

ALABAMA DEPARTMENT OF HUMAN RESOURCES CHILD SUPPORT ENFORCEMENT  
DIVISION  
ADMINISTRATIVE CODE

CHAPTER 660-3-16  
INCOME WITHHOLDING

660-3-16-.01      Definitions.

(1) As used in this Chapter, the following terms shall have the following meaning:

(a) "Income" - Wages, salary, tips, commissions, bonuses, unemployment compensation, workers' compensation, disability payments, payments pursuant to a pension or retirement program and interest, and any and all money due or payable to a person, the entitlement to which is based upon remuneration for employment, past or present, after the deduction of those amounts required to be withheld by law. Income shall also include any other continuous or periodic income from whatever source whether earned or unearned except as expressly limited by law.

(b) "Employer" - Any person, business, corporation, partnership, company, firm, or unit of municipal, county, state, or federal government.

(c) "Court" - Any juvenile or family court division of the circuit or district court in the county where the mother of the child resides or is found, in the county where the father resides or is found, or in the county where the child resides or is found and, in the case of a petition seeking a divorce, or legal separation, a petition seeking a modification of support previously ordered under a divorce decree or a petition seeking a contempt citation for failure to pay support previously ordered under a divorce decree, the circuit court or the domestic relations division of the circuit court. In cases involving the enforcement of another state's order of support within this state, court may mean the courts of the county where the employer is located or is found, and may also mean the court or agency of another state or jurisdiction outside the State of Alabama whose functions include the issuance and enforcement of support order.

(d) "Clerk of the Court" - Any circuit court clerk, district court clerk, or juvenile court clerk, or their employees, with responsibility for docketing or otherwise carrying out the court's clerical duties in regard to domestic relations matters, support and nonsupport cases, including the receipt and disbursement of support payments.

(e) "Obligor" - Any person ordered by the court to make periodic payments for the benefit and support of another person or minor child.

(f) "Obligee" - Any person for whom support benefits are ordered by the court and shall specifically include the Department of Human Resources when any person has assigned their rights to support payments to the department under any provision of law or when the department is otherwise representing the obligee. Obligee may also include an agency or department of this or another state or jurisdiction to which a person has assigned his or her rights to support.

(g) "Department" - The Department of Human Resources of Alabama, including the County Departments of Human Resources.

(h) "Support or Support Order" - Any order, decree or judgment for support of a child (or in the case of an order being enforced pursuant to the requirements of Title IV-D of the Social Security Act, a spouse or former spouse) issued by a court of this state or a court or agency of another state or jurisdiction, whether interlocutory or final, including orders issued for any of the following purposes:

1. Current support of a minor child.

2. Current medical support, which included the cost of medical support or unreimbursed medical expenses.

3. Arrearage that has accrued due to unpaid child or medical support during the child's minority, including enforcement post-majority of arrearages accrued during minority and interest that has accrued or continues to accrue on that arrearage.

4. Spousal Support when such spousal support is collected by the Department of Human Resources or the department's designee pursuant to the requirements of Title IV-D of the Social Security Act.

(i) "State Title IV-D Agency" - The state agency designated to administer the statewide child support program authorized under Title IV-D of the Social Security Act.

(j) Income Withholding Order or Notice - An order or notice in the standardized format prescribed under Title IV-D of the Social Security Act, as amended, that requires an employer to deduct a portion of an employee's income for the payment of support.

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**Statutory Authority:** Code of Ala. 1975, §§30-3-60, 30-3-191; 42 U.S.C. 666(b) and (c).

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