

11-617. EARNINGS WITHHOLDING ORDERS.

(A) ISSUANCE OF ORDER.

(1) IF A COURT ISSUES A JUDGMENT OF RESTITUTION UNDER § 11-603 OF THIS SUBTITLE, THE COURT MAY ENTER AN IMMEDIATE AND CONTINUING EARNINGS WITHHOLDING ORDER IN AN AMOUNT SUFFICIENT TO PAY THE RESTITUTION:

(2) THE COURT MAY ENTER THE ORDER:

(I) AT THE SENTENCING OR DISPOSITION HEARING;

(II) WHEN THE DEFENDANT OR CHILD RESPONDENT IS PLACED ON WORK RELEASE OR PROBATION; OR

(III) WHEN THE PAYMENT OF RESTITUTION IS OVERDUE.

(B) PRIORITY OF EXECUTION.

SUBJECT TO FEDERAL LAW, THE ORDER OF PRIORITY OF EXECUTION OF AN EARNINGS WITHHOLDING ORDER IS:

(1) FIRST, AN EARNINGS WITHHOLDING ORDER ISSUED UNDER § 10-126 OF THE FAMILY LAW ARTICLE;

(2) SECOND, AN EARNINGS WITHHOLDING ORDER ISSUED UNDER THIS SECTION; AND

(3) LASTLY, ANY OTHER LIEN OR LEGAL PROCESS.

(C) EXECUTION OF ORDER.

(1) THIS SUBSECTION APPLIES WHENEVER A COURT ORDERS AN EARNINGS WITHHOLDING ORDER UNDER THIS SECTION.

(2) ON ENTRY OF THE ORDER, THE CLERK OF THE COURT IMMEDIATELY SHALL:

(I) SERVE A COPY ON ANY CURRENT OR SUBSEQUENT EMPLOYER OF THE RESTITUTION OBLIGOR, IF KNOWN; AND

(II) MAIL A COPY TO THE RESTITUTION OBLIGOR AT THE LAST KNOWN ADDRESS OR PLACE OF INCARCERATION OR COMMITMENT OF THE RESTITUTION OBLIGOR.

(3) A RESTITUTION OBLIGOR IMMEDIATELY SHALL NOTIFY THE COURT AND THE DIVISION OR DEPARTMENT OF JUVENILE JUSTICE OF:

(I) ANY OBJECTION TO AN EARNINGS WITHHOLDING ORDER;

(II) THE CURRENT HOME ADDRESS OF THE RESTITUTION OBLIGOR;

(III) THE NAME OF THE EMPLOYER;