



A HANDBOOK FOR CUSTODIAL PARTIES

Arkansas Office of Child Support Enforcement



**Child Support ...
Your kids are counting on you**



It is the responsibility of both parents to make sure the basic needs of their children are met. Even so, some children do not get the support they need. The purpose of the Arkansas Office of Child Support Enforcement (OCSE) is to help ensure children have their financial and health care needs met.

There are three parties in every child support case. The custodial party is the parent or physical custodian who lives with the child and has the day-to-day responsibilities of raising that child. The noncustodial parent does not live with the child but, along with the custodial party, has a responsibility to provide financial and/or medical support. Finally, there are the children who deserve to have the financial and emotional support of both parents.

This publication is a handbook for the custodial party who has an open enforcement case with the Arkansas Office of Child Support Enforcement.

WHAT THE CHILD SUPPORT OFFICE DOES

OCSE is responsible for the delivery of child support services as required by state and federal law. OCSE provides services to custodial parties who want assistance in establishing and/or enforcing child and/or medical (health insurance) support orders. Among other things, OCSE helps establish paternity, collects and distributes child support payments to custodial parties, and enforces unpaid child and medical support. Custodial parties receiving public assistance, such as Temporary Employment Assistance (TEA), are automatically referred to our office to assist the State in making sure the children are cared for.

It's important to remember that OCSE represents the State's interest in making sure children receive financial and medical support. OCSE does not represent custodial parties nor noncustodial parents. Our policies and procedures are based on federal and state law.

SERVICES AVAILABLE TO THE CUSTODIAL PARTY

OCSE provides the following services to its customers:

- Search for a noncustodial parent
- Establish paternity for a child
- Establish an order for financial and medical support
- Collect child support payments
- Modify your present child support order

SERVICES ARE AVAILABLE TO YOU IF...

- You are the parent, legal guardian, or caretaker of a child under 18 years of age who lives with you.
- Unpaid child support is owed to you, the child is over the age of 18, and the amount to be recovered is based on a court order. If the child is over the age of 23 and a judgment has not been entered setting out the total amount of unpaid support owed, enforcement may be limited based on the circumstances of the case.

CUSTODY AND VISITATION

OCSE has no authority to assist you with any custody or visitation issues. You may need to contact a private attorney to address those issues. If you and the noncustodial parent are willing to work together, mediation services are available through a federally-funded grant administered by the Administrative Office of the Courts (AOC). Contact AOC directly at (501) 682-9400 for more information on mediation services.



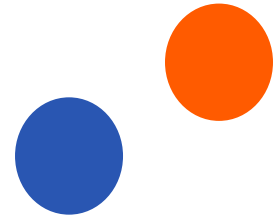
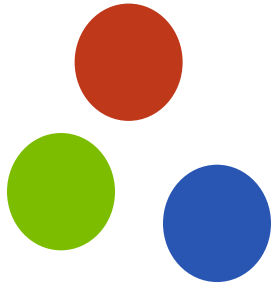
RIGHTS AND RESPONSIBILITIES

A custodial party has a right to

- be notified of action by OCSE that impacts the child support case
- get payment information, including the amount paid toward late payments and the amount paid toward fees
- request a review of the child support amount once every three years, or more often if there is a significant change in the noncustodial parent's income
- ask for a management review of your case

A custodial party has a responsibility to

- go to all scheduled court appearances
- respond to the court's and OCSE's requests for information
- notify OCSE and the court if you move, change your contact numbers, or change names
- notify OCSE if you hire a private attorney



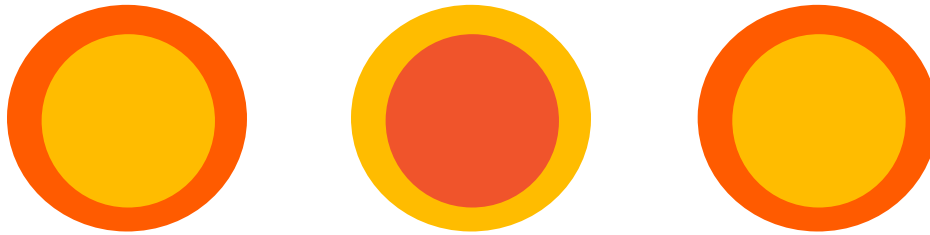
THINGS YOU SHOULD KNOW ABOUT CHILD SUPPORT

1. OCSE caseworkers and attorneys represent the State's interest in a child support case. OCSE does not represent the custodial party nor the noncustodial parent. OCSE will take the action it believes is appropriate in enforcing your case.
2. You have the right to be present at all court hearings regarding your paternity or child support case. If you fail to appear for a scheduled hearing, your case may be decided without your input or may be dismissed.
3. You should completely read what you are signing and keep all documents for your records. Once you sign something, you have agreed to it. If you do not agree with what you are asked to sign, do not sign it; you may wish to consider consulting with a private attorney.
4. You have the right to request a review of your child support order once every three years. However, you may request a review sooner if there is an increase or decrease of the noncustodial parent's income by \$100 monthly or 20%; if the noncustodial parent does not admit to a change in income, it will be your responsibility to prove the increase or decrease in income.
5. If you disagree with an action made by a child support caseworker, you have the right to ask for a review of the action from the Office Manager.
6. You have the right to employ an attorney to represent you. If you choose to have an attorney, you should advise OCSE. OCSE will then communicate only with your attorney.
7. Although you will have a caseworker assigned to your case, other workers in the local office are able to assist you with your questions regarding your case.
8. If you move out of state, you may, but are not required to, apply for services in your new state. OCSE will continue to work your case until your case is opened in your new state.

WHAT TO EXPECT

OCSE is required to work within time frames and guidelines set out by federal and state law. There may be actions we can't take at a certain time, or at all. Ultimately, the court makes many of the decisions. OCSE's success in collecting child support depends on the availability of the noncustodial parent, what information you provide and what information we can access. Below is a table setting out expectations for collections of child support.

		Whereabouts of the noncustodial parent			
		Known and in Arkansas	Known but out of Arkansas	Unknown because he/she moves around a lot	Unknown and no idea where to look
Income of the non-custodial parent	Salaried with steady employment	Good likelihood of payment	Good likelihood of payment	Medium likelihood of payment	Medium/low likelihood of payment
	Some income or assets known; or possibly self-employed	Medium likelihood of payment; may take months	Medium likelihood of payment; may take months	Medium/low likelihood of payment; may take years	Medium/low likelihood of payment; may take years
	Income or assets are unknown; or self-employed	Medium/low likelihood; may take months	Medium/low likelihood; may take years	Medium/low likelihood; may take years	Medium/low likelihood; may take years
	Unemployed; works for cash; possibly dependent on drugs or alcohol	Low likelihood; may take months	Low likelihood; may take months	Poor likelihood; may take years	Poor likelihood; may take years
	No idea whatsoever	Poor likelihood; may take months or years	Poor likelihood; may take months or years	Poor likelihood; may take years or many years	Poor likelihood; may take many years and perhaps never



ISSUES THAT MAY AFFECT YOUR CHILD SUPPORT

There are things that may occur that could increase, decrease, or stop your child support obligation, depending on what your court order says. Some examples are:

- Summer visitation – Your court order may allow the noncustodial parent to have an extended summer visitation with the children. In some instances, the order may allow the support payments to be reduced during those visitation periods.
- Review and Adjustment of the court order – Each parent may request a review of the support order once every three years, or if the noncustodial parent’s income significantly changes. Reviews are conducted in accordance with the Arkansas Child Support Guidelines. Support obligations could be adjusted up or down or could remain the same.
- Age of Emancipation – The age of emancipation in Arkansas is 18. Unless a court order for child support specifically states otherwise, the noncustodial parent’s duty to pay child support for a child will automatically end when the child turns 18; however, if the child is still attending high school, child support continues until the child graduates or at the end of the school year after the child reached 19 years of age, whichever is earlier, or otherwise emancipates under State law. As each child in the support order emancipates, the noncustodial parent is entitled to an adjustment in support for the remaining minor children.

ESTABLISHING PATERNITY

Establishing paternity is the legal term for determining the father of a child who was born out of wedlock. You may hear the term putative father. A putative father is a person who is believed to be the father of a child but who has not been legally established to be the father of a child born out of wedlock.

If you were married to the father of your child at the time of birth or if the father's name is on the birth certificate, he is generally presumed to be the father. However, if you were not married to the father of your child and his name is not on the birth certificate, you can legally establish that he is the father in one of two ways:

- If you're sure he is the father of the child and you and he agree, you may both sign a Voluntary Acknowledgment of Paternity. OCSE can assist you in doing this.
- If you aren't sure he's the father of the child, you may wish to ask for a genetic test. OCSE can assist you.

What happens if you signed an Acknowledgment of Paternity, but you later feel the man on the birth certificate is not the father of the child? OCSE does not have the authority to assist in such matters, but you may ask the court for genetic testing if paternity and support were established without testing. You will be responsible for obtaining the test; it cannot be arranged through OCSE. This may require the assistance of an attorney.

ESTABLISHING A CHILD SUPPORT ORDER

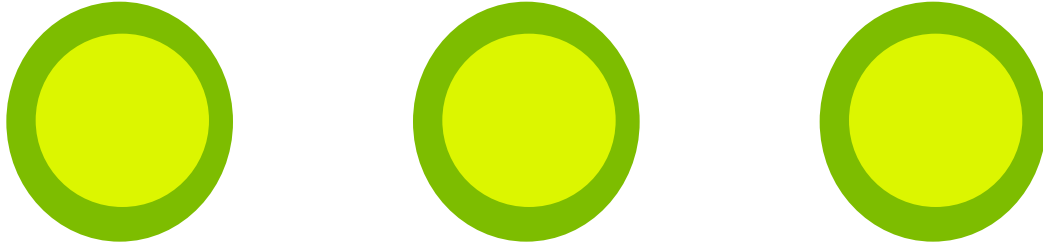
The amount of child support a noncustodial parent should pay is determined by using the Child Support Guidelines, which were established by the Arkansas Supreme Court. These guidelines are used by the courts to determine an appropriate amount of child and medical support a noncustodial parent should be responsible for paying. A judge may strictly use the guidelines to set support or may deviate from them depending on certain circumstances of the noncustodial parent and/or the custodial party. You can review the guidelines by going to our website at www.childsupport.arkansas.gov and then go to Resources / Child Support Charts.



ENFORCING A CHILD SUPPORT ORDER

OCSE has numerous tools available to assist custodial parties in collecting current child support and arrears associated with support. One of the primary tools or methods is to attach the wages of the noncustodial parent through income withholding. OCSE can also file property liens, report child support debts to credit agencies, and suspend driver's and other licenses, intercept income tax refunds, intercept Arkansas Lottery winnings, prepare your case for and take court action, and request another state to enforce an order when needed.

Federal and state law require that OCSE wait until a certain amount of debt is reached before OCSE takes some actions, such as license suspension and tax offset certification. While OCSE cannot guarantee its success or collections, OCSE will utilize all available enforcement actions to attempt to obtain the support to which your child is entitled.



THE LIFE OF A CASE

1. The custodial party opens a case, or the case is initiated by DHS because the custodial party is receiving cash assistance or is on Medicaid.
2. Paternity and/or a support order is established.
3. An order for child and medical support is established.
4. OCSE enforces the support order.
5. The order is modified, if necessary.
6. After the children emancipate and all arrears are paid, the case closes.

AN OVERVIEW OF THE LEGAL PROCESS

If you already have a court order, OCSE will enforce that order. If you don't have an order for child support, OCSE will work to establish a court order. Every case will be different; this is a basic overview of the process to establish child support:

1. OCSE files a Complaint with the court.
2. OCSE has the noncustodial parent served with a Summons.
3. The noncustodial parent has 30 days to respond to the Summons.
 - a. If the noncustodial parent responds to the Summons by filing an Answer, then his or her information is considered in court. OCSE may draw up an agreed order.
 - b. If the noncustodial parent does not respond to the Summons by filing an Answer, then a default judgment occurs and the order goes before a judge. There may or may not be a court date, depending on the court's practice in that area.
4. The custodial party and noncustodial parent submit Affidavits of Financial Means.
5. The custodial party and noncustodial parent agree on support or appear in court.
6. The court sets the child support amount and issues the order.

SOME LEGAL TERMS AS THEY RELATE TO OCSE

Answer - the formal written statement by a party that responds to a complaint or motion stating the grounds for defense.

Complaint - a written statement that begins a civil lawsuit, in which OCSE details the claims against the noncustodial parent.

Default Judgment - a judgment awarding a custodial party the relief sought in the complaint because the noncustodial parent has failed to appear in court or otherwise respond to the complaint.

If you have an open enforcement case and you have a question about the legal process or any legal terms, contact your local child support office.

HOW THE AMOUNT OF SUPPORT IS DECIDED

OCSE does not have the authority to decide the amount of child support that should be ordered. OCSE attorneys follow the Child Support Guidelines that are established by the Arkansas Supreme Court when deciding the amount of child support to ask for. Only a judge has the authority to set the amount of child support that is ordered.

ABOUT YOUR OPEN ENFORCEMENT CASE

If you already have a court order for child support, the local office that serves that county will be working your case. For example, if your court order is out of Calhoun County, the El Dorado OCSE office will work your case, even though you may live in West Memphis. If you do not have a court order, the local office that serves the county in which you live will work your case. Local offices and the counties they serve are listed at the back of this book.

Once your request for services is processed, you will be mailed a letter with your case number and the name of your caseworker. If you have questions once your case is open, call your local office. Even though you will have a caseworker assigned to you, there are others in the office who will be able to assist you when you call. The local office will be able to answer any questions you have about actions taken on your case.



To make receiving and providing information about your case even easier, we offer a customer service website, OCSE MyCase, that allows you to do the following:

- View payments online
- View recent case activities
- View correspondence and forms provided by OCSE
- Electronically correspond with your local office
- Provide OCSE updated contact information about you and the noncustodial parent

To use OCSE MyCase, go to our website at www.childsupport.arkansas.gov. Click on the OCSE MyCase button and follow the instructions to register as a new user.

Note: information on OCSE MyCase will only pertain to the user. The noncustodial parent will not be able to see information about you (your address or place of employment), nor will you be able to see information about the noncustodial parent.



RECEIVING YOUR CHILD SUPPORT

Payments are normally sent by electronic transfer to a prepaid debit card or by direct deposit to your bank.

PAYMENT HISTORY AND RECORDS

You may access your payments made within the last six months by going online to www.childsupport.arkansas.gov and then to OCSE MyCase, or you may call our automated phone number at 1-800-264-2445. For a more complete pay history, contact the local office assigned to your case.

CONFIDENTIALITY

Arkansas OCSE follows laws and guidelines for the use of personal information on each case only for purposes of establishing paternity and enforcing child support. Personal information collected and kept by OCSE is not public record. We will not share information about you or the children (for example, your location or place of employment) with the other parent.

COMMON TERMS YOU MAY HEAR

- Arrears –child support that has gone unpaid.
- Central Office – the State Headquarters of the Office of Child Support Enforcement.
- Clearinghouse – the branch of the Office of Child Support Enforcement that processes all child support payments for the State of Arkansas. Official name: Arkansas Child Support Clearinghouse. Also known as the State Disbursement Unit (SDU).
- CP – the Custodial Party.
- Emancipation – the age of emancipation in Arkansas is 18. Unless a court order for child support specifically states otherwise, the noncustodial parent’s duty to pay child support for a child will automatically end when the child turns 18; however, if the child is still attending high school, child support continues until the child graduates or at the end of the school year after the child reaches 19 years of age, whichever is earlier, or otherwise emancipates under State law. As each child in the support order emancipates, the noncustodial parent may be entitled to an adjustment in support for the remaining children.
- Modification – the act of changing a current court order.
- NCP – the Noncustodial Parent.
- OCSE – the Office of Child Support Enforcement.
- SDU – see Clearinghouse.

FREQUENTLY ASKED QUESTIONS

What does “arrear” mean?

“Arrear” is any amount of money that has been court ordered to be paid for child support, spousal support, and medical support, and that has not been paid.

What happens if the noncustodial parent doesn’t pay the court ordered amount?

If the noncustodial parent does not obey a support order, OCSE will take action to get payments started again. OCSE may suspend the noncustodial parent’s driver’s, professional, business, and/or hunting and fishing licenses; place a lien on personal and real property or accounts in financial institutions; intercept state and federal income tax refunds; or prevent the noncustodial parent from obtaining a passport. He or she may be taken back to court and found in contempt of court. If the noncustodial parent is found in contempt of court he or she may be fined or sentenced to jail until he or she complies.

How do I get my order increased?

The modification, or change, of a child support order is the legal process of changing the court ordered amount of support due under your order. Reviews are conducted in accordance with the Arkansas Child Support Guidelines. Support obligations could be adjusted up or down or could remain the same.

You may:

- Hire an attorney to ask for a modification; or
- Contact the local office handling your case and request a Review and Adjustment of your support amount. You may make this request once every three years or when there has been a significant change in the noncustodial parent’s income. Once a request for a review of support has been started, the process will be completed, even if the amount of payments go down.

What happens to my child support if the noncustodial parent is incarcerated?

The child support obligation does not go away. Arrear will continue to increase month after month unless the court changes the order. However, normally no action can be taken to collect while the noncustodial parent is incarcerated. If the noncustodial parent participates in a work release program while in prison, the child support obligation may be deducted from those wages.

How does buying my child gifts affect the noncustodial parent's child support payments?

Generally, courts do not allow gifts to a child to take the place of cash child support and require that child support payments be paid as ordered by the court.

What if the noncustodial parent refuses to pay child support but insists on visitation with my child?

OCSE has no authority to assist you with access and visitation issues. You may wish to contact an attorney.

How will I know what is happening with my case?

The best and easiest way is by using MyCase, our customer service website. MyCase allows you to see actions taken on your case, payment information, and communicate with your local child support office. To register as a new user, go to www.childsupport.arkansas.gov. Click on the OCSE MyCase button and follow the instructions to register.

What about medical insurance?

If you wish to be the parent responsible for providing health insurance, let us know on your application for child support; or, if you already have an enforcement case open, contact your local office. If the court directs you to provide health insurance through your employer and you fail to enroll the child within the specified amount of time, OCSE will notify your employer to enroll the child and deduct the premiums from your wages.



We hope this handbook has been helpful in understanding more about the Arkansas Office of Child Support Enforcement. If you would like more information, please contact your local child support office, call 1-877-731-3071, or check our website at www.childsupport.arkansas.gov.

Child Support. They're counting on you.



LOCAL OFFICES OF CHILD SUPPORT



Batesville OCSE

1602 Batesville Blvd
Batesville, AR 72501
Phone: (870) 251-4333
Counties served: Cleburne,
Fulton, Independence, Izard,
Stone

Camden OCSE

793 California Ave SW
Camden, AR 71701
Phone: (870) 837-1838
Counties served: Cleveland,
Ouachita

Helena-West Helena OCSE

648 N Sebastian
Helena-W Helena, AR 72390
Phone: (870) 572-3545
Counties served: Phillips

Little Rock OCSE

322 S. Main St, Ste 100
Little Rock, AR 72201
Phone: (501) 371-5400
Counties served: Perry, Pulaski

Mena OCSE

806 10th St
Mena, AR 71953
Phone: (479) 394-6339
Counties served: Montgomery,
Polk, Scott

Russellville OCSE

800 East Main, Ste A
Russellville, AR 72801
Phone: (479) 968-7051
Counties served: Conway,
Johnson, Pope, Yell

Van Buren OCSE

3132 Alma Blvd
Van Buren, AR 72956
Phone: (479) 471-8855
Counties served: Crawford,
Franklin, Logan, Sebastian

Benton OCSE

318 Edison Ave, Ste 4
Benton, AR 72015
Phone: (501) 860-6162
Counties served: Grant,
Hot Spring, Saline

Conway OCSE

2455 Washington Ave, Ste 107
Conway, AR 72032
Phone: (501) 329-1721
Counties served: Faulkner,
Searcy, Van Buren

Hope OCSE

811 N Hervey
Hope, AR 71801
Phone: (870) 777-8400
Counties served: Hempstead,
Howard, Little River, Nevada,
Pike

Lonoke OCSE

115 Jefferson St
Lonoke, AR 72086
Phone: (501) 676-2736
Counties served: Lonoke

Monticello OCSE

428A West Gaines
Monticello, AR 71655
Phone: (870) 367-8763
Counties served: Ashley,
Bradley, Drew

Searcy OCSE

2701 East Race, Ste 2
Searcy, AR 72143
Phone: (501) 268-6164
Counties served: Prairie, White

West Memphis OCSE

3821 N Airport Rd
Marion, AR 72364
Phone: (870) 739-2555
Counties served: Crittenden

Berryville OCSE

803 Champlin
Berryville, AR 72616
Phone: (870) 423-2979
Counties served: Baxter,
Boone, Carroll, Marion,
Newton

El Dorado OCSE

307 American Rd, Ste 140
El Dorado, AR 71730
Phone: (870) 862-9785
Counties served: Calhoun,
Columbia, Dallas, Union

Hot Springs OCSE

2228 Albert Pike, Ste H
Hot Springs, AR 71913
Phone: (501) 321-1561
Counties served: Clark,
Garland

Lowell OCSE

122 N Bloomington, Ste A
Lowell, AR 72745
Phone: (479) 770-5443
Counties served: Benton,
Madison, Washington

Pine Bluff OCSE

3023 West 28th Ave
Pine Bluff, AR 71603
Phone: (870) 534-5271
Counties served: Jefferson,
Lincoln

Stuttgart OCSE

211 South Leslie St
Stuttgart, AR 72160
Phone: (870) 673-2721
Counties served: Arkansas

Blytheville OCSE

1102 Byrum Rd
Blytheville, AR 72315
Phone: (870) 763-5970
Counties served: Mississippi

Forrest City OCSE

3945 N Washington
Forrest City, AR 72335
Phone: (870) 633-7745
Counties served: Cross, Lee,
Monroe, St. Francis, Woodruff

Jonesboro OCSE

2006 Latourette Dr
Jonesboro, AR 72404
Phone: (870) 972-5510
Counties served: Craighead,
Greene, Poinsett

McGehee OCSE


504 Hwy 65 North
McGehee, AR 71654
Phone: (870) 222-4818
Counties served: Chicot,
Desha

Pocahontas OCSE

1905 Old County Rd
Pocahontas, AR 72455
Phone: (870) 892-4911
Counties served: Clay,
Jackson, Lawrence, Randolph,
Sharp

Texarkana OCSE

210 N State Line Ave, Ste 400
Texarkana, AR 71854
Phone: (870) 772-3443
Counties served: Lafayette,
Miller, Sevier



*Office moves may have occurred since the printing of this publication. You may want to call before first visiting a location.



Office of Child Support Enforcement
1-877-731-3071
www.childsupport.arkansas.gov

Arkansas Department of Finance and Administration
Revenue Division

