

Article - Family Law

[Previous][Next]

§10–124.

(a) Except as otherwise provided in this Part III, the Administration may serve an earnings withholding notice on an employer of an obligor without the need for any modification of the support order or any further action by a tribunal if:

(1) (i) a tribunal has issued a support order; and
(ii) the Administration is providing child support services under Title IV, Part D, of the Social Security Act; or

(2) an obligor requests the service of an earnings withholding notice.

(b) The Administration may serve an employer with an earnings withholding notice using an electronic format if the employer has entered into an agreement with the Administration to accept service of an earnings withholding notice in this manner.

(c) When the Administration serves an employer with an earnings withholding notice under this section, the Administration shall send to the obligor, by first-class mail, at the obligor's last known home address and place of employment:

(1) a copy of the earnings withholding notice;

(2) a statement of the procedures under § 10-134 of this subtitle that the obligor must follow to terminate earnings withholding;

(3) a statement of the obligor's right to contest the accuracy of the information provided in the earnings withholding notice by filing a motion for a stay of the earnings withholding notice in circuit court or requesting an investigation no later than 30 days after a copy of the withholding notice is mailed to the obligor under this section; and

(4) a statement of the amount of arrears apportioned to each payment that is to be included in the amount of earnings withheld under § 10-122 of this subtitle.

(d) The only issues that may be adjudicated at a hearing or contested in an investigation under subsection (c)(3) of this section are:

(1) whether an arrearage existed;

(2) the amount of the withholding or the amount of any arrearage;

(3) the identity of the obligor; or

(4) that the amount of the withholding notice exceeds the limits of the

federal Consumer Credit Protection Act.

(e) (1) If an obligor requests an investigation, the Administration shall:

(i) conduct an investigation within 15 days after the obligor's request; and

(ii) on completion of the investigation, notify the obligor of the results of the investigation and the obligor's right to appeal the decision of the Administration to the Office of Administrative Hearings.

(2) An appeal under paragraph (1)(ii) of this subsection shall be conducted in accordance with Title 10, Subtitle 2 of the State Government Article.

[Previous][Next]