, personal injury awards or settlements, and interest, shall ~~deduct~~ withhold from all monies due the Obligor the amounts specified in paragraphs 6 and 7.

**6. Amount of Withholding Deduction**

The amount ~~deducted~~ withheld pursuant to this order shall be calculated as follows:

- (a) Current Support: \$ \_\_\_\_\_ per month.
- (b) Alimony: \$ \_\_\_\_\_ per month.
- (c) Past Due Support: \$ \_\_\_\_\_ per month.
- (d) Family Support Registry (“FSR”) Fee: \$ \_\_\_\_\_ ~~\*\*per deduction~~  
withholding payment per OCGA § 19-6-33.1 (h).

\*\* Such administrative fee shall be the lesser of \$2 per payment, five percent of the amount of each payment, or the actual cost of processing and distributing the child support from the source to the Obligee, which the Family Support Registry is has determined to be \$1.50. ~~as determined by the Family Support Registry.~~

**7. Past Due Support**

The Obligor named above owes past due support in the amount of \$ \_\_\_\_\_ as of \_\_\_\_\_, 20 \_\_\_\_\_. The Obligee shall have the right to any additional arrearage that may accrue through the date of the first ~~deduction~~ withholding of income and for all other periods of non-payment.

**8. Payment Address**

The total amount ~~deducted~~ withheld shall be forwarded by the Obligor’s employer (“Payor”) within two business days after each payment date to:

Family Support Registry  
P.O. Box 1800  
Carrollton, Georgia 30112-1800

**9. Payment Instructions**

(a) If Payor is ~~deducting~~ withholding child support for more than one ~~IWO~~ IWO, Payor must, upon future modification by Child Support Services or court order, ~~deduct~~ withhold the FSR Fee for each ~~IWO~~ IWO. If the amount Payor is ~~deducting~~ withholding for any one case is ~~\$40~~ \$30 or more, the FSR Fee for that ~~IWO~~ IWO is \$1.50. If the ~~deduction~~ withholding is less than ~~\$40~~ \$30, the FSR Fee is five percent of the amount withheld ~~deducted~~, ~~but in no event shall the fee exceed \$1.50.~~

(b) The total amount of the Child Support ~~Deduction~~ Withholding will decrease, if applicable, after all past due support is paid in full; at that point the amount ~~deducted~~ withheld will be the amount of current support plus the FSR Fee.

**10. Consumer Credit Protection Act**

The maximum amount to be ~~deducted~~ withheld by a Payor shall not exceed the amount allowable under Section 303 (b) of the federal Consumer Credit Protection Act (Pub. L. 90-321), 15 USC § 1673 (a), as amended.

**11. Duty of Obligor to Ensure Compliance**

The Obligor is hereby ordered to perform all acts necessary for the proper withholding of the sums stated in this ~~IDO IWO~~ IWO, including delivery of the ~~IDO IWO~~ IWO to his or her employer and future employers, and to personally monitor and confirm on an ongoing basis that the payments withheld are timely and properly ~~deducted~~ withheld from his or her income and forwarded as ordered, correctly identified with the above case. Failure of the employer to perform under this order does not relieve the Obligor of his or her obligation to ensure that payment is made.

**12. Wrongful Discharge**

No Payor shall discharge an Obligor by reason of the fact that income has been subjected to an ~~IDO IWO~~ IWO under OCGA § 19-6-32. A Payor who violates this paragraph is subject to a civil penalty not to exceed \$250 for the first violation or \$500 for any subsequent violation. Penalties shall be paid to the Obligee or the Division of Child Support Services, whichever is enforcing the ~~IDO IWO~~ IWO, if any support is due and payable. If no support is due and payable, the penalty shall be paid to the Obligor.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, Judge  
Superior Court of \_\_\_\_\_ County

Prepared and presented by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Rule 39.7. Required Forms**

(A) The forms listed below shall be required for use in all superior courts in this state.

(B) It is the intent of this rule that all forms listed herein be uniform in appearance for purposes of efficiency and accuracy. Upon recommendation by its Uniform Rules Committee, the Council of Superior Court Judges may revise forms to reflect changes to the law. The rule also does not prohibit the use of stylistic additions such as check boxes. No heading is required when forms are reproduced.

- SC-1 Summons
- SC-2 Sheriff's Entry of Service
- SC-3 ~~Service by Order of Publication~~
- SC-4 Notice of Publication
- SC-5 Writ of Fieri Facias
- SC-6 Final Disposition Felony Confinement Sentence
- SC-6A Final Disposition Felony Confinement Sentence Adjudication of Guilt (First Offender/Conditional Discharge)
- SC-6.1 [Deleted]
- SC-6.2 Final Disposition Felony Confinement Sentence With Probation
- SC-6.2A Final Disposition Felony Confinement Sentence with Probation – Adjudication of Guilt (First Offender/Conditional Discharge)
- SC-6.3 Final Disposition Misdemeanor Sentence
- SC-6.4 Special Conditions of Probation:
  - SC-6.4(A) Index of Special Conditions of Probation
  - SC-6.4(B) Inventory of Special Conditions of Probation
  - SC-6.4(C) Sex Offender Special Conditions of Probation
  - SC-6.4(D) Special Conditions of Probation for Conviction of an Offense Against a Minor or a Dangerous Sexual Offense
  - SC-6.4(E) Special Conditions of Probation for Violation of OCGA §§ 16-5-90 or 16-5-91 (Stalking or Aggravated Stalking)
- SC-6.5 Final Disposition Continuation of Sentence
- SC-7 Exemplification
- SC-8 Witness Subpoena
- SC-9 Subpoena for the Production of Evidence
- SC-9.1 Subpoena for the Production of Evidence at a Deposition
- SC-10 Criminal Case Information Form
- SC-11 Court Production Order
- SC-12 [Deleted]
- SC-13 [Deleted]
- SC-14 [Deleted]
- SC-15 Family Violence Ex Parte Protective Order

- SC-16 Family Violence Twelve Month Protective Order
- SC-17 Stalking Ex Parte Temporary Protective Order
- SC-18 Stalking Twelve Month Protective Order
- SC-19 Dismissal of Temporary Protective Order
- SC-20 Order for Continuance of Hearing and Ex Parte Protective Order
- SC-21 Order to Modify Prior Protective Order
- SC-22 Family Violence Three Year/Permanent Protective Order
- SC-23 Stalking Permanent Protective Order Pursuant to Criminal Conviction
- SC-24 Stalking Three Year/Permanent Protective Order
- SC-25 Child Support Addendum to Family Violence Protective Order
- SC-26 Petition for Temporary Protective Order
- SC-27 Defendant Identifying Information/Protected Parties Information
- SC-28 Petition for Dating Violence Temporary Protective Order
- SC-29 Dating Violence Ex Parte Protective Order
- SC-30 Dating Violence Twelve Month Protective Order
- SC-31 Probation Revocation Order (First Offender/Conditional Discharge) Adjudication of Guilt
- SC-32 Probation Revocation Order
- SC-33 Order Dismissing Probation Revocation Petition and Probation Warrant