

CHILD SUPPORT ENFORCEMENT FACT SHEET

Revised 7/21

Paying child support on time is very important. If a parent does not pay child support on time or is paying but still owes past due child support, the Child Support Enforcement (CSE) agency can use many administrative and judicial enforcement actions. If the case meets the criteria, CSE may take more than one enforcement action at a time.

What administrative enforcement actions can CSE take?

Income Withholding. CSE will send a withholding order to an employer in any state to withhold child support payments from a parent's wages, commissions, bonuses, severance pay, retroactive pay and sick or annual time payouts. CSE can also send a withholding order to withhold child support payments from a parent's unemployment, worker's compensation, retirement or disability income. CSE cannot withhold child support payments from a parent's Supplemental Security Income (SSI). Parents must contact their local child support office to report employment information and income from any of these sources.

Tax Intercept. If a parent owes \$500 or more in past due support to an individual or \$150 in past due support to the state, CSE will take the parent's federal income tax refund even if the parent is making payments. If a parent owes \$150 or more in past due support to an individual or the state, CSE will take the parent's state income tax refund even if the parent is making payments.

Passport Denial. A parent that owes \$2,500 or more in past due support cannot obtain a passport even if the parent is making payments.

License Suspension. If a parent owes past due support in an amount equal to or greater than six months of nonpayment, CSE can deny, suspend or revoke the following licenses or certifications even if the parent is making payments:

- Kentucky driver's license, including a Commercial Driver's License (CDL)
- Kentucky professional or occupational license or certification
- Kentucky recreational license or sporting license

Conceal and Carry License Suspension. If a parent owes past due support in an amount equal to or greater than one year of nonpayment, CSE can deny, suspend or revoke the parent's Kentucky license to carry a concealed deadly weapon even if the parent is making payments.

Asset Seizure. If a parent owes past due support in an amount equal to or greater than one month of nonpayment, CSE can seize assets in an account even if the parent is making payments. An account includes, but is not limited to, a checking or savings account, time deposit or money market mutual fund account, Certificate of Deposit (CD), IRA retirement account or Federal Thrift Savings Plan (TSP) retirement account. CSE can seize the assets in these accounts even if the parent is not the sole owner of the account.

Property Liens. If a parent owes past due support in an amount equal to or greater than one month of nonpayment, CSE can place a lien on the parent's personal or real property such as a vehicle, boat, camper, trailer, house, land, etc. even if the parent is making payments.

Settlement Liens. If a parent owes past due support in an amount equal to or greater than one month of nonpayment, CSE can place a lien on settlements such as personal injury, worker's compensation, wrongful death, etc. even if the parent is making payments.

Lottery Intercept. If a parent owes past due support in an amount equal to or greater than \$500, CSE can intercept the winnings even if the parent is making payments.

Newspaper Publication. If a parent owes past due support in an amount equal to or greater than six months of nonpayment, CSE can provide the parent's name to a newspaper for publication even if the parent is making payments.

What judicial enforcement actions can CSE take?

Contempt of Court. If a parent fails to pay child support as ordered by the court, the local child support office can file a motion for contempt of court. If a parent is found in contempt of court, the parent may be sentenced to serve up to six months in jail.

Misdemeanor Nonsupport. If a parent has not paid support for at least two months, the local child support office can file misdemeanor nonsupport charges against the parent. If the parent is found guilty of misdemeanor nonsupport, the parent may be sentenced to serve up to 12 months in jail.

Flagrant Nonsupport. If a parent has not paid support for at least six months or owes past due support in an amount equal to or greater than \$2,500, flagrant nonsupport charges can be filed against the parent. If the parent is found guilty of flagrant nonsupport, the parent may be sentenced to serve up to five years in prison.

HOW CAN PARENTS AVOID UNNECESSARY ENFORCEMENT ACTION?

Pay Child Support on time. If child support is not being withheld from a parent's income, the parent must make payments on their own. Ask the local child support office for a copy of the handout titled "Instructions for Making Child Support Payments" to learn about the many ways to make child support payments.

Report Employment and Address Changes. Don't assume that the CSE agency knows a parent has changed jobs or moved. Immediately report employment and address changes to the local CSE office. By keeping address information current in the child support system, a parent will receive timely notice of court dates and changes in the case.

Check Payments and Account Balance. Set up an online account through the Kentucky Child Support website <http://KentuckyChildSupport.ky.gov> to make child support payments, check payments and balances due, update employment and address information, send a message to the caseworker and much more. Ask the local child support office for a copy of the handout titled "Kentucky Division of Child Support Enforcement Website, Taking Control of Your Child Support Case" to learn more about setting up an online account.

Do not ignore letters from CSE or notices from the court. Parents should carefully read and quickly respond to letters from CSE. If a parent receives a notice to appear in court, they should appear on the court date. If a parent does not go to court, the court will make decisions about the case without the parent and may even issue a warrant for the parent's arrest.