

## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

### Administrative Order 2001-4

Pursuant to P.L. 2001, Chapter 155, § 4, which amends Rhode Island General Laws, § 15-16-2 (definitions) and 15-16-5.1 (immediate income withholding) and § 1 which amends Rhode Island General Laws, § 15-5-24 (support-wage assignment procedures), an incoming withholding agent may no longer remit withheld amount of income directly to an obligee. Instead, an income withholding agent shall remit to the clerk of the Family Court, or such other remittee as directed in the national income withholding order, all amounts withheld from the income of an obligor within seven (7) days of the date the income was paid or payable to an obligor.

1. To comply with this statutory change, Domestic Relations Form DR-29 shall be utilized by all parties, exclusively with respect to new or modified child support orders issued or modified by the court on or after October 1, 1998. Utilization of this process requires the income withholding agent to remit directly to the Clerk of the Family Court.
2. The use of Domestic Relations Form DR-39 (payment directly to the obligee) is hereby abolished.
3. In order to effectuate the aforementioned changes, with respect to all income withholding orders issued or modified by the Court on or after October 1, 1998, the obligee's attorney or obligee, if pro se, shall immediately complete and submit to the Family Court Reciprocal Office the required CSS-1 form, as amended. The CSS-1 is necessary to set up a collection account with the Family Court.
4. Instructions to execute the CSS-1 form were previously provided in Administrative Order 98-7 and have not been amended. The instructions shall be followed in order to provide complete and accurate information. Failure to complete and submit the CSS-1 form by the obligee's attorney or obligee will result in the obligee not receiving child support payments in a timely manner.
5. Pursuant to Rhode Island General Laws § 15-5-24, 15-16-5.1 and 15-16-10 as amended by P.L. 2001, Chapter 155, § 1 and 4, the Family Court may order that the obligor shall not be subject to immediate income withholding:
  - a) if a judge or magistrate of the Family Court finds there is good cause not to require immediate income withholding; or

b) if the obligor and obligee, and the Division of Taxation-Child Support Enforcement in cases subject to an assignment of support rights, enter into a written agreement or the Family Court enters an order which provides for an alternative arrangement for the timely payment of support due under the support order. In no event shall the court order wage withholding payable to the obligee directly from any wage withholding agent.

All preexisting Administrative Orders which conflict with this order are hereby revoked.

12/17/07

DATE

JEREMIAH S. JEREMIAH, JR.  
CHIEF JUDGE