



YOUR RIGHTS AND RESPONSIBILITIES AS A RECIPIENT OF CHILD SUPPORT SERVICES

Attorney–Client Relationship

The Family Support Division (FSD) may use an attorney to establish, modify or enforce a child support order. The attorney represents the interests of FSD, and an attorney–client relationship or privilege does not exist between you and a prosecutor, an assistant attorney general or any other attorney working for FSD. This means that any information you provide to an attorney working for FSD can be used against you if, for any reason, FSD must file a claim against you.

You have the right to have an attorney represent you personally at any time. You should notify FSD staff if you choose to use the services of a private attorney for child support purposes.

Decisions regarding legal action, which may be taken in your case, shall be made by FSD. FSD staff review the case and take whatever action believed to be appropriate, regardless of who applied for services.

Confidentiality

FSD will release information in your case record necessary in the administration of the child support program. Staff may release information when taking action to establish, enforce or modify a support order. FSD staff may also release case record information to the other parent and/or his/her attorney. The information released may include, but is not limited to, copies of the support order, correspondence used to establish or enforce the support order and your home address. If you have any questions about this policy or believe that your address should not be released, contact FSD.

Cooperation

When you apply for services, you agree to cooperate with FSD staff in establishing and/or enforcing a support order for your child. When applicable, you must cooperate by:

- Naming the child’s parent and providing information you have about him/her that may assist FSD in establishing, modifying or enforcing a support order.
- Keeping scheduled appointments for you and your child to have paternity testing.
- Completing all documents needed by FSD staff or any attorney working for FSD.
- Attending court and administrative hearings.
- Notifying FSD of any orders entered for the support of you or your child and any changes made to those orders.
- Completing an affidavit that verifies support payments you have received.

Reporting Changes and Other Information

You must notify FSD if:

- You change your name, address or telephone number (home, cell or work).
- Your child moves out of your home or into your home.
- Your child resides with the person responsible for paying support (PPS) for more than 30 days.
- Your child is adopted, marries, joins the armed forces or turns 18 and is not attending school.
- You use a private attorney or private collection agency for child support purposes.
- You receive support directly from the PPS or a state other than Missouri (not through the Missouri Family Support Payment Center).
- You pay support directly to the person eligible to receive support (PRS) or a state other than Missouri (not through the Missouri Family Support Payment Center).
- You file for divorce against the other parent or are served with divorce papers.
- The court enters a support or custody order for the child in your custody.
- You learn that the other parent changed his/her address, telephone number, employment or health insurance coverage for the child.

Collection and Distribution of Support

Federal law allows FSD to intercept tax refunds to pay past-due support. If the PPS owes past-due support that meets the rules for tax refund intercept, FSD notifies the Internal Revenue Service to withhold up to the past-due amount from the refund.

FSD applies federal income tax intercept collections to past-due support owed the state (if any) before paying past-due support owed the PRS.

FSD may hold the tax refund intercept for six months if the PPS filed a joint income tax return, and the spouse did not claim his/her portion of the refund before the intercept occurred.

The IRS may adjust the amount of the tax refund. If the PRS received a payment from an income tax refund that is later adjusted, (s)he may have to return some or all of the money.

For support payments collected from sources other than federal income tax refund intercept, the amount due for the current month (known as current support) is paid first. After current support is paid for the month, payments are applied to past-due support (arrearages). There are several categories of arrearages. The order in which arrearages are paid depends on the family's public assistance history.

Fees

FSD charges an annual federal fee of \$35 on cases that have payments totaling \$550 or more during a federal fiscal year (October 1 to September 30) if the family never received Temporary Assistance. FSD collects \$17.50 of the required annual fee from the PPS and \$17.50 from the PRS. For the PRS, after FSD receives support payments of at least \$550 on the case, FSD automatically deducts the \$17.50 fee from the next payment received prior to sending the payment to the PRS. Collected fees help offset costs associated with providing child support services.

Additional Information

The PPS must make all support payments on a Missouri support order to the Family Support Payment Center, PO Box 109002, Jefferson City, MO 65110-9002.

If you receive any money in error, you must return it. If you refuse to return it or fail to agree to a repayment plan, FSD may take legal action against you.

FSD can enforce support orders through actions including, but not limited to, income withholding, liens on real and personal property, federal and state income tax refund intercepts, license suspension, passport denial, contempt and criminal nonsupport actions and referrals to other states' child support enforcement agencies (if the PPS lives or works outside of Missouri).

FSD does not calculate interest owed on delinquent payments. FSD will, however, collect interest judgments included on the circuit clerk record as provided by law.

Support payments you receive from the Family Support Payment Center or the State of Missouri will be issued on a prepaid card. The prepaid card is loaded with your support payments. It is not a credit card. The prepaid card provides a safe and convenient way to receive your support payments. If you prefer to have your support payments directly deposited into your bank account go to <https://dss.mo.gov/child-support/>.

To obtain payment information, call 800-225-0530 or go to <https://dss.mo.gov/child-support/>.

To have support payments you pay automatically withdrawn from your bank account go to <https://dss.mo.gov/child-support/>.

For more information, contact FSD at the address or telephone numbers provided at <https://dss.mo.gov/child-support/contact-child-support.htm>.

Please keep this flyer for future reference.