



**Katherine
Fernandez Rundle**

STATE ATTORNEY
Eleventh Judicial Circuit,
Miami-Dade County

www.miamisao.com

Justice Starts Here

Child
Support
ENFORCEMENT



Can you locate the non-custodial parent (NCP)?

We must know where to find the parent responsible for support. If this is not known, we will search for him or her through a variety of local, state, and federal location resources. We do need you to provide any information you may currently know about the non-custodial parent. Your participation is important.

What is paternity establishment?

When a child is born to parents who are not married, fatherhood must be determined before we can proceed. If the alleged father does not voluntarily admit that he is the father of the child(ren), a hearing and/or paternity test will be scheduled. If a paternity test is necessary, the child's mother, the alleged father and the child will be tested.

Can you help me if I have an existing child support order?

If there already is a court order for child support and medical insurance, we use the full force of the law to enforce that order. If there is no court order, we will first establish a child support and medical support obligation.

How do I apply for services?

If you are a parent receiving public assistance, Medicaid and/or Food Stamps, you are automatically referred to the Child Support Enforcement Division. You must cooperate with our efforts to obtain support. Failure to respond to our requests for information or missing appointments and court hearings may result in sanctions being imposed, causing your benefits to be reduced or canceled.

If you do not receive public assistance or Medicaid, you need to complete an application for our services. Your cooperation is required. A lack of cooperation could cause your child support case to be closed.

For an appointment, call (305) 530-2600.

How do I obtain a child support order?

Your case will be reviewed to determine whether it meets the criteria to enter an administrative order. If your case qualifies, you and the non-custodial parent will receive documents that must be completed and returned timely. Once these documents are returned and timeframes are met, an administrative order may be entered without ever going to court. If your case does not qualify for the administrative process, we will process your case judicially.

An appointment letter is sent to you that lists the documents you must bring to your interview. Detailed financial information is needed from you and the non-custodial parent to establish a support case. You will need to provide a written explanation if certain information cannot be obtained. You must also give us specific information about any other legal case involving your child, no matter what kind of case it is or was. We will be able to process your case more quickly if you bring all documents and information requested of you.

How long does it take to obtain an order?

If the location of the non-custodial parent is known, the case will be filed and the non-custodial parent will receive copies of the documents you signed, including your financial affidavit. If necessary, a court date is scheduled after we know that the NCP has in fact been served with the paperwork on the case. We cannot guarantee a time frame for a court date, since every case is different. Factors, such as opposing counsel, request for paternity tests, or the need for certified copies of existing support orders may delay the final results. An order may be obtained in as little as three months, or as long as one year.

How much child support will be ordered?

The amount ordered is based on the Florida guidelines established by law which take into account the child's needs and the income of both parents. Day care and health insurance costs are also considered.

Once an order is entered, it is usually for current child support, medical insurance, and perhaps other issues, such as retroactive support. An Income Deduction Order is usually granted in every hearing, so that payments may be deducted directly from the NCP's paycheck.

What happens if the NCP doesn't pay?

Our enforcement unit will work to keep the NCP paying.

Some enforcement methods we use:

Income Deductions

Payments are deducted from the NCP's paycheck.

IRS Intercepts

Tax refunds can be intercepted.

Freezing Bank Accounts

A computer search is done for non-custodial parents who have bank accounts with participating financial institutions. If a match is found, the bank account may be frozen.

Lottery Intercept

Winnings of \$600 or more from the Florida Lottery can be intercepted.

Liens

In certain cases, courts can place liens on real estate and personal property.

Consumer Reporting Agencies

Information about delinquent child support is given to credit reporting agencies, possibly affecting the NCP's credit rating.

Suspension of Licenses

Driver's license, vehicle registration, and professional business licenses can be suspended or denied.

Referral for Contempt

The case can be referred to Court, where he or she could face penalties such as jail time.

Passport Denial

NCPs can be denied US passports if their certified past due amount exceeds \$2,500.

Can the amount of child support be increased?

Once the support order is established, it may be modified if there is a significant change to the NCP's or to your financial situation. If you request the modification, we will recalculate the guidelines based on both parties current financial status. Normally, we will only file the modification petition with the court if the formula shows the support amount should change by at least 15% or \$50 monthly. If this is an interstate case (involving another state), there may be additional restrictions.

Can you help if the non-custodial parent lives in another state?

Yes. When custodial and non-custodial parents live in different states, the State Attorney's Office works with the child support offices in those states. When the non-custodial parent lives in another state, we must allow the other state's child support enforcement office and court system to process the case within the time frames applied to their state, since they have legal jurisdiction.

If we are attempting to establish a new support order, the process could take 6-12 months. If there is already a support order, some states will let us deduct support from the NCP's paycheck. However, if the NCP lives in a state that does not allow this, or if there is no order for support, we have to file the case with the child support agency in the other state.

International agreements with some foreign countries enable us to act on your behalf even when the non-custodial parent lives in another country.

income deductions
consumer agencies
Who can **RECEIVE**

IRS intercepts
liens
child support
services?

law
Every child has the right to the support of both parents until the age of 18.

intercepts
That's the law in Florida (some states do vary). Florida now has greater enforcement power to make sure every child receives that support.

When one parent or guardian has custody of a child and the other parent does not provide financial support, the Child Support Enforcement Program with the State Attorney's Office (SAO) can help.

If you are the custodial parent (the child lives with you), you are not alone in your efforts to get money or medical benefits for your child. We are here to help you and your child(ren).

We will help by

- › Locating missing parents for Child Support purposes
 - › Determining paternity when needed
 - › Establishing medical and financial support orders
 - › Enforcing support orders
 - › Modifying support orders
- child support*

How are support payments processed?

All child support payments must be sent to the State of Florida Disbursement Unit, PO Box 8500, Tallahassee, FL 32314-8500. Official court records of the payments and disbursements are created which enable the child support program to accurately enforce and monitor your child support case. You must not take payments directly from the NCP. If you do not receive public assistance, a check will be mailed from Tallahassee normally within two working days of receipt of the payment. If you do receive public assistance, support payments will be retained by the State of Florida as reimbursement for the public assistance money you are receiving from the State.

How can I find out the status of my case?

Please understand that we will use all available resources to resolve your case. You must allow us the necessary time to complete our research and case actions. Frequent calls to our office checking on the status of your case will only delay the processing of your case. However, if you have any new information about the non-custodial parent, such as location, employment, social security number, etc., please let us know. To provide new information, or inquire on your case, contact our Call Center at (305) 530-2600.



MIAMI-DADE STATE ATTORNEY'S OFFICE

Child Support Enforcement Division
100 South Biscayne Blvd, Suite 3100
Miami, Florida 33131
(305) 530-2600
www.miamisao.com