

AGREEMENT TO STOP THE INCOME WITHHOLDING ORDER (CHECKLIST)

YOU MAY USE THESE FORMS IF:

- √ An ***“Income Withholding Order”*** (formally known as ***“Order of Assignment”***) has been issued by a court in Mohave County against one of the parties to pay child support and/or spousal maintenance, **AND**
- √ **ALL** parties will sign the ***“Agreement to Stop the Income Withholding Order”*** in front of a Clerk of the Court or a Notary, **AND**
- √ If the State of Arizona (DES) was involved in your case, a representative of DES will also sign the ***“Agreement,”*** **AND**

BOTH of the following conditions apply:

1. The person making payments does not owe any more money under this Order or the obligation to pay will end, within 90 days of filing this ***Agreement***.
 2. There is no money owed for back child support or spousal maintenance arrears, **AND** current payments should stop because:
 - all minor child(ren) named in the Support Order are 18 and not attending high school; **and/or**
 - all spousal maintenance is paid; **or**
 - other condition for stopping child support or spousal maintenance has occurred, such as:
 - √ Parties have remarried each other (copy of ***“Marriage Certificate”*** attached)
 - √ The (support) case has been dismissed or legal decision making changed by court order *
 - √ Child adopted by someone else, and all past-due amounts have been satisfied *
 - √ Person receiving payments or child for whom support being paid is deceased *
- * If the court order is not from this county, a copy of the Order of Dismissal, Legal Decision Making or Adoption will be required. If a party or child is deceased, proof such as copy of death certificate or obituary notice will be required.

DO NOT USE THESE FORMS IF:

- √ The other party will not sign the ***“Agreement to Stop the Income Withholding Order.”***
- √ Money is still owed for current or past due child support or spousal maintenance (alimony) according to the underlying Order for support or maintenance.
- √ There has never been an “Income Withholding Order” in this case. (Note: If money is still owed but the amount should be changed, go to www.mohavecourts.az.gov to view the forms to modify the Income Withholding Order and/or the Support Order to determine whether either applies to your situation.

NOTE: If your “Income Withholding Order” (formally known as “Order of Assignment”) was issued after January 1, 2005, there may be an automatic stop date on the Order. If there is and that date is correct, you do not need to file anything to stop the Order, though you may want to make sure the payroll department or other payor’s financial department of whomever has been making payments is aware of the termination date.

Consulting a lawyer before filing documents with the court may help prevent unexpected results. Go to www.az.bar.org for a list of lawyers who can give you legal advice