

LCCS POLICY 626

Child Support

Original Issue Date:	2/1/1988
Revision Dates:	7/28/1993, 7/14/1999
Revision Number:	2
Current Effective Date:	12/27/1999
Obsolete/Combined Date:	
Reason for Obsoleting/Combining:	
See new Policy #:	

Scope:	Department Manager of Family Services, Legal, & Placements; Caseworkers & Staff Attorneys
Responsibility:	
Purpose:	Parents have a legal responsibility to pay child support when their children are in the temporary custody of LCCS.
Legal Cite:	O.R.C. §§ 3115.03, 3115.07

POLICY STATEMENT

Lucas County Children Services (LCCS) will take affirmative steps to obtain child support for children in the agency custody.

PROCEDURE - including required timeframes and documentation

When the Legal Department files a complaint, the agency attorney will formally request the court to order payment of child support on every case.

When the Worker of Record knows that a parent is employed at the time that a complaint is filed or prior to the disposition hearing this information will be shared with the Legal Department.

At the Emergency Shelter Care Hearing, the court may order child support paid if a parent is working. However, the matter of determining amount of support will usually be continued until the dispositional hearing so that the court can ascertain how much support to order the parent(s) to pay.

Child support must be addressed at the dispositional hearing. When the parent is employed, the parent(s) will sign a wage assignment so that the support payments can be deducted directly from the parent's paycheck and sent to LCCSEA (Lucas County Child Support Enforcement Agency). The court may order child support payments retroactive to the date LCCS obtained custody. If the parent is on public assistance the court may order the parent to pay a nominal amount and issue a seek work order for the parent.

Once the parent is ordered to pay child support, the court as well as LCCS Legal Department sends a copy of that order to the LCCSEA. It is the duty of the LCCSEA to enforce all child support orders.

LCCSEA collects the funds that the court orders a parent to pay and turns the funds over to LCCS, or the Department of Human Services if the child is receiving Ohio Works First Funds (OWF).

If a parent becomes employed or changes employment while LCCS holds temporary custody of the child (ren) the Worker of Record will contact the LCCS attorney on the case who will then notify the LCCSEA.

If LCCSEA or LCCS determines that the parent has recently secured a job or has assets that could be utilized to pay child support, the LCCSEA will request that the parent cooperate in paying the support. If the parent does not cooperate in paying the support, the LCCSEA will take them back to Juvenile Court to get an order to take their assets or garnish their wages. LCCS will be notified of any hearing as long as we hold temporary custody of the child (ren).

If the parent does not abide by the court order and make support payments, the LCCSEA will take the parent back to Juvenile Court and ask that the parent be held in contempt if they not pay. If the parent is found in contempt of court, they may be sent to jail.

If a parent is whereabouts unknown or his/her place of employment is uncertain or they won't cooperate with LCCS or the court, LCCSEA will use a national parent locator service. This service utilizes income tax returns and social security records to attempt to locate the parent in order to enforce the child support order. The LCCSEA also completes this step on all cases where there have been no support payments.

If custody is transferred while there is a current child support order:

- The court will order the payee changed to the new custodian.
- When a child support payee is changed, the court will send a copy of the journal entry to LCCSEA.
- Once LCCSEA receives the journal entry changing the payee, it will send any child support payments to the new payee.
- Until LCCSEA receives the journal entry, LCCS will continue to receive the child support payments even though a parent or relative may have been given custody;
- When this occurs, the Worker of Record needs to inform the Payables clerk in writing that LCCS no longer has custody.
- The worker of record will include in the written notification the name, address and telephone number of the custodian. The written notification will also include the signature of the supervisor and manager.
- Upon receipt of the written notification, the Payables clerk will notify LCCSEA that LCCS no longer has custody.
- All overpayments of child support will be returned to LCCSEA for redistribution.

If LCCS has custody and the child is in a non paid placement (i.e. relative home, non-custodial parent):

- Worker of Record needs to inform the LCCS Payables Clerk in writing of the placement arrangement.
- The written notification will include the name address and telephone number of the caregiver. The written notification will also include the signature of the supervisor and manager.
- Child support payments will be transferred to the caregiver if the caregiver is not receiving cash assistance from the Lucas County Department of Human Services.

CASE PRACTICE GUIDES

During the time that the agency holds temporary custody of a child (ren), the parents have a continuing obligation to provide financial support.

There are exceptions to ordering child support. A parent, who has a disability that prohibits him/her from working (e.g. mental illness), will not be ordered to pay child support. When a parent is hospitalized or involved with in-patient drug treatment an order for child support may be delayed. Many times at the dispositional hearing when a parent is involved with in-patient drug treatment the date the child support begins is delayed to allow the parent to complete drug treatment

RELATED POLICIES and FORMS