

Cherokee Nation Code Annotated

Title 43: Marriage and Family

Chapter 6: Child Support Guidelines

§ 509. Child support orders to include provision for income assignment—Voluntary income assignment—In-kind payment

Cite as: 43 CNCA § 509

A. In all child support cases arising out of an action for divorce, paternity or other proceeding, the Court shall order the wage of the obligor subject to immediate income assignment, regardless of whether support payments by such parent are in arrears, unless:

1. one (1) of the parties demonstrates and the Court finds there is good cause not to require immediate income withholding; or
2. a signed, written agreement is reached between the parties which provides for an alternative arrangement and approved by the Court.

B. The obligated party may execute a voluntary income assignment at any time. The voluntary assignment shall be filed with the Court and shall take effect after service on the payor.

C. With the consent of the custodial parent and under the supervision of the Office, the payor may make payments of in-kind goods or services. In-kind payments cannot be used to pay arrearages.

Historical Data

LA 12–05, eff. March 21, 2005. Amended LA 12–12, eff. May 18, 2012.