6-23/151.00 The State of California Employment Development Department

The State of California Employment Development Department (EDD) may issue an earnings withholding order directly, without the use of a levying officer, to collect overpayments of unemployment compensation or disability benefits. An earnings withholding order issued by EDD shall be served by registered or certified mail, postage prepaid, with return receipt requested. If EDD does not receive a return receipt within 15 days from the date of deposit in the mail of the withholding order, EDD shall refer the earnings withholding order to a levying officer for service. Although authorized to issue and serve an earnings withholding order, EDD is not a levying officer and lacks the authority to process claims of exemption and receive and disburse monies pursuant to an earnings withholding order. (CCP 706.101(c))

Consequently, The Sheriff is not involved and lacks authority until such time EDD provides the Sheriff with the following:

$35 Fee (GOV 26750)

Application for Earnings Withholding Order

EDD's Proof of Service of the earnings withholding order (EDD's proof of service shall be attached to the Sheriff's return when the writ is returned to court.)

Writ of Execution for Money Judgment

If EDD refers the issuance and service of an earnings withholding order to the Sheriff, the standard procedures for processing an earnings withholding order shall be followed.