

**INSTRUCTIONS**  
**UNCONTESTED DIVORCE PACKET WITH CHILDREN**  
**(For the Island of O‘ahu)**

**WHO CAN FILE FOR DIVORCE?**

In order to file a divorce action in the Family Court of the First Circuit (on O‘ahu), you must meet certain limited residency requirements. You must have been domiciled or physically present on O‘ahu continuously for at least 3 months prior to the filing of the Complaint for Divorce and either you or your spouse must have been domiciled or physically present in the State of Hawai‘i continuously for at least 6 months prior to the filing of the Complaint for Divorce. The islands are divided into separate circuits. You must meet these limited residency requirements and file your Complaint for Divorce in the correct circuit.

- First Circuit = O‘ahu
- Second Circuit = Mau‘i, Lana‘i, and Moloka‘i
- Third Circuit = Hawai‘i (Hilo and Kona Divisions)
- Fifth Circuit = Kaua‘i

Contact the Family Court in your circuit to obtain documents to file your divorce.

**BEFORE YOU START**

**Read through this entire instruction packet before you start to fill in the documents.** This packet includes instructions, information and forms needed to obtain an uncontested divorce. The instructions tell you which documents need to be completed, when the documents need to be file-stamped by the Court, and what you need to do to place your divorce case on the Court Calendar. The Uncontested Divorce (with children) Document Checklist contains information on how many copies of each document you need to submit and who signs the document. The checklist also helps you see what documents you have completed and which documents you still have to do.

The Divorce Decree in this packet contains provisions that covers most divorce situations. There may be other terms or provisions necessary for your case. You are strongly urged to talk to an attorney to discuss your legal rights and duties.

Most uncontested divorces are done by affidavit, with a Judge reviewing the documents you submit. This means that neither you nor your spouse appear at a Court hearing if your documents are properly completed and all the necessary steps have been followed. Therefore it is very important that you understand which documents are needed and what you must do before the Court will grant your divorce. If the Court has any questions or concerns, you and your spouse may be required to appear at a hearing or submit more documents.

It is important for you to realize that **a divorce takes time**. Most of you will not be able to complete all your divorce documents in one day. Be sure to read each document thoroughly and make sure you understand what the document says. **Do not sign any document you do not agree with or you do not understand.**

## **IF YOU NEED ASSISTANCE**

The clerks of the Court are not allowed to give legal advice or assist you in the completion of the divorce documents.

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require reasonable accommodations for a disability, please contact the ADA Coordinator at the Family Court Director's Office at PHONE NO. 539-4400, FAX 539-4402 or TTY 539-4853, at least ten (10) working days prior to your scheduled date.

### **Legal Assistance**

If possible, you should seek the assistance of an attorney. Even if you cannot afford to have an attorney to represent you for the whole divorce, you should try at least to talk to an attorney to discuss your legal rights and duties.

You can check the Yellow Pages of the telephone book for names of attorneys or you may call the following organization for possible assistance:

- **HAWAI'I STATE BAR ASSOCIATION**  
Lawyer Referral Service  
Telephone: 537-9140

The following organizations offer assistance or self-help clinics to persons who fall within certain income brackets:

- **LEGAL AID SOCIETY OF HAWAI'I**  
Honolulu Office  
Telephone: 536-4302
- **AFFORDABLE LAWYERS**  
(A Project of the Legal Aid Society of Hawai'i)  
Telephone: 527-8027
- **HAWAI'I LAWYERS CARE**  
Telephone: 528-7046

If there have been incidents of Domestic Abuse, you may want to call the following organizations to obtain assistance:

- **DOMESTIC VIOLENCE CLEARINGHOUSE AND LEGAL HOTLINE**  
Telephone: 531-3771
- **STUDENTS AND ADVOCATES FOR VICTIMS OF DOMESTIC VIOLENCE (SAVD)**  
Telephone: 566-0661

## Mediation Services

If you and your spouse need mediation services you may refer to the Yellow Pages under mediation/counseling or you may call:

- **NEIGHBORHOOD JUSTICE CENTER**  
Telephone: 521-6767

The Neighborhood Justice Center works to help people solve their problems out of court. Trained volunteer mediators sit down with the disputing parties to work out a fair solution, agreeable to all parties.

## Custody, Visitation, or Parenting Issues

If you and your spouse need further information or counseling regarding custody/visitation/parenting issues, you may obtain brochures with referrals from the Family Court when you attend the Kids First II Program held every Wednesday night (except on holidays) at 5:00 p.m. in the Jury Pool Lounge, 777 Punchbowl Street, First Floor, Honolulu, Hawai'i.

## **REFERENCE MATERIALS TO GUIDE YOU**

The following materials located at the Supreme Court Law Library, 417 South King Street, Honolulu, Hawai'i (behind the King Kamehameha Statue) may assist you:

- **DIVORCE DOCUMENTS HANDBOOK** (Pacific Law Institute-1996): Although the forms in this handbook are outdated, it may provide information on how to fill out the basic forms.
- **HAWAI'I DIVORCE MANUAL, 5th Ed. (1996); HAWAI'I DIVORCE MANUAL, 1997 Supplement and HAWAI'I DIVORCE MANUAL, 1998 Supplement (Hawai'i Institute for Continuing Legal Education)**
- **HAWAI'I REVISED STATUTES**
- **HAWAI'I FAMILY COURT RULES**

## **ON THE INTERNET**

- **JUDICIARY WEB PAGE ([www.state.hi.us/jud](http://www.state.hi.us/jud))**

**FILING FEES (Cash or Money Order/Cashier's Check Payable to: CHIEF CLERK, First Circuit)**

Complaint for Divorce	
Filing Fee:	\$100.00
Surcharge:	\$25.00
Additional Surcharge:	\$35.00 (if either you or your spouse have any children from this or any other relationship)
Motion:	\$ 0.00

If you feel you cannot afford the filing fees, you may wish to contact the Legal Aid Society of Hawaii (ph: 536-4302) or Hawaii Lawyers Care (ph: 528-7046) to help you request the Court to waive the these fees.

**FILE-STAMPING OR FILING YOUR DOCUMENTS:**

You will need to get almost all of your documents “filed,” or “file-stamped,” at the court house. Look at the Uncontested Divorce (with children) Documents Checklist for a summary of how many copies of each document you will need to submit to Court. Documents are file-stamped by the Court at the following location and during the following times.

**LEGAL DOCUMENTS SECTION**

777 Punchbowl Street, First Floor

Honolulu, Hawai‘i

Hours: 8:00 a.m. to 4:15 p.m., Monday through Friday

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require reasonable accommodations for a disability, please contact the ADA Coordinator at the Family Court Director’s Office at PHONE NO. 539-4400, FAX 539-4402 or TTY 539-4853, at least ten (10) working days prior to your scheduled date.

**PLACING YOUR CASE ON THE COURT CALENDAR:**

When you have completed all of your divorce documents, filed the necessary documents and served your spouse with the correct documents, you will be ready to have your case placed on the court calendar for the judge’s review. Refer to the Uncontested Divorce (with children) Documents Checklist for a summary of which documents are required.

1. **Where:**

Family Court-Court Management Office

777 Punchbowl Street, Second Floor

2. **Screening Days and Times:** (NOTE: The clerk will screen your documents to see if you have all the required documents. The clerk will not check your documents for accuracy or legal content.) The clerks will screen your documents only during the following times:

Tuesdays and Thursdays: 9:00 a.m. to 11:00 a.m.  
Wednesdays: 2:00 p.m. to 3:30 p.m.

3. **What to Bring with You:**

- One (1) file-stamped copy of each of the documents;
- Original and five (5) copies of the Order for Income Withholding;
- Original and at least five (5) copies of the Divorce Decree;
- Certificate of Absolute Divorce or Annulment; and
- Two (2) addressed stamped envelopes, at least 9-1/2" x 4-1/4" in size, one addressed to you and one addressed to your spouse. The Court will use these envelopes to mail you and your spouse file-stamped, certified copies of your Divorce Decree. Make sure you submit envelopes that are large enough and have enough postage for this purpose.

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require reasonable accommodation for a disability, please contact the ADA Coordinator at the Family Court Director's Office at PHONE NO. 539-4400, FAX 539-4402 or TTY 539-4853, at least ten (10) working days prior to your scheduled date.

**AFTER THE JUDGE REVIEWS YOUR DOCUMENTS**

Once your case is set on the uncontested divorce calendar, your documents will be reviewed by the Court staff and the Judge. If the Judge grants your divorce and signs your Divorce Decree, you should receive a file-stamped, certified copy of the Divorce Decree and Order for Income Withholding in the mail within ten (10) **working** days after the review date. If you do not receive the documents, it is your responsibility to check the disposition calendar located on the front counter at the Court Management Office. The status of your case cannot be given out over the telephone. If you cannot come down to check whether your divorce was granted or not, anyone else can check the disposition calendar for you.

If the disposition calendar says that your divorce was "GRANTED," wait a reasonable time for the Divorce Decree to be sent to you in the mail. If your divorce is "DENIED" or is not fully granted, you must follow the Judge's instructions noted on the disposition calendar before your divorce can be completed.

**STEPS TO OBTAIN AN UNCONTESTED DIVORCE**  
**(With Children)**

**STEP 1:**     **OPENING YOUR DIVORCE CASE** (If you are the one who is filing for divorce, you are the “**PLAINTIFF**” and your spouse is the “**DEFENDANT.**”)

To open or start your divorce case, you must take certain documents to the court house for filing. You will need the following documents to open or start your divorce case:

1.   ***COMPLAINT FOR DIVORCE (“Complaint”);***
2.   ***SUMMONS TO ANSWER COMPLAINT (“Summons”);***
3.   ***MATRIMONIAL ACTION INFORMATION (“MAI”);***
4.   ***NOTICE TO ATTEND KIDS FIRST II.***

If your spouse does not live on O‘ahu and you wish to serve by mail, you must also submit the following document if you will be serving your spouse by certified or registered mail:

5.   ***MOTION AND AFFIDAVIT FOR SERVICE BY MAIL; ORDER FOR SERVICE BY MAIL*** (Note: Before filing this document, take it to the Court Management Office for approval).

Take the completed originals and copies of the above documents along with required court filing fees to the Legal Documents Section (777 Punchbowl Street, 1st Floor) to be filed-stamped by the Court.

**STEP 2:**     **NOTICE TO ATTEND KIDS FIRST II: Attendance at this program is mandatory. Your divorce may not be granted if you do not attend this program and you were not excused by a judge.**

After you file the *Complaint for Divorce; Summons to Answer Complaint* at Legal Documents, you must take the *Notice to Attend Kids First II* form (original and at least two (2) copies) to the Court Management Office of the Family Court located on the Second Floor. (NOTE: When photocopying the *Notice to Attend Kids First II*, please be sure that you also copy the back of the notice as it contains important information). A date will be stamped on the notice. This is the date when you, your spouse and any of your children (between the ages of six and seventeen years old) must attend. If for any reason you or your spouse cannot attend this program as scheduled or if you have a temporary restraining order in effect against your spouse, you must call the number on the back of the notice and obtain another date.

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require reasonable accommodation for a disability, please contact the ADA Coordinator at the Family Court Director’s Office at PHONE NO. 539-4400, FAX 539-4402 or TTY 539-4853, at least ten (10) working days prior to your scheduled date.

**STEP 3**      **GETTING THE DOCUMENTS TO YOUR SPOUSE: “SERVICE” OF THE COMPLAINT AND SUMMONS AND FILE-STAMPING THE SERVICE DOCUMENT**

“Service” means getting a file-stamped copy of the *Complaint, Summons* and *Notice to Attend Kids First* to your spouse (the Defendant) in the correct way. You must give the court proof that your spouse was personally served with **file-stamped** copies before the Court can consider granting your divorce. (**Note:** If your spouse does not file a written answer to the *Complaint for Divorce* with the Court and does not contact you in any way within 20 days after service of the *Complaint* on your spouse, see the Uncontested Divorce by Default Section below.)

Proof that your spouse was properly served can be shown by file-stamping one or more of the following:

1. **APPEARANCE AND WAIVER:** If you and your spouse (the Defendant) have **agreed to and signed** the *Divorce Decree*, your spouse must sign an *Appearance and Waiver*. By signing the *Appearance and Waiver*, your spouse is stating that he or she has received a file-stamped copy of the *Complaint* and *Summons* and that he or she agrees to the Court granting the divorce without his or her presence in Court. If your spouse (the Defendant) has signed an *Appearance and Waiver*, no *Proof of Service* or *Statement of Mailing* needs to be file-stamped. (**Note:** The *Appearance and Waiver* cannot be signed and dated before the *Complaint* is file-stamped by the Court. If it is signed and dated before the *Complaint* was file-stamped, the Court will require you to file a another *Appearance and Waiver* which has been signed and dated by your spouse after the *Complaint* was file-stamped.)
  
2. **PROOF OF SERVICE:** If your spouse lives in the circuit in which you are filing your divorce (see page one for the location of the circuits), then the *Complaint* and *Summons* and *Notice to Attend Kids First II* must be **personally served** on your spouse. It cannot be mailed. The *Complaint* and *Summons* and *Notice to Attend Kids First II* can be served by the Sheriff’s Office (1111 Alakea Street, Second Floor, Honolulu) or by any responsible person who is over 18 years old other than yourself. After service is complete, the person who served the *Complaint* and *Summons* and *Notice to Attend Kids First II* on your spouse must complete the *Proof of Service*. Information regarding the date and time your spouse was served and place at which your spouse was served must be filled in. The person who served the *Complaint* and *Summons* and *Notice to Attend Kids First II* must also sign the *Proof of Service*. (**Note:** If after service of the *Complaint* and *Summons*, you and your spouse have agreed to and signed the *Divorce Decree*, your spouse must also sign an *Appearance and Waiver*.)
  
3. **STATEMENT OF MAILING:** If your spouse does not live on this island, you may serve your spouse by **certified or registered mail, restricted delivery**. Complete the *Motion and Affidavit for Service by Mail, Order for Service by Mail* and obtain the Court’s approval before serving your spouse by mail. The Receipt for Certified Mail and Domestic Return Receipt or the Receipt for Registered Mail and Return Receipt must be attached to the *Statement of Mailing*. The Return Receipt must be signed by your spouse.

(**Note:** If after service of the *Complaint*, you and your spouse have agreed to and signed the *Divorce Decree*, then your spouse must also sign an *Appearance and Waiver*.)

**STEP 4: FILE STAMP ALL THE FOLLOWING DOCUMENTS**

1. ***INCOME AND EXPENSE STATEMENT OF PLAINTIFF (YOU)***: Must be signed and dated by you not more than 60 days prior to the day you place your case on the calendar.
2. ***ASSET AND DEBT STATEMENT OF PLAINTIFF (YOU) OR BOTH PARTIES*** : Must be signed and dated by you not more than 60 days prior to the day you place your case on the calendar. If the Asset and Debt Statement is for both you and your spouse, both you and your spouse must sign and date this form.
3. ***INCOME AND EXPENSE STATEMENT OF DEFENDANT (YOUR SPOUSE)***: Must be signed and dated by your spouse, if available. If you are unable to obtain the *Income and Expense Statement* from your spouse, you must explain why in paragraph 10c of the *Affidavit of Plaintiff (for Uncontested Divorce)* form.
4. ***ASSET AND DEBT STATEMENT OF DEFENDANT (YOUR SPOUSE)***: Must be signed and dated by your spouse, if available. If you are unable to obtain the *Asset and Debt Statement* from your spouse, you must explain why in paragraph 10c of the *Affidavit of Plaintiff (for Uncontested Divorce)* form. (**NOTE:** If you and your spouse completed an *Asset and Debt Statement for Both Parties* there is no need to prepare a separate *Asset and Debt Statement* for the Defendant.)
5. ***CHILD SUPPORT GUIDELINES WORKSHEET***: Must be completed based on each spouse's gross income (i.e., before taxes and deductions), and it also must be signed and dated by you and your spouse. Read the guidelines instructions carefully to determine which guidelines worksheet applies to your case.

Child support is determined by the *Child Support Guidelines* unless there are exceptional circumstances. Some samples of exceptional circumstances are listed in the instructions to the child support guidelines. The child support guidelines instruction packet includes a Table of Incomes which must be used to determine the amount of child support.

If you need assistance in completing the child support guidelines, you may qualify for services from the Legal Aid Society of Hawaii or Hawaii Lawyers' Care or you if you are in the military contact your base legal office. A complete instruction packet may be obtained from the Family Court-Court Management office located on the Second Floor at 777 Punchbowl Street.

6. ***AFFIDAVIT OF PLAINTIFF (FOR UNCONTESTED DIVORCE)***: All your documents, including the Divorce Decree must be completed before this document can be filled in. Each section should be completely filled in or the Court may not grant your divorce. After completion, this document needs to be signed by you in front of a notary public.

7. ***SUPPLEMENTAL AFFIDAVIT RE: DIRECT PAYMENT CHILD SUPPORT:*** This document is to be used if both husband and wife agree that child support will be paid directly to a party and not through the Child Support Enforcement Agency and if certain conditions are met. This document must be signed before a notary public.

**STEP 5: OTHER REQUIRED DOCUMENTS**

1. ***DIVORCE DECREE (WITH CHILDREN):*** Fill in each section of the *Divorce Decree* after you and your spouse have come to an agreement as to what will be contained your in the *Divorce Decree*. You and your spouse must sign and date the last page of the Divorce Decree and fill in your Social Security Numbers, addresses and the names and addresses of your employers. This document does not get file-stamped until the Judge has reviewed all of your documents and approved and signed the Divorce Decree.
2. ***ORDER FOR INCOME WITHHOLDING:*** This document will order that child support be taken directly out of the non-custodial parent's pay checks and sent to the Child Support Enforcement Agency. This document is not file-stamped until the Judge has reviewed all of your documents and approved and signed the *Order for Income Withholding*.
3. ***CERTIFICATE OF DIVORCE OR ANNULMENT:*** **This document cannot be photocopied and it must be typed.** Each box, except, 14a, 14f, 14j, 15a, 15b and 15c must be filled in. Also note that when filling in dates, the month and year must be entered in full (for example: Date of Birth: November 1, 1956 not 11/1/56).
4. ***TWO SELF-ADDRESSED, STAMPED ENVELOPES (at least 9-1/2" x 4-1/4" in size):*** One envelope should be addressed to you and one addressed to your spouse. After the *Divorce Decree (With Children)* and the *Order for Income Withholding* is file-stamped with the Court, copies will be mailed to you. Provide enough postage to cover mailing these documents to you and your spouse.

**STEP 6: PLACE YOUR CASE ON THE CALENDAR**

See page 4 above.

**STEP 7: MAILING COPIES TO CHILD SUPPORT ENFORCEMENT AGENCY**

1. Mail, by certified mail, return receipt requested, one (1) certified copy of the *Divorce Decree (with Children)* and if applicable, one (1) certified copy of the Order of Income Withholding to the Child Support Enforcement Agency, P. O. Box 1860, Honolulu, Hawaii 96805-1860. (NOTE: A certified copy of the *Divorce Decree (with Children)* must be sent to the Child Support Enforcement Agency even if child support payments are to be made directly to the other party.)

**STEP 8:      IF CHILD SUPPORT PAYMENTS ARE TO BE PAID THROUGH THE CHILD SUPPORT ENFORCEMENT AGENCY YOU MUST DO THE FOLLOWING:**

- 1.      *MAIL A COPY OF THE ORDER FOR INCOME WITHHOLDING TO EMPLOYER.***  
Mail, by certified mail, returned receipt requested, one (1) certified copy of the *Order for Income Withholding* to the employer of whomever is ordered to pay child support.
  
- 2.      *STATEMENT OF MAILING; EXHIBITS 1 AND 2 (Re: Order for Income Withholding):*** Complete a *Statement of Mailing; Exhibits 1 and 2* (Re: Order for Income Withholding) which serves as proof that a certified copy of the *Order for Income Withholding* was mailed to the employer. Exhibit 1 is the white and green Receipt for Certified Mail received at the time of mailing and Exhibit 2 is the green card-Domestic Return receipt signed by the employer. Submit the original and two (2) copies of this *Statement of Mailing; Exhibits 1 and 2 (Re: Order for Income Withholding)* to the Legal Documents Branch for file-stamping.
  
- 3.      *MAILING A COPY OF STATEMENT OF MAILING; EXHIBITS 1 AND 2 (Re: Order for Income Withholding) TO CHILD SUPPORT ENFORCEMENT AGENCY:*** Mail one (1) file-stamped copy of the *Statement of Mailing; Exhibits 1 and 2 (Re: Order for Income Withholding)* to the Child Support Enforcement Agency.

## **UNCONTESTED DIVORCE BY DEFAULT**

You can get your divorce by default if your spouse has not filed a written answer or response with the Court and has not contacted you within 20 days after service of the *Complaint*. Default is ordered when a Defendant does not come forward in any way to defend himself or herself against the divorce. To get your divorce by default, the following steps must be followed after the *Proof of Service* or the *Statement of Mailing* has been file-stamped by the Court:

### **STEP 1: ADDITIONAL DOCUMENTS YOU NEED TO COMPLETE AND FILE-STAMP**

1. ***INCOME AND EXPENSE STATEMENT OF PLAINTIFF (YOU)***: Must be signed and dated by you not more than 60 days prior to the day you place your case on the calendar.
2. ***ASSET AND DEBT STATEMENT OF PLAINTIFF (YOU)***: Must be signed and dated by you not more than 60 days prior to the day you place your case on the calendar.
3. ***AFFIDAVIT OF PLAINTIFF (FOR UNCONTESTED DIVORCE)***: All your documents, including the Divorce Decree must be completed before this document can be filled in. Each section should be completed filled in or the Court may not grant your divorce. After completion, this document needs to be signed by you in front of a notary public.
4. ***CHILD SUPPORT GUIDELINES WORKSHEET***: Must be completed based on each spouse's gross income (i.e., before taxes and deductions), and it also must be signed and dated by you and your spouse. Read the guidelines instructions carefully to determine which guidelines worksheet applies to your case.

Child support is determined by the *Child Support Guidelines Worksheet* unless there are exceptional circumstances. Some samples of exceptional circumstances are listed in the instructions to the child support guidelines. The child support guidelines instruction packet includes a Table of Net Incomes which must be used to determine the amount of child support.

If you need assistance in completing the child support guidelines, you may qualify for services from the Legal Aid Society of Hawaii or Hawaii Lawyers' Care or you if you are in the military contact your base legal office. A complete instruction packet may be obtained from the Family Court-Court Management office located on the Second Floor at 777 Punchbowl Street.

### **STEP 2: OTHER REQUIRED DOCUMENTS**

1. ***DIVORCE DECREE (WITH CHILDREN)***: Fill in each section of the *Divorce Decree* that applies to what you want in your *Divorce Decree*. You must sign and date the last page of the *Divorce Decree* and fill in your and your spouse's Social Security Numbers and addresses and the names and addresses for your employers. This document does not get file-stamped until after the Judge has reviewed all of your documents and approved and signed the *Divorce Decree*.
2. ***ORDER FOR INCOME WITHHOLDING***: This document will order that child support be taken directly out of the non-custodial parent's pay checks and sent to the Child Support

Enforcement Agency. This document is not file-stamped until the Judge has reviewed all of your documents and approved and signed the *Order for Income Withholding*.

3. ***CERTIFICATE OF ABSOLUTE DIVORCE OR ANNULMENT***: This document cannot be photocopied and it must be typed. Each box, except, 14a, 14f, 14j, 15a, 15b and 15c must be filled in. Also note that when filling in dates, the month and year must be entered in full (for example: Date of Birth: November 1, 1956 not 11/1/56).
4. ***TWO SELF-ADDRESSED, STAMPED ENVELOPES (at least 9-1/2" x 4-1/4" in size)***: One envelope should be addressed to you and one addressed to your spouse. After the *Divorce Decree (With Children)* and the *Order for Income Withholding* is file-stamped with the Court, copies will be mailed to you. Provide enough postage to cover mailing these documents to you and your spouse.

**STEP 3: PLACING YOUR CASE ON THE COURT CALENDAR**

See Page 4 above.

**STEP 4: MAILING COPIES TO CHILD SUPPORT ENFORCEMENT AGENCY**

1. Mail, by certified mail, return receipt requested, one (1) certified copy of the *Divorce Decree (with Children)* and if applicable, one (1) certified copy of the Order of Income Assignment to the Child Support Enforcement Agency, P. O. Box 1860, Honolulu, Hawaii 96805-1860. (NOTE: A certified copy of the *Divorce Decree (with Children)* must be sent to the Child Support Enforcement Agency even if child support payments are to be made directly to the other party.)

**STEP 5: IF CHILD SUPPORT PAYMENTS ARE TO BE PAID THROUGH THE CHILD SUPPORT ENFORCEMENT AGENCY YOU MUST DO THE FOLLOWING:**

1. ***MAIL A COPY OF THE ORDER OF INCOME WITHHOLDING TO EMPLOYER.*** Mail, by certified mail, returned receipt requested, one (1) certified copy of the *Order for Income Withholding* to the employer of whomever is ordered to pay child support.
2. ***STATEMENT OF MAILING; EXHIBITS 1 AND 2 (Re: Order for Income Withholding)***: Complete a *Statement of Mailing; Exhibits 1 and 2* which serves as proof that a certified copy of the *Order for Income Withholding* was mailed to the employer. Exhibit 1 is the white and green Receipt for Certified Mail received at the time of mailing and Exhibit 2 is the green card-Domestic Return receipt signed by the employer. Submit the original and two (2) copies of this *Statement of Mailing; Exhibits 1 and 2 (Re: Order for Income Withholding)* to the Legal Documents Branch for file-stamping.
3. ***MAILING A COPY OF STATEMENT OF MAILING; EXHIBITS 1 AND 2 TO CHILD SUPPORT ENFORCEMENT AGENCY***: Mail one (1) file-stamped copy of the *Statement of Mailing; Exhibits 1 and 2 (Re: Order for Income Withholding)* to the Child Support Enforcement Agency.