

## *Legal Services Offices*

**Statewide Legal Services:** (Entry point for the legal services network in Connecticut). **860-344-0380** Central CT area or **1-800-453-3320**.

### *Other Legal Services Programs:*

#### **Hartford, Hartford County:**

##### **Greater Hartford Legal Aid**

999 Asylum Avenue  
Hartford, CT 06105  
(860) 541-5000  
FAX: (860) 541-5050

#### **Greater New Haven Area:**

##### **New Haven Legal Assistance Association, Inc.**

426 State Street  
New Haven, CT 06510  
(203) 946-4811  
TDD: (203) 946-4811  
FAX: (203) 498-9271

#### **Visit us on the internet:**

[www.slsct.org](http://www.slsct.org)  
[www.ghla.org](http://www.ghla.org)  
[www.nhlegal.org](http://www.nhlegal.org)  
[www.connlegalservices.org](http://www.connlegalservices.org)  
[www.larcc.org](http://www.larcc.org)



This pamphlet was produced by the Legal Assistance Resource Center of CT in cooperation with CT Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this pamphlet is based on the laws in CT as of Dec. 2004. We hope that the information is helpful. It is not intended as legal advice for an individual situation. If you need further help and have not done so already, please call Statewide Legal Services (see above) or contact an attorney.

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#### **Throughout Connecticut:**

##### **Connecticut Legal Services:**

*Administrative Office:* (860) 344-0447

##### *Offices:*

211 State Street  
**Bridgeport, CT** 06604  
(203) 336-3851

587 Main Street  
**New Britain, CT** 06051  
(860) 225-8678

153 Williams Street  
**New London, CT** 06320  
(860) 447-0323

20 Summer Street  
**Stamford, CT** 06901  
(203) 348-9216

85 Central Avenue  
**Waterbury, CT** 06722  
(203) 756-8074

872 Main St., P.O. Box 258  
**Willimantic, CT** 06226  
(860) 456-1761

##### *CLS Satellite Offices:*

**Danbury** (203) 348-9216  
**Meriden** (860) 225-8678  
**Middletown** (860) 225-8678  
**Norwalk** (203) 899-2451  
**Norwich** (860) 447-0323  
**Rockville** 1-800-413-7796  
**Torrington** 1-800-413-7797

##### **AIDS Legal Network for CT**

999 Asylum Avenue  
Hartford, CT 06105  
(860) 541-5027 or 1-888-380-3646

## **How to Get Help With Child Support Enforcement If You Are Not On State Welfare**



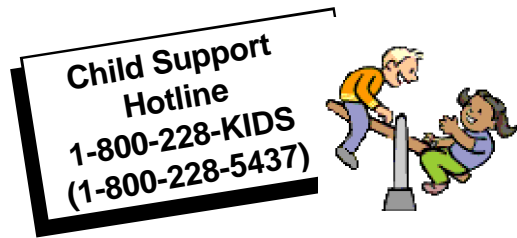
**IF...** you are **NOT** getting state welfare,  
**AND...** you have a Connecticut court order ordering the other parent of your child to pay child support,  
**BUT...**the other parent is not paying...

*help is available so you can find answers to these questions:*



**How you can you enforce the court order?  
 How can you get the other parent to pay?**

The state's child support enforcement system is there to help you. It is called the **Bureau of Child Support Enforcement** of the Department of Social Services (we will refer to it as **BCSE** in this pamphlet.) BCSE *does not* represent either parent--it *only makes certain* that the **court orders child support** for you (that is, **establishes** support). Another agency, called **Support Enforcement Services**, will enforce the order; that is **make sure you receive the child support**. BCSE has offices around Connecticut. To find the address or phone number for BCSE near you, call the **Child Support Hotline**.



**How can the Bureau of Child Support Enforcement help me?**

The Bureau of Child Support Enforcement (BCSE) has a duty to help you in **establishing paternity and support and enforcing child support**. BCSE must also help enforce alimony orders if there is a child support order.




To start any of these processes, the father needs to be found. If you do not know where the parent of your child is, the BCSE can help you try to locate that parent. The BCSE has access to records of state agencies such as Motor Vehicles or Unemployment Compensation as well as the post office, phone company, the military and the federal parent locator system. To locate a parent, the BCSE needs the person's name, date and place of birth, and either his/her social security number or mother's maiden name.

The BCSE also has many ways to enforce payment of child support. Some methods require going to court, while others do not. *Here are some of the things the BCSE can do:*

**✓ NOTE:**  
*The BCSE does not charge for their services.*

- Attaching the other parent's wages.
- Giving the other parent's federal tax refund to you.
- Getting a lien on the other parent's lottery winnings or property. (A property lien may encourage payment of the past-due child support to clear the title to the property.)
- Requiring a security bond to assure payment when the other parent is self-employed.
- Reporting the amount owed in child support to credit bureaus. (*Some parents will pay the support to avoid a bad credit report.*)
- Bringing the other parent to court for contempt.
- Taking steps to suspend the other parent's driver's license or professional license.
- Attaching lawsuit proceeds, retirement funds, unemployment or workers compensation or bank accounts.

## How should I start?

 Hopefully, you have been keeping a record of the child support payments and you can figure out exactly how much is owed to you. (If you haven't, **START NOW**). Even if you haven't kept written records or the records you have are not totally complete, if you remember how much is owed, you can still go forward.

**I** Go to the BCSE office and pick up an application, or call the BCSE office and ask them to send you an application.

**I** File the completed application as soon as possible.


**I** Bring a copy of the most recent child support order and any older different orders on which payments are in arrears.

**O** You will be asked to sign an **Affidavit** (a sworn statement) as to the amount of child support owed.

## What are some RISKS of enforcing support?

It is possible that when the caseworker contacts the non-paying parent, the other parent will **raise other issues**, such as denial of visitation with the child. In Connecticut, visitation rights do not depend on the payment of child support, nor does the payment of child support guarantee visitation rights. Also, support magistrates (who enforce support when BCSE is involved) have only limited power concerning custody or visitation. They can approve custody or visitation *agreements* and can enforce such agreements entered in magistrate court. They cannot otherwise enter or enforce custody or visitation orders.

**If you don't want the other parent to know your whereabouts or other information about you, be sure to tell the caseworker.**

**A parent may react with violence** when you try to collect back child support. You know best whether this is likely and you should be sure you are safe. (To get a restraining order, contact a women's shelter for help--the Domestic Violence Hotline is 1-888-774-2900) Or, see the legal aid booklet, *How to Get a Restraining Order*. 

Another possible response to enforcing support is that an unmarried father decides to **question whether he is really the father** of the child he is being asked to support. This may happen even though he has previously signed a paper agreeing that he is the father. If the court allows a challenge, there is a simple way to help resolve paternity--and that is by DNA testing. The BCSE will help to arrange for this testing. The law limits how long a father has to challenge paternity.

## How long will it take support enforcement to help me?

Support enforcement should help you by taking specific steps within a certain time. Here are the time frames:

**1** The BCSE should **provide you with an application** on the day you come in person to request it or within five days of a phone request.

**2** The BCSE should file your completed application on the day it is received.

**3** **Within 20 days after the filing**, they should gather all necessary information from you or refer it for the purpose of locating the other parent. Again, if you don't want the other parent to know information about you, be sure to tell the caseworker.

**4** Once it is referred for the purpose of locating the other parent, all **location efforts** should be **completed within 75 days**. (If you know the location of the other parent, just skip this step.)

**5** Support Enforcement Services (SES) **should take enforcement action** after determining that the other parent is one month in arrears (behind in payment). The time frames are:

■ **Within 60 days** if the enforcement action involves going to court. *For example* a contempt of court case. The other parent will need to be served with court papers.

**OR**

■ **Within 30 days** if enforcement action does not involve going to court. That is, other enforcement methods such as liens, etc.

The caseworker will generally contact the non-paying parent, inform him or her of the claimed arrearage, and try to get payment voluntarily or threaten court action before bringing the court action.

**6** They should **distribute** to you the full amount of current support collected **within 2 business days** after they receive it.

**Note:**  
The BCSE will send your case to another agency sometime between steps 3, 4, and 5. The BCSE's job is to establish new orders, put cases on the computer system, and then refer your case to another agency, Support Enforcement Services (SES). SES then takes over once a support order is established. This means that at a certain point, you will need to call SES instead of BCSE to check on your case.

## ***If my case goes to court, how is a decision made?***

It will be some time before your case actually gets to court. Once your case is brought in, a *support magistrate* will decide how to enforce the order. The *support magistrate* is like a judge but only has authority to handle child support matters. The support magistrate can:

- decide how much back support is owed;
- decide how the back support should be paid--in one large amount or in installments;
- send the other parent to jail unless he or she pays a certain amount of money;
- order the other parent to look for work and return proof of jobs looked for, or go to job training;
- order the other parent's professional license or driver's license to be suspended.



Sometimes the SES worker will recommend that you and the other parent agree about how the order should be enforced. Because the support magistrate and not the SES worker has the final say, you do not have to agree. If you do not agree, ask to present your case to the support magistrate.