



NOTICE OF PAYROLL DEDUCTION

TO:	RE:
Employer name	Debtor name
Street address	DOC number Social Security Number
City, State, Zip	Cause number

The Department of Corrections (DOC) issues this Notice of Payroll Deduction under RCW 9.94A.7602. This Notice of Payroll Deduction is legal process.

You must withhold \$0.00 per month from the debtor's disposable earnings in your possession for payment of court ordered legal financial obligations (LFOs). If this is more than 25% of their disposable income, only withhold 25%.

"Earnings" means compensation paid or payable for personal services, whether called wages, salary, commission, hours, or otherwise, and notwithstanding any other provisions of law making such payments exempt from garnishment, attachment, or other process to satisfy court-ordered legal financial obligations.

"Disposable earnings" are earnings less deduction of amounts required by law to be withheld.

By law, you are required to:

1. Answer this Notice of Payroll Deduction within 20 days from the date you received it.
2. Answer by filling out the attached form and mailing it to the office stated below.
3. Withhold this money each day that the earnings are due and payable to the debtor.
4. Continue to withhold this amount each month until the DOC advises you in writing to stop.

DEMAND IS MADE ON YOU TO SEND THE EARNINGS WITHHELD AS SOON AS THE 20 DAY ANSWER PERIOD IS UP. FUTURE WITHHELD EARNINGS MUST BE SENT WHEN THE INCOME IS DUE THE DEBTOR.

The withheld earnings must be made payable to the County Clerk.

TO ENSURE PROPER CREDIT, INCLUDE CAUSE # ON ALL PAYMENTS.

Do not withhold more than a total of 25% of the debtor's disposable earnings on all payroll deduction notices issued by the DOC. If the debtor is subject to 2 or more notices of payroll deduction for payment of court-ordered legal financial obligations from different county

clerks, you will, if the 25% is not sufficient to respond fully to all notices of payroll deduction, apportion the 25% between or among the County Clerks equally. The remaining 75% of the debtor's earnings is exempt from this Notice. This portion may be disbursed to the debtor on the day the earnings are due and payable. You may, however, deduct a processing fee from the exempt portion.

You may charge a processing fee not to exceed \$10.00 for the first deduction and \$1.00 for each future deduction.

By law, you must:

1. Notify DOC as soon as a debtor is no longer employed.
2. Provide DOC with debtor's new employer's name and address, if known.
3. Keep and honor this notice if the debtor leaves your employ and returns to work for you.

THIS NOTICE IS IN EFFECT UNTIL RELEASED IN WRITING BY THE DOC.

You may have a DOC Notice of Payroll Deduction on more than one employee, payments on which are to be mailed to the same County Clerk. If so, you may combine the amounts withheld and send a single check to that County Clerk. However, you must clearly and separately show the portion of the check sent for each debtor and cause number. You must also send the amounts withheld for each debtor within the time period stated in this Notice. The state guarantees that it will defend you and hold you harmless if you withhold earnings and deliver it to the appropriate County Clerk per this Notice.

IF YOU DO NOT ANSWER THIS NOTICE, OR IF YOU REFUSE OR FAIL TO HONOR THIS NOTICE, YOU WILL BE LIABLE FOR THE AMOUNT OF THE LEGAL FINANCIAL OBLIGATION MONIES THAT SHOULD HAVE BEEN WITHHELD, PLUS COSTS, INTEREST, ATTORNEY FEES, AND OTHER STAFF COSTS AS DETERMINED BY SUPERIOR COURT. IT DOES NOT MATTER WHETHER OR NOT YOU POSSESS EARNINGS OF THE DEBTOR. YOU MUST ANSWER AND HONOR THIS NOTICE, OR YOU WILL BE RESPONSIBLE.

Authorized DOC Representative Date

Answer will be made to Department of Corrections

Payments will be made to:

Office	County Clerk
Street address	Street address
City, State, Zip	City, State, Zip

Note: Include with payment cause number

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 16-01, RCW 42.56, and RCW 40.14.

Distribution: **ORIGINAL** - Employer **COPY**- Individual, Field File, Imaging file

RCW 9.94A.7604(6)-(8)

An employer shall be liable to the obligee for the amount of court-ordered legal financial obligation moneys that should have been withheld from the individual's/employee's earnings, if the employer:

- (a) Fails or refuses, after being served with a notice of payroll deduction, to deduct and promptly remit from unpaid earnings the amounts of money required in the notice; or
- (b) Fails or refuses to submit an answer to the notice of payroll deduction after being served. In such cases, liability may be established in superior court. Awards in superior court shall include costs, interest under RCW 19.52.020 and 4.56.110, reasonable attorney fees, and staff costs as part of the award.

No employer who complies with a notice of payroll deduction under this chapter may be liable to the employee for wrongful withholding.

No employer may discipline or discharge an employee or refuse to hire a person by reason of an action authorized in this chapter. If an employer disciplines or discharges an employee or refuses to hire a person in violation of this section, the employee or person shall have a cause of action against the employer. The employer shall be liable for double the amount of lost wages and any other damages suffered as a result of the violation and for costs and reasonable attorney fees, and shall be subject to a civil penalty of not more than two thousand five hundred dollars for each violation. The employer may also be ordered to hire, rehire, or reinstate the aggrieved individual.