MISSOURI COURT OF APPEALS EASTERN DIVISION
OPINION SUMMARY

MISSOURI DEPARTMENT OF SOCIAL SERVICES, FAMILY SUPPORT DIVISION,	)	No. ED101158 & 101159
Respondent,	)	Appeal from the Circuit Court of the City of St. Louis
vs.	)	
J & J INDUSTRIAL SUPPLY, INC.,	)	Hon. Paula P. Bryant
Appellant.	)	FILED: March 31, 2015

J&J Industrial Supply appeals the trial court's judgments in favor of the Department of Social Services Family Support Division after J&J failed to comply with income withholding orders.

AFFIRMED.

DIVISION ONE HOLDS: (1) The trial court did not err in denying J&J's motion to join the child support obligor-employee as a necessary party. Section 454.505 unambiguously imposes liability directly on employers for failure to comply with the Division's withholding orders. It does not contemplate obligor-employees as co-defendants because their underlying child support obligation is not at issue. The only inquiry is whether the employer complied with the Division's orders. (2) The trial court's finding that J&J failed to comply with the Division's orders is supported by substantial evidence and is not against the weight of the evidence. The Division adduced records establishing that J&J failed to withhold and pay the ordered amounts. J&J's attempt to attack the Division's processes and the obligor's underlying arrears was irrelevant and did not rebut that fact.

Opinion by: Clifford H. Ahrens, Judge Lawrence E. Mooney, P.J., and Lisa Van Amburg, J., concur.

Attorney for Appellant: Stephen James Bardol

Attorney for Respondent: Rebecca Kaye Wohltman

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