

Iowa Department of Human Services
WHAT YOU SHOULD KNOW ABOUT IMMEDIATE INCOME WITHHOLDING

DATE: _____

CASE NUMBER: _____

REGARDING: _____

FROM:

Child Support Recovery Unit

Tel. _____

This notice contains important information about payment of support. If you are a custodial parent, this form is being sent for informational purposes only. Please keep for future reference.

What Immediate Income Withholding Is

Immediate income withholding (IIW) means that support payments are withheld directly from income. IIW is required by state¹ and federal law². It is an effective way to make sure that children who need support receive it at the times and in the amounts stated in the support order.

How Immediate Income Withholding Is Done

The Child Support Recovery Unit (“the Unit”) enters an income withholding order, which is a separate order that requires the employer or income provider to withhold an amount for current support and any other periodic amount. We send notice of the withholding order to the employer or income provider and to the parent ordered to provide support. We send a new notice to the employer when a parent becomes delinquent in a support obligation by the amount payable for one month.

Exemptions From Immediate Withholding

Good Cause

The court or the Unit may determine that there is “good cause” for not requiring IIW. When we determine “good cause” for IIW, it means that the parent ordered to provide support has posted a secured bond equal to the total amount of support that is or may become due under the terms of the support order. For example, if a new order is entered which requires the parent to pay \$100.00 per month, and the obligation will continue for 24 months, the parent may be found to have good cause by posting a bond for \$2,400.00.

Written Agreement

The court or the Unit may determine that IIW is not required if the parties reached an agreement providing for an alternate arrangement. The agreement must be in writing, agreed to by all parties to the support order and made a part of the court record. It must clearly state that the parent ordered to provide support intends to make all payments in the amount, frequency and manner specified in the order. The parties may establish a written agreement by completing form 470/2821, Written Agreement of Payment of Support. This form is available from the Unit upon request. Whether or not this form is used, a written agreement must contain substantially the same provisions.

If support payments become assigned to the state due to the receipt of public assistance, the state is considered a necessary party to the order. A written agreement or any other existing agreements before the date of assignment are void unless we approved it.

Establishing Good Cause or a Written Agreement

If you want to establish good cause or a written agreement, you must provide us with needed documents within 15 days of receiving this notice or notice of our intent to establish or modify a support order.

If you have questions, contact the office listed at the top of this notice.

¹ Iowa Code Chapter 252D.8-252D.10, 252D.17; Iowa Administrative Code, 441-98.31-98.37

² 45 CFR 303.100