

DEPARTMENT OF BENEFIT PAYMENTS

744 P Street, Sacramento, CA 95814
(916) 322-6384



September 3, 1975

ALL-COUNTY LETTER NO. 75-194

• TO: ALL DISTRICT ATTORNEYS

SUBJECT: CONSENT BY THE UNITED STATES TO GARNISHMENT AND SIMILAR PROCEEDINGS
FOR ENFORCEMENT OF CHILD SUPPORT AND ALIMONY OBLIGATIONS

REFERENCE:

Section 459 of Public Law 93-647 provides that:

"...monies (the entitlement to which is based upon remuneration for employment) due from, or payable by, the United States (including any agency or instrumentality thereof and any wholly owned federal corporation) to any individual, including members of the armed services, shall be subject, in like manner and to the same extent as if the United States were a private person, to legal process brought for the enforcement against such individual of his legal obligations to provide child support or make alimony payments."

California has two legal remedies which are available, pursuant to this section, to enforce support obligations from federal employees: garnishments and wage assignments. These remedies may be used with regard to federal wages, annuities, and other payments based on federal employment; and may be employed whether or not the family is receiving welfare. This section of P.L. 93-647 was effective January 1, 1975.

To initiate proceedings under this section, a copy of the Writ of Garnishment or Writ of Assignment and a certified copy of the order for support must be served on those persons designated to accept service of process. When service is done by mail, such papers should be addressed as follows:

U.S. Army personnel

U.S. Army Finance and Accounting Center
Attention: FINCR
Indianapolis, Indiana 46249

U.S. Air Force personnel

U.S. Air Force Finance and Accounting Center
 (AFAFC/AJQ)
 4800 York Street
 Denver, Colorado 80205

U.S. Navy personnel

U.S. Navy Family Allowance Activity
 Anthony J. Celebrezze Building
 Cleveland, Ohio 44199

U.S. Marine personnel

Commandant Marine Corps.
 (Code FDD)
 Headquarters, U.S. Marine Corps.

Coast Guard personnel (uniform or civilian)

Commandant U.S. Coast Guard
 (GLCL/81)
 400 7th Street, S.W.
 Washington, D.C. 20590

Personnel of U.S. Courts

Administrative Office of U.S. Courts
 Supreme Court Building
 Washington, D.C. 20544

U.S. Postal Service personnel

The local, regional or national Post Office installation which disburses pay

Department of Defense civilians

The local or regional agency; or the national department which disburses pay

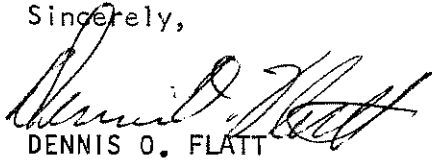
For agencies not listed above, the following is suggested:

1. Service on the person in charge of payroll disbursements in local, regional or national office or headquarters.
2. Service on the chief payroll officer at the federal level.

3. Service on the director of the federal department or agency.
4. Service on the U.S. Attorney (This should be the last choice, since delays will invariably result unless there has been a specific prior agreement with the U.S. Attorney.).

The availability of this garnishment procedure to enforce child support in cases involving federal employees will be an effective instrument for support enforcement. It is hoped that all law enforcement agencies involved with child support will make maximum use of this new legal remedy.

Sincerely,



DENNIS O. FLATT
Chief Deputy Director

cc: CWDA