

REQUEST FOR TERMINATION or MODIFICATION OF CHILD SUPPORT WITHHOLDING
FC 158.402 & FC 158.403

NOTICE: REQUEST MUST BE NOTARIZED AND DELIVERED TO THE DISTRICT CLERK
WITH A FEE OF **\$15.00** TO ACTIVATE THE TERMINATION OF WITHHOLDING.

CAUSE NO. _____ STYLE: _____

EMPLOYER: _____

OBLIGOR: NAME: _____
ADDRESS: _____
PHONE: _____ SOC. SEC.# _____

OBLIGEE: NAME: _____
ADDRESS: _____
PHONE: _____ SOC. SEC # _____

**THE OBLIGEE AND OBLIGOR NAMED HEREIN HEREBY AGREE THAT THE EMPLOYER
SHALL IMMEDIATELY TERMINATE THE WITHHOLDING OF CHILD SUPPORT.**

OBLIGEE (usual signature)

OBLIGOR (usual signature)

Sworn and subscribed to before this undersigned authority by _____
Obligor this the _____ day of _____ 20____.

_____ County, Texas

Print Name: _____
My commission expires: _____

Sworn and subscribed to before this undersigned authority by _____
Obligee this the _____ day of _____ 20____.

_____ County, Texas

Print Name: _____
My commission expires: _____

Family Code

§ 158.402. AGREEMENT BY PARTIES REGARDING AMOUNT OR DURATION OF WITHHOLDING. (a) An obligor and obligee may agree on a reduction in or termination of income withholding for child support on the occurrence of one of the following contingencies stated in the order:

- (1) the child becomes 18 years of age or is graduated from high school, whichever is later;
- (2) the child's disabilities of minority are removed by marriage, court order, or other operation of

law; or

- (3) the child dies.

(b) The obligor and obligee may file a notarized or acknowledged request with the clerk of the court under Section 158.011 for a revised judicial writ of withholding, including the termination of withholding.

(c) The clerk shall issue and deliver to an employer of the obligor a judicial writ of withholding that reflects the agreed revision or termination of withholding.

(d) An agreement by the parties under this section does not modify the terms of a support order.

Added by Acts 1995, 74th Leg., ch. 751, § 61, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 911, § 66, eff. Sept. 1, 1997.

§ 158.403. MODIFICATIONS TO OR TERMINATION OF WITHHOLDING IN VOLUNTARY WITHHOLDING CASES. (a) If an obligor initiates voluntary withholding under Section 158.011, the obligee or an agency providing child support services may file with the clerk of the court a notarized request signed by the obligor and the obligee or agency, as appropriate, for the issuance and delivery to the obligor of a:

- (1) modified writ of withholding that reduces the amount of withholding; or
- (2) notice of termination of withholding.

(b) On receipt of a request under this section, the clerk shall issue and deliver a modified writ of withholding or notice of termination in the manner provided by Section 158.402.

(c) The clerk may charge a reasonable fee not to exceed \$15 for filing the request.

(d) An obligee may contest a modified writ of withholding or notice of termination issued under this section by requesting a hearing in the manner provided by Section 158.309 not later than the 180th day after the date the obligee discovers that the writ or notice has been issued.

Added by Acts 1995, 74th Leg., ch. 751, § 61, eff. Sept. 1, 1995.

§ 158.404. DELIVERY OF ORDER OF REDUCTION OR TERMINATION OF WITHHOLDING. If a court has rendered an order that reduces the amount of child support to be withheld or terminates withholding for child support, any person or governmental entity may deliver to the employer a certified copy of the order without the requirement that the clerk of the court deliver the order.

Added by Acts 1995, 74th Leg., ch. 20, § 1, eff. April 20, 1995. Renumbered from § 158.402 by Acts 1995, 74th Leg., ch. 751, § 61, eff. Sept. 1, 1995.