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Family Court May Order Employer To Provide Determination Of Arrearages Owed In Spousal Support Case

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[*Brubaker v. Strum*, 2023 WL 179541 \(Cal. Ct. App. 2023\)](#)

The family court ordered the employed former husband in this case to pay his former wife monthly child and spousal support payments; the husband's employer was ordered to withhold the total amount of support payments from the husband's paychecks and to forward those amounts to the California Child Support Services Department. Later, the wife filed a request with the family court for an order to determine child and spousal support arrearages. The family court denied the wife's request on the ground that the wife should seek relief directly from the husband's employer with respect to all periods during which there was a valid income withholding order in place. The Court of Appeal reversed, holding that pursuant to Family Code § 5241, the wife was permitted to obtain an order from the family court compelling the husband to provide a determination of arrearages. The appellate court also reversed the \$9,329.50 in sanctions the family court ordered the wife's attorney to pay to the husband.

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