



# CHILD SUPPORT HANDBOOK

For Noncustodial Parents



# A GUIDE TO THIS HANDBOOK

## INTRODUCTION 1

Describes the mission of OCSS, which is to put children first by helping both parents provide for the economic and social well-being, health, and stability of their children.

## CHILD SUPPORT AND FAMILY COURT 2

Explains that the Office of Child Support Services and the Family Court are separate agencies and what their functions are.

## ESTABLISHING PARENTAGE 4

One of the first steps in the child support process is identifying the child's parents. When parents are not married to each other, the mother (also called the birth parent) is listed on the birth certificate, and the father or other parent can be included, may be named later, or may be identified by DNA test.

This section of the handbook explains:

- Why You Should Establish Parentage
- How to Establish Parentage

## GOING TO COURT 8

The next step in the child support process for noncustodial parents is receiving a summons for a court hearing, usually the Family Court in the borough where they live.

This section explains:

- How You Can Bring an Agreement to Court to Set or Change an Order
- What You Need to Know About Your Court Hearing
- Why You Should Show Up at the Hearing
- What Documents You Will Need to bring to Court
- How to Present Yourself in Court
- How Much Child Support You Can Expect to Pay
- How Low-Income Noncustodial Parents Can Qualify for a Lower Child Support Amount
- What Happens After the Hearing

## PAYING YOUR CHILD SUPPORT 14

Once you have a court-ordered child support obligation, your employer will be required to make deductions from your paycheck for child support or you will be required to pay child support on your own.

This section explains:

- How to Pay and What is the Support Collection Unit (SCU)
- How to Request a Hardship Review
- What Your Employer Is Required to Do
- How to Get Help Finding a Job
- If You Move or Change Jobs
- If You File for Bankruptcy
- If You Give Money or Gifts to the Custodial Parent
- Where the Payments Go

## [NONCUSTODIAL PARENT EARNED INCOME TAX CREDIT 20](#)

## [CUSTODY AND VISITATION 20](#)

## [CHANGING YOUR ORDER WHEN YOUR SITUATION CHANGES 21](#)

Either parent can petition Family Court to lower or raise the child support order because their financial circumstances have changed.

This section explains:

- How You Can Bring a Modification Agreement to Court
- How to Request a Modification in Court
- When the Oldest Child Turns 21
- What Happens at the Court Hearing for a Modification
- Cost of Living Adjustment

## [DEBT REDUCTION PROGRAMS FOR NONCUSTODIAL PARENTS 24](#)

## [FALLING BEHIND ON PAYMENTS 26](#)

If you don't pay child support for a certain length of time or for a set amount of past-due payments, administrative and automatic enforcement actions can be taken against you.

This section explains:

- Automated Administrative Enforcement Actions
- Add Amount
- Tax Refund Offset
- Lottery Prize Intercept
- Bank Account Seizure (also known as Property Execution (PEX))
- Driver License Suspension
- Credit Bureau Reporting
- Referral to the NYS Division of Taxation And Finance
- Denial of New and Renewed Passports
- Denial or Temporary Granting of NYC Professional Licenses

- Judicial Enforcement Actions
- Violation Petition
- Participation in Parent Support Program (PSP)
- Referral For Criminal Prosecution

## [TERMINATING THE CHILD SUPPORT ORDER 32](#)

In New York State, child support orders typically last until your child reaches age 21.

## [CHILD SUPPORT INFORMATION/CASE ASSISTANCE 34](#)

This section explains:

- Online Resources
- Mailing addresses

## [ACKNOWLEDGMENT OF PARENTAGE 36](#)

You can see a sample of the form that is used to establish legal parentage voluntarily without having to go to court.

## [SAMPLE CHILD SUPPORT ORDER 38](#)

You can see what a court ordered child support order looks like and what it means.

## [GLOSSARY OF CHILD SUPPORT TERMS 40](#)

# INTRODUCTION

## INTRODUCTION

Every child should be able to count on both parents for love and support. That's true even when both parents do not live together or they were never married to each other. It's best to be involved with your child from birth, but it's never too late to become a responsible and caring parent. Part of being a responsible parent is providing financial support for your child or children.

In New York City, the Office of Child Support Services (OCSS) vision for the child support program is to improve the lives of children. Our mission is to help parents assume responsibility for the economic stability and social well-being and health of their children. We recognize the tremendous value to children when they have healthy relationships with both parents.

At OCSS we provide several services for noncustodial parents (parents living apart from their children). We offer programs to help them meet their child support obligations and manage their child support cases. For custodial parents (parents living with and caring for their children the majority of the time), we help locate the noncustodial parent, establish parentage of the other parent, serve the summons, help to establish court-ordered child support and medical support, and collect and enforce those orders.

Services are provided to all parents regardless of income or immigration status. Custodial parents who receive child support payments and are not in receipt of Cash Assistance, pay a nominal annual fee of \$35 when at least \$500 of child support payments are collected by OCSS for them.

Although most noncustodial parents are fathers, in some families, the father is the custodial parent and the mother is the noncustodial parent. In other families the grandparents, or other relatives, are the primary caretakers and both the mother and father are considered noncustodial parents.

The information in this handbook is for all noncustodial parents. We encourage you to read this handbook and learn about your rights and responsibilities throughout the child support process. This knowledge will help you make informed decisions and manage your child support case to achieve the best outcomes for your children.

## CHILD SUPPORT & FAMILY COURT

Many people think that Family Court and OCSS are part of the same agency. That is not true. The two organizations are separate and have different functions in the child support process.

- The Office of Child Support Services (OCSS) is the New York City child support program. It is part of the New York City Human Resources Administration (HRA), an agency under New York City's Department of Social Services (DSS). OCSS is different from the courts. The courts are a separate entity. OCSS administers child support cases and payments. A child support case starts when a custodial parent submits a signed child support application or informs the court of their interest in applying for services. Once the court issues an order, OCSS monitors and distributes child support payments. If noncustodial parents fall behind on court-ordered payments by a set amount or for a certain length of time, OCSS automatically applies administrative enforcement actions to collect the overdue payments.
- In New York State, child support is a court-based process. Family Court is part of the New York State Unified Court System and issues formal rulings on child support matters. These include setting and changing the amount of the child support order when parents petition the court, setting medical support orders to provide health insurance for children, setting childcare orders, and setting orders of filiation, which establish the child's legal father. When petitioned, the court can apply judicial enforcement actions if administrative enforcement actions have failed.

### An Alternative Approach

OCSS has a stipulated agreement program that allows parents to have a conversation with an OCSS customer service representative outside of court about the child support order amount prior to a court hearing. Agreements can be used to establish new orders or to modify existing ones. Parents who meet the qualifications can enter an agreement by having a conversation with a child support worker. Both parents do not have to be present or on the phone at the same time.

- An agreement is prepared using the same rules as the court.
- The agreement is submitted to court for approval and converted to an order on consent.
- The court requires both parents to attend at least one hearing to ensure they voluntarily participated in the process and understand their rights and responsibilities.
- This program offer parents an alternative approach to establishing and modifying child support orders, which should be faster and more parent friendly than the usual process.



## ESTABLISHING PARENTAGE

Establishing parentage refers to the legal identification of the biological father or other parent when parents are not married to each other. Parentage can be established anytime before the child turns 21. Teen parents can establish parentage without their own parents' consent or signatures.

### Why You Should Establish Parentage

- To give your child benefits such as: health insurance, child support, Social Security, military allowance, pension, the right to inherit from you, and access to your family medical history.
- To have both parents' names on the child's birth certificate.
- For the right to ask for visitation or custody through Family Court.
- For the right to be consulted about decisions concerning the child's future if the custodial parent is unable to care for the child or the child has a medical condition.

### How to Establish Parentage

#### **VOLUNTARY ACKNOWLEDGMENT OF PARENTAGE**

If both parents agree, they can sign an Acknowledgment of Parentage (AOP) as soon as the baby is born or anytime afterwards until the child turns 21. Acknowledging parentage in the hospital, when the baby is born, means that the father's name will appear on the birth certificate right away. Otherwise, that area of the birth certificate is left blank.

After the baby goes home from the hospital, parentage can still be established through a voluntary process by contacting OCSS or the New York City Department of Health and Mental Hygiene (DOHMH). If parentage is established after the baby has left the hospital, the birth certificate will be amended to include the father's name and, if requested, to change the child's last name.

- Parents do not have to sign the AOP at the same time.
- Parentage can be established even if you are in the military, in jail, or out of the country.
- If you are not sure that you are the parent, do not sign the AOP form. Request a DNA test from OCSS and wait for the results before making that decision.

- You should not request a DNA test if you have a child support case before the court because it will be addressed during the court hearing.

#### **CANCELING THE ACKNOWLEDGMENT OF PARENTAGE (AOP)**

- Once the AOP is filed with DOHMH, it becomes a legal document. If you change your mind about establishing parentage, you have to go to court to file a petition to cancel the AOP. If you were 18 years or older when you signed the AOP, you must file by the earlier of
  - » 60 days after signing the AOP, or
  - » 60 days after having to answer any court petition about the child.
- If you were younger than 18 years when you signed the AOP, you must file by the earlier of
  - » 60 days after reaching age 18, or
  - » 60 days after having to answer any court petition about the child if you were advised of your right to cancel the AOP at a proceeding related to the child.
- After these time limits have passed, the only way to challenge the Acknowledgment of Parentage in court is to show proof of fraud, duress, or material mistake of fact. Even then, the court could decide it is in the child's best interest not to order genetic tests and continue to identify you as the father.

#### **PARENTAGE ESTABLISHMENT IN COURT**

Establishing the child's other parent in court may be necessary if:

- Parents are unable to agree about signing the AOP form.
- The mother is still legally married to someone else, even though she knows that her husband is not the father of the child.
- There is doubt about the identity of the father and either parent refuses DNA testing.
- You are in court for a child support hearing and parentage has not already been established.

Either parent, or DSS if the children are receiving cash assistance, may file a petition to establish parentage in court. You can go to court to file the petition or go online to New York State DIY (Do-It-Yourself) Forms at [nycourthelp.gov](https://nycourthelp.gov) to fill out a paternity (or parentage) petition through an interactive computer program. Once you download and sign the petition, you need to submit it to court. Check the courts' website at [nycourts.gov](https://nycourts.gov) for how to submit the petition (for example, by mail, in person, or online). You will be given a hearing date and instructions about what to do next.

When parentage is established at a court hearing, an order of filiation is issued and filed with the Department of Health and Mental Hygiene. The birth certificate will be amended to include the father's name and to change the child's last name if that is requested.

### **PUTATIVE FATHER REGISTRY**

Once parentage is established, that information is forwarded to the New York State Putative Father Registry (PFR), which keeps a record of legal fathers for the State. The PFR may be consulted in issues of inheritance, adoption, or any other legal issues that require notifying a child's father.

### **LOW-COST DNA TESTING**

- If there is any doubt about the identity of the biological father, ask for a DNA test. Contact the birth registrar in the hospital where the baby was born, or the OCSS DNA Line at 929-221-5008. If you are going to court for a child support hearing, the Support Magistrate may order a DNA test if it is necessary.
- If you are already in court, you may not request a DNA test on your own. It has to be requested during the court hearing.
- You will be referred to a state-certified laboratory for low-cost DNA testing. A swab is used to take DNA samples from inside the cheeks of the baby and both parents; the test is quick and painless.
- You do not have to go to the lab the same day as the other parent.
- If you are under 18, the lab may require you to have one of your parents accompany you.

- Results will be sent to you by mail about two weeks after the lab receives all of the samples.
- If you are already paying court-ordered child support and want a DNA test, that request must be made in court.
- If a DNA test proves that you are not the biological father, the order will not be automatically terminated. A court hearing will be required and a decision will be made that is in the best interests of the child.
- There is a small cost to both parents to obtain a DNA test outside the court process.



## GOING TO COURT

Child support orders are legal documents that are finalized in court. Either parent may file a petition in Family Court for a child support hearing.

If the custodial parent and/or child are applying for or receiving cash assistance, the Department of Social Services (also known as the Human Resources Administration, or HRA) will file a petition on behalf of the child. Custodial parents receiving cash assistance are required to cooperate with child support to get full benefits for their families.

Custodial parents who do not comply with child support requirements may:

- have their cash benefits reduced 25%
- lose Medicaid for themselves, and
- become ineligible for some rental assistance programs

Custodial parents may be excused from cooperating if there is “good cause,” which usually means there is fear of domestic violence.

For more information about child support hearings, please see the online video under “Office of Child Support Services” at [youtube.com/hranyc](https://www.youtube.com/hranyc).

### How You Can Bring an Agreement to Court to Set or Change an Order

Noncustodial and custodial parents will be given the opportunity to enter into an agreement voluntarily before appearing in court. This type of agreement is based on the child support standard guidelines used by the court but would be discussed with the parent or parents with an Office of Child Support Services (OCSS) customer service representative. It is an alternative to a formal court proceeding and is designed to be friendly and supportive, allowing both parents the opportunity to talk.

For an agreement:

- An OCSS worker drafts the agreement according to the guidelines and helps the parents gather the required documents.
- The approved agreement package is filed in court for a hearing to be scheduled.

- Usually only one court appearance would be required for the Support Magistrate to make sure the parents voluntarily entered into the agreement and to approve the agreement as an order on consent.

### What You Need to Know About Your Court Hearing

- You will **not** be asked about your immigration status in court or at any time during the child support process.
- Family Court is separate from Criminal Court and information is **not** shared.
- When a petition for parentage or child support is filed, you will receive a summons, either by mail or in person. It will include the date, time, and location of the hearing as well as an Income and Expenses Statement for you to fill out, and a list of documents you should have with you at the hearing.
- For useful information on the court process and guidance on how to complete the forms, see the website of Family Legal Care: [familylegalcare.org](https://familylegalcare.org), or the child support videos at [youtube.com/hranyc](https://www.youtube.com/hranyc).
- Bring as much information as you can about your income and expenses. A Support Magistrate will listen to testimony from both parents, review the information presented, and use the New York State Child Support Guidelines to calculate the amount of the child support order.
- It is not necessary to have a lawyer in Family Court, but you may hire one if you wish. If the custodial parent and/or child are receiving cash assistance, a lawyer will be there to represent the Department of Social Services. That’s because when cash assistance is involved, the petition requesting child support services is filed by the Department of Social Services, not the custodial parent.

### Why You Should Show Up at the Hearing

- You are required to be present at the hearing. If you are unable to attend, contact the court and ask for the date to be changed.
- If you do not provide enough financial information or you do not show up, the Support Magistrate can still order you to pay

child support by issuing a default order. Since a default order is not based on your exact income, it may be more than you can afford to pay.

- Once a default order is issued, you can file a petition in court to have it lowered. Until then, the amount of child support you must pay as stipulated by the default order will remain and any unpaid support may subject you to strong enforcement actions.
- If you think that you are not the father, go to the hearing and ask for a DNA test.

### What Documents You Will Need to Bring to Court

Bring as much of the following information as you can:

- Document showing your name and Social Security number or ITIN (Individual Taxpayer Identification Number)
- Completed Financial Disclosure Affidavit (<https://bit.ly/FinDisclosure>) that came with your summons (see the OCSS video, "How to fill out the Financial Disclosure Affidavit Form (Parts 1 and 2)," at [youtube.com/hranyc](https://www.youtube.com/hranyc))
- Proof of address
- Name, address, and phone number of current or most recent employer
- Health insurance card
- Proof of income and/or benefits:
  - » 3 most recent pay stubs
  - » W-2 form
  - » Letter from your employer verifying employment and salary
  - » Copy of most recent tax return with attachments
  - » Social Security or other disability benefits
  - » Unemployment insurance benefits
  - » Bank statements
  - » Proof of any other children or former spouse you are supporting
  - » Proof of household and business expenses, unpaid bills, and loans

*For more details about the information the court requires at your child support hearing, go to [familylegalcare.org](http://familylegalcare.org). You can also email OCSS at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us) with your questions or to request a phone appointment. Include your phone number, case number, questions, and best times to reach you, and an OCSS customer service worker will contact you.*

### How to Present Yourself in Court

During the court hearing, you want the Support Magistrate to listen to what you have to say. If you want to be taken seriously, you must be respectful of the court:

- Arrive on time.
- Wear appropriate clothing like long pants and a shirt with a collar and sleeves.
- Be prepared with a list of important things you want to say.
- Speak when it is your turn.
- Do not speak directly to the custodial parent.
- Be direct and to the point when speaking since time is limited.

### How Much Child Support You Can Expect to Pay

The New York State Child Support Standards Act (CSSA) sets the basic child support amount at a fixed percentage of the parents' income. Using these percentages ensures that children benefit from the same standard of living they would have if their parents were living together. This percentage is used for all cases in which the parents' combined income does not exceed \$163,000. For combined income above \$163,000, the Support Magistrate can choose whether or not to use the percentage guidelines and may consider other information in setting the full support amount.

You can go to the OCSS website at [nyc.gov/hra/ocss](http://nyc.gov/hra/ocss) to get an estimate of your child support court order. Use the Child Support Calculator.

### **HOW THE AMOUNT OF THE ORDER IS CALCULATED**

The basic support amount is a percentage of your gross income minus New York City taxes, Social Security and Medicare deductions, and any child or spousal support actually paid to another family. It also depends on how many children are involved. Income can be salary from a job, worker's compensation, disability payments, unemployment benefits, Social Security payments, and many other forms of income. Cash assistance and SSI are not considered income.

# of Children	%
1	17%
2	25%
3	29%
4	31%
5+	at least 35%

*For example, if you earn \$35,000 a year after the deductions allowed by CSSA, and have one child, the basic child support order amount will be approximately \$115 per week. For two children in the same family, the order would increase to \$168 per week.*

In addition to the basic obligation amount, the child support order must include medical support. Medical support means health care costs for the child such as health insurance premiums, deductibles, and co-payments. Medical support costs are divided between the two parents according to their income. Either parent may be required to enroll the child in a health insurance plan if it is available through their job.

The insurance must be available at a reasonable cost to the employee and the medical services must be available where the child lives. Reasonable education and day care expenses for the child may also be included in the child support order. These expenses are usually divided between the two parents according to their income.

It may also include childcare. Both medical support and child care are in addition to the amount of the basic order. Note noncustodial parents must petition the court to remove childcare from their order before they can stop paying it.

## **WHEN THE ORDER BECOMES EFFECTIVE**

The effective date of any child support order is the date that the petition was filed, not the date the order was established in court or the date your circumstances changed.

- For example, if a petition was filed on October 1, and a child support order for \$115 per week was established at a hearing on December 5, the noncustodial parent would owe \$115 per week beginning October 1st. So on December 1st the noncustodial parent would leave the court owing \$1,000 in what is called retroactive support, which is the period between the date the petition was filed and the date the order is issued.
- Similarly, if you began living with and caring for your child in January but did not file a petition until June to terminate (stop) or change the order to become the custodial parent, you would still be responsible for any child support owed between January and June.

## **How Low-Income Noncustodial Parents Can Qualify for a Lower Child Support Amount**

It is very important to show up at the hearing and bring your financial information so the Support Magistrate can establish an order based on your income.

- If your yearly income is below the New York State self-support reserve, or SSR, your child support order may be established at \$50 per month. The SSR and the federal poverty level change every year, see <https://www.childsupport.ny.gov/dcse/pdfs/CSSA.pdf>.
- If your yearly income is below the federal poverty level for one person, your child support order may be established at \$25 per month and the amount of arrears you owe will be limited to \$500. See <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.
- If you have a low-paying job or no job, the Support Magistrate may refer you to the Parent Support Program (PSP). You will be referred to an organization that will help you get a job. Once you start making more money, the amount of your child support order may be increased at a court hearing.

## **What Happens After the Hearing**

- If a child support order is established, you will be given a payment instruction sheet stating the amount of your child support order and how to start making payments. You will also be given a copy of the order, most likely by mail. You may go back to court at a later date to request a copy.
- Read your child support order, make sure you understand it, and keep a copy. If you disagree with the child support order, you have 30 days from the date of the order to file a written objection in court. A judge will review the case record and decide if the order is correct or if it should be changed. A sample of a child support order is provided in the back of this booklet.
- After the order has been entered into the child support computer system, you will be mailed a letter telling you how much you have to pay and how to make payments. Read this letter carefully to make sure that all of the information is accurate. Contact OCSS with any corrections.

## PAYING YOUR CHILD SUPPORT

### How to Pay and What Is the Support Collection Unit (SCU)

You are responsible for paying your child support order. If you are working, a notice will be sent to your employer with instructions for taking child support payments from your salary and sending the money to OCSS. Child support payments can also be taken directly from other sources of income, including pension, military allowance, Social Security, disability, and unemployment insurance. Child support payments cannot be taken from cash assistance or SSI benefits. If your child support order includes medical support, a notice will be sent to your employer to deduct the cost of the health insurance benefits for your child from your paycheck.

- 1. If you as a NCP are employed,** your paycheck is subject to garnishment. It may take a few weeks from the time that the child support order is established until your employer deducts payments from your paycheck. Until then, you will be expected to make payments to the New York State Child Support Processing Center.
- 2. If you are self-employed,** you will be expected to make payments to the New York State Child Support Processing Center on a regular basis.
- 3. If you are not employed,** you must pay directly to the New York State Child Support Processing Center on a regular basis.

- All payment options are summarized at <https://on.nyc.gov/paymentmethods>.
- Use the NYC Child Support – ACCESS HRA Mobile App to make child support payments using a credit card, debit card, or PayPal: [nyc.gov/childsupportmobile](https://nyc.gov/childsupportmobile).
- It is important that you make payments on time. If payments fall behind and your payments come directly from your job or other source of income, your regular deductions may be increased by 50% until your account is paid up to date, and you may be subject to other enforcement measures. This is called an “add amount” or “additional amount”.

*For example, if your child support order is \$115 per week and you owe back child support, you will be charged an additional amount of \$57.50 (50% of \$115) for a total of \$172.50 per week until your account is paid up to date.*

### How to Request a Hardship Review

- If your garnishment is temporarily increased by 50% above your regular order, New York State ensures that paying this additional amount does not create a hardship by leaving your income below the annual self-support reserve. See <https://childsupport.ny.gov/dcse/pdfs/CSSA.pdf> for the amount of the self support reserve for the current year. For example, if your child support order is \$300 per month, the add amount will be \$150, for a total of \$450 per month. If that extra \$150 reduces your annual income below the self-support reserve, you should contact or visit the OCSS Customer Service Walk-in Center or send an email to [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us) and request a “Hardship Review”.
- Some, or all, of the additional \$150 amount may be removed if you can prove a hardship, but the child support order will not change. To decrease your child support order, called a “downward modification”, you can ask the Customer Service Walk-in Center worker about an agreement through MOTS (Modifying Orders Through Stipulation), or you can file a modification petition at the court where the order was established.

### What Your Employer Is Required to Do

Your employer is required by law to garnish the court-ordered amount for child support and medical support from your salary. Payroll deductions for child support and medical support are the same for everyone and employers are aware of this process. Your employer cannot fire you, charge you a fee, or discriminate against you in any way because of child support deductions.

If your employer has questions, assistance is available by calling the New York State Child Support Helpline at 888-208-4485, and choosing option 2 (Employers and Income Withholders). If you have concerns that your employer is not following the law, please notify OCSS by email at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us).

The federal Consumer Credit Protection Act (CCPA) limits the amount that your employer can take from your paycheck. The maximum amount that can be taken is a percentage of your disposable income (amount left after federal, State, and local taxes and Social Security and Medicare deductions are taken out). The percentage depends on whether or not you owe child support arrears.

### CCPA Guidelines for Recent IWOs

For NYS income-withholding orders dated August 29, 2018, or later

Maximum Percentage of Disposable Income That Can Be Taken...	...When the NCP Meets These Criteria
50%	No qualifying arrears (equivalent to 12 or more weeks of their current child support)
55%	Has qualifying arrears (equivalent to 12 or more weeks of their current child support)

For example:

Noncustodial parent has one child support order

- Child support order is \$200 per week
- No arrears
- Disposable income is \$300 per week
- Maximum that can be taken out is \$150 per week (\$300 x50%)

*If the employer is remitting the full \$200 then the noncustodial parent should ask for payroll to recalculate the child support payroll deduction because the amount being taken out is over the CCPA limit. At the same time, the noncustodial parent should go back to the Family Court where the child support order was established and file a petition for a downward modification. That's because even if the employer takes out less from the paycheck, the child support order amount will not change. Any change to the order must be done through the court process or through a modification agreement via OCSS Customer Service staff.*

### How to Get Help Finding a Job

If you can't afford to pay child support because you are unemployed or have a job that doesn't pay enough, there are programs that can help:

- **Parent Support Program (PSP)** connects noncustodial parents to employment, job training, mediation, education, life-skill classes, and other services. The program helps parents meet their child support obligation and build stronger relationships with their children. Noncustodial parents may be referred to the program when they appear in Family Court on their child support case.
- **TXT-2-Work** is a voluntary job search aid that sends up-to-date job posting information and job search and resume writing tips to New Yorkers who subscribe to the service. The speed of electronic delivery means that TXT-2-Work subscribers can read

about and apply for a job within 24 hours of the opportunity opening. Sign up by texting the word JOBS to 877877 or filling in the online form by searching NYC Business Link.

- **Workforce1** is a service provided by the NYC Department of Small Business Services. It prepares and connects qualified candidates to jobs. Services are delivered through a network of Workforce1 Career Centers located throughout the City's five boroughs and are available for New Yorkers age 18 and older. For more information and Workforce1 locations, [visit nyc.gov/workforce1](http://visit.nyc.gov/workforce1).
- **Jobs-Plus** is a proven employment program for New York City public housing residents, offering assessment, job readiness, training, job search assistance, referrals for social supports, and child support services.

Contact OCSS to receive a referral to a jobs program. For job training and all current employment options, go to <https://on.nyc.gov/jobsandtraining>.

Email: [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us)

### If You Move or Change Jobs

You are required by law to inform OCSS if you move so that we can stay in contact with you about your case. If you change jobs, let us know so we can notify your new employer to start taking child support payments out of your paycheck. Any break in payments will result in unpaid child support debt and can trigger strong enforcement measures. You may also miss important information on your case if we do not have your most current address.

### If You File for Bankruptcy

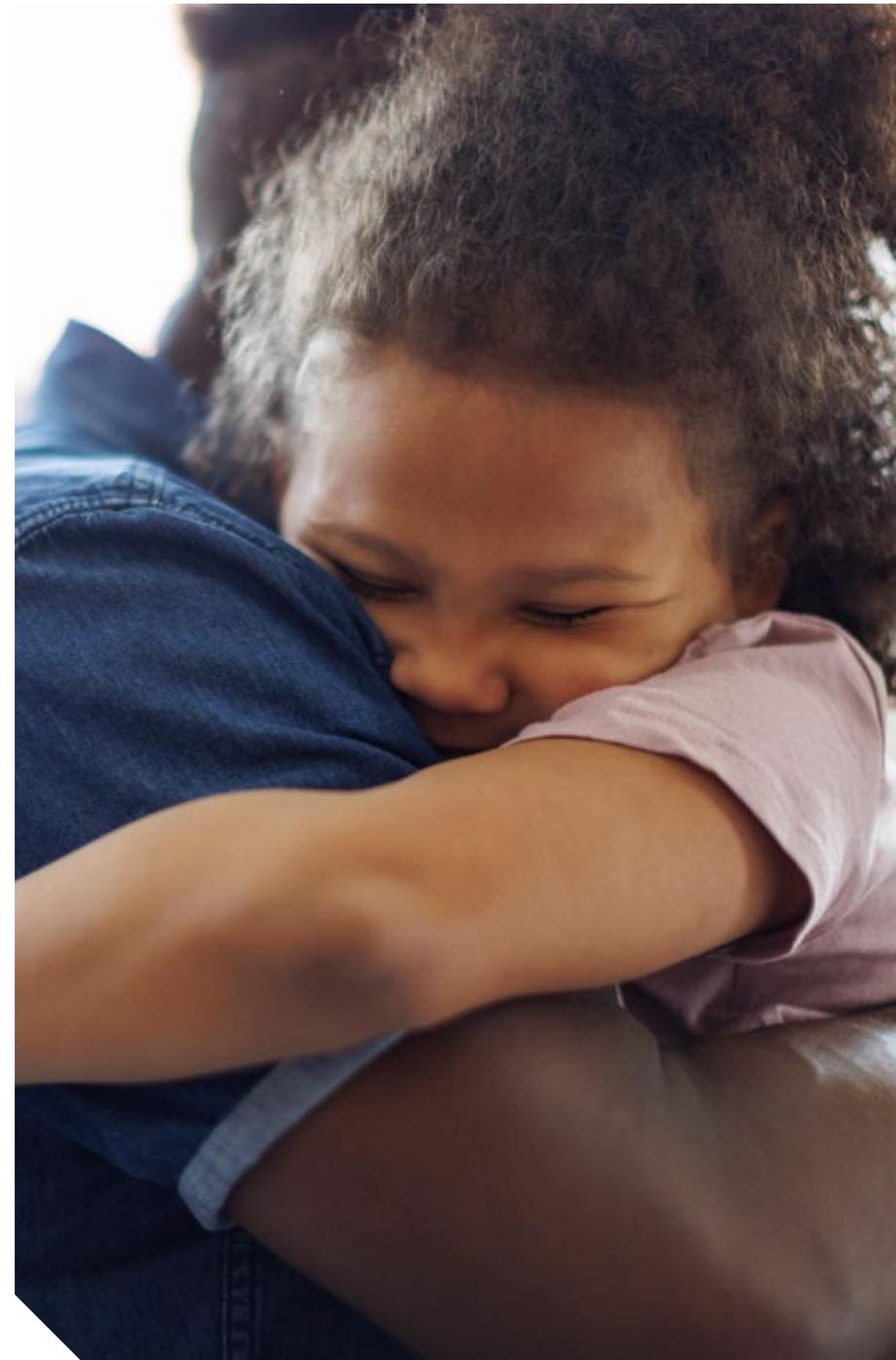
Filing for bankruptcy does not wipe out the obligation to pay current and past-due child support. Child support debt has priority over other creditors with the exception of the IRS (Internal Revenue Service) in certain situations. If you already have a child support order, payroll deductions for current support will continue. The type of bankruptcy (meaning which bankruptcy chapter) determines whether collection of past-due support continues and which enforcement actions apply. A new child support order can still be established during the bankruptcy period.

## If You Give Money or Gifts to the Custodial Parent

- Once you have a child support order payable through the Support Collection Unit (SCU), any gifts (cash or non-cash) you give to your child will not count toward paying your child support obligation. Similarly, any money you pay directly to the custodial parent will not be credited to your child support account, and you may owe child support debt as a result.
- Custodial parents who are receiving cash assistance benefits are considered to have committed welfare fraud if they accept direct child support payments and do not report those payments to the NYC Human Resources Administration (HRA).
- Clothing, diapers, and other items you give to the custodial parent for the child are considered gifts. They do not count as payment for child support.

## Where the Payments Go

- If the custodial parent and/or child are receiving cash assistance, the family is entitled to keep up to the first \$100 (\$200 for 2 or more children) of current child support collected each month. (Current support is the due amount identified on the court order). This is called a pass-through or bonus payment and is in addition to cash assistance benefits. Anything collected above the bonus payment is used to pay back the Department of Social Services (DSS) for cash benefits received.
- For example, if a custodial parent has one child and a cash assistance benefit amount of \$500, and the noncustodial parent's order is \$150 and \$100 is paid, the custodial parent receives a total of \$600 (\$500 benefit plus \$100 child support).
- When the family goes off cash assistance, the child support order continues unless the custodial parent requests to have it closed. All of the money collected for current support goes directly to the custodial parent. In some cases, OCSS will still keep past-due support owed from the time when the family was getting cash assistance.
- If the custodial parent has never received cash assistance, all payments are forwarded to him or her.
- The cost of raising a child is very high. For single-parent families making under \$59,200 before taxes, the estimated cost for raising a newborn to 2-year-old child is \$11,450 per year according to the U.S. Department of Agriculture report "Expenditures on Children by Families."



## NONCUSTODIAL PARENT EARNED INCOME TAX CREDIT

You may be eligible for a New York State Noncustodial Parent Earned Income Tax Credit. To get this credit, you must file a New York State tax return and include tax form IT-209. You have up to two years to file for this tax credit. For more information, visit <https://on.nyc.gov/4dsyL9T>.

## CUSTODY AND VISITATION

Custody and visitation orders cannot be established at a child support hearing and are not included in the child support order. But they are emotional issues for parents. Even if you are not seeing your child, you are still legally responsible for paying court-ordered child support. If the custodial parent won't let you see your child, or you cannot agree on other parenting issues, consider mediation. Mediation can help you resolve your differences and improve your relationship with the other parent. See the free and low-cost mediation providers listed in this section.

Either parent may file a petition in Family Court for a custody and visitation hearing to establish formal custody of the child or enforce visitation rights. Who has legal custody will be discussed at a different hearing, separate from the child support case. However, the child support order may take into consideration if you have extended time with the child, be sure to raise this with the court. At the hearing, the judge or referee may refer the parents for mediation. It is an opportunity for both parents to work out an agreement that can become a court order. If an agreement cannot be reached, the parents must return to court and the judge or referee will make the necessary decisions.

Mediation services are also available without going to court. Go online to [bit.ly/MediationBrochure](http://bit.ly/MediationBrochure) for a description and list of these services. Parents may contact the following organizations directly for free or low-cost mediation services:

- **CENTER FOR MEDIATION AND TRAINING:** 212-799-4302 (all clients, hourly fee)
- **COMMUNITY MEDIATION SERVICES:** 718-523-6868 (Queens residents)
- **INSTITUTE FOR MEDIATION AND CONFLICT RESOLUTION:** 718-585-1190 (Bronx residents)

- **NEW YORK LEGAL ASSISTANCE GROUP:** [hrasupport@nylag.org](mailto:hrasupport@nylag.org) (low-income clients)
- **NEW YORK PEACE INSTITUTE:** 212-577-1740 (Brooklyn and Manhattan residents)
- **PARENT HELP:** 800-716-3468 (free and confidential telephone helpline to parents living apart)

## CHANGING YOUR ORDER WHEN YOUR SITUATION CHANGES

### How You Can Bring a Modification Agreement to Court

An alternative to the longer court process for changing a child support order is making an agreement between both parents, which is facilitated by an OCSS Customer Service Walk-in Center worker. Our program, called Modifying Orders Through Stipulation (MOTS), typically requires one brief court hearing that results in a child support order on consent, which is an order that has been agreed to by both parties. The court hearing gives the Support Magistrate the opportunity to ensure the modification was entered into voluntarily and you both understand your rights. Without a court appearance, the court will not convert the agreement to an order on consent.

MOTS offers both parents the opportunity to discuss, ask questions, and come to an agreement on the child support obligation amount, using the child support standard guidelines and calculations. MOTS is designed to offer parents a supportive and friendly process to modify their orders.

### How to Request a Modification in Court

Your child support order is based on information available at the time of the hearing. Either parent may file a petition with Family Court to modify (change) the amount of the child support order if there is a substantial change in circumstances or the needs of the child are not being met.

- If your income changes (you no longer earn overtime, you lose your job and go on unemployment, you start to receive disability, etc.) and you can no longer afford to pay the child support order, you should immediately go back to the court where you had your last child support hearing and file a petition for a downward modification.

- You may also go online to New York State DIY (Do-It-Yourself) Forms at [nycourthelp.gov](http://nycourthelp.gov) and fill out a support modification petition. Once you download the completed petition and sign it, you can bring it or mail it to Family Court.
- You will be given a hearing date and instructions about what to do next. The custodial parent must be notified to appear in court. OCSS can help you serve the summons to the custodial parent.

You can request a modification if any of the following apply to your case:

- Three years have passed since the order was entered, last modified, or adjusted.
- There has been a change in either parent's gross income by 15% or more since the order was entered, last modified, or adjusted. Any decrease in income must be involuntary and the parent claiming decreased income must have tried to find work that would be appropriate to his or her education, ability, and experience.
- Incarcerated individuals may file a modification petition due to a substantial change in circumstances as long as their incarceration is not due to nonpayment of child support or an offense against the custodial parent or child. (This only applies to orders established after October 10, 2010.)

### When the Oldest Child Turns 21

- If there is more than one child listed on the same child support order, the obligation amount may be allocated. This means that a specific amount is assigned to each dependent child. When the oldest child turns 21, OCSS will automatically reduce the child support order by the amount allocated for that child.
- If the order is not allocated, the noncustodial parent must file a petition in court for a downward modification when the oldest child turns 21. Otherwise, the order will not change, and you will have to continue to pay the full amount including the amount for your emancipated child.
- If your order was established outside of New York State, the emancipation date may not be age 21.

### What Happens at the Court Hearing for a Modification

- Once you file a modification petition with Family Court, a hearing will be scheduled. You will have an opportunity to present your current income and expenses.
- The Support Magistrate will review the information in accordance with the New York State Child Support Standards Act guidelines and decide if the order should be changed.
- Any change to the amount of the order will only go back to the date the petition was filed in court, not the date that the circumstances actually changed.

### Cost of Living Adjustment

- OCSS may increase a child support order with a Cost of Living Adjustment (COLA) when the case becomes eligible, without going to court.
- COLA is based on yearly changes in the Consumer Price Index for All Urban Consumers (CPI-U), which tracks the prices of items like food, clothing, housing, transportation, fuel, and medical expenses.
- COLA may be added to a child support order when the yearly increases in the CPI-U add up to at least 10% from the date the order was established or last modified.
- You will be notified before a COLA is added to your order and have an opportunity to object to it.
- If you object to the COLA, a modification hearing will be scheduled in Family Court to review the amount of your order. The Support Magistrate will decide if the order should be changed or remain the same, based on the New York State Child Support Standards Act guidelines.

## DEBT REDUCTION PROGRAMS FOR NONCUSTODIAL PARENTS

OCSS has programs that can reduce child support debt (arrears) owed to the New York City Department of Social Services (DSS). If you are not sure that you owe money to DSS, contact OCSS at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us).

**ARREARS CAP** can lower the accumulated child support debt you owe to the government (DSS) down to \$500, without going to Family Court.

### TO QUALIFY:

- Must owe arrears to NYC DSS; not required to have charging or active child support order.
- Arrears must have built up while income was below the federal poverty level (see <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>). If you do not have proof of past income (tax returns, pay stubs), request a wage statement from the Social Security Administration or proof of incarceration, or proof of receiving a benefit (e.g., cash assistance).

**ARREARS CREDIT PROGRAM (ACP)** can reduce the amount of arrears owed to DSS by \$5,000 a year for up to three years, without going to court. Noncustodial parents who have current child support orders and those who only owe arrears are both eligible to participate in ACP. Current orders may be payable to either DSS or the custodial parent, but only arrears owed to DSS will be reduced.

### TO QUALIFY:

- There are no income requirements to qualify for ACP.
- Make full payments each month for an entire year.
- Qualified noncustodial parents will receive a credit of \$5,000 per year, for up to three years, toward child support arrears owed to DSS.

**PARENT SUCCESS PROGRAM** encourages noncustodial parents to take steps to improve their own lives so they can do more for their children. Parent Success is for parents who owe debt to New York City DSS. You can lower your NYC DSS debt up to \$ 7,500 with verification that you have completed a qualifying drug treatment program.

**PAY IT OFF** is a time-limited program that enables noncustodial parents to pay off New York City DSS child support debt twice as fast. When you pay a minimum required amount, OCSS will reduce your DSS debt by double or up to the total amount of child support arrears you owe DSS.

To find out if you qualify for one or more of these debt reduction programs, email us at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us) or visit one of our offices (see <https://on.nyc.gov/contactocss>).

Learn more about the debt reduction programs offered by OCSS by visiting [nyc.gov/ocss-debt-reduction](http://nyc.gov/ocss-debt-reduction). Use the NYC Child Support – ACCESS HRA Mobile App to submit an application for a debt reduction program: [nyc.gov/childsupportmobile](http://nyc.gov/childsupportmobile).



## FALLING BEHIND ON PAYMENTS

OCSS keeps track of how much child support is paid and how much is owed. It is our job to see that payments are received regularly and on time. If you fall behind with your child support payments, there are a number of administrative enforcement actions that may take place.

- Before any enforcement action can take place, you will be mailed a notice explaining how to prevent the action from happening and how to file a challenge or mistake of fact. You can go to [youtube.com/hranyc](https://www.youtube.com/hranyc) to see a video on how to submit a challenge.
- For more information about each enforcement action and how to challenge them, see [https://childsupport.ny.gov/dcse/enf\\_actions.html](https://childsupport.ny.gov/dcse/enf_actions.html).
- Use the NYC Child Support – ACCESS HRA Mobile App to complete an enforcement action challenge form: [nyc.gov/childsupportmobile](https://nyc.gov/childsupportmobile).
- If you are receiving cash assistance or Social Security Insurance (SSI), you will not be subject to certain enforcement actions.
- A case may be subject to multiple enforcement actions at the same time.
- OCSS has the authority to enforce child support orders through administrative processes without going back to court.
- If these methods do not result in child support payments, the case may be referred to Family Court for judicial enforcement actions.

### Automated Administrative Enforcement Actions

#### ADD AMOUNT

Your child support payments may be temporarily increased by 50% above the regular order amount anytime payments fall behind. On a new order, this may happen immediately because child support is owed back to the date that the petition was filed in court, not the date of the hearing.

#### TAX REFUND OFFSET

If you are expecting a federal or state income tax refund, it may be sent to OCSS instead to pay off past-due child support

- New York State tax refund offset will take place if at least \$50 is owed.
- Federal tax refund offset will take place once at least three months of past due payments are due and the amount owed reaches \$500 (\$150 if the debt is owed to DSS).
- The tax offset amount is decided in the year before the refund is taken. If you no longer owe the money by the time the tax refund is taken, a refund will be issued to you once OCSS receives the money from the IRS or New York State Department of Taxation and Finance. That can take six to eight weeks from the time that you are notified that your tax refund is being sent to OCSS.
- If a joint tax return has been filed, the spouse with no financial responsibility for the child may file an Injured Spouse form with the IRS and/or the New York State Department of Taxation and Finance to request his or her portion of the refund. OCSS will hold the IRS refund for 6 months to give the injured spouse a chance to file a claim for a portion of the tax refund. After 6 months, all of the refund will be credited to the noncustodial parent's account.

#### LOTTERY PRIZE INTERCEPT

If you win \$600 or more in the New York State lottery and owe at least \$50 in child support arrears, the prize money may be paid to OCSS. Parents owing child support will be informed when they go to claim their prize if any or all of it is being taken for child support arrears. An official letter will follow in the mail.

#### BANK ACCOUNT SEIZURE (KNOWN AS PROPERTY EXECUTION [PEXI])

Your bank accounts (savings, checking, money market, Certificate of Deposit, IRAs) and other financial assets may be frozen and seized to pay OCSS if you owe at least two months current child support and have arrears of at least \$300.

- If you are paying current child support through automatic income deductions, your bank account will be frozen if the balance is \$3,000 or more.

- If you are not paying current child support payments through automatic income deductions, your bank account will be frozen if the balance is at least \$25.
- If the funds in your bank account come from Social Security Insurance (SSI), cash assistance, Veterans Administration disability from military service, child support or alimony, they cannot be seized by OCSS.
- In the case of a joint bank account, some banks will release all of the funds requested by OCSS. Other banks may require a written statement signed by both parties to release half the account balance for child support arrears.

### DRIVER LICENSE SUSPENSION

Driver licenses are suspended if the amount owed in child support is equal to or greater than four months of the current child support order amount and payments are not coming in by payroll deductions. Noncustodial parents receiving Social Security Insurance (SSI) or cash assistance are exempt from having their driver's license suspended. If you receive a letter that your license is going to be suspended, you may prevent it from happening by doing any of the following:

- Pay all that is owed.
- Provide employment information so your employer can take payments directly from your salary.
- Enter into a payment agreement with OCSS to pay the court-ordered amount plus an additional 50% toward arrears.
- Prove your income is below the New York State self-support reserve: <https://www.childsupport.ny.gov/dcse/pdfs/CSSA.pdf>.
- If suspension takes place, a restricted driver license may be requested from the Department of Motor Vehicles to allow you to drive to and from your job.

### CREDIT BUREAU REPORTING

Names of noncustodial parents are submitted to major Consumer Reporting Agencies when they owe at least \$1,000 in child support or are two months behind in payments, whichever happens first. This referral will create a negative entry on the parent's credit report, making it difficult, or more costly, to get a credit card, mortgage, or other types of loans.

### REFERRAL TO THE NYS DIVISION OF TAXATION AND FINANCE

Cases are referred to the New York State Department of Taxation and Finance for identification and seizure of assets if the amount owed is more than four months of the current child support order, is at least \$500, and no child support payments have been received in the last 45 days from payroll deductions. Noncustodial parents receiving SSI or cash assistance are exempt from this process.

### DENIAL OF NEW AND RENEWED PASSPORTS

Noncustodial parents are notified in advance that their child support debt is being reported to the U.S. Department of State (a federal agency). The State Department will deny an application for a new or renewed passport if at least \$2,500 is owed in child support. The passport will not be issued until the child support debt is resolved with OCSS.

### DENIAL OR TEMPORARY GRANTING OF NYC PROFESSIONAL LICENSES

Applications for new and renewed New York City professional licenses will be denied, or a temporary six-month license will be granted, if the applicant owes back child support equal to at least four months of current child support. Examples of New York City licensing agencies include:

- Department of Consumer Affairs
- Taxi and Limousine Commission
- Fire Department
- New York Police Department

Applicants may pay what they owe or enter into an agreement with OCSS to have their license applications approved. If you are having problems getting a NYC professional license because of an outstanding child support debt:

- Visit the OCSS Customer Service Walk-in Center at 151 West Broadway between 8 am and 6 pm, Monday to Friday (except holidays), or
- Email OCSS at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us) to request a telephone appointment, and include your name, case number, phone number, and best times to reach you.

## Judicial Enforcement Actions/Violation Petition

### **VIOLATION PETITION**

When administrative enforcement methods do not result in child support collections, a violation petition may be filed with Family Court by the custodial parent or OCSS (for noncustodial parents owing child support debt to the DSS). A violation hearing will result in:

- **MONEY JUDGMENT:** Child support arrears are fixed by the court at a specific amount that accumulates 9% interest annually until it is paid off.

In addition, the hearing may result in:

- **LIEN:** A lien may be placed on the noncustodial parent's property, requiring that the child support debt be paid before the property can be sold or transferred.
- **CASH DEPOSIT:** The noncustodial parent may be required to deposit money (up to three years' worth of payments) toward future child support. Payments can be taken out of this deposit if the noncustodial parent fails to pay support regularly. Also called Cash Bond or Cash Undertaking.
- **ARREST/ INCARCERATION:** The court may issue an arrest warrant if the noncustodial parent fails to appear in court for a violation hearing. In certain cases of willful nonpayment of child support, the noncustodial parent may go to jail for up to six months. Willful nonpayment means that the noncustodial parent can afford to pay child support but chooses not to, or intentionally avoids employment, or transfers money to avoid paying.
- **SUSPENSION OF STATE-ISSUED PROFESSIONAL, BUSINESS, AND OCCUPATIONAL LICENSES:** Family Court may recommend to the appropriate licensing board that noncustodial parents who owe an amount of child support equal to or more than four months of current support have their state-issued licenses suspended. Examples of occupations that must be registered or licensed by New York State include barbers, physical therapists, lawyers, and doctors.

### **PARTICIPATION IN PARENT SUPPORT PROGRAM (PSP)**

When a noncustodial parent is unemployed or has a low-paying job, or is not working enough hours to pay child support, the Support Magistrate may order them to participate in PSP, which helps noncustodial parents get jobs so that they can pay child support or they could be referred to the Department of Probation (DOP).

### **REFERRAL FOR CRIMINAL PROSECUTION**

OCSS can request criminal prosecution of a noncustodial parent by the U.S. Attorney's Office or the local District Attorney's Office when willful nonpayment of child support has been established, significant arrears are owed, and other enforcement actions have failed.



## TERMINATING THE CHILD SUPPORT ORDER

In New York State, you will have to pay child support until the child emancipates, usually when they reach age 21, unless the court orders something different. Orders can be extended past age 21 for education or medical reasons. An order may be terminated by Family Court before the child reaches age 21 if any of the following happens:

- Child becomes emancipated. The child moves out and becomes self-supporting, gets married, or joins the military.
- You get custody of the child. In that case, the other parent may be ordered to pay child support to you.
- You move in and form one household with the custodial parent and child.

Once the current order is terminated, you may still owe child support to either the custodial parent or the Department of Social Services if you were not up to date on your payments and owe arrears. The payment must continue until the child support debt is paid off.



## CHILD SUPPORT INFORMATION/CASE ASSISTANCE

If you have questions about the child support program, need assistance with your child support case, or need to provide additional information to OCSS such as a new employer or a change of address:



Email HRA Office of Child Support Services Customer Service at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us).

Include your full name, Child Support Case ID, and birth date. Please provide a descriptive subject and be detailed in your email so staff can provide you a thorough answer.



To schedule a phone appointment with a Customer Service representative, email us at [dcse.cseweb@dfa.state.ny.us](mailto:dcse.cseweb@dfa.state.ny.us).

Provide your full name, Child Support Case ID, and birth date, description of your concern(s), phone number, and the best time to reach you. Enter "Requesting a Customer Service Appointment" in the subject line of your email. Phone appointment requests will receive a response within 3 business days.



Visit the HRA OCSS Customer Service Walk-in Center or a Family Court Office. Locations can be found at <https://on.nyc.gov/contactocss>.



Visit the HRA OCSS Website at <https://nyc.gov/hra/ocss> to learn more about child support services.



Call the New York State Child Support Helpline at **888-208-4485**.



Send mail correspondence to:  
OCSS  
PO Box 830  
Canal Street Station  
New York, NY 10013

## Online Resources

New York City Office of Child Support Services (OCSS)  
[nyc.gov/hra/ocss](https://nyc.gov/hra/ocss)

View child support videos  
[youtube.com/hranyc](https://youtube.com/hranyc)

New York City Office of Financial Empowerment  
Free financial counseling and education  
[nyc.gov/ofe](https://nyc.gov/ofe)

New York State Division of Child Support Services,  
View your account information\*  
[childsupport.ny.gov](https://childsupport.ny.gov)

New York State Unified Court System  
[nycourts.gov](https://nycourts.gov)

NYC Access HRA Child Support Mobile App  
<http://www.nyc.gov/childsupportmobile>

# ACKNOWLEDGMENT OF PARENTAGE

LDSS-5171 (Rev. 04/21)

## ACKNOWLEDGMENT OF PARENTAGE (Please type or print clearly using black ink.)

Recorded district \_\_\_\_\_ Hospital code \_\_\_\_\_ Register number \_\_\_\_\_

Check where signed:  Hospital  Child Support Program office  Birth registrar  Other

**Child** \_\_\_\_\_

First name \_\_\_\_\_ Middle name \_\_\_\_\_ Last name \_\_\_\_\_

Gender \_\_\_\_\_ Date of birth (MM/DD/YYYY) \_\_\_\_\_

Female  Male  Non-Binary/other \_\_\_\_\_

Facility of birth \_\_\_\_\_ City of birth \_\_\_\_\_ County/borough of birth \_\_\_\_\_

If the child's birth certificate was already filed and you wish to change the child's last name, complete the following section:

Last name on original birth certificate \_\_\_\_\_ New last name \_\_\_\_\_

We understand that signing this Acknowledgment of Parentage is voluntary and will establish parentage of our child with the same force and effect as an Order of Parentage entered after a court hearing including an obligation to provide support for our child except that, only if this Acknowledgment of Parentage is filed with the Registrar where the birth certificate is filed, will the Acknowledgment of Parentage have such force and effect with respect to inheritance rights. We have received written and oral notice of our legal rights (including the timeframes to withdraw), responsibilities, alternatives and the consequences of signing the Acknowledgment of Parentage, and we understand what the notice states. A copy of the written notice has been provided to us. We certify that the information we provide below is true.

**Birth Parent** \_\_\_\_\_

First name \_\_\_\_\_ Middle name \_\_\_\_\_ Last name \_\_\_\_\_

Street address \_\_\_\_\_ Floor/Apt. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Date of birth (MM/DD/YYYY) \_\_\_\_\_ Social Security Number \_\_\_\_\_ Were you married at the time of birth?  Yes  No

I hereby consent to the Acknowledgment of Parentage for my child named above and acknowledge that the person named below is the only possible other genetic parent, or is an intended parent and the child was conceived through assisted reproduction.

Signature \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

**Witness section** (Two witnesses required; witnesses cannot be related to either parent)

Witness signature \_\_\_\_\_ Witness print name \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

Witness signature \_\_\_\_\_ Witness print name \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

**Other Parent** \_\_\_\_\_

First name \_\_\_\_\_ Middle name \_\_\_\_\_ Last name \_\_\_\_\_

Street address \_\_\_\_\_ Floor/Apt. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

City of birth \_\_\_\_\_ State/Province of birth \_\_\_\_\_ Country of birth \_\_\_\_\_

Date of birth (MM/DD/YYYY) \_\_\_\_\_ Social Security Number \_\_\_\_\_ Are you the genetic/biological father of the child?  Yes  No

I hereby acknowledge that I am the genetic or intended parent of the child named above.

Signature \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

**Witness section** (Two witnesses required; witnesses cannot be related to either parent)

Witness signature \_\_\_\_\_ Witness print name \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

Witness signature \_\_\_\_\_ Witness print name \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

**For Official Use Only** \_\_\_\_\_

The above Acknowledgment of Parentage is hereby filed with the \_\_\_\_\_ registrar on \_\_\_\_\_

If this document is to amend a birth certificate, I certify that I have examined the original record this seeks to amend and the information on this document matches. There are no omissions or apparent errors that render it unacceptable for amending the birth record. This document is therefore approved.

State Registrar/Deputy City Registrar signature \_\_\_\_\_ Date (MM/DD/YYYY) \_\_\_\_\_

LDSS-5171 (Rev. 04/21)  
New York State Office of Temporary and Disability Assistance  
New York State Department of Health  
Pursuant to Section 4135-b of Public Health Law

**Birth Parent** \_\_\_\_\_  
Name \_\_\_\_\_

Street address \_\_\_\_\_

Floor/Apt. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Mailing address of birth parent must be printed here

**Other Parent** \_\_\_\_\_  
Name \_\_\_\_\_

Street address \_\_\_\_\_

Floor/Apt. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Mailing address of other parent must be printed here

**Gamete Donor (if applicable)** \_\_\_\_\_  
Name \_\_\_\_\_

Street address \_\_\_\_\_

Floor/Apt. \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Mailing address of gamete donor, if known, must be printed here

# SAMPLE CHILD SUPPORT ORDER

Docket No: F-XXXXX-XX  
4-7

PART A

F.C.A. §§ 413, 416, 433, 438, 439, 440, 442-447, 471; Art.5-B, Family Court Act laws that govern the court hearing

4-7 11/2002 Form number and date of issue

At a term of the Family Court of the State of New York, held in and for the County of Richmond, at 100 Richmond Terrace, Staten Island, NY 10301, on October 4, 2004 Court address and the hearing date

PART B

PRESENT: Family Court, Support Magistrate In the Matter of a Support Proceeding

File #: XXXXX  
Docket #: F-XXXXX-XX  
CSMS #: XXXXXXXXXX Child support case and court identifying information

ORDER OF SUPPORT Type of order

Custodial Parent, SSN: XXX-XX-XXXX, Petitioner,  
- against -

Parties involved

Noncustodial Parent, SSN: XXX-XX-XXXX, Respondent.

PART C

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY RESULT IN INCARCERATION FOR CRIMINAL NON-SUPPORT OR CONTEMPT. YOUR FAILURE TO OBEY THIS ORDER MAY RESULT IN SUSPENSION OF YOUR DRIVER'S LICENSE, STATE-ISSUED PROFESSIONAL, TRADE, BUSINESS AND OCCUPATIONAL LICENSES AND RECREATIONAL AND SPORTING LICENSES AND PERMITS; AND IMPOSITION OF REAL OR PERSONAL PROPERTY LIENS.

Filing an objection

SPECIFIC WRITTEN OBJECTIONS TO THIS ORDER MAY BE FILED WITH THIS COURT WITHIN 30 DAYS OF THE DATE THE ORDER WAS RECEIVED IN COURT OR BY PERSONAL SERVICE, OR IF THE ORDER WAS RECEIVED BY MAIL, WITHIN 35 DAYS OF THE MAILING OF THE ORDER.

The above-named Petitioner having filed a petition in this Court on June 22, 2004, alleging that Noncustodial Parent is chargeable with the support of:

Name	Date of Birth
Child's Name	XX/XX/XXXX

Noncustodial Parent having appeared before this Court to answer the petition, having been advised by the Court of the right to counsel, and to show why an order of support and other relief prayed for in the petition should not be granted; and Noncustodial Parent having admitted the allegations of the petition; and the matter having duly come on to be heard before this Court;

PART D

NOW, after examination and inquiry into the facts and circumstances of the case and after hearing the proofs and testimony offered in relation thereto, the Court finds that: Noncustodial Parent is the Noncustodial party, whose pro rata share of the basic child support obligation is \$XX.XX weekly for the following child:

Name Child	Date of Birth	Social Security #
------------	---------------	-------------------

And the Court finds further that: The Noncustodial party's pro rata share of the basic child support obligation is neither unjust nor inappropriate;

PART E

Noncustodial Parent is currently unemployed; Noncustodial parent's employment status  
NOW, after examination and inquiry into the facts and circumstances of the case and after hearing the proofs and testimony offered in relation thereto, it is

ORDERED AND ADJUDGED that effective January 28, 2005, Noncustodial Parent is chargeable with the support of the following person(s) and is possessed of sufficient means and able to earn such means to provide the payment of the sum \$XX.XX weekly to Custodial Parent by certified check or money order payable to the Support Collection Unit, such payments to commence on January 28, 2005, for and toward the support of Noncustodial Parent's children, allocated as follows:

The person who will receive the child support payments

Effective date of the child support order (Your date will be different)

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: \_\_\_\_\_
- Order received in court on [specify date(s) and to whom given]: \_\_\_\_\_

PART E cont'd

Name Children Child	Social Security #	Date of Birth	Amount
		XX/XX/XXXX	
Total Child Support:			\$XX.XX weekly

ORDERED that the payor, custodial party and any other individual parties immediately notify the Support Collection Unit of any changes in the following information: residential and mailing addresses, social security number, telephone number, driver's license number; and name, address and telephone numbers of the parties' employers and any change in health insurance benefits, including any termination of benefits, change in the health insurance benefit carrier or premium, or extent and availability of existing or new benefits; and it is further

Notice to inform Agency of any change in your residence, employment, etc.

ORDERED that this Order shall be enforceable pursuant to Section 5241 or 5242 of the Civil Practice Law and Rules, or in any other manner provided by law; and it is further

ORDERED that Noncustodial Parent pay additional expenses as follows:

Expense/Payee	Payment	Payable
Unreimbursed Health Related/ Custodial Parent	XX %	Via SCU
Child Care/ Custodial Parent	XX %	Direct

Expenses in addition to the basic child support amount:  
• Medical  
• Child care  
• Education

PART F

IT IS FURTHER ORDERED that all payments payable through the Support Collection Unit shall be mailed to: Support Collection Unit, PO Box 15363, Albany, NY 12212- 5363;

Where to send payments until they come through your job

IT IS FURTHER ORDERED that a copy of this order be provided promptly by the Support Collection Unit to the New York State Case Registry of Child Support Orders established pursuant to Section 111-b(4-a) of the Social Services Law; and it is further ORDERED that this is a \$XX per week order of support from 10/8/04 until it increased on 1/28/05.

Summary of court findings

PART G

NOTE: (1) THIS ORDER OF CHILD SUPPORT SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER THIS ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. UPON APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT, AN ADJUSTED ORDER SHALL BE SENT TO THE PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THIRTY-FIVE (35) DAYS FROM THE DATE OF MAILING TO SUBMIT A WRITTEN OBJECTION TO THE COURT INDICATED ON SUCH ADJUSTED ORDER. UPON RECEIPT OF SUCH WRITTEN OBJECTION, THE COURT SHALL SCHEDULE A HEARING AT WHICH THE PARTIES MAY BE PRESENT TO OFFER EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH THE CHILD SUPPORT STANDARDS ACT.

Cost of Living Adjustments (COLA)

(2) A RECIPIENT OF FAMILY ASSISTANCE SHALL HAVE THE CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED WITHOUT FURTHER APPLICATION OF ANY PARTY. ALL PARTIES WILL RECEIVE NOTICE OF ADJUSTMENT FINDINGS.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS TO WHICH AN ADJUSTED ORDER CAN BE SENT, AS REQUIRED BY SECTION 443 OF THE FAMILY COURT ACT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ORDER REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

Dated: October 4, 2004

ENTER

Family Court, Support Magistrate

Name and seal of Support Magistrate

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: \_\_\_\_\_
- Order received in court on [specify date(s) and to whom given]: \_\_\_\_\_

## GLOSSARY OF CHILD SUPPORT TERMS

### A

**ABSENT PARENT:** Person who is absent from the home and is legally responsible for providing financial support for a dependent child (also referred to as the noncustodial parent, nonresident parent, and respondent in court case).

**ACCRUAL:** Sum of child support payments that are overdue. (Also see “Arrears”).

**ACKNOWLEDGMENT OF PARENTAGE (AOP):** Form that establishes the parentage (legal fatherhood) of a child through a voluntary process, without going to court. It must be completed and signed by both parents.

**ADDITIONAL AMOUNT (Also Called Add Amount):** Amount to be paid by income execution in addition to the court ordered obligation to pay back child support debt.

**ADJOURNMENT:** Temporary postponement of the hearing until a specific date in the future.

**ADMINISTRATIVE PROCESS:** Method by which support orders are enforced by OCSS instead of by courts and judges.

**AFFIDAVIT:** Written statement of fact made voluntarily under oath.

**ALLOCATED CHILD SUPPORT ORDER:** Order that lists the amount to be paid per child.

**ARREARS:** Amount of child support that is overdue and unpaid.

**ASSIGNMENT OF SUPPORT RIGHTS:** Requirement of an agreement by person receiving cash assistance to turn over to the State any child support payments received in exchange for cash assistance and other benefits.

### B

**BASIC CHILD SUPPORT OBLIGATION:** Amount of the child support order based on a fixed percentage of parental income, before medical support and expenses for childcare, and/or educational expenses are added on.

**BONUS PAYMENT:** Cash assistance recipients with child support orders may receive up to \$100 per month (\$200 for two or more children receiving child support) of the child support collected in the same month that it is owed. (See also Pass-Through Payment.)

**BURDEN OF PROOF:** Duty of a party to produce the greater weight of evidence on a point at issue.

### C

**CASH ASSISTANCE:** Government benefit providing financial support for very low-income individuals and families, administered in New York City by HRA (Human Resources Administration). Cash assistance is delivered to clients electronically by EBT (Electronic Benefit Transfer).

**CASH UNDERTAKING:** As the result of a court hearing, a noncustodial parent may be ordered to pay a cash deposit to the OCSS Support Collection Unit of up to three years of child support payments. Payments can be taken out of this deposit if the noncustodial parent fails to pay support regularly.

**CHANGE OF CIRCUMSTANCES:** Unexpected change in noncustodial parents’ financial situation due to injury, illness, or sudden loss of employment that affects their ability to pay their court-ordered child support; grounds for filing a downward modification in court.

**CHANGE OF PAYEE:** Allows for private child support payments to be sent to OCSS for processing, record keeping, distribution, and enforcement.

**CHILD SUPPORT STANDARDS ACT (CSSA):** Legislation passed in 1989 to make child support orders fair and consistent throughout New York State by standardizing the formula for calculating basic child support orders.

**COLA (Cost of Living Adjustment):** Increase to a child support order, without a court hearing. COLA is based on changes in the Consumer Price Index for All Urban Consumers (CPI-U), which keeps track of day-to-day living expenses such as food, clothing, housing, etc.

**CONCURRENT JURISDICTION:** An order that allows more than one court to make decisions about and modify a child support order. This may happen with New York State Supreme Court and Family Court.

**CONSUMER CREDIT PROTECTION ACT (CCPA):** Federal law that limits the amount that may be withheld from earnings; it takes into consideration net income after mandatory taxes are taken out, the amount of arrears owed, and whether an additional family is being financially supported.

**COURT ORDER:** Legally binding document issued by a court of law. A court order related to child support will include how often, how much, how long, and what kind of support the noncustodial parent must pay and whether an employer must withhold support from their wages.

**CPI-U (Consumer Price Index for All Urban Consumers):** Tracks the prices of items such as food, clothing, and housing on an annual basis. Cost of Living Adjustments (COLAs) are based on the yearly changes in the CPI-U.

**CUSTODIAL PARENT (CP):** Parent, relative, or guardian who lives with and is the primary caretaker of the child or children.

**CUSTODY:** Legal determination that establishes with whom the child shall live: the mother, father, or other adult.

## D

**DECREE:** Judicial decision of a court.

**DEFAULT ORDER:** Child support order issued when the noncustodial parent fails to provide sufficient information or fails to appear in court, and proof of summons service has been provided.

**DELINQUENCY:** An amount of money due on a child support case but not paid.

**DEPENDENT:** A child who is under the care of someone else. Most children who are eligible for child support are dependents.

**DIRECT PAY ORDER:** Child support order is payable directly from the noncustodial parent to the custodial parent.

**DISBURSEMENT:** The paying out of collected child support funds to custodial parents or to the Department of Social Services if the client is receiving cash assistance.

**DISMISSAL WITHOUT PREJUDICE:** Petition is dismissed now but may be taken up at a later date in court. For example, there is no summons service.

**DISMISSAL WITH PREJUDICE:** The facts of a petition are found to have no merit and the case is absolutely dismissed from court. For example: DNA proves that the respondent is not the biological parent.

**DISPOSABLE INCOME:** Amount of income left over after taxes, Medicare, FICA, and pension plan payment deductions are taken out.

**DNA TEST:** Analysis of inherited factors to determine if a particular person is the child's parent; DNA samples are taken from inside the cheek of the father, mother, and child using a specially designed swab.

**DOCKET NUMBER:** Number assigned by the Court to identify the case.

## E

**EBT (Electronic Benefit Transfer):** Method by which the New York State Office of Temporary and Disability Assistance (OTDA) delivers cash and SNAP benefits to recipients. Benefits are accessed using an ID card and PIN.

**EMANCIPATED:** A child is not living with his or her parents and has a source of income, or is in the military, or is married.

**ENFORCEMENT:** Application of remedies to obtain payment of a child or medical support obligation contained in a child support order. Examples of remedies include seizure of assets, suspension of driver's license, denial of U.S. passport, etc.

**ESTABLISHMENT:** Process of proving parentage and/or obtaining a court order to put a child support obligation in place.

## F

**FAMILY COURT SUPPORT SERVICES (FCSS):** Division of OCSS that handles the intake of local non-cash assistance child support cases.

**FAMILY SUPPORT ACT:** Law passed in 1988 that mandates immediate wage withholding on child support orders and requires states to use guidelines to decide the amount of support for each family.

**FEDERAL PARENT LOCATOR SERVICE (FPLS):** Computerized national location network service that helps states locate noncustodial parents by matching database information; FPLS can provide information helpful to establishing custody, parentage, and child support and for adoption and foster care issues.

**FINANCIAL DISCLOSURE AFFIDAVIT:** Document given to both parties in a child support case, requesting detailed financial, wage, and expense information; used by the court to determine child support, medical support, childcare, and other parts of the child support order.

**FINDINGS OF FACT:** Notes and calculations used by the Support Magistrate in establishing a child support order.

## G

**GARNISH:** Legal proceeding under which part of a person's wages and/or assets are withheld for payment of a debt such as child support.

**GOOD CAUSE:** Legal reason for which a cash assistance applicant or recipient is excused from cooperating with child support.

## H

**HEARING:** Legal proceeding held in front a judge. The judge at a child support hearing is called a Support Magistrate.

## I

**INCOME:** Any regular form of payment to an individual, regardless of source, including salaries, commissions, bonuses, unemployment insurance, worker's compensation, disability, pension, or interest. Cash assistance and SSI benefits are not considered income.

**INCOME WITHHOLDING ORDER (IWO):** Administrative process by which a noncustodial parent's child support payments are deducted directly from his or her wages or other income and sent to the Child Support Collection Unit. May be referred to as wage withholding, garnishment, or payroll deductions.

**INTERCEPT:** Method of securing child support by taking a portion of non-wage payments made to a noncustodial parent. Non-wage payments subject to interception include tax refunds and lottery winnings.

**INTERSTATE CASES:** Cases in which the dependent child and noncustodial parent live in different states and when two states are involved in some child support case activity, such as establishment or enforcement.

## J

**JOB CENTER:** Entry point for people seeking cash assistance. Provides on-site access to job search, training, and placement and benefits such as Medicaid and SNAP, or food stamps. OCSS receives referrals from Job Centers for clients who are required to cooperate with the child support program.

**JUDGMENT:** Official decision or finding of a Judge or Support Magistrate.

**JURISDICTION:** The legal authority that a court or administrative agency has over particular persons and over certain types of cases, usually in a defined geographical area.

## L

**LEGAL FATHER:** Person who is recognized by law as the male parent of a child. In order to be recognized as the legal father, parentage must be established if the parents are not married to each other.

**LIEN:** Claim upon property to prevent sale or transfer until a debt is paid up.

**LOCATE:** Process by which a noncustodial parent is found, for the purpose of establishing parentage and establishing and/or enforcing a child support obligation.

**LONG ARM JURISDICTION:** Legal provision that permits one state to claim personal jurisdiction over someone who lives in another state.

**LOTTERY INTERCEPT:** Process by which a noncustodial parent's lottery prize winnings are sent to the Office of Child Support Enforcement to satisfy past-due support obligations.

## M

**MEDICAL ASSISTANCE ONLY (MAO), OR MEDICAID ONLY:** Form of public assistance that provides benefits to recipients only in the form of medical, rather than financial, assistance.

**MEDICAL SUPPORT:** Legal provision for medical coverage to be included in a child support order.

**MODIFICATION PETITION:** Formal written application to a court requesting a change in an existing child support order.

**MONEY JUDGMENT:** Specific amount of arrears set by the Support Magistrate in a formal judgment, which accrues 9% interest annually. A money judgment may be filed with the County Clerk's Office.

## N

**NATIONAL MEDICAL SUPPORT NOTICE (NMSN):** Notice sent to the noncustodial parent's employer requiring that health insurance coverage be provided when available.

**NEW HIRE REPORTING:** Program that requires all employers to report newly hired employees to the New York State Directory of New Hires for possible enforcement of child support and medical support obligations by wage deductions.

**NONCUSTODIAL PARENT (NCP):** Parent who does not live with and is not the primary caretaker of a minor child.

**NOTARIZE:** To certify something, such as a signature, on a legal document as authentic or legitimate by affixing a stamp and signature.

**NUNC PRO TUNC:** Latin meaning 'now for then' – it refers to changing the date of an order, judgment, or filing of a document, back to an earlier date.

## O

**OBJECTION:** Written claim disagreeing with specific items in an order. Must be filed within 30 days of receipt of the order.

**OBLIGATION AMOUNT:** The amount of child support that the noncustodial parent is required to pay.

**OFFICE OF CHILD SUPPORT SERVICES:** Division of the Human Resources Administration responsible for obtaining and enforcing child support orders for families living in New York City.

**ORDER:** Written signed direction of a Support Magistrate or judge.

**ORDER OF FILIATION:** Court order that establishes a legal father.

**ORDER OF PROTECTION:** Court directive that prohibits contact/communications by one party to another party.

**ORDER ON CONSENT:** Order agreed to by both parties in an action. At a child support hearing, the parents may agree to an order amount that is different from the Child Support Standards Act guidelines.

## P

**PARENT LOCATOR SERVICES:** Computerized network of state databases used to locate respondents in child support cases.

**PARTY:** Person or organization directly involved in a legal matter.

**PASS-THROUGH PAYMENT:** Cash assistance recipients with child support orders may receive up to \$100 per month (\$200 for two or more children receiving child support) of the support collected in the same month that it is owed; also called bonus payment.

**PATERNITY OR PARENTAGE:** Legal determination of fatherhood. Paternity or parentage must be established before child support or medical support can be ordered.

**PATERNITY (OR PARENTAGE) PETITION:** Formal written application to a court requesting judicial action to determine legal fatherhood of a specific person for a specific child.

**PAYEE:** Person or organization in whose name child support money is paid, e.g., the child's grandmother.

**PAYOR:** Person who makes a payment, usually a noncustodial parent or someone acting on his or her behalf. Also known as the obligor.

**PETITION:** Formal written request to a court to initiate a court action.

**PETITIONER:** Person or organization that files a formal request to initiate a court action.

**PIN (Personal Identification Number):** Unique identification number assigned to clients to access their child support account information from the New York State child support website ([childsupport.ny.gov](http://childsupport.ny.gov)) and Helpline (888-208-4485).

**POVERTY LEVEL:** Level of income considered too low to purchase life's necessities according to the federal government. The 2021 poverty level for a single person is \$12,880. For each additional person in the family, \$4,540 is added. The poverty guidelines are published annually by the U.S. Department of Health and Human Services at [aspe.hhs.gov/poverty-guidelines](https://aspe.hhs.gov/poverty-guidelines).

**PROPERTY EXECUTION (PEX):** Administrative process by which OCSS seizes the financial assets, usually bank accounts, of a noncustodial parent who is delinquent in paying child support.

**PRO RATA SHARE:** The portion of the total amount that each parent must pay for items included in the child support order such as child care or unreimbursed medical expenses.

**PRO SE:** Latin meaning 'for oneself'; someone who represents himself or herself in court without an attorney.

**PUTATIVE FATHER REGISTRY (PFR):** Record of fathers kept by New York State. Examples of documents stored at the PFR are Acknowledgments of Parentage (AOPs), court orders establishing parentage, and non-legally binding statements regarding paternity or parentage. The PFR may be consulted on issues of inheritance, adoption, and any other legal issues that require notifying a child's father.

## R

**RECIPIENT:** Person or organization that receives support funds and/or public assistance benefits, including cash assistance, SNAP, Medicaid, etc.

**RECIPROCITY:** Relationship in which one state or country grants certain privileges to other states or countries on the condition that they receive the same privilege.

**RELIEF:** Legal remedy.

**RESPONDENT:** Person who responds to the petition; this is whichever party is filed against for relief.

**RETROACTIVE SUPPORT:** Child support that is ordered to be paid back to a past date, usually the date that the petition was filed. Retroactive support creates an immediate debt.

## S

**SANCTION:** Penalty for violation or lack of cooperation. At OCSS, refers to a reduction of benefits imposed on a cash assistance client for not cooperating with child support requirements.

**SELF-SUPPORT RESERVE:** Factor in calculating child support in New York State when either parent is at or near the poverty level; the self-support reserve is 135% of the federal poverty level. The self-support reserve for 2021 is \$17,388.

**STEP (Support Through Employment Program):** Provides job training and placement for noncustodial parents who are unable to pay child support because they are unemployed or have low-paying jobs. Referrals to STEP may be made at the child support hearing.

**STIPULATION:** Written agreement by parties on opposite sides of a case.

**SUMMONS:** Notice stating that an action against the recipient has been started. A summons for a child support hearing will tell the parent where and when to show up, and what information to bring.

**SUPPORT COLLECTION UNIT (SCU):** Division of the Office of Child Support Services responsible for the collection, monitoring, and disbursement of child support payments.

**SUPPORT MAGISTRATE:** Attorney appointed by the local Family Court who can hear testimony and make decisions in child support cases.

**SUPPORT ORDER:** Court-issued order establishing child support obligation. Support orders may be temporary or final and subject to modification. Support orders may include monetary and medical support, childcare, education expenses, and payment of arrears, interest, penalties, and other forms of relief.

## T

**TAX REFUND OFFSET:** Process by which a noncustodial parent's federal or state tax refunds are taken to satisfy a child support debt.

**TERMINATE AN ORDER:** End current obligation; provide effective end date of a child support order. Arrears must still be paid.

## U

**UIFSA (Uniform Interstate Family Support Act):** Federal law enacted in 1996 to ease the process of receiving child support payments across state lines. It requires states to cooperate with each other to get and enforce child support orders; permits states to enact direct income withholding with employers in other states; prevents multiple child support orders being issued for the same case in different states.

## V

**VACATE AN ORDER:** Set aside a previous order, as if it never existed.

## W

**WAGE WITHHOLDING:** Automatic deduction from income that starts as soon as an Income Execution notice is sent to the employer.

**WILLFUL NON-PAYMENT:** The noncustodial parent deliberately fails to pay court-ordered child support even though he or she can afford it.







@NYCHRA



NYCHRA



NYCHRA

BK-4 (E)

Rev. 10/2024

© Copyright 2024. The City of New York, Human Resources Administration/Department of Social Services. For permission to reproduce all or part of this material contact the New York City Human Resources Administration.