

INSTRUCTIONS FOR FILING AN APPLICATION FOR WAGE ASSIGNMENT FOR SPOUSAL SUPPORT

1. Obtain copy of order being enforced and confirm the amount and duration of support.
2. Prepare the following:

FL-430 Ex Parte Application for Earnings Assignment Order (original and 2)

FL-435 Earnings Assignment Order (original and 2)

FL-335 Proof of Service by Mail to the other party of the above three documents (you will need this again at the end of the process to serve the employer – print two).

Blank FL-450 Request for Hearing on Earnings (1 only)

Self-addressed stamped envelope

3. If you are asking the court to determine arrearages, and to include an additional monthly amount in the wage assignment as payment towards the arrearage, please complete the following:

FL-420 Declaration of Payment History (FL-420) (original and 2)

Attachment: MC-030 Declaration (MC-030) a general narrative about the arrearages.

Attachment: FL-421 Payment History Attachment

4. The other party is given the opportunity to object to the facts upon which you are requesting arrearages. Have an adult, other than you, mail a copy of the FL-420 (if used), 430, 435 to the other party and have that adult sign the FL-335 Proof of Service by mail.
5. File the original and one copy of the FL-420, 430, 435, and FL-335 with the clerk with the self-addressed stamped envelope. The clerk will bring the application to a Judge for review. Once the Judge signs the order, it will be returned to you.
6. The employer's payroll department must be formally served with the order and a proof of service by mail. Again, have an adult, other than you, complete an FL-335 Proof of Service by Mail, this time to the employer. Staple a copy of the FL-335 Proof of Service by Mail to the FL-435 Earnings Assignment Order and have them mailed them to the employer's payroll department along with the blank FL-450 Request for Hearing. The employer must give the blank FL-450 to the employee notifying them that money will be deducted from their check. The employee can request a hearing to prevent the wage assignment due to hardship, or other reasons. Remember to file the original FL-335 Proof of Service by Mail with the clerk proving that the employer was served with the order.