

## **Child Support Enforcement:**

### *My Child Support is Not Being Paid - What Do I Do?*

#### **When is a Child Support Payment "Late"?**

Under Ohio law, when a person required to pay child support is more than thirty (30) days late for any payment, the CSEA must investigate and the Court should make an order to see that the support is paid.

If a payment is more than 30 days late, the Court may order that support payments be taken out of the wages of the person who owes support or take some other action to ensure support is paid.

#### **Things you can do to enforce child support orders:**

File a "Contempt of Court Motion" with the court that issued the original support order. The Court will only find parents who have willfully failed to pay child support guilty of contempt. Those who cannot afford to pay will not be held in contempt, but will still owe the money. If found in contempt, the person obligated to pay child support could be fined and even sentenced to jail under certain circumstances. The nonpaying parent can also have his/her driver's license or professional license taken away.

Call the Child Support Enforcement Agency (CSEA) in your county and request their assistance. Ohio law requires the CSEA to take action to enforce your support order and/or collect unpaid back support within a reasonable time after you ask for help.

If you request help and don't think the CSEA is taking appropriate action on your case, do the following:

1. Call your caseworker and make sure you know what he/she has done. If your caseworker does not return your call within five (5) days or does not explain to where your case stands, write a letter to the Director of your county CSEA stating:
  - Information regarding your case (your name, address, phone number, and case number, and the non-payor's name, social security number and last know address.)
  - What you have requested of the CSEA.
  - That the agency has failed to take action on your case.
  - That you would like to be advised about what action is being taken on your case.

If you don't hear anything in response to your letter, call the State of Ohio, Department of Jobs and Family Services at 1-800-686-1571 and make a complaint. Ask for a hearing to make the CSEA do the right things for your case.

**NOTE:** The CSEA cannot guarantee that you will get your child support. Sometimes there is nothing they can do because the parent owing support has no job or other money.

2. Apply to the Court for a wage assignment (wage garnishment) order. Such an order directs the nonpayor's employer to make direct payments to the custodial parent from the wages of the person obligated to pay. The Court will send the money directly to you (the custodial parent).
3. Ask the prosecutor to criminally charge the person refusing to pay. A person will only be charged criminally for intentional, repeated failure to pay. The nonpayor could be sentenced to up to 18 months in prison.

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