

IN THE DISTRICT COURT OF _____ COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF: _____) Juv. Div. Case No. _____
_____)
_____) Dist. Ct. Case No. _____
_____)
_____) OAH CASE NO: _____
_____)
_____) OK IV-D FGN: _____
_____)
_____) Obligor: _____
_____)
_____) Custodian: _____

CHILD SUPPORT ORDER

On _____, 20____, this matter is set for hearing and the Court makes the following order regarding child support per 10 O.S. §7003-8.8. Present at the hearing are:

- Obligor _____ Obligor's Attorney _____
- ADA _____ Other _____
- Other _____ Other _____
- State's Attorney, CSE, OKDHS _____

The Court, being informed by evidence presented and hearing from the parties and counsel, finds this Court has jurisdiction over the parties and the subject matter of this action. The Court, therefore, **FINDS, ORDERS AND DECREES AS FOLLOWS:**

1. **CHILDREN:** The following child(ren) is/are the subject of this support order:

| Name | Date of birth | State of birth |
|------|---------------|----------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

2. **PATERNITY (for Father Order only; insert "N/A" if Mother Order)**

_____ is determined to be the father of the above child(ren) based upon:

- child(ren) born during marriage;
- properly executed Acknowledgment of Paternity;
- genetic test results;
- voluntary admission in open Court; or,
- prior court order dated _____.

Father's date of birth is _____ and his state of birth is _____.

3. **CURRENT CHILD SUPPORT:** Obligor is (select one) Father Mother

(Select "A" - NEW ORDER OR "B" - PRIOR COURT ORDER below)

A. **NEW ORDER** Obligor is ordered to pay child support of \$_____ per month beginning _____ and on the same day of each month thereafter until further order of this court or until the minor child(ren) reach(es) the age of eighteen (18) years, or until the age of twenty (20) years, so long as the child(ren) is/are regularly enrolled in and attending high school.

(SELECT ONE)

- The child support obligation is set in accordance with the child support guidelines without deviation and a copy of the child support computation sheet is attached hereto.
- The Court deviates from the amount of support in accordance with the child support guidelines as it results in an amount that is inequitable, unreasonable

under the circumstances and/or not in the best interests of the child(ren), and in support of the deviation the Court finds the following:

Pursuant to 10 O.S. §7003-8.8(B)(3)(c), deviation is determined necessary in order for the parent to meet the obligations of a court-imposed individual treatment and service plan; or

In the event one or more children are placed in the physical custody of the Obligor, the Obligor shall pay child support in the following amounts effective the first day of the month after the child(ren) is/are returned to the Obligor:

\$ _____ per month for 1 child not residing with Obligor;

\$ _____ per month for 2 children not residing with Obligor;

\$ _____ per month for 3 children not residing with Obligor;

\$ _____ per month for 4 children not residing with Obligor;

\$ _____ per month for 5 children not residing with Obligor;

\$ _____ per month for 6 or more children not residing with Obligor.

The child support obligation shall be divided proportionately if children are placed with different custodians. **This order shall be in effect in any month in which the child(ren) does/do not reside with the Obligor.**

OR (if above option A is not selected)

B. **prior court order** This Court adopts the existing child support order against Obligor in Case No. _____, _____ County, State of _____. The previous child support order of \$ _____ per month shall remain in force and effect and payments shall be redirected pursuant to paragraph 13 (below).

4. PAST DUE CHILD SUPPORT or SUPPORT FOR A PRIOR PERIOD:

The issue of child support owed by Obligor for a period prior to this order is reserved for future determination; **OR**

The Obligor owes past-due support in the principal amount of \$ _____ for the time period of _____ through and including _____ based on a prior child support order. This amount is inclusive of the balance(s) due and owing on any judgment(s) previously determined for past-due support. Judgment for said amount is hereby determined and awarded to the Oklahoma Department of Human Services/Obligee against the Obligor in accordance with 43 O.S. §137. Any support arrearages that may have accrued either prior or subsequent to said period are not addressed in this proceeding and are reserved for a later determination. Further, said amount of past-due support does not include any unreimbursed medical and child care expenses that have not been reduced to judgment and the Obligor's liability for these expenses, if any, is not addressed by this proceeding and is subject to later determination by an appropriate tribunal.

5. INTEREST ON PAST-DUE CHILD SUPPORT: Unpaid child support payments accruing under an Oklahoma order draw interest at the rate of 10% per year from the date they become delinquent, and the interest shall be collected in the same manner as the payments upon which the interest accrues. Orders issued by other states may have a different interest rate for unpaid child support. The Court makes additional rulings as follows:

The Obligor owes interest in the amount of \$ _____, representing accrued interest on unpaid child support owed for the period of _____ through _____. Any interest that may have accrued either prior to or subsequent to this period is not addressed in this proceeding and is subject to later determination; **OR**

The issue of the amount of the accrued interest is not determined in this proceeding, but is reserved and subject to later determination.

6. PAYMENT OF PAST-DUE SUPPORT AND INTEREST. The Obligor is ordered to pay the past-due support and interest addressed in this order at the rate of \$ _____ per month commencing on _____ and continuing each month thereafter until all past-due support and all accrued interest are paid in full. Further, the monthly payment for past-due support is in addition to the previously ordered current monthly support, and at such time as current support is no longer due,

then the Obligor shall continue to pay the amount of the current support as and for additional judgment payment until all arrears are paid in full. The monthly arrearage payments shall be withheld from the Obligor's income and earnings, subject to the limitations set forth in 12 O.S. §1171.2(B).

7. PAYMENT SCHEDULE. Under 43 O.S. §137(C) an arrearage payment schedule shall not exceed three (3) years, unless such schedule would be unjust, inequitable, unreasonable or inappropriate under the circumstances in this case, or not in the best interests of the child or children involved. The payment schedule ordered herein

DOES

DOES NOT

exceed three years.

The facts that support deviation from the three-year schedule are:

A 36-month payment schedule would result in Obligor's inability to meet basic living needs; **OR**

8. GENETIC TEST COSTS: The Oklahoma Department of Human Services is awarded a judgment for the costs of paternity genetic testing against the father in the amount of \$_____.

9. CHILD CARE: (select one)

The Obligor's share of childcare expenses is included in the child support amount ordered in paragraph three (3) above. This sum is in accordance with the Child Support Guidelines attached hereto and hereby made a part of this order. The custodial parent shall provide timely documentation to the Obligor of said expenses.

Child care is not currently being expended, but should such expenses occur, the Obligor is ordered to pay _____ per cent of monthly employment or education related child care expenses of said child(ren), as additional child support, commencing on the same day and to be paid in the same manner, as any current child support set out in paragraph three (3) above. This sum is in accordance with the Child Support Guidelines

attached hereto and hereby made a part of this order. The custodial parent shall provide timely documentation to the Obligor of said expenses.

10. MEDICAL SUPPORT: The Oklahoma Department of Human Services inquired into the availability of health care insurance and (select one)

Medical support through group plan. Mother Father shall obtain health insurance coverage for the minor child(ren) immediately or whenever such insurance is available through an employer or other group plan.

Alternative medical support. Neither parent is being required to provide medical insurance through an employer-sponsored or other group plan at this time because medical support is being provided through the following alternative coverage:

Indian Health Services. Child(ren) is/are eligible or believed to be eligible for Indian Health Services. The parents shall cooperate fully in taking the necessary action through the appropriate tribe to enroll the child(ren). The tribal member parent shall provide a copy of the card or other documentation to the child support enforcement office to verify the child(ren) is/are enrolled and eligible for Indian Health Services. If the child(ren) is/are determined by the tribe not to be eligible for Indian Health Services, Mother Father shall obtain health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Department of Defense. Child(ren) are believed to be eligible for or enrolled in the Department of Defense managed health care program, TriCare. The name of the Department of Defense sponsor (military service member or Department of Defense employee) is _____ . The parents shall cooperate fully in enrolling the child(ren) in the Defense Enrollment Eligibility Reporting System (DEERS). The parent(s) shall provide a copy of the identification card for the child(ren) to the to the child support enforcement office to verify that the child(ren) is enrolled in DEERS. In the event the child(ren) is not receiving TriCare coverage through DEERS, Mother or Father shall provide health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Other alternative coverage. Mother Father shall provide health care coverage for the minor child(ren) in this case as follows:

The parent providing the health care coverage shall provide proof of coverage to the child support office and shall keep the coverage in effect until further order of the Court. In the event that the parent ordered to provide alternative health care coverage is no longer providing it, Mother Father shall provide health insurance coverage for the minor child(ren) whenever such insurance is available through an employer or other group plan.

Other:

Uncovered expenses. Mother shall pay _____ per cent and Father shall pay _____ per cent of the reasonable and necessary medical, dental, orthodontic, optometric, psychological, or any other physical or mental health expenses for the minor child(ren) not covered by insurance or other health care plan. If reimbursement is required, the custodian who incurs the expense shall be reimbursed by the Obligor within thirty (30) days of receipt of documentation of the expense.

11. OBLIGOR'S EMPLOYMENT INFORMATION:

Employer's name: _____

Address: _____

Phone number: _____

12. OTHER REMEDIES. The Obligor understands that until (1) all past due child support is paid in full, and (2) the Obligor is current on all support obligations, multiple enforcement remedies may be used. These remedies include, but are not limited to, interception of state and federal tax refunds, and pursuant to 56 O.S. Section 240.23, intercepting or seizing periodic or lump-sum payments from: (1) a state or local agency, including unemployment compensation, workers' compensation, and other benefits, and (2) judgments, settlements, and lotteries; attaching and seizing assets of the obligor held in financial institutions; attaching public and private retirement funds; imposing liens

in accordance with 43 O.S. Section 135; and to increase the monthly payment on child support, for purposes of securing overdue support, in an amount not to exceed five percent (5%) of the total child support order. Such increase may not be made more than once every twelve (12) months.

13. METHOD OF PAYMENT: All child support payments shall be made by employer's check, cashier's check, money order or government check, payable to the Oklahoma Department of Human Services, identified with the above FGN number on the face of the payment (or social security number if no FGN available) and mailed to:

Oklahoma Centralized Support Registry
P. O. Box 268849
OKC, OK 73126-8849

PAYMENTS MADE IN ANY MANNER OTHER THAN AS SPECIFIED IN THIS COURT ORDER SHALL BE CONSIDERED GIFTS AND SHALL NOT BE CREDITED TO THE AMOUNT OWED.

14. INCOME ASSIGNMENT: An immediate income assignment is ordered pursuant to 12 O.S. Section 1171.3 (G)(1). A portion of Obligor's monthly or other periodic income shall be assigned to the Custodian or appropriate in an amount sufficient to ensure payment of the monthly support obligation, including any arrearage and judgment payments. The assignment is effective immediately; provided however, that **Obligor remains responsible for making payments directly to the Oklahoma Department of Human Services in any month when an income assignment is not in effect or does not pay the full amount due under this order.**

15. ENFORCEMENT: The Oklahoma Department of Human Services, Child Support Enforcement Division may enforce this order in any court with jurisdiction to enforce child support orders, including administrative court.

16. RELEASE OF COPIES: This child support order is not confidential and copies may be released as authorized by law.

17. DISMISSAL OF DEPRIVED ACTION: This order shall be filed separately with the District Court and will continue to be enforced for current support and arrears, without regard to a dismissal of the deprived action, unless the Court orders otherwise.

18. ADDRESS OF RECORD FOR SERVICE OF PROCESS AND ADDRESS AND EMPLOYMENT CHANGES: Title 43 O.S. § 112A requires all parties and custodians to keep the Central Case Registry informed of a current address of record for service of process in support, visitation, and custody actions. The following applies to the Obligor and any custodian subject to this order. Any changes in your address of record, your employer and your health insurance (names and addresses) must be provided in writing to the Central Case Registry within thirty (30) days of the change at the following address:

CENTRAL CASE REGISTRY
P. O. BOX 528805
OKLAHOMA CITY, OKLAHOMA 73152-8805

Your last address of record may be disclosed to a party or custodian upon request in accordance with OKDHS rules. The Oklahoma Department of Human Services does not release home addresses if prohibited by a court order granted for the protection of a parent or custodian, or if the case has a family violence indicator. The address of record does not have to be the address where you live. You may be served in child support actions filed after this date by regular mail to the last address of record provided to the Central Case Registry. If your physical address and address of record are different, you must notify the child support office of any changes in your physical address. Future notices will be sent to the last address of record provided to the Central Case Registry.

The following is the current address of record for service of process for the Obligor:

The following is the current address of record for service of process for the Custodial Parent (if applicable):

19. ADDITIONAL ORDERS: _____

JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM AND CONTENT:

ASST. DISTRICT ATTORNEY

STATE'S ATTORNEY, CSE, OKDHS

OBLIGOR'S ATTORNEY

OBLIGOR

ATTORNEY FOR

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing Order for Child Support were served as follows:

In person on this date to:

- Obligor
- Attorney for the Obligor
- District Attorney
- State's Attorney, CSE, OKDHS _____
- Attorney for _____
- Other _____

By regular mail on _____, 20_____, to:

- Obligor at Address of Record
- Attorney for the Obligor _____
at

- District Attorney
- State's Attorney, CSE, OKDHS _____
- Attorney for _____
at

- Other _____
at

(Signature of person certifying copies were mailed.)