

# Paying Child Support: It's the Law. . .

Every child deserves the financial support of both parents.

***It is the law in Florida that every child has the right to financial support from both parents until the age of 18.*** The Department of Revenue is the state agency responsible for Florida's Child Support Enforcement Program. We locate noncustodial parents, establish paternity, get support orders and enforce support orders. Florida wants parents, not the state, to take care of their children. The Department works with the courts, law enforcement, other Florida agencies and all other states to enforce support orders.

## Children First

Many parents who do not live together share the cost of supporting their children. These parents see their children as their responsibility and work hard to provide for their needs. Other parents need help from the Child Support Enforcement Program to comply with their responsibilities. We will work with parents who want to comply with the law. However, we will use appropriate enforcement tools – which may include arrest warrants – to enforce support orders so that parents, instead of taxpayers, support their children.

**Who is the noncustodial parent?** The parent (father or mother) who is not living with the child but who continues to have a legal responsibility to financially care for the child.

**Who is the custodial parent?** The parent (mother or father) or caretaker with whom the child lives and who is responsible for the child's basic needs such as housing, food and clothing.

## Enforcement tools



Our goal is to get ***more money to more children more quickly*** by ensuring that noncustodial parents pay the full amount of their support. An order for support is enforceable in Florida and all other states. It is the law that the support be paid on time and in the full amount. The Child Support Enforcement Program uses many tools to make sure the noncustodial parent pays the support. ***We are committed to enforcing each order as quickly as possible.***

### Income Deduction

If a noncustodial parent is working, the law requires that the employer deduct support payments from the parent's paycheck. The income deduction order follows the noncustodial parent to each job in any state. It is the noncustodial parent's responsibility to inform the Child Support Enforcement Program and the court each time he or she changes jobs.

### New Hire Reporting

All businesses report new and rehired employees to the child support enforcement agency in their state. Every state, including Florida, shares this information and uses it to find where noncustodial parents are working. Support then is deducted from their paychecks if there is a support order.

### Driver/Hunting/Fishing License Suspension

If the noncustodial parent falls behind on current support payments, the state can suspend the parent's Florida driver, hunting or fishing license.

### Intercept/Seize Assets

When noncustodial parents owe past-due support, the Child Support Enforcement Program has the authority to intercept their federal tax refunds, Florida lottery winnings, unemployment compensation and other

payments. We work with financial institutions such as banks and credit unions and can deduct money from bank accounts of noncustodial parents for payment of past-due support.

### Liens

Noncustodial parents who owe past-due support may have liens placed against their property such as houses, mobile homes, land, cars, boats and other valuable items until the support is paid. A lien can make it difficult to sell the property.

### Contempt of Court

If the noncustodial parent does not pay the ordered support on time, it is a violation of the support order. The Child Support Enforcement Program can ask the judge to find the noncustodial parent in contempt of court. The judge may order the noncustodial parent to pay a large sum of money or go to jail.

### Arrest Warrants

When a noncustodial parent fails to pay support, the court may issue an arrest warrant. The warrant is put on the statewide crime computer, which all Florida law enforcement agencies use. An officer can arrest the noncustodial parent at home, at work or even during a routine traffic stop.

## Other Child Support Enforcement Tools

The Department of Revenue has the statutory authority to enforce support orders using these additional tools.

**Consumer Reporting:** Noncustodial parents who owe past-due support may be reported to credit bureaus. Past-due support entered on a credit report can affect the ability to obtain credit cards, mortgages and loans.

**Federal Prosecution:** Selected out-of-state cases may be referred to a federal court for criminal prosecution. Noncustodial parents can be convicted of a felony or misdemeanor.

**Vehicle and Vessel Registration Suspension:** The State can suspend vehicle and vessel registrations held by noncustodial parents who are delinquent in their support payments.

**Professional/Business License Suspension:** The Department can ask the courts to deny or suspend licenses held by construction contractors, realtors, electricians, accountants, doctors or other professionals and businesses regulated by the State of Florida.

**Passport Denial:** The U.S. Department of State can automatically deny the passport of a noncustodial parent who has a large delinquency in their support payments.

## Parental Responsibilities and Rights

### *As a noncustodial parent, you are responsible for:*

- Paying your support in full and on time, regardless of the state where you or the child live.
- Cooperating with the Child Support Enforcement Program.
- Notifying the Child Support Enforcement Program and the court whenever you change jobs or move.
- Providing information to the Child Support Enforcement Program about medical insurance that could cover your child.
- Contacting the CSE office before you fall behind on your payments.

### *As a noncustodial parent, you have the right to:*

- Ask for a review of the amount of your support payments if your income has changed or the child is now living with you.
- Get an attorney to represent you on support issues. You are responsible for legal fees.
- Discuss your case with the CSE office. If you have

hired an attorney, all communications will be directed to your attorney.

### *Custodial parents are responsible for:*

- Giving the Child Support Enforcement Program as much information as possible such as the noncustodial parent's full name, social security number, date of birth, physical description, home address and place of employment.
- Providing copies of all orders such as support orders, divorce decree, marital separation agreement, temporary support order, injunctions, court documents from other states or any other court orders.
- Cooperating with the Child Support Enforcement Program. Parents who do not cooperate may have their case closed or have their public assistance benefits denied.
- Appearing for court hearings when required.
- Notifying the Child Support Enforcement Program and the court when you move.
- Providing information to the Child Support Enforcement Program about medical insurance that could cover your child.

### *Custodial parents have the right to:*

- Request a review of the case if there is a question about a support collection or payment.
- Get an update on the case by calling our customer service unit at 1-800-622-5437.

## For More Information on the Child Support Enforcement Program

Visit our web site at  
<http://www.myflorida.com/dor/childsupport>  
or call **1-800-622-KIDS**(1-800-622-5437)  
Except: Dade County 305-530-2600  
Manatee County 941-741-4039

The information in this brochure is based on Florida and federal laws. For specific legal advice, you should consult an attorney.



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## Child Support Enforcement

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Florida Department of Revenue