

COMMONWEALTH OF KENTUCKY
Cabinet for Health and Family Services
Department for Income Support
Child Support Enforcement

Child Support Services Fact Sheet for Non-KTAP Applicants

What type of child support services does the Cabinet for Health and Family Services (CHFS) provide? If you are a custodial parent, noncustodial parent, or the custodian of a dependent child, CHFS provides the following services:

- Location of noncustodial parents.
- Establishment of paternity.
- Establishment of child/medical support orders.
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- Collection of current and/or past-due child/medical support obligations.
- Enforcement and collection of spousal support when there is an existing spousal support order, the spouse or ex-spouse is living with the child, and CHFS is collecting support for the child.
- Review for possible modification of child/medical support obligations.

Location only services may be requested if the location of the noncustodial parent is the only service you need or when the noncustodial parent disobeys a custody or visitation order by kidnapping the child(ren). CHFS will not attempt location efforts if it has reason to believe an allegation of child abuse or domestic violence could be harmful to the child(ren).

What child support related services are not provided by CHFS? By law, CHFS **cannot** address other problems that are often associated with establishing and/or enforcing child support such as divorce, property settlements, visitation and custody, establish or modify spousal support, or provide legal advice or counsel.

Who is eligible to receive child support services? Anyone who has custody of a child and needs help establishing who is the father of the child, establishing a child support order, or collecting current or past-due child support payments is eligible to receive child support services. You do not have to be the child's parent to qualify for child support services. Services are available to aunts, uncles, grandparents, or court-appointed guardians--anyone living with and caring for a child who needs financial help supporting him or her. If you may be the father you can request establishment of paternity.

What does "Assignment of Rights" mean? Kentucky Revised Statute (KRS) 205.720(1) requires that your right to support payments be assigned (transferred) to CHFS when applying for child support services. This means that CHFS is allowed to collect and receive all child support payments on your behalf and to initiate any action existing under the laws of Kentucky.

How is the child support obligation amount calculated? The monthly support obligation is set based on the Kentucky Child Support Guidelines found in KRS 403.212. The Guidelines are based on the principle that both parents are financially responsible for the support of their child(ren).

When should I begin receiving payments? Once your support obligation is set, you will generally receive payments within six weeks. If you choose to request child support services, all child support must be paid to the Child Support Enforcement Program through its Centralized Collection Unit. This allows us to keep track of when child support is paid or not paid.

As payments are made, they will be sent to you until the support obligation owed for the month is paid. If the noncustodial parent pays more than the amount owed for the month, any extra amount will be applied to past-due support owed to you. Next, any past-due support ordered will be repaid to CHFS. Finally, any extra amount will be applied to past-due support that accumulated while you received public assistance or foster care benefits. If past-due support is not owed to you or CHFS, the extra amount will be held by CHFS until the first of the following month when it will then be forwarded to you.

CHILD SUPPORT SERVICES FACT SHEET FOR NON-K-TAP APPLICANTS

How long will I receive child support? KRS 403.213(3) requires support payments to continue until the child emancipates (reaches the age of 18). If the child emancipates because of age, but not due to marriage, while still a high school student, the court-ordered support will continue while the child is a high school student, but not beyond completion of the school year during which the child reaches the age of 19. Child support may end sooner if the child emancipates because of marriage, induction into military service, death, or upon termination of parental rights.

What can I do if the noncustodial parent does not pay his/her child support obligation? If full child support services are requested, the Kentucky Child Support Program has various enforcement remedies from which to choose in order to collect current or past-due child support obligations from the noncustodial parent. Some examples include, but are not limited to, the following: withhold income directly from paycheck, deny, revoke, suspend a driver's or professional license or certificate; place a lien on personal or real property, deny or revoke a passport, furnish the noncustodial parent's name for publication in a local newspaper, seize lottery winnings or funds held by a bank or other financial institution, and intercept federal and state tax refunds.

Can Kentucky enforce the child support order if the noncustodial parent lives in another state? Yes, all states must provide child support services regardless of where the other parent lives. The Uniform Interstate Family Support Act (UIFSA) requires states to work together to establish and enforce a child support order.

Who can request a review for modification? If there is a support order for your child(ren), either parent (any person who has physical custody of the child) has the right to send a written request for a review of the order for possible modification if there is a continuing change in circumstances that may increase or decrease the monthly support obligation by 15% or more. A review for possible modification is an objective review of a child support order to determine if the order is fair and based on the Kentucky Child Support Guidelines.

Will the CHFS attorney represent me in court? CHFS county attorneys contracted to provide child support services represent the best interests of the children in Kentucky. They do not represent you or your personal interest.

How do I stop child support services? You may stop child support services at any time by sending a written request to discontinue services to the child support office listed below. If your support order was initially issued on or after January 1, 1994, and there is an income withholding order in effect, payments will continue to be directed through the Child Support Enforcement's Centralized Collection Unit as required by federal and state law.

How do I submit the enclosed forms? Complete all applicable items on the enclosed forms and submit to your caseworker at the address below. Information provided must be complete and accurate. If possible, provide the Social Security number and a copy of the birth certificate of the child(ren), copy of the divorce decree, and copies of any orders concerning paternity, child or medical support. In order to work your case adequately, all possible information about the noncustodial parent is needed, including social security number, last known home address, work place and work address. The Application for Direct Deposit (Form CS-168) is optional.

How do I apply for direct deposit? If you want your child support payments deposited directly into your checking or savings account, complete the enclosed Application for Direct Deposit and return it to the address or FAX number listed on the form. If your account number or bank changes, use this same form to notify our office of the change(s). You may stop direct deposit at any time by sending a written statement to the following address or FAX number: ATTN: EFT Coordinator, Child Support Enforcement Program, P. O. Box 2150, Frankfort, KY 40602-2150, FAX: 502-564-7938.

What do I do if I move? You **must** notify us when your address changes. If you need to report an address change or you have questions concerning payment information, contact your caseworker at the telephone number or address listed below.

Telephone Number

Office Address