

Volume No. 1—Policies and Procedures	TOPIC NO. 50405 – Cardinal
Section No. 50400—Deductions	TOPIC Court-Ordered Withholdings
	DATE November 2021

Fee for Garnishments, Support Orders and Tax Lien Deductions

Background

The Code of Virginia provides for the assessment of fees to be paid by both full time and part-time employees for the costs of collection of garnishments, tax liens, and child support orders. Executive Branch agencies must collect these fees as follows:

Code of Virginia	Collection Fee	Frequency
§ 8.01-512.2	Garnishment \$10.00	once per summons
§ 63.1-256	Child Support \$ 5.00 for employees physically working in Virginia; otherwise, based on the state where the employee works	per remittance/per order
§ 58.1-1804	Tax Lien \$20.00	once per tax lien

Guidelines

Fees are imposed on the employee's disposable income (gross wages less deductions required by law) after the court-ordered deduction but before any voluntary deductions (i.e., health care or flexible spending accounts).

Note: The combined child support amount and fee may not exceed the maximum limit applied to disposable earnings as established by Code of Virginia (§ 34-29) and the Federal Consumer Credit Protection Act (CCPA) (15 U.S.C. 1673(b)). If the employee's disposable income is not sufficient to deduct the fee during the pay period the court order is initiated, then:

- support order fees are waived,
- fees for garnishments and tax liens must be collected when funds become available.

Multiple Orders

In the event you have a child support order in combination with a garnishment or tax lien, you may do a SPOT transaction to add the appropriate fee to the regularly collected support order fee. See CAPP Topic No. 50605, *Tax and Deduction Overrides*.

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Court Orders Served But Not Processed	If an agency is served with a court ordered withholding for a garnishment or tax lien which is subsequently resolved, prior to payroll processing, the agency is still obligated to assess the garnishment fee.
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Fee Exemptions	Fees should not be collected on the following court ordered withholdings; bankruptcy, IRS federal tax levies, local and county tax liens.
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Out-of-State Support Orders	Out-of-state support orders with an administrative (garnishment) fee different from Virginia do not override the required assessment.
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Garnishment Reports

RPY146, Deduction Register	Since garnishment and garnishment fee deductions are general deductions, agencies can use the RPY146, Deduction Register, to review employee deductions to ensure that amounts are what is expected.
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RPY445, EE Child Support without Adm Fees	Child support collection fees are due with every remittance of a child support payment. Therefore, when there is an active child support deduction, there should always be an active Garnishment Fee (GRNFEE) deduction present.
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Agencies can run RPY445, EE Child Support without Adm Fees, to ensure that all child support deductions have a corresponding garnishment fee.

The report will show a list of employees that have an active child support deduction without a GRNFEE deduction.
