

(2) "Earnings" includes any form of periodic payment to an individual, including annuity, pension, social security, and workmen's compensation payments.

(3) "Employer" means any person, including any public entity, making payments of earnings to an individual.

(b) (1) If a court has ordered a person to pay for the support of a spouse or dependent child ~~{and the person is in arrears, on petition of the person to whom payment had been ordered and on a finding by the court that arrearages within the 24-month period immediately preceding submission of the petition equal a sum of two months payments}~~, the court ~~{may} ALSO SHALL~~ order a lien on the earnings of the defaulting party, due or to be due, in an amount sufficient to pay the support ordered by the court. ~~THE LIEN SHALL TAKE EFFECT WHEN THE REQUIREMENTS OF PARAGRAPH (3) OF THIS SUBSECTION HAVE BEEN SATISFIED OR, AT THE DISCRETION OF THE COURT, MAY TAKE EFFECT IMMEDIATELY. {The court shall cause a copy of the order to be served immediately on the employer of the defaulting party. }~~

~~(2) ANY PERSON TO WHOM A SUPPORT PAYMENT HAS BEEN ORDERED BY THE COURT, BUT WHO HAS NOT RECEIVED PAYMENT WITHIN 20 DAYS OF THE DUE DATE OF THE SUPPORT PAYMENT, MAY PETITION THE COURT FOR A LIEN. ON RECEIPT OF THE PETITION, THE COURT SHALL ORDER A LIEN. THE COURT MAY ORDER THE LIEN TO TAKE EFFECT IMMEDIATELY OR AFTER THE REQUIREMENTS OF PARAGRAPH (3) OF THIS SUBSECTION ARE SATISFIED.~~

~~(3) THE COURT UPON PETITION SHALL CAUSE NOTICE TO BE SERVED IMMEDIATELY BY CERTIFIED MAIL TO THE LAST KNOWN ADDRESS OF THE PARTY WHO HAS FAILED TO MAKE A REQUIRED SUPPORT PAYMENT WITHIN 20 DAYS OF THE DUE DATE. THE NOTICE SHALL INCLUDE A COPY OF THE ORDER FOR A LIEN AND SHALL INFORM THE DEFAULTING PARTY THAT A LIEN ON THE DEFAULTING PARTY'S EARNINGS SHALL GO INTO EFFECT 10 DAYS AFTER THE DATE ON WHICH THE NOTICE WAS SENT. THE DEFAULTING PARTY, WITHIN THAT 10-DAY PERIOD, MAY REQUEST A HEARING ON THE ISSUE OF WHETHER THE LIEN SHOULD TAKE EFFECT, IN WHICH CASE THE LIEN SHALL BE HELD IN ABEYANCE PENDING THE OUTCOME OF THE HEARING. THE COURT SHALL HOLD A HEARING REQUESTED UNDER THIS SECTION WITHIN 10 WORKING DAYS AFTER THE DATE OF THE REQUEST. IF AT THE HEARING THE DEFAULTING PARTY ESTABLISHES THAT EXTRAORDINARY CIRCUMSTANCES PREVENTED THE TIMELY PAYMENT OF THE SUPPORT OBLIGATION AND THAT THE CIRCUMSTANCES ARE BEYOND THE CONTROL OF THE DEFAULTING PARTY, THE COURT MAY DIRECT THAT THE LIEN NOT TAKE EFFECT UNTIL SUCH TIME, WITHIN 12 MONTHS, AS ANOTHER PAYMENT IS MISSED. IF SUCH A DELAY IS GRANTED, THE LIEN, UPON APPLICATION, SHALL GO INTO EFFECT IF, WITHIN THE FOLLOWING 12 MONTHS, THE DEFAULTING PARTY FAILS TO MAKE IN FULL ANY PAYMENT WITHIN 20 DAYS OF THE DUE DATE. EITHER PARTY, WITHIN 15 WORKING DAYS OF THE DATE OF THE DECISION BY THE COURT, MAY SEEK REVIEW OF THE~~