



Justice Starts Here

Child  
*Support*  
ENFORCEMENT

**Katherine Fernandez Rundle**  
STATE ATTORNEY  
Eleventh Judicial Circuit, Miami Dade County

[www.miamisao.com](http://www.miamisao.com)

### *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 court 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. There is a \$25.00 application fee. Your cooperation is required. A lack of cooperation could cause your child support case to be closed.

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

### *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 your financial situation or the NCP's. 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 15% or \$50 monthly, whichever is greater. 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.



### *How do I obtain a child support order?*

The appointment letter that is sent to you 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. 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.*

#### **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**

*NCP's can be denied US passports if their certified past due amount exceeds \$5,000.*