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**SUBSTITUTE HOUSE BILL 1687**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Delvin, Sheldon, McMorris, L. Thomas, Mielke, Grant, Morris, Benson, D. Schmidt, Alexander, D. Sommers, Johnson, Thompson, Talcott and Boldt)

Read first time 03/05/97.

1 AN ACT Relating to wage garnishment; amending RCW 6.27.100,  
2 6.27.110, 6.27.190, 6.27.200, 6.27.350, 6.27.360, 26.18.100, 26.18.110,  
3 26.23.060, 26.23.090, 26.23.035, 74.20A.080, 74.20A.100, and  
4 74.20A.240; adding new sections to chapter 6.27 RCW; and creating new  
5 sections.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature recognizes that the employer  
8 has no responsibility in the situation leading to wage garnishment of  
9 the employee and that the employer is in fact helping the state and  
10 other businesses when the wages of employees are garnished. It is not  
11 the intent of the legislature to interfere in the employer/employee  
12 relationship. The legislature also recognizes that wage garnishment  
13 orders create an administrative burden for employers and that the state  
14 should do everything in its power to reduce or offset this burden.

15 **Sec. 2.** RCW 6.27.100 and 1988 c 231 s 25 are each amended to read  
16 as follows:

17 The writ shall be substantially in the following form: PROVIDED,  
18 That if the writ is issued under a court order or judgment for child

1 support, the following statement shall appear conspicuously in the  
2 caption: "This garnishment is based on a judgment or court order for  
3 child support": AND PROVIDED FURTHER, That if the garnishment is for  
4 a continuing lien, the form shall be modified as provided in RCW  
5 6.27.340: AND PROVIDED FURTHER, That if the writ is not directed to an  
6 employer for the purpose of garnishing a defendant's earnings, the  
7 paragraph relating to the earnings exemption may be omitted:

8 "IN THE SUPERIOR COURT  
9 OF THE STATE OF WASHINGTON IN AND FOR  
10 THE COUNTY OF . . . . .

11 . . . . . ,  
12 Plaintiff, No. . . . .  
13 vs.  
14 . . . . . , WRIT OF  
15 Defendant GARNISHMENT  
16  
17 . . . . . ,  
18 Garnishee ((Defendant))

19 THE STATE OF WASHINGTON TO: . . . . .  
20 Garnishee  
21 ((Defendant))

22 AND TO: . . . . .  
23 Defendant

24 The above-named plaintiff has applied for a writ of garnishment  
25 against you, claiming that the above-named defendant is indebted to  
26 plaintiff and that the amount to be held to satisfy that indebtedness  
27 is \$ . . . . . , consisting of:

28	Balance on Judgment or Amount of Claim	\$ . . . .
29	Interest under Judgment from . . . . to . . . .	\$ . . . .
30	Taxable Costs and Attorneys' Fees	\$ . . . .
31	Estimated Garnishment Costs:	
32	Filing Fee	\$ . . . .
33	Service and Affidavit Fees	\$ . . . .
34	Postage and Costs of Certified Mail	\$ . . . .
35	((Answer Fee or Fees	\$ . . . .))
36	Garnishment Attorney Fee	\$ . . . .

1       YOU MAY DEDUCT A PROCESSING FEE FROM THE REMAINDER OF THE  
2 EMPLOYEE'S EARNINGS AFTER WITHHOLDING UNDER THE GARNISHMENT ORDER. THE  
3 PROCESSING FEE MAY NOT EXCEED TWENTY DOLLARS FOR THE FIRST DISBURSEMENT  
4 MADE. IF THIS IS A WRIT FOR A CONTINUING LIEN ON EARNINGS, YOU MAY  
5 DEDUCT A PROCESSING FEE OF TWENTY DOLLARS AT THE TIME YOU REMIT THE  
6 FIRST DISBURSEMENT AND TEN DOLLARS AT THE TIME YOU SUBMIT THE SECOND  
7 ANSWER.

8       YOU ARE HEREBY COMMANDED, unless otherwise directed by the court or  
9 by this writ, not to pay any debt, whether earnings subject to this  
10 garnishment or any other debt, owed to the defendant at the time this  
11 writ was served and not to deliver, sell, or transfer, or recognize any  
12 sale or transfer of, any personal property or effects of the defendant  
13 in your possession or control at the time when this writ was served.  
14 Any such payment, delivery, sale, or transfer is void to the extent  
15 necessary to satisfy the plaintiff's claim and costs for this writ with  
16 interest.

17       YOU ARE FURTHER COMMANDED to answer this writ by filling in the  
18 attached form according to the instructions in this writ and in the  
19 answer forms and, within twenty days after the service of the writ upon  
20 you, to mail or deliver the original of such answer to the court, one  
21 copy to the plaintiff or the plaintiff's attorney, and one copy to the  
22 defendant, in the envelopes provided.

23       If, at the time this writ was served, you owed the defendant any  
24 earnings (that is, wages, salary, commission, bonus, or other  
25 compensation for personal services or any periodic payments pursuant to  
26 a pension or retirement program), the defendant is entitled to receive  
27 amounts that are exempt from garnishment under federal and state law.  
28 You must pay the exempt amounts to the defendant on the day you would  
29 customarily pay the compensation or other periodic payment. As more  
30 fully explained in the answer, the basic exempt amount is the greater  
31 of seventy-five percent of disposable earnings or a minimum amount  
32 determined by reference to the employee's pay period, to be calculated  
33 as provided in the answer. However, if this writ carries a statement  
34 in the heading that "This garnishment is based on a judgment or court  
35 order for child support," the basic exempt amount is forty percent of  
36 disposable earnings.

37       If you owe the defendant a debt payable in money in excess of the  
38 amount set forth in the first paragraph of this writ, hold only the

1 amount set forth in the first paragraph and any processing fee if one  
2 is charged and release all additional funds or property to defendant.

3 YOUR FAILURE TO ANSWER THIS WRIT AS COMMANDED WILL RESULT IN A  
4 JUDGMENT BEING ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE  
5 PLAINTIFF'S CLAIM AGAINST THE DEFENDANT WITH ACCRUING INTERESTS AND  
6 COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT.

7 Witness, the Honorable . . . . ., Judge of the Superior  
8 Court, and the seal thereof, this . . . . day of . . . . ., 19. . .

9 [Seal]

10 . . . . .  
11 Attorney for Clerk of  
12 Plaintiff (or Superior  
13 Plaintiff, Court  
14 if no attorney)  
15 . . . . .  
16 Address By  
17 . . . . .  
18 Address"

19 NEW SECTION. **Sec. 3.** The garnishee may deduct a processing fee  
20 from the remainder of the obligor's earnings after withholding the  
21 required amount under the garnishment order. The processing fee may  
22 not exceed twenty dollars for the first disbursement. If the  
23 garnishment is a continuing lien on earnings, the garnishee may deduct  
24 a processing fee of twenty dollars for the first disbursement and ten  
25 dollars at the time the garnishee submits the second answer.

26 **Sec. 4.** RCW 6.27.110 and 1988 c 231 s 26 are each amended to read  
27 as follows:

28 (1) Service of the writ of garnishment on the garnishee is invalid  
29 unless the writ is served together with: (a) Four answer forms as  
30 prescribed in RCW 6.27.190; (b) three stamped envelopes addressed  
31 respectively to the clerk of the court issuing the writ, the attorney  
32 for the plaintiff (or to the plaintiff if the plaintiff has no  
33 attorney), and the defendant (~~(c) cash or a check made payable to~~  
34 ~~the garnishee in the amount of ten dollars~~)).

1 (2) Except as provided in RCW 6.27.080 for service on a bank,  
2 savings and loan association, or credit union, the writ of garnishment  
3 shall be mailed to the garnishee by certified mail, return receipt  
4 requested, addressed in the same manner as a summons in a civil action,  
5 and will be binding upon the garnishee on the day set forth on the  
6 return receipt. In the alternative, the writ shall be served by the  
7 sheriff of the county in which the garnishee lives or has its place of  
8 business or by any person qualified to serve process in the same manner  
9 as a summons in a civil action is served.

10 (3) If a writ of garnishment is served by a sheriff, the sheriff  
11 shall file with the clerk of the court that issued the writ a signed  
12 return showing the time, place, and manner of service and that the writ  
13 was accompanied by answer forms, addressed envelopes, and ~~((cash or a  
14 check as required by this section, and))~~ noting thereon fees for making  
15 the service. If service is made by any person other than a sheriff,  
16 such person shall file an affidavit including the same information and  
17 showing qualifications to make such service. If a writ of garnishment  
18 is served by mail, the person making the mailing shall file an  
19 affidavit showing the time, place, and manner of mailing and that the  
20 writ was accompanied by answer forms~~((7))~~ and addressed envelopes,  
21 ~~((and cash or a check as required by this section))~~ and shall attach  
22 the return receipt to the affidavit.

23 **Sec. 5.** RCW 6.27.190 and 1988 c 231 s 30 are each amended to read  
24 as follows:

25 The answer of the garnishee shall be signed by the garnishee or  
26 attorney or if the garnishee is a corporation, by an officer, attorney  
27 or duly authorized agent of the garnishee, under penalty of perjury,  
28 and the original delivered, either personally or by mail, to the clerk  
29 of the court that issued the writ, one copy to the plaintiff or the  
30 plaintiff's attorney, and one copy to the defendant. The answer shall  
31 be made on a form substantially as appears in this section, served on  
32 the garnishee with the writ, with minimum exemption amounts for the  
33 different pay periods filled in by the plaintiff before service of the  
34 answer forms: PROVIDED, That, if the garnishment is for a continuing  
35 lien, the answer forms shall be as prescribed in RCW 6.27.340 and  
36 6.27.350: AND PROVIDED FURTHER, That if the writ is not directed to an  
37 employer for the purpose of garnishing the defendant's wages,  
38 paragraphs relating to the earnings exemptions may be omitted.

1 IN THE SUPERIOR COURT  
2 OF THE STATE OF WASHINGTON IN AND FOR  
3 THE COUNTY OF . . . . .

4 . . . . . NO. . . . .

5 Plaintiff

6 vs.

7 ANSWER

8 . . . . . TO WRIT OF

9 Defendant

10 GARNISHMENT

11 . . . . .  
12  
13 Garnishee Defendant

14 At the time of service of the writ of garnishment on the garnishee  
15 there was due and owing from the garnishee to the above-named defendant  
16 \$ . . . . . (On the reverse side of this answer form, or on an  
17 attached page, give an explanation of the dollar amount stated, or give  
18 reasons why there is uncertainty about your answer.)

19 If the above amount or any part of it is for personal earnings  
20 (that is, compensation payable for personal services, whether called  
21 wages, salary, commission, bonus, or otherwise, and including periodic  
22 payments pursuant to a pension or retirement program): Garnishee has  
23 deducted from this amount \$ . . . . . which is the exemption to which  
24 the defendant is entitled, leaving \$ . . . . . that garnishee holds  
25 under the writ. The exempt amount is calculated as follows:

26	Total compensation due defendant	\$ . . . . .
27	LESS deductions for social security and	
28	withholding taxes and any other	
29	deduction required by law (list	
30	separately and identify)	\$ . . . . .
31	Disposable earnings	\$ . . . . .

32 If the title of this writ indicates that this is a garnishment  
33 under a child support judgment, enter forty percent of disposable  
34 earnings: \$ . . . . . This amount is exempt and must be paid to the  
35 defendant at the regular pay time after deducting any processing fee  
36 you may charge.

37 If this is not a garnishment for child support, enter seventy-five  
38 percent of disposable earnings: \$ . . . . . From the listing in  
39 the following paragraph, choose the amount for the relevant pay period  
40 and enter that amount: \$ . . . . . (If amounts for more than one

1 pay period are due, multiply the preceding amount by the number of pay  
2 periods and/or fraction of pay period for which amounts are due and  
3 enter that amount: \$ . . . . .) The greater of the amounts entered  
4 in this paragraph is the exempt amount and must be paid to the  
5 defendant at the regular pay time after deducting any processing fee  
6 you may charge.

7 Minimum exempt amounts for different pay periods: Weekly  
8 \$ . . . . .; Biweekly \$ . . . . .; Semimonthly \$ . . . . .;  
9 Monthly \$ . . . . .

10 List all of the personal property or effects of defendant in the  
11 garnishee's possession or control when the writ was served. (Use the  
12 reverse side of this answer form or attach a schedule if necessary.)

13 An attorney may answer for the garnishee.

14 Under penalty of perjury, I affirm that I have examined this  
15 answer, including accompanying schedules, and to the best of my  
16 knowledge and belief it is true, correct, and complete.

17 . . . . .

18 Signature of \_\_\_\_\_ Date \_\_\_\_\_  
19  
20 Garnishee Defendant

21 . . . . .

22 Signature of person \_\_\_\_\_ Connection with \_\_\_\_\_  
23 answering for \_\_\_\_\_ garnishee  
24  
25 garnishee  
26

27 . . . . .

28 . . . . .

29 Address of Garnishee

30 **Sec. 6.** RCW 6.27.200 and 1988 c 231 s 31 are each amended to read  
31 as follows:

32 If the garnishee fails to answer the writ within the time  
33 prescribed in the writ, after the time to answer the writ has expired  
34 and after required returns or affidavits have been filed, showing  
35 service on the garnishee and service on or mailing to the defendant, it  
36 shall be lawful for the court to render judgment by default against  
37 such garnishee, (~~in accordance with rules relating to entry of default~~  
38 ~~judgments~~) after providing a notice to the garnishee by personal

1 service or first class mail deposited in the mail at least ten calendar  
2 days prior to entry of the judgment, for the full amount claimed by the  
3 plaintiff against the defendant, or in case the plaintiff has a  
4 judgment against the defendant, for the full amount of the plaintiff's  
5 unpaid judgment against the defendant with all accruing interest and  
6 costs as prescribed in RCW 6.27.090: PROVIDED, That upon motion by the  
7 garnishee at any time within seven days following service on, or  
8 mailing to, the garnishee ((defendant)) of a copy of a writ of  
9 execution or a writ of garnishment under such judgment, the judgment  
10 against the garnishee shall be reduced to the amount of any nonexempt  
11 funds or property which was actually in the possession of the garnishee  
12 at the time the writ was served, plus the cumulative amount of the  
13 nonexempt earnings subject to the lien provided for in RCW 6.27.350, or  
14 the sum of one hundred dollars, whichever is more, but in no event to  
15 exceed the full amount claimed by the plaintiff or the amount of the  
16 unpaid judgment against the principal defendant plus all accruing  
17 interest and costs and attorney's fees as prescribed in RCW 6.27.090,  
18 and in addition the plaintiff shall be entitled to a reasonable  
19 attorney's fee for the plaintiff's response to the garnishee's motion  
20 to reduce said judgment against the garnishee under this proviso and  
21 the court may allow additional attorney's fees for other actions taken  
22 because of the garnishee's failure to answer.

23 **Sec. 7.** RCW 6.27.350 and 1988 c 231 s 35 are each amended to read  
24 as follows:

25 (1) Where the garnishee's answer to a garnishment for a continuing  
26 lien reflects that the defendant is employed by the garnishee, the  
27 judgment or balance due thereon as reflected on the writ of garnishment  
28 shall become a lien on earnings due at the time of the effective date  
29 of the writ, as defined in this subsection, to the extent that they are  
30 not exempt from garnishment, and such lien shall continue as to  
31 subsequent nonexempt earnings until the total subject to the lien  
32 equals the amount stated on the writ of garnishment or until the  
33 expiration of the employer's payroll period ending on or before sixty  
34 days after the effective date of the writ, whichever occurs first,  
35 except that such lien on subsequent earnings shall terminate sooner if  
36 the employment relationship is terminated or if the underlying judgment  
37 is vacated, modified, or satisfied in full or if the writ is dismissed.  
38 The "effective date" of a writ is the date of service of the writ if



1 there is no previously served writ; otherwise, it is the date of  
2 termination of a previously served writ or writs.

3 (2) At the time of the expected termination of the lien, the  
4 plaintiff shall mail to the garnishee (~~cash or a check made payable to~~  
5 ~~the garnishee in the amount of ten dollars,~~) three additional stamped  
6 envelopes addressed as provided in RCW 6.27.110, and four additional  
7 copies of the answer form prescribed in RCW 6.27.190, (a) with a  
8 statement in substantially the following form added as the first  
9 paragraph: "ANSWER THE SECOND PART OF THIS FORM WITH RESPECT TO THE  
10 TOTAL AMOUNT OF EARNINGS WITHHELD UNDER THIS GARNISHMENT, INCLUDING THE  
11 AMOUNT, IF ANY, STATED IN YOUR FIRST ANSWER, AND WITHIN TWENTY DAYS  
12 AFTER YOU RECEIVE THESE FORMS, MAIL OR DELIVER THEM AS DIRECTED IN THE  
13 WRIT" and (b) with the following lines substituted for the first  
14 sentence of the form prescribed in RCW 6.27.190:

15	Amount due and owing stated in first answer	\$ . . . . .
16	Amount accrued since first answer	\$ . . . . .

17 (3) Within twenty days of receipt of the second answer form the  
18 garnishee shall file a second answer, in the form as provided in  
19 subsection (2) of this section, stating the total amount held subject  
20 to the garnishment.

21 **Sec. 8.** RCW 6.27.360 and 1989 c 360 s 20 are each amended to read  
22 as follows:

23 (1) Except as provided in subsection (2) of this section, a lien  
24 obtained under RCW 6.27.350 shall have priority over any subsequent  
25 garnishment lien or wage assignment except that service of a writ shall  
26 not be effective to create a continuing lien with such priority if a  
27 writ in the same case is pending at the time of the service of the new  
28 writ.

29 (2) A lien obtained under RCW 6.27.350 shall not have priority over  
30 a notice of payroll deduction issued under RCW 26.23.060 or a wage  
31 assignment or other garnishment for child support issued under chapters  
32 26.18 and 74.20A RCW. Should nonexempt wages remain after deduction of  
33 all amounts owing under a notice of payroll deduction, wage assignment,  
34 or garnishment for child support, the garnishee shall withhold the  
35 remaining nonexempt wages under the lien obtained under RCW 6.27.350.

36 NEW SECTION. **Sec. 9.** (1) Whenever the federal government is named  
37 as a garnishee defendant, the clerk of the court shall, upon submitting

1 a notice in the appropriate form by the plaintiff, issue a notice which  
2 directs the garnishee defendant to disburse any nonexempt earnings to  
3 the court in accordance with the garnishee defendant's normal pay and  
4 disbursement cycle.

5 (2) Funds received by the clerk from a garnishee defendant may be  
6 deposited into the registry of the court or, in the case of negotiable  
7 instruments, may be retained in the court file. Upon presentation of  
8 an order directing the clerk to disburse the funds received, the clerk  
9 shall pay or endorse the funds over to the party entitled to receive  
10 the funds. Except for good cause shown, the funds shall not be paid or  
11 endorsed to the plaintiff prior to the expiration of any minimum  
12 statutory period allowed to the defendant for filing an exemption  
13 claim.

14 (3) The plaintiff shall, in the same manner permitted for service  
15 of the writ of garnishment, provide to the garnishee defendant a copy  
16 of the notice issued by the clerk and an envelope addressed to the  
17 court, and shall supply to the garnished party a copy of the notice.

18 (4) Any answer or processing fees charged by the garnishee  
19 defendant to the plaintiff under federal law shall be a recoverable  
20 cost under RCW 6.27.090.

21 (5) The notice to the federal government garnishee shall be in  
22 substantially the following form:

23 IN THE . . . . . COURT OF THE STATE OF WASHINGTON  
24 IN AND FOR . . . . . COUNTY  
25 . . . . . , NO. . . . .  
26 Plaintiff, NOTICE TO FEDERAL  
27 vs. GOVERNMENT GARNISHEE DEFENDANT  
28 . . . . . ,  
29 Defendant,  
30 . . . . . ,  
31 Garnishee Defendant.

32 TO: THE GOVERNMENT OF THE UNITED STATES AND ANY DEPARTMENT, AGENCY, OR  
33 DIVISION THEREOF

34 You have been named as the garnishee defendant in the above-entitled  
35 cause. A Writ of Garnishment accompanies this Notice. The Writ of

1 Garnishment directs you to hold the nonexempt earnings of the named  
2 defendant, but does not instruct you to disburse the funds you hold.

3 BY THIS NOTICE THE COURT DIRECTS YOU TO WITHHOLD ALL NONEXEMPT EARNINGS  
4 AND DISBURSE THEM IN ACCORDANCE WITH YOUR NORMAL PAY AND DISBURSEMENT  
5 CYCLE, TO THE FOLLOWING:

6 . . . . . County . . . . . Court Clerk  
7 Cause No. . . . .  
8 . . . . .  
9 (Address)

10 PLEASE REFERENCE THE DEFENDANT EMPLOYEE'S NAME AND THE ABOVE CAUSE  
11 NUMBER ON ALL DISBURSEMENTS.

12 The enclosed Writ also directs you to respond to the Writ within twenty  
13 (20) days, but you are allowed thirty (30) days to respond under  
14 federal law.

15 DATED this . . . day of . . . . ., 19. . .

16 . . . . .  
17 Clerk of the Court

18 **Sec. 10.** RCW 26.18.100 and 1994 c 230 s 4 are each amended to read  
19 as follows:

20 The wage assignment order shall be substantially in the following  
21 form:

22 IN THE SUPERIOR COURT OF THE  
23 STATE OF WASHINGTON IN AND FOR THE  
24 COUNTY OF . . . . .

25 . . . . . ,  
26 Obligee No. . . . .

27 vs.  
28 . . . . . , WAGE ASSIGNMENT

29 Obligor ORDER  
30 . . . . . ,

31 Employer

32 THE STATE OF WASHINGTON TO: . . . . .  
33 Employer

1 AND TO: . . . . .

2 Obligor

3 The above-named obligee claims that the above-named obligor is  
4 subject to a support order requiring immediate income withholding or is  
5 more than fifteen days past due in either child support or spousal  
6 maintenance payments, or both, in an amount equal to or greater than  
7 the child support or spousal maintenance payable for one month. The  
8 amount of the accrued child support or spousal maintenance debt as of  
9 this date is . . . . . dollars, the amount of arrearage payments  
10 specified in the support or spousal maintenance order (if applicable)  
11 is . . . . . dollars per . . . . ., and the amount of the current  
12 and continuing support or spousal maintenance obligation under the  
13 order is . . . . . dollars per . . . . .

14 You are hereby commanded to answer this order by filling in the  
15 attached form according to the instructions, and you must mail or  
16 deliver the original of the answer to the court, one copy to the  
17 Washington state support registry, one copy to the obligee or obligee's  
18 attorney, and one copy to the obligor within twenty days after service  
19 of this wage assignment order upon you.

20 If you possess any earnings or other remuneration for employment  
21 due and owing to the obligor, then you shall do as follows:

22 (1) Withhold from the obligor's earnings or remuneration each  
23 month, or from each regular earnings disbursement, the lesser of:

24 (a) The sum of the accrued support or spousal maintenance debt and  
25 the current support or spousal maintenance obligation;

26 (b) The sum of the specified arrearage payment amount and the  
27 current support or spousal maintenance obligation; or

28 (c) Fifty percent of the disposable earnings or remuneration of the  
29 obligor.

30 (2) The total amount withheld above is subject to the wage  
31 assignment order, and all other sums may be disbursed to the obligor.

32 (3) Upon receipt of this wage assignment order you shall make  
33 immediate deductions from the obligor's earnings or remuneration and  
34 remit to the Washington state support registry or other address  
35 specified below the proper amounts at each regular pay interval.

36 You shall continue to withhold the ordered amounts from nonexempt  
37 earnings or remuneration of the obligor until notified by:

38 (a) The court that the wage assignment has been modified or  
39 terminated; or

1 (b) The addressee specified in the wage assignment order under this  
2 section that the accrued child support or spousal maintenance debt has  
3 been paid.

4 You shall promptly notify the court and the addressee specified in  
5 the wage assignment order under this section if and when the employee  
6 is no longer employed by you, or if the obligor no longer receives  
7 earnings or remuneration from you. If you no longer employ the  
8 employee, the wage assignment order shall remain in effect (~~for one~~  
9 ~~year after the employee has left your employment or~~) until you are no  
10 longer in possession of any earnings or remuneration owed to the  
11 employee(~~(, whichever is later. You shall continue to hold the wage~~  
12 ~~assignment order during that period. If the employee returns to your~~  
13 ~~employment during the one year period you shall immediately begin to~~  
14 ~~withhold the employee's earnings according to the terms of the wage~~  
15 ~~assignment order. If the employee has not returned to your employment~~  
16 ~~within one year, the wage assignment will cease to have effect at the~~  
17 ~~expiration of the one year period, unless you still owe the employee~~  
18 ~~earnings or other remuneration)).~~

19 You shall deliver the withheld earnings or remuneration to the  
20 Washington state support registry or other address stated below at each  
21 regular pay interval.

22 You shall deliver a copy of this order to the obligor as soon as is  
23 reasonably possible. This wage assignment order has priority over any  
24 other wage assignment or garnishment, except for another wage  
25 assignment or garnishment for child support or spousal maintenance, or  
26 order to withhold or deliver under chapter 74.20A RCW.

27 WHETHER OR NOT YOU OWE ANYTHING TO THE OBLIGOR, YOUR FAILURE TO  
28 ANSWER AS REQUIRED MAY MAKE YOU LIABLE FOR (~~OBLIGOR'S CLAIMED~~  
29 ~~SUPPORT OR SPOUSAL MAINTENANCE DEBT TO THE OBLIGEE~~) THE AMOUNT  
30 OF SUPPORT MONEYS THAT SHOULD HAVE BEEN WITHHELD FROM THE  
31 OBLIGOR'S EARNINGS OR SUBJECT TO CONTEMPT OF COURT.

32 NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE  
33 SUPERIOR COURT THAT ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT  
34 THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER.

35 DATED THIS . . . . day of . . . ., 19. . . .

1 . . . . .  
2 Obligee, Judge/Court Commissioner  
3 or obligee's attorney  
4 Send withheld payments to: . . . . .  
5 . . . . .  
6 . . . . .  
7 . . . . .

8 **Sec. 11.** RCW 26.18.110 and 1994 c 230 s 5 are each amended to read  
9 as follows:

10 (1) An employer upon whom service of a wage assignment order has  
11 been made shall answer the order by sworn affidavit within twenty days  
12 after the date of service. The answer shall state whether the obligor  
13 is employed by or receives earnings or other remuneration from the  
14 employer, whether the employer will honor the wage assignment order,  
15 and whether there are either multiple child support or spousal  
16 maintenance attachments, or both, against the obligor.

17 (2) If the employer possesses any earnings or remuneration due and  
18 owing to the obligor, the earnings subject to the wage assignment order  
19 shall be withheld immediately upon receipt of the wage assignment  
20 order. The withheld earnings shall be delivered to the Washington  
21 state support registry or, if the wage assignment order is to satisfy  
22 a duty of spousal maintenance, to the addressee specified in the  
23 assignment at each regular pay interval.

24 (3) The employer shall continue to withhold the ordered amounts  
25 from nonexempt earnings or remuneration of the obligor until notified  
26 by:

27 (a) The court that the wage assignment has been modified or  
28 terminated; or

29 (b) The Washington state support registry or obligee that the  
30 accrued child support or spousal maintenance debt has been paid,  
31 provided the wage assignment order contains the language set forth  
32 under RCW 26.18.100(3)(b). The employer shall promptly notify the  
33 addressee specified in the assignment when the employee is no longer  
34 employed. If the employer no longer employs the employee, the wage  
35 assignment order shall remain in effect (~~for one year after the~~  
36 ~~employee has left the employment or~~) until the employer (~~has been in~~  
37 ~~possession of~~) no longer possesses any earnings or remuneration owed  
38 to the employee(~~, whichever is later. The employer shall continue to~~

1 hold the wage assignment order during that period. If the employee  
2 returns to the employer's employment during the one year period the  
3 employer shall immediately begin to withhold the employee's earnings or  
4 remuneration according to the terms of the wage assignment order. If  
5 the employee has not returned within one year, the wage assignment  
6 shall cease to have effect at the expiration of the one year period,  
7 unless the employer continues to owe remuneration for employment to the  
8 obligor)).

9 (4) The employer may deduct a processing fee from the remainder of  
10 the employee's earnings after withholding under the wage assignment  
11 order, even if the remainder is exempt under RCW 26.18.090. The  
12 processing fee may not exceed (a) ~~((ten))~~ thirty dollars for the first  
13 disbursement made by the employer to the Washington state support  
14 registry; and (b) ~~((one))~~ five dollars for each subsequent disbursement  
15 to the clerk. If the wage assignment order is pursuant to RCW  
16 26.23.045, the employer may deduct a processing fee from the amount  
17 required to be withheld, before remitting the amount to the Washington  
18 state support registry. The office of support enforcement shall  
19 contribute the amount of the processing fee that was deducted from the  
20 withholding amount.

21 (5) An order for wage assignment for support for a dependent child  
22 entered under this chapter shall have priority over any other wage  
23 assignment or garnishment, except for another wage assignment or  
24 garnishment for child support, or order to withhold and deliver under  
25 chapter 74.20A RCW. An order for wage assignment for spousal  
26 maintenance entered under this chapter shall have priority over any  
27 other wage assignment or garnishment, except for a wage assignment,  
28 garnishment, or order to withhold and deliver under chapter 74.20A RCW  
29 for support of a dependent child, and except for another wage  
30 assignment or garnishment for spousal maintenance.

31 (6) An employer who fails to withhold earnings as required by a  
32 wage assignment issued under this chapter may be held liable to the  
33 obligee for ~~((one hundred percent of the support or spousal maintenance~~  
34 ~~debt, or))~~ the amount of support or spousal maintenance moneys that  
35 should have been withheld from the employee's earnings ~~((whichever is~~  
36 ~~the lesser amount))~~, if the employer:

37 (a) Fails or refuses, after being served with a wage assignment  
38 order, to deduct and promptly remit from the unpaid earnings the  
39 amounts of money required in the order;

1 (b) Fails or refuses to submit an answer to the notice of wage  
2 assignment after being served; or

3 (c) Is unwilling to comply with the other requirements of this  
4 section.

5 Liability may be established in superior court. Awards in superior  
6 court shall include costs, interest under RCW 19.52.020 and 4.56.110,  
7 and reasonable attorneys' fees.

8 (7) No employer who complies with a wage assignment issued under  
9 this chapter may be liable to the employee for wrongful withholding.

10 (8) No employer may discharge, discipline, or refuse to hire an  
11 employee because of the entry or service of a wage assignment issued  
12 and executed under this chapter. If an employer discharges,  
13 disciplines, or refuses to hire an employee in violation of this  
14 section, the employee or person shall have a cause of action against  
15 the employer. The employer shall be liable for double the amount of  
16 damages suffered as a result of the violation and for costs and  
17 reasonable attorneys' fees, and shall be subject to a civil penalty of  
18 not more than two thousand five hundred dollars for each violation.  
19 The employer may also be ordered to hire, rehire, or reinstate the  
20 aggrieved individual.

21 (9) For wage assignments payable to the Washington state support  
22 registry, an employer may combine amounts withheld from various  
23 employees into a single payment to the Washington state support  
24 registry, if the payment includes a listing of the amounts attributable  
25 to each employee and other information as required by the registry.

26 (10) An employer shall deliver a copy of the wage assignment order  
27 to the obligor as soon as is reasonably possible.

28 **Sec. 12.** RCW 26.23.060 and 1994 c 230 s 10 are each amended to  
29 read as follows:

30 (1) The office of support enforcement may issue a notice of payroll  
31 deduction:

32 (a) As authorized by a support order that contains the income  
33 withholding notice provisions in RCW 26.23.050 or a substantially  
34 similar notice; or

35 (b) After service of a notice containing an income withholding  
36 provision under this chapter or chapter 74.20A RCW.

37 (2) The office of support enforcement shall serve a notice of  
38 payroll deduction upon a responsible parent's employer or upon the



1 employment security department for the state in possession of or owing  
2 any benefits from the unemployment compensation fund to the responsible  
3 parent pursuant to Title 50 RCW by personal service or by any form of  
4 mail requiring a return receipt.

5 (3) Service of a notice of payroll deduction upon an employer or  
6 employment security department requires the employer or employment  
7 security department to immediately make a mandatory payroll deduction  
8 from the responsible parent's unpaid disposable earnings or  
9 unemployment compensation benefits. The employer or employment  
10 security department shall thereafter deduct each pay period the amount  
11 stated in the notice divided by the number of pay periods per month.  
12 The payroll deduction each pay period shall not exceed fifty percent of  
13 the responsible parent's disposable earnings.

14 (4) A notice of payroll deduction for support shall have priority  
15 over any wage assignment, garnishment, attachment, or other legal  
16 process.

17 (5) The notice of payroll deduction shall be in writing and  
18 include:

19 (a) The name and social security number of the responsible parent;

20 (b) The amount to be deducted from the responsible parent's  
21 disposable earnings each month, or alternate amounts and frequencies as  
22 may be necessary to facilitate processing of the payroll deduction;

23 (c) A statement that the total amount withheld shall not exceed  
24 fifty percent of the responsible parent's disposable earnings; and

25 (d) The address to which the payments are to be mailed or  
26 delivered.

27 (6) An informational copy of the notice of payroll deduction shall  
28 be mailed to the last known address of the responsible parent by  
29 regular mail.

30 (7) An employer or employment security department that receives a  
31 notice of payroll deduction shall make immediate deductions from the  
32 responsible parent's unpaid disposable earnings and remit proper  
33 amounts to the Washington state support registry on each date the  
34 responsible parent is due to be paid.

35 (8) An employer, or the employment security department, upon whom  
36 a notice of payroll deduction is served, shall make an answer to the  
37 office of support enforcement within twenty days after the date of  
38 service. The answer shall confirm compliance and institution of the  
39 payroll deduction or explain the circumstances if no payroll deduction

1 is in effect. The answer shall also state whether the responsible  
2 parent is employed by or receives earnings from the employer or  
3 receives unemployment compensation benefits from the employment  
4 security department, whether the employer or employment security  
5 department anticipates paying earnings or unemployment compensation  
6 benefits and the amount of earnings. If the responsible parent is no  
7 longer employed, or receiving earnings from the employer, the answer  
8 shall state the present employer's name and address, if known. If the  
9 responsible parent is no longer receiving unemployment compensation  
10 benefits from the employment security department, the answer shall  
11 state the present employer's name and address, if known.

12 (9) Before remitting the amount to the Washington state support  
13 registry, the employer or employment security department may deduct a  
14 processing fee from the ((remainder of the responsible parent's  
15 earnings after withholding under the notice of payroll deduction, even  
16 if the remainder is exempt under RCW 26.18.090)) amount required to be  
17 withheld. The employer or employment security department will remit  
18 the amount required to be withheld less the processing fee. The  
19 processing fee may not exceed: (a) ((Ten)) Thirty dollars for the  
20 first disbursement made to the Washington state support registry; and  
21 (b) ((one)) five dollars for each subsequent disbursement to the  
22 registry. The office of support enforcement shall contribute the  
23 amount of the processing fee that was deducted from the withholding  
24 amount.

25 (10) The notice of payroll deduction shall remain in effect until  
26 released by the office of support enforcement, the court enters an  
27 order terminating the notice and approving an alternate arrangement  
28 under RCW 26.23.050(2), or ((one year has expired since the employer  
29 has employed the responsible parent or has been in possession of or  
30 owing any earnings to the responsible parent)) the employer is no  
31 longer in possession of or owing any earnings to the responsible parent  
32 or the employment security department ((has been)) is no longer in  
33 possession of or owing any unemployment compensation benefits to the  
34 responsible parent.

35 **Sec. 13.** RCW 26.23.090 and 1990 c 165 s 2 are each amended to read  
36 as follows:

37 (1) The employer shall be liable to the Washington state support  
38 registry for ((one hundred percent of the amount of the support debt,

1 or)) the amount of support moneys which should have been withheld from  
2 the employee's earnings, (~~whichever is the lesser amount,~~) if the  
3 employer:

4 (a) Fails or refuses, after being served with a notice of payroll  
5 deduction, to deduct and promptly remit from unpaid earnings the  
6 amounts of money required in the notice;

7 (b) Fails or refuses to submit an answer to the notice of payroll  
8 deduction after being served; or

9 (c) Is unwilling to comply with the other requirements of RCW  
10 26.23.060.

11 (2) Liability may be established in superior court or may be  
12 established pursuant to RCW 74.20A.270. Awards in superior court and  
13 in actions pursuant to RCW 74.20A.270 shall include costs, interest  
14 under RCW 19.52.020 and 4.56.110, and reasonable attorney fees and  
15 staff costs as a part of the award. Debts established pursuant to this  
16 section may be collected pursuant to chapter 74.20A RCW utilizing any  
17 of the remedies contained in that chapter.

18 **Sec. 14.** RCW 26.23.035 and 1991 c 367 s 38 are each amended to  
19 read as follows:

20 (1) The department of social and health services shall adopt rules  
21 for the distribution of support money collected by the office of  
22 support enforcement. These rules shall:

23 (a) Comply with 42 U.S.C. Sec. 657;

24 (b) Direct the office of support enforcement to distribute support  
25 money within eight days of receipt, unless one of the following  
26 circumstances, or similar circumstances specified in the rules,  
27 prevents prompt distribution:

28 (i) The location of the custodial parent is unknown;

29 (ii) The support debt is in litigation;

30 (iii) The office of support enforcement cannot identify the  
31 responsible parent or the custodian;

32 (c) Provide for proportionate distribution of support payments if  
33 the responsible parent owes a support obligation or a support debt for  
34 two or more Title IV-D cases; (~~and~~)

35 (d) Authorize the distribution of support money, except money  
36 collected under 42 U.S.C. Sec. 664, to satisfy a support debt owed to  
37 the IV-D custodian before the debt owed to the state when the custodian  
38 stops receiving a public assistance grant; and

1       (e) Direct the office of support enforcement to contribute, within  
2 the required time, the amount of any processing fee deducted from the  
3 amount withheld when a processing fee has actually been deducted by the  
4 employer or employment security department.

5       (2) The office of support enforcement may distribute support  
6 payments to the payee under the support order or to another person who  
7 has lawful physical custody of the child or custody with the payee's  
8 consent. The payee may file an application for an adjudicative  
9 proceeding to challenge distribution to such other person. Prior to  
10 distributing support payments to any person other than the payee, the  
11 registry shall:

12       (a) Obtain a written statement from the child's physical custodian,  
13 under penalty of perjury, that the custodian has lawful custody of the  
14 child or custody with the payee's consent;

15       (b) Mail to the responsible parent and to the payee at the payee's  
16 last known address a copy of the physical custodian's statement and a  
17 notice which states that support payments will be sent to the physical  
18 custodian; and

19       (c) File a copy of the notice with the clerk of the court that  
20 entered the original support order.

21       (3) If the Washington state support registry distributes a support  
22 payment to a person in error, the registry may obtain restitution by  
23 means of a set-off against future payments received on behalf of the  
24 person receiving the erroneous payment, or may act according to RCW  
25 74.20A.270 as deemed appropriate. Any set-off against future support  
26 payments shall be limited to amounts collected on the support debt and  
27 ten percent of amounts collected as current support.

28       (4) When an employer or the employment security department deducts  
29 the authorized processing fee from the amount required to be withheld  
30 in wage withholding orders or notice of payroll deductions, the office  
31 of support enforcement shall contribute the amount deducted from the  
32 withholding amount.

33       **Sec. 15.** RCW 74.20A.080 and 1994 c 230 s 20 are each amended to  
34 read as follows:

35       (1) The secretary may issue to any person, firm, corporation,  
36 association, political subdivision, department of the state, or agency,  
37 subdivision, or instrumentality of the United States, an order to  
38 withhold and deliver property of any kind, including but not restricted

1 to earnings which are or might become due, owing, or belonging to the  
2 debtor, when the secretary has reason to believe that there is in the  
3 possession of such person, firm, corporation, association, political  
4 subdivision, department of the state, or agency, subdivision, or  
5 instrumentality of the United States property which is or might become  
6 due, owing, or belonging to said debtor. Such order to withhold and  
7 deliver may be issued:

8 (a) When a support payment is past due, if a responsible parent's  
9 support order:

10 (i) Contains language directing the parent to make support payments  
11 to the Washington state support registry; and

12 (ii) Includes a statement that other income-withholding action  
13 under this chapter may be taken without further notice to the  
14 responsible parent, as provided for in RCW 26.23.050(1);

15 (b) Twenty-one days after service of a notice of support debt under  
16 RCW 74.20A.040;

17 (c) Twenty-one days after service of a notice and finding of  
18 parental responsibility under RCW 74.20A.056;

19 (d) Twenty-one days after service of a notice of support owed under  
20 RCW 26.23.110;

21 (e) Twenty-one days after service of a notice and finding of  
22 financial responsibility under RCW 74.20A.055; or

23 (f) When appropriate under RCW 74.20A.270.

24 (2) The order to withhold and deliver shall:

25 (a) State the amount of the support debt accrued;

26 (b) State in summary the terms of RCW 74.20A.090 and 74.20A.100;

27 (c) Be served in the manner prescribed for the service of a summons  
28 in a civil action or by certified mail, return receipt requested.

29 (3) Any person, firm, corporation, association, political  
30 subdivision, department of the state, or agency, subdivision, or  
31 instrumentality of the United States upon whom service has been made is  
32 hereby required to:

33 (a) Answer said order to withhold and deliver within twenty days,  
34 exclusive of the day of service, under oath and in writing, and shall  
35 make true answers to the matters inquired of therein; and

36 (b) Provide further and additional answers when requested by the  
37 secretary.

38 (4) Any such person, firm, corporation, association, political  
39 subdivision, department of the state, or agency, subdivision, or

1 instrumentality of the United States in possession of any property  
2 which may be subject to the claim of the department of social and  
3 health services shall:

4 (a)(i) Immediately withhold such property upon receipt of the order  
5 to withhold and deliver; and

6 (ii) Deliver the property to the secretary as soon as the twenty-  
7 day answer period expires;

8 (iii) Continue to withhold earnings payable to the debtor at each  
9 succeeding disbursement interval as provided for in RCW 74.20A.090, and  
10 deliver amounts withheld from earnings to the secretary on the date  
11 earnings are payable to the debtor;

12 (iv) Inform the secretary of the date the amounts were withheld as  
13 requested under this section; or

14 (b) Furnish to the secretary a good and sufficient bond,  
15 satisfactory to the secretary, conditioned upon final determination of  
16 liability.

17 (5) An order to withhold and deliver served under this section  
18 shall not expire until:

19 (a) Released in writing by the office of support enforcement;

20 (b) Terminated by court order; or

21 (c) The person or entity receiving the order to withhold and  
22 deliver does not possess property of or owe money to the debtor (~~for~~  
23 ~~any period of twelve consecutive months following the date of service~~  
24 ~~of the order to withhold and deliver~~)).

25 (6) Where money is due and owing under any contract of employment,  
26 express or implied, or is held by any person, firm, corporation, or  
27 association, political subdivision, or department of the state, or  
28 agency, subdivision, or instrumentality of the United States subject to  
29 withdrawal by the debtor, such money shall be delivered by remittance  
30 payable to the order of the secretary.

31 (7) Delivery to the secretary of the money or other property held  
32 or claimed shall satisfy the requirement and serve as full acquittance  
33 of the order to withhold and deliver.

34 (8) A person, firm, corporation, or association, political  
35 subdivision, department of the state, or agency, subdivision, or  
36 instrumentality of the United States that complies with the order to  
37 withhold and deliver under this chapter is not civilly liable to the  
38 debtor for complying with the order to withhold and deliver under this  
39 chapter.

1 (9) The secretary may hold the money or property delivered under  
2 this section in trust for application on the indebtedness involved or  
3 for return, without interest, in accordance with final determination of  
4 liability or nonliability.

5 (10) Exemptions contained in RCW 74.20A.090 apply to orders to  
6 withhold and deliver issued under this section.

7 (11) The secretary shall also, on or before the date of service of  
8 the order to withhold and deliver, mail or cause to be mailed a copy of  
9 the order to withhold and deliver to the debtor at the debtor's last  
10 known post office address, or, in the alternative, a copy of the order  
11 to withhold and deliver shall be served on the debtor in the same  
12 manner as a summons in a civil action on or before the date of service  
13 of the order or within two days thereafter. The copy of the order  
14 shall be mailed or served together with a concise explanation of the  
15 right to petition for judicial review. This requirement is not  
16 jurisdictional, but, if the copy is not mailed or served as in this  
17 section provided, or if any irregularity appears with respect to the  
18 mailing or service, the superior court, in its discretion on motion of  
19 the debtor promptly made and supported by affidavit showing that the  
20 debtor has suffered substantial injury due to the failure to mail the  
21 copy, may set aside the order to withhold and deliver and award to the  
22 debtor an amount equal to the damages resulting from the secretary's  
23 failure to serve on or mail to the debtor the copy.

24 (12) An order to withhold and deliver issued in accordance with  
25 this section has priority over any other wage assignment, garnishment,  
26 attachment, or other legal process, except for another wage assignment,  
27 garnishment, attachment, or other legal process for child support.

28 (13) The office of support enforcement shall notify any person,  
29 firm, corporation, association, or political subdivision, department of  
30 the state, or agency, subdivision, or instrumentality of the United  
31 States required to withhold and deliver the earnings of a debtor under  
32 this action that they may deduct a processing fee from the ~~((remainder  
33 of the debtor's earnings, even if the remainder would otherwise be  
34 exempt under RCW 74.20A.090))~~ amount required to be withheld, before  
35 remitting the amount to the Washington state support registry, and the  
36 office of support enforcement shall contribute the amount of the  
37 processing fee deducted. The processing fee shall not exceed ~~((ten))~~  
38 thirty dollars for the first disbursement to the department and ~~((one))~~

1 five dollars for each subsequent disbursement under the order to  
2 withhold and deliver.

3 **Sec. 16.** RCW 74.20A.100 and 1989 c 360 s 5 are each amended to  
4 read as follows:

5 (1) Any person, firm, corporation, association, political  
6 subdivision, or department of the state shall be liable to the  
7 department in (~~(an amount equal to one hundred percent of the value of~~  
8 ~~the debt which is the basis of the lien, order to withhold and deliver,~~  
9 ~~distrain, or assignment of earnings, or)) the amount that should have  
10 been withheld(~~(, whichever amount is less)~~), together with costs,  
11 interest, and reasonable attorney fees if that person or entity:~~

12 (a) Fails to answer an order to withhold and deliver within the  
13 time prescribed herein;

14 (b) Fails or refuses to deliver property pursuant to said order;

15 (c) After actual notice of filing of a support lien, pays over,  
16 releases, sells, transfers, or conveys real or personal property  
17 subject to a support lien to or for the benefit of the debtor or any  
18 other person;

19 (d) Fails or refuses to surrender property distrained under RCW  
20 74.20A.130 upon demand; or

21 (e) Fails or refuses to honor an assignment of earnings presented  
22 by the secretary.

23 (2) The secretary is authorized to issue a notice of debt pursuant  
24 to RCW 74.20A.040 and to take appropriate action to collect the debt  
25 under this chapter if:

26 (a) A judgment has been entered as the result of an action in  
27 superior court against a person, firm, corporation, association,  
28 political subdivision, or department of the state based on a violation  
29 of this section; or

30 (b) Liability has been established under RCW 74.20A.270.

31 **Sec. 17.** RCW 74.20A.240 and 1994 c 230 s 21 are each amended to  
32 read as follows:

33 Any person, firm, corporation, association, political subdivision,  
34 department of the state, or agency, subdivision, or instrumentality of  
35 the United States employing a person owing a support debt or  
36 obligation, shall honor, according to its terms, a duly executed  
37 assignment of earnings presented by the secretary as a plan to satisfy



1 or retire a support debt or obligation. This requirement to honor the  
2 assignment of earnings and the assignment of earnings itself shall be  
3 applicable whether said earnings are to be paid presently or in the  
4 future and shall continue in force and effect until released in writing  
5 by the secretary. Payment of moneys pursuant to an assignment of  
6 earnings presented by the secretary shall serve as full acquittance  
7 under any contract of employment. A person, firm, corporation,  
8 association, political subdivision, department of the state, or agency,  
9 subdivision, or instrumentality of the United States that complies with  
10 the assignment of earnings under this chapter is not civilly liable to  
11 the debtor for complying with the assignment of earnings under this  
12 chapter. The secretary shall be released from liability for improper  
13 receipt of moneys under an assignment of earnings upon return of any  
14 moneys so received.

15 An assignment of earnings presented by the secretary in accordance  
16 with this section has priority over any other wage assignment,  
17 garnishment, attachment, or other legal process except for another wage  
18 assignment, garnishment, attachment, or other legal process for support  
19 moneys.

20 The employer may deduct a processing fee from the (~~remainder of~~  
21 ~~the debtor's earnings, even if the remainder would be exempt under RCW~~  
22 ~~74.20A.090~~) amount required to be withheld, before remitting the  
23 amount to the Washington state support registry. The processing fee  
24 shall not exceed (~~ten~~) thirty dollars from the first disbursement to  
25 the department and (~~one~~) five dollars for each subsequent  
26 disbursement under the assignment of earnings. The office of support  
27 enforcement shall contribute the amount of the processing fee that was  
28 deducted from the withholding amount.

29 NEW SECTION. Sec. 18. The attorney general's office shall work  
30 with an association representing collection agencies state-wide and  
31 representatives from state-wide organizations of businesses with an  
32 average employee size of less than ten to establish a standard form and  
33 procedures to be used for wage garnishment orders to reduce paperwork  
34 and confusion for small businesses. The group shall report to relevant  
35 committees of the legislature by February 1, 1998.

36 NEW SECTION. Sec. 19. (1) A joint task force is created to study  
37 the reorganization of employment reporting requirements so that the

1 office of support enforcement receives employment information from  
2 state agencies such as the employment security department rather than  
3 from employers, who have already filed the information with state  
4 agencies. The task force shall develop a form for employers that  
5 collects all information required by the state for all employee  
6 reporting. The task force will develop procedures and recommendations  
7 for reducing paperwork in the enforcement of child support orders using  
8 wage withholding.

9 (2) The task force shall consist of the following members: One  
10 representative from the office of support enforcement; one  
11 representative from the employment security department; one  
12 representative from the department of labor and industries; one  
13 representative from the department of revenue; and three members  
14 appointed by business organizations representing a variety of  
15 industries state-wide.

16 (3) The task force shall report to the relevant committees of the  
17 legislature by February 1, 1998.

18 NEW SECTION. **Sec. 20.** Sections 1, 3, 9, and 19 of this act are  
19 each added to chapter 6.27 RCW.

--- END ---