

WAGE ASSIGNMENT

An Order for Assignment of Wages can be processed immediately when ordered by the Judge, or it can be used as a “carrot”; where if the defendant misses a payment, the wage assignment is forwarded to the employer for garnishment.

PAYMENT AGREEMENT

The Defendant first completes the financial statement (MC 287). The Collections Officer then asks the Defendant questions such as: how much they spend weekly on beer and/or cigarettes; if they have cell phones, cable, internet, etc., which are all luxuries, not necessities. The Collections Officer then makes a determination of what would be a reasonable weekly/bi-weekly, or monthly payment the Defendant is capable of. The main goal is to be paid off as soon as possible or at the latest one month prior from Defendant’s release from probation.

The defendant signs the Payment Agreement, stating he/she understands his/her payment amount, the date payment is due, etc.

Approved, SCAO

Original - Court
1st copy - Employee
2nd copy - Employer

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT	ORDER FOR ASSIGNMENT OF WAGES	CASE NO.
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Court address _____ Court telephone no. _____

In the matter of _____
Name of employee _____ Last four digits of social security no. or employee ID no. _____ Date of birth _____

Address _____ City _____ State _____ Zip _____ Telephone no. _____

IT IS ORDERED pursuant to MCL 769.1k:

1. _____
Name _____ Address _____

employer, shall withhold from the earnings due the person named above the amount of \$ _____ per _____, effective one week after service upon the employer of a copy of this order. The employer shall indicate the case number on the withholding and shall forward the withholding to the court at
 the above address.

2. The employer shall not use this assignment as a basis, in whole or in part, for the discharge of the employee or for any other disciplinary action against the employee.

3. Your compliance with this order is required by law.

4. This order shall remain in full force and effect until further order of the court or until the total of \$ _____ has been withheld, whichever comes first. most recent balance

Date _____ Judge _____ Bar no. _____

NOTE: Wage assignment is a transfer of the right to receive wages, ordinarily effected by means of a contract. As such, wage assignments are not within the scope of the federal wage garnishment law. For purposes of this order, however, wages have been defined based on the federal wage garnishment law. Wages are defined as earnings or compensation paid for personal services whether called wages, salary, commission, bonus, or otherwise, and can include periodic payments under a pension or retirement program. (Title III, Section 302, PL 90-321) When required, withholdings shall be determined using the calculation sheet from SCAO-Approved form MC 14 (Garnishee Disclosure).

CERTIFICATE OF MAILING

I certify that on this date copies of this order were served on the employee and employer by first-class mail to their last-known addresses.

Date _____ Signature _____

**46TH CIRCUIT TRIAL COURT
OTSEGO COUNTY DISTRICT DIVISION
800 Livingston Blvd., Suite 1C
Gaylord, MI 49735
989-731-0211**

INSTALLMENT PAYMENT AGREEMENT

Name: _____ Case No. _____
Address: _____
Telephone No.() - Employer: _____

I hereby agree to make payments of \$ _____ with the first payment due by _____ and continuing thereafter until the balance of \$ _____ is paid in full.

I further consent to the 46th Circuit Trial Court entering an order for assignment of wages allowing the court to collect the assessed fines and costs from my paycheck.

CONDITIONS:

- 1.) If you fail to make two or more regularly scheduled payments, the court shall execute a wage assignment order against you to collect your court ordered fines, costs and restitution.
- 2.) Payments may be made in person, by mail, or by Internet. If by mail, remit check or money order.
- 3.) If your due date falls on a weekend or holiday, it must be received on or before the due date.
- 4.) Checks must be made payable to the 46th Circuit Trial Court and mailed to the above address.
- 5.) Defendant shall keep the court apprised of current address at all times, and any changes in employment.
- 6.) Failure to comply with this payment order may result in you being held in contempt of court.

I HEREBY ACKNOWLEDGE RECEIVING A COPY OF THIS AGREEMENT.

Date

Defendant's Signature

Collections Officer