

**TITLE IV**

**Chapter: 36    Chapter Title: CHILD SUPPORT PURSUANT TO HEARING  
OFFICER PROCEEDING**

**Rule No: 36.3**

**Income Assignment Orders**

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<b>1st Judicial District Court</b>	INCOME ASSIGNMENT ORDERS
<b>Parish of Caddo</b>	1. An income assignment order (substantially similar to that attached and identified as Exhibit E(1) or Exhibit E(2)) shall be issued in each case where child support and/or alimony is awarded, as is required by R.S. 46:236.3 and R.S. 9:303.
Adopted effective Jan. 1, 1994.	

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# TITLE IV

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1st Judicial District  
Court

#### INCOME ASSIGNMENT ORDER

Parish of Caddo

EXHIBIT E(1). IMMEDIATE INCOME ASSIGNMENT ORDER

Adopted effective  
Jan. 1, 1994.

\_\_\_\_\_  
NUMBER \_\_\_\_\_

VERSUS

FIRST JUDICIAL DISTRICT COURT  
CADDO PARISH, LOUISIANA  
ASSIGNMENT: SECTION \_\_\_\_\_

#### IMMEDIATE INCOME ASSIGNMENT ORDER

In accordance with R.S. 46:236.3, this ORDER for an income assignment shall be effective immediately. Considering the support obligation of the OBLIGOR, \_\_\_\_\_, pursuant to the JUDGMENT rendered by this Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_:

1. IT IS ORDERED that the PAYOR, \_\_\_\_\_, shall withhold from the income of the OBLIGOR (including but not limited to wages, salary, commission, compensation as an independent contractor, disability, unemployment compensation, annuity and retirement benefits, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by public act excluding worker's compensation benefits, Black Lung benefits, VA Disability benefits, and Title XVI Supplemental Security Income) the amount ordered for support, which amount is \$\_\_\_\_\_ per \_\_\_\_\_, as it becomes due; that the PAYOR must implement withholding no later than the first pay period that occurs following receipt of this income assignment, and shall continue the withholding each pay period until further order of the Court as provided in R.S. 46:236.3(G).

2. IT IS FURTHER ORDERED that the income seized shall not exceed the percentage of disposable earnings subject to seizure as defined in R.S. 13:3881 for the payment of a support obligation; or, the income exempt from seizure is fifty percent (50%) of the OBLIGOR's disposable earnings, but in no case shall this exemption be less than an amount in disposable earnings which is equal to thirty times the federal minimum hourly wage. For further instruction on how to properly compute the income seized pursuant to this Order of assignment, please see Exhibit A attached hereto.

3. IT IS FURTHER ORDERED that the TOTAL AMOUNT WITHHELD SHALL BE FORWARDED WITHIN TEN DAYS to the OBLIGEE, \_\_\_\_\_, at the following address: \_\_\_\_\_.

4. IT IS FURTHER ORDERED that this assignment shall be binding upon any existing or future employer of the OBLIGOR upon whom a copy of the Order is served.

5. IT IS FURTHER ORDERED that the PAYOR may deduct a three dollar processing fee from the income of the OBLIGOR per each pay period during which the income assignment order is in effect.

6. IT IS FURTHER ORDERED that when two or more orders to withhold income for support are received, the orders shall be prorated; if there are insufficient funds available to satisfy all orders, the orders for current support shall be given priority on a pro-rata basis.

7. IT IS FURTHER ORDERED that the OBLIGOR shall advise the court and the obligee of any change in his employment during the effective period of assignment and shall advise the court and the obligee of the name and address of any new employer. The PAYOR shall inform the OBLIGEE in writing within ten days when the OBLIGOR terminates employment, and shall provide the OBLIGOR's last known address and the name and address of the OBLIGOR's new employer, if known.

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8. IT IS FURTHER ORDERED that a support order shall be given preference to any other garnishment proceeding.

9. IT IS FURTHER ORDERED that no PAYOR shall discharge, discipline, or otherwise penalize any OBLIGOR because of the duty to withhold income.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
DISTRICT JUDGE

Prepared by:

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

ATTORNEY FOR

\_\_\_\_\_

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#### EXHIBIT E(2). INCOME ASSIGNMENT ORDER EFFECTIVE UPON DELINQUENCY

\_\_\_\_\_ NUMBER \_\_\_\_\_

VERSUS

\_\_\_\_\_

FIRST JUDICIAL DISTRICT COURT  
CADDOPARISH, LOUISIANA  
ASSIGNMENT: SECTION \_\_\_\_\_

#### INCOME ASSIGNMENT ORDER EFFECTIVE UPON DELINQUENCY

In accordance with R.S. 46:236.3, this ORDER for an income assignment shall be effective when the OBLIGOR, \_\_\_\_\_, becomes delinquent in payment of an amount equal to at least one month's support obligation (\$\_\_\_\_\_) pursuant to the JUDGMENT rendered by this Court on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_:

1. IT IS ORDERED that the PAYOR, \_\_\_\_\_, shall withhold from the income of the OBLIGOR (including but not limited to wages, salary, commission, compensation as an independent contractor, disability, unemployment compensation, annuity and retirement benefits, and any other payments made by any person, private entity, federal or state government, any unit of local government, school district, or any entity created by public act excluding worker's compensation benefits, Black Lung benefits, VA Disability benefits, and Title XVI Supplemental Security Income) the amount ordered for support, which amount is \$\_\_\_\_\_ per \_\_\_\_\_, as it becomes due, together with an additional sum as computed pursuant to the formula in the NOTICE OF DELINQUENCY to discharge the past due amount; that the PAYOR must

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implement withholding no later than the first pay period that occurs following receipt of this income assignment, and shall continue the withholding each pay period until further order of the Court as provided in R.S. 46:236.3(G).

2. IT IS FURTHER ORDERED that the income seized shall not exceed the percentage of disposable earnings subject to seizure as defined in R.S. 13:3881 for the payment of a support obligation; or, the income exempt from seizure is fifty percent (50%) of the OBLIGOR's disposable earnings, but in no case shall this exemption be less than an amount in disposable earnings which is equal to thirty times the federal minimum hourly wage. For further instruction on how to properly compute the income seized pursuant to this Order of assignment, please see Exhibit A attached hereto.

3. IT IS FURTHER ORDERED that the TOTAL AMOUNT WITHHELD SHALL BE FORWARDED WITHIN TEN DAYS to the OBLIGEE, \_\_\_\_\_, at the following address: \_\_\_\_.

4. IT IS FURTHER ORDERED that this assignment shall be binding upon any existing or future employer of the OBLIGOR upon whom a copy of the Order is served.

5. IT IS FURTHER ORDERED that the PAYOR may deduct a three dollar processing fee from the income of the OBLIGOR per each pay period during which the income assignment order is in effect.

6. IT IS FURTHER ORDERED that when two or more orders to withhold income for support are received, the orders shall be prorated; if there are insufficient funds available to satisfy all orders, the orders for current support shall be given priority on a pro-rata basis.

7. IT IS FURTHER ORDERED that the OBLIGOR shall advise the court and the obligee of any change in his employment during the effective period of assignment and shall advise the court and the obligee of the name and address of any new employer. The PAYOR shall inform the OBLIGEE in writing within ten days when the OBLIGOR terminates employment, and shall provide the OBLIGOR's last known address and the name and address of the OBLIGOR's new employer, if known.

8. IT IS FURTHER ORDERED that this assignment shall be directed to any and all persons employing or paying the OBLIGOR and shall be effective against OBLIGOR's income from any new PAYOR immediately upon service of the assignment order and notice of delinquency on the new payor as provided in R.S. 46:236.3(B)(6)(c).

9. IT IS FURTHER ORDERED that a support order shall be given preference to any other garnishment proceeding.

10. IT IS FURTHER ORDERED that no PAYOR shall discharge, discipline, or otherwise penalize any OBLIGOR because of the duty to withhold income.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
DISTRICT JUDGE

Prepared by:

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

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ATTORNEY FOR

\_\_\_\_\_

(attachment to Exhibit E:)

#### EXHIBIT A

#### Formula for Computing Amount to Be Withheld in Accordance With Attached Income Assignment Order

- |                                       |           |
|---------------------------------------|-----------|
| 1. Gross compensation per pay period: | \$ _____  |
| 2. Less the following deductions:     |           |
| a. Federal income tax                 | \$ _____  |
| b. F.I.C.A.                           | _____     |
| c. Normal retirement contribution     | _____     |
| d. State tax                          | _____     |
| e. Processing fee (up to \$3.00)      | _____     |
| Total deductions:                     | ( _____ ) |
| 3. Disposable income:                 | \$ _____  |
| 4. 50% of disposable income:          | \$ _____  |

(NOTE: To avoid possible excessive seizure, compare amount equal to 50% of disposable income to the amount of income which is exempt from seizure as set forth in paragraph 2 of the attached Income Assignment Order.)

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**14th Judicial District  
Court  
Parish of Calcasieu**

To view the current Title IV Rules of the 14th JDC, click here  
<http://www.lasc.org/rules/dist.ct/14thJDCTABLETITLEIV.PDF>

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## TITLE IV

### Chapter: 36 Chapter Title: CHILD SUPPORT PURSUANT TO HEARING OFFICER PROCEEDING

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**24th Judicial District  
Court  
Parish of Jefferson**

Revised effective  
May 25, 2005

In all child support orders that are not being enforced by the Department of Social Services, the court shall comply with La. R.S. 9:303 and La. R.S. 46:236.3.

A. The original order shall include an immediate income assignment order unless there is a written agreement between the parties or the court finds good cause not to require an immediate income assignment. (La. R.S. 9:303)

B. In any case in which an immediate income assignment has not been issued, the case shall be subject to immediate income assignment upon a delinquency of an amount equal to one month's support. (La. R.S. 46:236.3)

C. In any matter wherein a party hereinafter referred to as "payor" is found to owe past due child support and/or spousal support, the payor shall pay all future current support and/or arrearage through the 24th Judicial District Court Collection System. The payments shall be made by means of an income assignment order or direct payment to the court.

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**Family Court  
For the Parish of  
East Baton Rouge**

To view the current Title IV Rules of East Baton Rouge Family Court, click here

<http://www.lasc.org/rules/dist.ct/EASTBATONROUGEFAMILYCOURTTITLEIV.PDF>

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