THIRTEENTH JUDICIAL CIRCUIT
FAMILY LAW DIVISION

MOTION FOR INCOME WITHHOLDING ORDER (IWO)

(formerly Income Deduction Order)

(Packet #43)

This packet should only be used if there is an existing Hillsborough County court order for child support and/or alimony.

If you choose to represent yourself (*pro se*) in your case, you should be aware that you will be required to follow the same rules that are required in cases filed by persons represented by attorneys. The judge or general magistrate assigned to your case is not required to grant what you request in a form. If you do not like the outcome of your case, you may not be able to change it. If you have any questions or concerns about your case, you should consult with an attorney.

If you do not know an attorney, you may call the Lawyer Referral Service at 221-7780. If you do not have the money to hire an attorney, you may apply to Bay Area Legal Services by calling 232-1343. You may also obtain legal information at the Legal Information Center at the George Edgecomb Courthouse (call 864-2280 for hours and information).

All instructions and forms distributed by the Thirteenth Judicial Circuit are provided merely as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist pro se (self-represented) litigants with their cases. The Thirteenth Judicial Circuit does not guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedures exactly or accept each and every form as drafted. Any person using these instructions and/or forms does so at his or her own risk, and the Thirteenth Judicial Circuit shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

In no event will the Florida Supreme Court, The Florida Bar, or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any direct, indirect, or consequential damages from their use.

FORMS CONTAINED IN THIS PACKET	**FORM #**	**WHEN TO USE**
General Information for Self-Represented Litigants	Appendix C	For your information only
12 Rules of Courtroom Civility	12 Rules	Required to start
Nonlawyer Disclosure	12.900(a)	Required if someone who is not a lawyer helps you with the forms
Joint Motion for IWO	Joint Motion	Use if the other party agrees to the Income Withholding Order
Motion for IWO	Motion	Use if the other party does not agree to the Income Withholding Order
Income Withholding Order (IWO)	OMB 0970-0154	Required
Notice to Payor	12.996 (b)	Required
Notice of Filing Return Receipt	12.996 (c)	Required
Florida Addendum to IWO	12.996 (d)	Required
Attachment A	Attachment A	Required
Motion for Referral to the General Magistrate	12.920(a)	Required for cases involving alimony
General Magistrate / Hearing Officer Division Referral Assignment Table	Table	To determine the General Magistrate / Hearing Officer assigned to your case
Notice of Hearing	Form 12.923	Use if a hearing is scheduled
Fee Schedule for Family Law Cases	Fee	A schedule of fees for Family Law related cases
Notice of Confidential Information Within Court Filing	2.40(d)(2)	Use to notify the clerk of documents containing confidential information

STEP BY STEP INSTRUCTIONS

IF THE OTHER PARTY AGREES TO THE INCOME DEDUCTION ORDER AND IS WILLING TO SIGN THE JOINT MOTION, FOLLOW THESE STEPS:

STEP ONE - Complete the forms to start the case and have them notarized

- **FORMS MUST BE COMPLETED AND SIGNED IN BLACK INK AND MOST MUST BE NOTARIZED.** The clerk's office will notarize documents and charge a fee (see attached schedule). Please bring a valid ID.
- **Names must be written the same way on all documents (no full names on one document and initials on another).**
- **Your CASE NUMBER AND DIVISION must be written on all documents.**
- **You will need:**
    - **2 copies of the latest support order,**
    - **The name and address of the Obligor's employer,**
    - **3 stamped addressed envelopes (each envelope must be large enough to hold at least 12 pages)**

Complete the following forms and notarize the ones with a notary signature line (USE THE INFORMATION IN THE EXISTING SUPPORT ORDER AS A GUIDE FOR COMPLETING THESE FORMS):

A. 12 Rules of Courtroom Civility - (does not need to be notarized)
B. Joint Motion for IWO – (must be signed and notarized by both parties). **Attach a copy of the support order.**
C. Income Withholding Order (IWO), form OMB 0970-0154
D. Florida Addendum to IWO, form 12.996 (d)
E. Attachment A / Payment Information Sheet
F. Notice to Payor, form 12.996 (b)

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 4 copies of the Joint Motion and 3 copies of everything else you have completed. If your case involves the Department of Revenue, Office of Child Support Enforcement, make 1 extra set of copies and an extra stamped envelope (addressed to: Department of Revenue, Office of Child Support Enforcement, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619). Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse.

STEP THREE - Filing your motion

Take the *original* completed and signed Joint Motion, with a copy of the support order attached, to the clerk on the 1st floor of the George Edgecomb Courthouse and pay the filing fee, if applicable.

STEP FOUR – Mail paperwork to the Judge

1. Mail the following to the Division/Judge assigned to your case (the Division of your case can be found next to your case number):
    a. 1 copy of the completed and signed Motion for IWO,
    b. 1 copy of the latest support order,
    c. The *original* completed Income Withholding Order (IWO), form OMB 0970-0154,
    d. 3 copies of the completed Income Withholding Order (IWO), form OMB 0970-0154,
    e. The original completed Florida Addendum to IWO, form 12.996 (d),
    f. 3 copies of the completed Florida Addendum to IWO, form 12.996 (d),
    g. The *original* completed Attachment A / Payment Information Sheet,
    h. 3 copies of the completed Attachment A / Payment Information Sheet,
    i. The *original* completed Notice to Payor, form 12.996 (b),
    j. 3 copies of the completed Notice to Payor, form 12.996 (b),
    k. 3 stamped envelopes, one addressed to each party and one addressed to the Obligor's employer (envelopes and stamps can be purchased in the Court Business Center on the 6th floor of the Edgecomb courthouse)
2. If your case is assigned to a judge in Tampa, mail your documents and envelopes to:
   Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
3. If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to:
   Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563.

YOU WILL RECEIVE A COPY OF THE SIGNED ORDER IN THE MAIL.

STEP BY STEP INSTRUCTIONS

IF THE OTHER PARTY DOES NOT AGREE TO THE INCOME WITHHOLDING ORDER OR IS NOT WILLING TO SIGN THE JOINT MOTION, FOLLOW THESE STEPS:

STEP ONE - Complete the forms to start the case and have them notarized

- **FORMS MUST BE COMPLETED AND SIGNED IN BLACK INK AND MOST MUST BE NOTARIZED.** The clerk's office will notarize documents and charge a fee (see attached schedule). Please bring a valid ID.
- **Names must be written the same way on all documents (no full names on one document and initials on another).**
- **Your CASE NUMBER AND DIVISION must be written on all documents.**

- **Complete the following forms and notarize the ones with a notary signature line:**
  A. 12 Rules of Courtroom Civility - (does not need to be notarized)
  B. Motion for Income Withholding Order – (must be signed and notarized). **Attach a copy of the support order.**
  If you are seeking an IWO for ALIMONY, complete the following additional form:
  G. Motion for Referral to the General Magistrate, Form 12.920(a)

STEP TWO – Make copies

After you have completed the forms and have signed and notarized them, make 2 complete copies of everything you have completed (one copy is for your records and one copy is for the other party). If you are filing a Motion for Referral to the General Magistrate, make 1 extra copy of that and 1 extra copy of the Motion for IWO. If your case involves the Department of Revenue, Office of Child Support Enforcement, make 1 extra set of copies – for the Office of Child Support Enforcement. Copies can be obtained for a fee in the Court Business Center, on the 6th floor of the George Edgecomb Courthouse.

STEP THREE - Filing your motion

Take the *original* set of completed and signed forms to the clerk on the 1st floor of the George Edgecomb Courthouse and pay the filing fee, if applicable.

STEP FOUR – Notifying the other party

Mail, fax, or hand-deliver 1 set of copies of your documents to the other party. If your case involves the Department of Revenue, Office of Child Support Enforcement, mail 1 set of copies to the following address: Department of Revenue, Office of Child Support Enforcement, 6302 E. Martin Luther King Jr. Blvd., Suite 110, Tampa, Florida 33619.

STEP FIVE – Process a Motion for Referral to the General Magistrate?

4. If you are filing a "Motion for Referral to the General Magistrate" (if your Motion seeks an IWO for alimony), mail the following to the Judge assigned to your case:
    a. 1 copy of the Motion for IWO,
    b. 1 copy of the Motion for Referral to the General Magistrate,
    c. 2 stamped envelopes, one addressed to each party (envelopes and stamps can be purchased in the Court Business Center on the 6th floor of the Edgecomb Courthouse)
5. If your case is assigned to a judge in Tampa, mail your documents and envelopes to:
   Judge of Division _____, George Edgecomb Courthouse, 800 E. Twiggs Street, 4th Floor, Tampa, Florida 33602.
6. If your case is assigned to a judge in Plant City (Division R, S or T), mail your documents and envelopes to:
   Judge of Division _____, Plant City Courthouse, 301 N. Michigan Avenue, Plant City, Florida 33563.
7. The Division of your case can be found next to your case number.
8. If the Motion for Referral to the General Magistrate is not accompanied by 2 stamped addressed envelopes, your Referral will not be processed and your case will be delayed.

STEP SIX – Scheduling the hearing

1. Call the administrative assistant for the general magistrate/hearing officer assigned to your case and request a hearing date. The general magistrate/hearing officer assigned is determined by **the last two digits of your case number (see attached table).**
   If assigned to GM-1, call General Magistrate/Hearing Officer **Cuellar-Stilo** (Phone: 272-5351)
   If assigned to GM-2, call General Magistrate/Hearing Officer **Johnson** (Phone: 276-2335)
   If assigned to GM-3, call General Magistrate/Hearing Officer **Montagno** (Phone: 276-2337)
   If assigned to GM-4, call General Magistrate/Hearing Officer **Proctor** (Phone: 272-6435)
1. Once a hearing date has been scheduled, complete a Notice of Hearing, Form 12.923, with the place, date, and time of the hearing.
2. Sign the Notice of Hearing and complete the Certificate of Service part of the notice which states the date you are filing the notice and how you are providing a copy to the other party.
3. Make 2 copies of the Notice of Hearing.
4. File the original Notice of Hearing with the clerk, send a copy of the notice to the other party, and keep a copy for your records.

STEP SEVEN – The hearing

Bring the following documents to your hearing:

1. A copy of the support order
2. A completed Income Withholding Order (IWO), form OMB 0970-0154
3. A completed Florida Addendum to IWO, form 12.996 (d)
4. A completed Attachment A / Payment Information Sheet
5. Records of payments made, if any.
6. Two stamped envelopes – one addressed to you, one addressed to the other party.

Normally the hearing is when the request in your motion will be decided.

HOW TO DRESS - Dress appropriately. No shorts, tank tops, or sandals. Do not chew gum.

WHAT TO EXPECT

The hearing will take place in a hearing room or a courtroom. You will not be in front of a jury, just the general magistrate or judge. Do not interrupt the magistrate or judge when he or she speaks. When speaking to the magistrate or judge, address him or her as "Your Honor" or "Judge."

Each court has at least one bailiff who is a deputy sheriff and is there to maintain order. When you arrive for your hearing, let the bailiff know that you are present and ready. He or she will announce your case when it is time for your hearing, and will tell you where to sit and where to place your belongings as you enter the hearing room. A bailiff will usually remain inside the room during your hearing. If witnesses are called, the bailiff will step out to bring the witness into the hearing room.

At your hearing, be prepared to discuss any issues covered in your motion and be able to provide proof of any disputed facts by presenting evidence. Evidence is proof presented at a hearing in the form of witnesses (people), exhibits (documents), and objects (things). Not all evidence can be considered by the court, however. Evidence must conform to the Rules of Evidence in Chapter 90 of the Florida Statutes to be admissible in court. Remember, the duty of establishing the facts that you want to present to the court is on YOU. You should provide the court with admissible evidence to support the claims in your motion and your statements in court. Telling your story may not be enough to have your motion granted.

USUALLY YOU WILL BE NOTIFIED OF THE COURT'S DECISION AT THE HEARING AND THE WRITTEN ORDER OR RECOMMENDED ORDER WILL BE MAILED TO YOU.

STEP EIGHT – Notifying the Obligor's Employer

Once you receive the signed IWO from the Judge, forward a copy of the IWO, the Notice to Payor (Form 12.996(b)) and the Notice of Filing Return Receipt (Form 12.996(c)) to the Obligor's employer.

Family Forms and Packets - available for purchase at the Court Business Center

Form Packets with Instructions:

1) Complete packets with all forms and self-help instructions are priced individually and available at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
2) Free online at:
   a) www.fljud13.org/Portals/0/Forms/pdfs/family/packetList.pdf
   b) www.hillsclerk.com/publicweb/forms.aspx#FamilyLaw → then click on "Family Law"

Individual Forms (may not include necessary instructions):

1) For $.10 per page at the Court Business Center (CBC), in Room 630 (6th Floor) of the George Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida.
2) Free online at: www.flcourts.org → then click on "Family Law Forms"

YOU MAY FILE FORMS AT THE FOLLOWING LOCATIONS:

Tampa - George Edgecomb Courthouse – Main Location
Clerk of the Circuit Court, 800 E. Twiggs Street, Room 101, Tampa, FL 33602
Brandon – Brandon Regional Service Center
Clerk of the Circuit Court, 311 Pauls Drive, Suite 110, Brandon, FL 33511
Plant City – Plant City Courthouse
Clerk of the Circuit Court, 301 N. Michigan, Room 1071, Plant City, FL 33563
Ruskin/Sun City – SouthShore Regional Service Center
Clerk of the Circuit Court, 410 30th Street SE, Ruskin, FL 33570