

252D.18 Modification or termination of withholding.

1. The court or the child support recovery unit may, by ex parte order, modify a previously entered income withholding order if the court or the unit determines any of the following:

a. There has been a change in the amount of the current support obligation.

b. The amount required to be withheld under the income withholding order is in error.

c. Any past due support debt has been paid in full. Should a delinquency later accrue, the withholding order may be modified to secure payment toward the delinquency.

d. There has been a change in the rules adopted by the department pursuant to chapter 17A regarding the amount of income to be withheld to pay a delinquency.

2. The child support recovery unit may modify an amount specified in an income withholding order or notice of income withholding by providing notice to the payor of income and the obligor pursuant to sections 252D.17 and 252D.17A.

3. The court or the child support recovery unit may, by ex parte order, terminate an income withholding order when the current support obligation has terminated and when the delinquent support obligation has been fully satisfied as applicable to all of the children covered by the income withholding order.

4. In no case shall payment of overdue support be the sole basis for termination of withholding.

90 Acts, ch 1123, § 8; 91 Acts, ch 177, § 6; 92 Acts, ch 1195, § 106; 93 Acts, ch 78, §13; 98 Acts, ch 1170, §44; 2006 Acts, ch 1119, §5, 11

Subsection 2 is retroactively applicable to support orders and income withholding orders entered or pending before July 1, 2006; interpretation of existing rules of the department of human services pending adoption of amendments to conform to changes made in 2006 Acts, ch 1119; 2006 Acts, ch 1119, §11