

Handout 1: Immediate and Initiated Income Withholding

All open cases with debts payable through the Probation Child Support Enforcement (PCSE) Unit, with verified employment are considered for the income withholding remedy. Income withholding is an automated process in NJKiDS; that is monitored by NJKiDS with little or no user intervention. The **Enforcement Processes** page displays the status of the income withholding process.

The **IW Records by Case, Update Current IW and Records by Case, and IW Records by SOI** pages are used to view current and historical income withholding information. It allows authorized users to update current income withholding records by entering specific withholding amounts that may differ from the amounts stored within the **Obligation** pages.


Pages

Option	Function
IW Records by Case	View current and historical income withholding records for the entered Case ID. Users are able to filter the display information by income source.
Update Current IW Records by Case	Authorized users only—Update “non-primary” income withholding records, by Case ID, in an Active or Pending status.
IW Records by SOI	View current and historical income withholding records for a specific source of income.

If the **Income Withhold Order** field on the **Court Order** page is **Immediate, Probation Initiated**, or **Court Ordered**, NJKiDS creates an **Immediate Income Withholding** remedy and generates an Initial Income Withholding Notice (CS006). The notice is sent to the active income source.

If the **Income Withhold Order** field on the **Court Order** page is populated with **Agreement of Parties** or **Not Ordered**, NJKiDS creates an **Initiated Income**

Withholding remedy when 14 days of arrears accrue. The **Income Withhold Order** field on the **Court Order** page changes to **Probation Initiated**, and NJKiDS generates and sends the Notice to Obligor of Income Withholding (CS021) to the NCP. If applicable, the Notice to Obligor to Establish or Increase Payment on Arrears through Income Withholding (CS121) will also be generated and sent to the NCP.

NJKiDS 	Pages associated with income withholding: <ul style="list-style-type: none">• Manage Tasks page• Employment Address and Verification Status page• Income and Expenses page• IW Records by Case• Update Current IW and Records by Case• IW Records by SOI• Manage Enforcement Processes page• Reprint Previously Generated Documents page• View and Print Documents page• Case Journal Page
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Case Criteria

When a new verified source of income is received, NJKiDS initiates an immediate or initiated income withholding provided the following criteria are met:

- Obligated IV-D case
- Open IV-D case
- Open non-IV-D/alimony case if income withholding is ordered and the **Court Order** page is coded to reflect that
- **Income Withholding Order Type** stored on the **Court Order** page is:
 - I—Immediate IW
 - P—Probation Initiated IW
 - C—Court Ordered


- **Source of Income Type on Employment Address and Verification Status** page is:
 - Disability (not New Jersey)
 - Employer
 - Insurance (CSLN)
 - Medical Benefits
 - Military
 - Retirement
 - Self-Employed
 - Social Security
 - Unemployment Compensation (not New Jersey)
 - Union
 - Veterans' Pension
 - Workers' Compensation
- No Active or Pending Income Withholding Notice is recorded on the **IW Records by Case** page for the **Source of Income/Case ID** combination
- If case is Initiating Interstate, referral type must be one of the following: **Request Registration of a Foreign Support Order for Enforcement; Request Registration of Foreign Support Order for Modification; or Request Registration of Foreign Support Order for Modification and Enforcement**
- Income Withholding Exemption is not active
- No active Enforcement Exemptions (**Note:** If a case is exempted from enforcement, then the system will not allow the remedies to be initiated.)
- The **Enforcement Processes** page does not have an active **Initiated Income Withholding** activity

NOTE

New Jersey Disability and Unemployment Compensation require a garnishment to be sent to the New Jersey Department of Labor and Workforce Development (LWD).

NJKiDS monitors the income withholding remedy for changes in the obligation, the order, and/or arrears, and for details about the arrears dollar amount. If changes occur, NJKiDS generates an Amended Income Withholding Notice and sends it to the active income sources. When the case is closed or the support order ends, a termination notice is sent.

If payments are not received within 45 days, NJKiDS may issue a Notice of Non-Compliance (CS025) to the responsible employer.

 NOTE	Once 14 days of arrears have accrued, the system updates the income withholding type from N—Not Ordered or A—Agreement of Parties (No IW) to P—Probation Initiated IW .
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Once an employer has been added as a primary source of income, the **Income Withholding** chain starts, and the Initial Income Withholding Notice (CS006) is sent to the employer. **If a second employer is added to the case on the Employment Address and Verification Status page**, the staff member assigned will receive an alert and have five days to review and correct or modify the action, or the income withholding will be processed for the full obligation. For secondary sources only, the staff member can navigate to the **Update Current IW Records by Case** page and modify the income withholding records, navigate back to the **Enforcement Processes** page, and move the chain to generate a new CS006 and CS121. Income Withholding for secondary changes can only be changed and not primary sources.