

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 567
SENATE BILL 90

AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO
ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

The General Assembly of North Carolina enacts:

Section 1. General Statutes Chapter 15A is amended by adding a new section to read as follows:

"§ 15A-1344.1. Procedure to insure payment of child support. – (a) When the court requires, as a condition of supervised or unsupervised probation, that a defendant support his children, the court may order at any time that support payments be made to the clerk of court for remittance to the party entitled to receive the payments.

(b) After entry of such an order by the court, the clerk of court shall maintain records listing the amount of payments, the date payments are required to be made, and the names and addresses of the parties affected by the order.

(c) The parties affected by the order shall inform the clerk of court of any change of address or of other condition that may affect the administration of the order. The court may provide in the order that a defendant failing to inform the court of a change of address within reasonable period of time may be held in violation of probation.

(d) When a defendant fails to make required payments of child support, and is in arrears of said payments, the clerk of superior court may mail by regular mail to the last known address of the defendant a notice of delinquency which shall set out the amount of child support currently due and which shall demand immediate payment of said amount. The failure to receive said delinquency notice shall not be a defense in any probation violation hearing thereafter. If the arrearage is not paid in full within 21 days after the mailing of said notice, or is not paid within 30 days after the defendant becomes delinquent if the clerk has elected not to send a delinquency notice, the clerk shall certify the amount due to the district attorney and probation officer, who shall initiate proceedings for revocation of probation pursuant to Article 82 of Chapter 15A."

Sec. 2. G.S. 15A-1343(b)(5) is amended to read as follows:

"(5) Satisfy child support and other family obligations as required by the court."

Sec. 3. This act shall become effective October 1, 1983. The Director of the Budget is authorized to transfer for the fiscal years 1983-84 and 1984-85 related savings from the Department of Human Resources, Division of Social Services to the Judicial Department sufficient for the establishment of necessary positions and other expenses to implement this act. It is not mandatory that this act be implemented until such funds are transferred.

In the General Assembly read three times and ratified, this the 20th day of June, 1983.