

441—100.2(17A,80GA,HF667) Incentives. CSRU may offer incentives to participants in funded and unfunded pilot projects to encourage their involvement in the projects. No obligation established or modified under this rule may be less than the minimum amount allowed under guidelines. The available incentives include, but are not limited to, the following:

100.2(1) Deviation from guidelines.

a. CSRU may establish or modify a child support order which deviates from the guidelines amount when all of the following conditions exist:

- (1) Both parents consent to the deviation.
- (2) The child resides with either parent.
- (3) Either parent is a participant receiving services from CSRU under Iowa Code chapter 252B and Title IV-D of the Social Security Act.

(4) The percentage of the deviation from the guideline amount of support does not change from any percentage of deviation that is currently ordered.

(5) Neither parent has previously withdrawn consent to a deviated order entered under this subrule.

b. The child support order may not deviate from the guidelines amount by more than 25 percent. This order is not effective until approved by and filed with the court.

100.2(2) Modification of support obligations. CSRU may modify a support obligation of a participant through the procedures described in 441—Chapter 99, Division IV, without regard to the two-year criteria as specified in 441—subrule 99.62(2).

a. Initial modifications. CSRU shall perform an initial, informal calculation of the support obligation for each participant. If the initial, informal calculation indicates that the present child support obligation is at least 10 percent higher than the Iowa Supreme Court mandatory child support guidelines, CSRU may proceed to modify the support order, upon application of the participant, through proceedings established by 441—Chapter 99, Division IV, or through any other procedure allowed by law, notwithstanding the provisions of 441—subrule 99.62(3). If beginning new employment, the obligor may waive the application of the rule requiring that the obligor's income has lasted for three months and will be expected to last an additional three months.

b. Subsequent modifications.

(1) Subsequent modifications may be initiated only by CSRU without regard to the requirement that the variance from the guidelines amount be more than 20 percent when any of the following occurs:

1. Both parents give consent to deviate from the guidelines as provided in subrule 100.2(1).
2. Either parent withdraws consent to deviate from guidelines in setting an obligation.
3. Participant involvement in the pilot project terminates.

(2) Subsequent modifications may also be initiated by CSRU when the participant's income changes.

c. This subrule does not limit the ability or right of a parent or caretaker or CSRU to file or request a modification under any other statute or available proceeding.

100.2(3) Income withholding orders. CSRU may direct an employer or other income provider to withhold no more than 25 percent of the nonexempt disposable income of the participant for a period of time not to exceed 12 consecutive months from the date of the direction to the first employer under this subrule.

100.2(4) Satisfaction of the assigned support.

a. A participant shall be granted a partial satisfaction of the support arrearages which are and which will remain owed by that participant to the state when that participant pays the entire amount of all that participant's periodic support payments. Satisfaction granted under this subrule shall apply only to those cases for which the entire periodic support payment is credited.

b. Each satisfaction shall be an amount equal to a percentage of that participant's support arrearages, which are and which will remain owed to the state, according to the following schedule:

(1) A one-time satisfaction of 15 percent of the amount when a participant pays the entire periodic support payment due in each of 6 consecutive calendar months.

(2) A one-time satisfaction of 35 percent of the amount when a participant pays the entire periodic support payment due in each of 12 consecutive calendar months.

(3) A one-time satisfaction of 80 percent of the amount when a participant pays the entire periodic support payment due in each of 24 consecutive calendar months.

c. A participant subject to an income withholding order shall be eligible for the satisfaction in this subrule if the sole reason for ineligibility is a disparity between the schedules of the participant's pay date and the scheduled date the payment is due.

d. A participant shall be eligible for a satisfaction under this subrule if the participant is no longer a participant, but has continued to pay the entire amount of that participant's periodic support payment without interruption.