

[Complete this order if child support has been ordered.]

CAUSE NO. _____

[Fill out cause number and heading information EXACTLY as it is written on the Petition]

IN THE INTEREST OF §
 MINOR CHILDREN: § IN THE
 _____, § _____ COURT OF
 _____, §
 _____, §
 _____, § _____ COUNTY, TEXAS
 [Print the children's names.] §

EMPLOYER'S ORDER TO WITHHOLD FROM EARNINGS FOR CHILD SUPPORT

The Court ORDERS you, the employer of _____, Obligor, to withhold income from the Obligor's disposable earnings from this employment as follows:

OBLIGOR: *(the person who pays child support)*

Name: _____ Social Security Number: _____

Address: _____

OBLIGEE: *(the person who receives child support)*

Name: _____ Social Security Number: _____

Address: _____

CHILDREN:

1. Child's name: _____ Date child turns 18: _____
 Social Security #: _____ Birth Place: _____
 Birth Date _____

2. Child's name: _____ Date child turns 18: _____
 Social Security #: _____ Birth Place: _____
 Birth Date _____

3. Child's name: _____ Date child turns 18: _____
 Social Security #: _____ Birth Place: _____
 Birth Date _____

REFERENCE TO THE INCOME WITHHOLDING LAW.

Attached to this order is a copy of subchapter C, Chapter 158, of the Texas Family Code, which sets forth rights, duties, and potential liabilities of employers, in addition to the provisions of this order.

WITHHOLDING EARNINGS FOR CHILD SUPPORT.

The Court ORDERS that any employer of Obligor shall begin withholding from Obligor's disposable earnings no later than the first pay period following the date this order is served on that employer.

METHOD OF PAYMENT.

The Court ORDERS the employer, on each pay date, to remit all amounts withheld through the Texas Child Support State Disbursement Unit, P.O. Box 659791, San Antonio, Texas 78265-9791, for distribution according to law. The Court ORDERS the employer to include the following information with each payment:

1. The date of withholding
2. The number assigned by the title IV-D agency (if available), the county identification number (if available), or the cause number: _____.
3. Obligor's Name (*person who pays*): _____.
4. Obligee's Name (*person who receives*): _____.

MAXIMUM AMOUNT WITHHELD.

The maximum amount to be withheld shall not exceed 50 percent of Obligor's disposable earnings.

ORDER TO WITHHOLD.

The Court ORDERS the employer to withhold the following amounts from the earnings of Obligor:

\$ _____ if Obligor is PAID MONTHLY, which is:
 \$ _____ on current support and
 \$ _____ on the medical support owed
 (*if the Obligor is reimbursing the Receiver for health insurance premiums for the children, and the reimbursement is included in the monthly child support amount.*)

\$ _____ if Obligor is PAID TWICE MONTHLY, which is:
 \$ _____ on current support and
 \$ _____ on the medical support owed
 (*Divide monthly child support amount by two.*)

\$ _____ if Obligor is PAID EVERY OTHER WEEK, which is:
 \$ _____ on current support and
 \$ _____ on the medical support owed
 (*Multiply monthly child support by 12, then divide by 26.*)

\$ _____ if Obligor is PAID EVERY WEEK, which is:
 \$ _____ on current support and
 \$ _____ on the medical support owed
 (*Multiply monthly child support by 12, then divide by 52.*)

Until one of the following events occur:

1. The child reaches the age of eighteen years, *provided that*,
 - (a) The child is enrolled in an accredited secondary school program leading toward a high school diploma, or in courses for joint high school and junior college credit, or on a full-time basis in a private secondary school program leading toward a high school diploma; *and*
 - (b) *The child is complying with the minimum attendance requirements* of Chapter 25 of the Education Code, or the minimum attendance requirements imposed by the school in which the child is enrolled, if the child is enrolled in a private secondary school;

then the periodic child-support payments shall continue to be due and paid until the end of the month in which the child graduates; or
2. The child marries; or
3. The child dies; or
4. The child's disabilities are otherwise removed for general purposes; or
5. The date on which the Court enters a further order modifying child support, or
6. The Court makes a finding that the child is 18 years of age or older and has failed to comply with the enrollment or attendance requirements described above; or
7. The marriage or re-marriage of Obligor and Obligee.

B. [Complete this section if you and your spouse **agree to lower** the monthly amount of **child support** paid by Obligor **EACH TIME** that a child of the marriage no longer requires child support.]

IT IS ORDERED that Obligor must pay and shall pay child support to Obligee in the amount of \$_____ per month, with the first payment being due and payable on the first day of the first month immediately following the date this decree is signed, and the same amount is due and payable on the first day of each month thereafter until the first month following the date on which one of the following events has occurred with respect to each and every child subject of this suit:

1. The child reaches the age of eighteen years, *provided that*,
 - (a) The child is enrolled in an accredited secondary school program leading toward a high school diploma, or in courses for joint high school and junior college credit, or on a full-time basis in a private secondary school program leading toward a high school diploma; *and*
 - (b) *The child is complying with the minimum attendance requirements* of Chapter 25 of the Education Code, or the minimum attendance requirements imposed by the school in which the child is enrolled, if the child is enrolled in a private secondary school;

Then the periodic child-support payments shall continue to be due and paid until the end of the month in which the child graduates; or

2. The child marries; or

3. The child dies; or
4. The child's disabilities are otherwise removed for general purposes; or
5. The date on which the Court enters a further order modifying child support, or
6. The Court makes a finding that the child is 18 years of age or older and has failed to comply with the enrollment or attendance requirements described above; or
7. The marriage or re-marriage of Obligor and Obligee.

Thereafter, Obligor is ORDERED to pay to Obligee child support of _____ per month, due and payable on the first day of the first month immediately following the date of the earliest occurrence of one of the events specified above for another child and the same amount being due on the first day of each month thereafter until the next occurrence of one of the events specified above for another child.

Thereafter, Obligor is ORDERED to pay to Obligee child support of _____ per month, due and payable on the first day of the first month immediately following the date of the earliest occurrence of one of the events specified above for another child and the same amount being due on the first day of each month thereafter until the next occurrence of one of the events specified above for another child.

CALCULATING DISPOSABLE EARNINGS.

The employer shall calculate Obligor's disposable earnings, which are subject to withholding for child support, as follows:

- A. Determine the "earnings" of Obligor. "Earnings" means a payment to or due an individual, regardless of source and how denominated, and includes a periodic or lump-sum payment for wages, salary, compensation received as an independent contractor, overtime pay, severance pay, commission, bonus, and interest income; payments made under a pension, an annuity, workers' compensation, and a disability or retirement program; and unemployment benefits.
- B. Subtract the following sums to calculate Obligor's "disposable earnings":
 - (1) any amounts required by law to be withheld, that is, federal income tax and federal FICA or OASI tax (Social Security), Railroad Retirement Act contributions;
 - (2) union dues;
 - (3) nondiscretionary retirement contributions by the Obligor; and
 - (4) medical, hospitalization, and disability insurance coverage for Obligor and Obligor's children.

MORE THAN ONE ORDER WITHHOLDING.

If you receive more than one "Writ of Withholding" or "Employer's Order to Withhold Earnings for Child Support" for Obligor, you shall pay an equal amount towards the current support portion of all orders or writs until each is individually complied with, and thereafter pay equal amounts on the arrearage portion of all orders or writs until each is complied with, or until the maximum total amount of allowable withholding, 50 percent of the Obligor's

disposable earnings, is reached, whichever occurs first.

TERMINATION OF WITHHOLDING.

For as long as Obligor is employed by you, you, the employer of Obligor, shall continue to withhold income in accordance with this order until the youngest child reaches eighteen years of age or graduates from high school, whichever occurs last. This order indicates when each child reaches eighteen years of age. Written notice from a child's school of the child's high-school graduation will constitute notice of graduation to you.

NOTICE OF CHANGE OF EMPLOYMENT.

The Court ORDERS the employer to notify the Court and Obligee within seven days of the date that Obligor terminates employment. The Court ORDERS the employer to provide Obligor's last known address and the name and address of the Obligor's new employer, if known.

MEDICAL CHILD-SUPPORT ORDER

If this box is checked, the Court ORDERS the employer to provide health insurance for Obligor's children as set out in the Medical Child-Support Order, a copy of which is attached to this order and incorporated in it for all purposes.

Signed on _____

JUDGE PRESIDING