

# Office of Child Support Enforcement



Child support information 1-888-208-4485

## Guide to Child Support Services

The Office of Child Support Enforcement (OCSE) is dedicated to helping custodial parents and guardians to obtain the support that their children need and deserve from noncustodial parents. Child support services are available to all custodial parents, regardless of income, cash assistance, or immigration status. New York State is now charging a fee of \$25 per year to custodial parents who have never been on cash assistance and receive over \$500 per year in child support. Specific services that are available to both cash assistance and non-cash assistance families include the following:

### LOCATING THE NONCUSTODIAL PARENT (NCP)

If the noncustodial parent's home and/or work addresses are unknown, the custodial parent can still seek child support. OCSE will do a computerized search to locate the individual, regardless of which state the noncustodial parent may live and/or work.

Providing as much information as possible to the child support worker can help to facilitate the identification and location process. **The most important piece of information that the custodial parent can provide is a document showing the noncustodial parent's name and social security number.**

### SUMMONS SERVICE

Once a petition has been filed for a child support hearing in family court, a summons must be served on the noncustodial parent. OCSE provides summons service for New York City child support applicants. For new cases and those requesting modification, the summons is served by priority mail. If the noncustodial parent fails to show up at the first hearing or a violation petition has been filed, OCSE provides personal service through the Sheriff's office. If the custodial parent chooses, he or she may ask someone to serve the summons for them. Custodial parents may not serve the summons themselves.

## **ESTABLISHING PATERNITY**

Paternity means fatherhood. Establishing paternity refers to the legal identification of the father of a child born to unmarried parents. If both parents agree, they can sign an Acknowledgment of Paternity form in the hospital or birthing center as soon as the baby is born or anytime after until the child reaches age 21. If paternity cannot be established through the voluntary process, it can be established at a family court hearing. Once paternity is established, information about the father is sent to the Putative Father Registry (PFR). The PFR keeps a record of legal fathers in New York State and may be consulted in issues of inheritance and adoption and any other legal issues that require notification of a child's father.

## **DNA TESTING**

If there is any doubt about the identity of the father, ask the birth registrar in the hospital or contact the OCSE Outreach Services Unit at (212) 487-5837 for information about low cost DNA testing. DNA testing is available to married and unmarried parents. If the test proves that the man tested is not the biological father, and paternity and/or child support have already been established, you will need to petition the court if you wish to terminate your responsibility.

## **ESTABLISHING CHILD SUPPORT ORDERS**

The amount of the child support order is decided at a hearing in family court before a Support Magistrate. A support order must include financial support and medical support. It may also include education and child care expenses. If necessary, paternity may be established in court, in addition to the child support order. Both parents are expected to attend the hearing and bring as much information as possible so that the Support Magistrate can establish the child support order.

## **COLLECTING CHILD SUPPORT PAYMENTS**

If the order is payable through OCSE's Support Collection Unit (SCU), the noncustodial parent's payments will be collected on a regular basis and forwarded electronically, by direct deposit to the custodial parent's bank, or through the New York State EPPICard Debit MasterCard program. New child support clients will automatically be enrolled in the EPPICard Debit MasterCard program with an option to transfer to direct deposit to their own bank ([Scroll down to page 4 for a direct deposit application form](#)). The New York State Processing Center will no longer send checks unless a hardship situation exists.

Custodial parents receiving cash assistance will keep the first \$100.00 of child support collected each month. This payment is called a bonus or pass-through payment and is paid to the client via EBT (Electronic Benefit Transfer). The rest of the child support money collected is used to help pay back the government for cash benefits paid to the custodial parent.

## **ENFORCING CHILD SUPPORT ORDERS**

If child support payments fall behind, OCSE has the authority to enforce child support orders through various administrative/automated means. If administrative processes prove ineffective

or inappropriate for the collection of child support, court intervention for support enforcement may be required:

### **Administrative/automated processes** - no court action required

- Temporarily increase the amount of child support collected until the debt is paid off
- Tax refund offset
- Lottery prize intercept
- Property Execution
- Driver license suspension
- Credit bureau reporting
- Referral to Department of Taxation and Finance
- Denial of new and renewed passports
- Denial of new and renewed NYC Business and professional licenses

### **Judicial processes** – court hearing required

- Lien on property
- Participation in a work program (STEP)
- Money Judgment with interest added on
- Suspension of Professional, Business, and Occupational licenses
- Referral for criminal prosecution
- Arrest/Incarceration

## **INCREASING CHILD SUPPORT ORDERS**

The custodial parent may file a petition for an upward modification in family court to increase the child support order if there are increased needs like child care, education expenses and unpaid medical bills for the child. Any change in the order will only go back to the date the petition was filed, not the date that the circumstances changed.

Child support orders may be increased without going to court with a Cost of Living Adjustment (COLA). COLA increases child support orders according to rising living costs. Unlike the modifications done in family court, COLA increases are done by OCSE, for a specified amount, without going back to court. Child support cases are automatically reviewed for COLA eligibility by a computerized system. Cases must be at least 2 years old or have child support orders that were not modified in the last 2 years. Parents will be notified when their case becomes eligible for COLA.

# Direct Deposit Enrollment Form

If you wish to enroll in Direct Deposit you must fill out this form and return it to us.

1. Complete and return this form, ONLY if you wish to enroll in Direct Deposit.
2. Return the completed form to: NYS Child Support Processing Center, PO Box 15367, Albany, NY 12212-5367

## Required Information for Enrolling in Direct Deposit

\_\_\_\_\_ I would like to enroll in Direct Deposit.

Your Name

Email Address (optional) \_\_\_\_\_

\_\_\_\_\_ Last \_\_\_\_\_ First \_\_\_\_\_ MI \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Your Address:

CSMS County Code \_\_\_\_\_

Street \_\_\_\_\_ CSMS Case ID \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Social Security Number \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Date of Birth (MM/DD/YYYY) \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (Month-Day-Four Digit Year)

Account Number \_\_\_\_\_ Routing Transit Number \_\_\_\_\_

I certify that I am entitled to child support and/or spousal support payments for the above child support account. I authorize the Support Collection Unit to send my child support and/or spousal support payments to the financial institution named below to be deposited in the account indicated by the financial institution. This authorization will remain in force until the Support Collection Unit receives a written notification from me of termination. The Support Collection Unit shall have a reasonable time to process the termination.

Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Please take this form to your bank or credit union for their signature and the following information:

Bank Information: Name of Financial Institution (bank or credit union): \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Account Information: \_\_\_\_\_ Checking \_\_\_\_\_ Savings

Account Number \_\_\_\_\_ Routing Transit Number \_\_\_\_\_

As representative of the above named Financial Institution I certify this financial Institution is ACH capable and agrees to receive and deposit the child support payments to the account shown above.

Representative Signature \_\_\_\_\_

Representative Printed Name \_\_\_\_\_

Date \_\_\_\_\_

**To Request Continuing to Receive a Check:** If you desire to continue to receive a check, you MUST submit your request in writing, along with the reason for your request to: PO Box 15367, Albany, NY 12212-5367. If you do nothing, you will receive a New York debit MasterCard® card and payments will be posted to this account.