NOTICE OF SERVICES

Utah Department of Human Services
Office of Recovery Services/Child Support Services

DETACH THIS FORM AND KEEP IT FOR YOUR RECORDS

The Office of Recovery Services/Child Support Services (ORS) provides child support services under the Federal/State IV-D Child Support Program. These services are provided to people who: 1) receive cash assistance or Medicaid from the Department of Workforce Services (DWS) or the Department of Health (DOH); 2) are no longer receiving cash assistance or Medicaid but continue to receive child support services; 3) apply directly to ORS for IV-D child support services; and 4) are referred to ORS while children are in state custody.

Services Provided

Case Opening and Locating the Non-Custodial Parent
ORS will open a case and try to locate the non-custodial parent's address, income and assets through automated computer matches to obtain or enforce a child support order.

Establish an Order for Paternity, Child Support and Medical Support
ORS will try to establish the paternity of children who are born to unmarried parents. ORS will provide genetic testing to identify the paternity of a child. If there is no order ORS will try to establish a child support and/or medical support order. The order will address each parent's share of the total monthly obligation when the child(ren) is not living with that parent. ORS will enforce the obligation of the non-custodial parent(s). The order will also require either parent to maintain medical insurance coverage for the children, if it is available, and will require each parent to share equally in the children's future uninsured medical expenses. The parent(s) who has insurance coverage available will be required to get the insurance.

Enforcing a Utah Child Support Guidelines Order
ORS will enforce the support obligation of the parent(s) that does not have physical custody of the child. If the child is living with a relative, ORS must open separate cases for the parents. If the child is in state custody, ORS may open cases against the parents or other individuals as directed by Juvenile Court. When physical custody of the child changes, ORS may enforce the obligation against the other parent(s) without modifying the order unless there is more than one child and physical custody of the children is split between the parents. You will be notified if you are obligated to pay child support to ORS.

Enforcing All Child Support Orders
While the case is open, ORS will try to collect support by taking the payments out of the non-custodial parent's paycheck (referred to as "income withholding"), levying bank accounts, taking federal and state offset payments, imposing liens for past-due support on real and personal property and reporting these liens to the court in the name of ORS, reporting the past-due amount to the credit bureau, and taking other enforcement actions ORS decides are appropriate.

When payments are received (except federal offset payments), they are generally credited in the following order: 1) to current support debts; 2) to past-due amounts owed to the family, when the family is not receiving cash assistance; and 3) to past-due support owed to the state, when the family is receiving cash assistance. ORS may split the support payments received among the non-custodial parent's **current** child support debts if s/he does not pay enough to cover the monthly amount due. If the non-custodial parent owes **past-due** support to more than one family, ORS may split the payment of the past-due amount among the cases. Payments received from federal offset are credited as follows: 1) past-due amounts owed to the State; and 2) past-due amounts owed to the family. Payments are usually credited to support owed for the month in which they are received in the ORS office. However, payments received during the last two working days of the month may not be credited to the case(s) until the following month. ORS generally sends support payments to the custodial parent within two days of receiving the payment (federal offset payments are sent within 6 months of receiving the money) when the family is not receiving cash assistance or the child(ren) is not in state custody.

ORS tries to credit payments properly. However, if the employer or non-custodial parent does not provide complete information with the payment, the payment may be credited incorrectly. If ORS sends you a payment that was intended for another ORS debt, ORS may retain your future payment(s) to repay the debt. Sometimes a federal or state offset payment that has been sent to the custodial parent is taken back by the source that sent it to us. If this happens, the custodial parent must repay the take-back amount.

Medical Support Enforcement
ORS automatically provides medical support enforcement services on all cases. If medical insurance coverage is not ordered in the support order, ORS may modify the order to include a provision for medical insurance. When a parent is ordered to maintain insurance coverage for the children but fails to do so, ORS will send notice to the parent's employer to enroll the children in a health insurance plan. Utah's child support guidelines allow the parent that is ordered to maintain insurance coverage to receive credit for up to 50% of the child's portion of the premium. The parent must request and provide ORS the insurance information in order to receive the credit. No retroactive credit will be given. The insurance credit will be given by adjusting the base child support award amount in the ORS case accounting record. The adjustment in the case accounting record may make the child support amount go up or down depending on which parent is maintaining the insurance.

Intergovernmental Cases

If the non-custodial parent lives in another state, and ORS is unable to work the case, ORS must refer the case to the other state. If the non-custodial parent does not live in the United States, the case can only be worked if ORS has an agreement with the foreign country to work child support cases. If the foreign country requires your support order to be translated into another language, you will need to have the order translated at your own expense. ORS cannot tell the other state or country how to work your case.

Review and Adjustment of Support Orders
Either parent may ask ORS to review the support order once every three years from the time the order was issued or last modified, or when a substantial change in circumstances has occurred. **You must make a request for a review in writing.** Not all reviews will result in a change (adjustment) to the order. If there is a change, the amount could go up or down. To get an idea what the new amount may be, you may request a "Review and Adjustment Packet" by calling the ORS automated phone system.

Other Information about Services Provided

ORS does not guarantee child support payments. Child support payments are based on the money collected from the paying parent.

ORS cannot always collect past-due support. ORS only collects past-due support if the amount has been reduced to a sum-certain judgment or an equivalent determination of the accuracy of the past-due amount has occurred. Based on Utah law, ORS can only collect past-due support for 4 years after the last child in a Utah order reaches the age of majority (18), or for eight years after the arrears have been reduced to a sum-certain judgment by a Utah district court, whichever period is longer. If your order was issued by a state other than Utah, ORS may be able to apply that state's statute of limitations and extend the collection time period.

ORS only collects spousal support (alimony) if the non-custodial parent is also ordered to pay current child support for children living with the custodial parent.

ORS only collects interest if it is listed as a specific **dollar** amount in a judgment, on an interstate case if the other state provides ORS with the specific interest amount, or if a case has been referred for criminal nonsupport prosecution.

ORS only collects ongoing cash medical support if it is included as a specific **dollar** amount in your support order. ORS will try to enforce judgments **you obtain** from the judicial district court for unpaid medical bills.

ORS only collects ongoing child care expenses if a parent makes the request, the specific dollar amount for child care is included in an order along with a child support obligation, and neither parent is disputing the monthly child care amount. ORS will try to enforce past-due child care expenses if you obtain a judgment from the judicial district court.

ORS will attempt to collect child support until the child is legally emancipated. For Utah child support orders, the age of emancipation is when the child turns 18 or graduates with his/her normal graduating high school class, whichever occurs later. ORS will presume a child turning 18 prior to graduation will be graduating with his/her class unless a parent provides documentation stating otherwise. If your order was issued by a state other than Utah, the child will emancipate based on the laws of that state.

ORS cannot address custody, visitation, property settlement issues or any other non-support issues. ORS cannot provide all the services you may receive from a private attorney. Services are limited to those described in this Notice.

ORS does not represent either parent. ORS is assisted by attorneys from the Utah Attorney General's Office. They represent the State and are not personal attorneys for either parent. This means that no attorney client relationship exists between you and the State's attorney. If you want legal advice, you will need to consult with a private attorney.

ORS decides the actions that ORS will take on your case. This includes possible civil or criminal actions. You may want to consider using a private attorney or agency if you want legal action or a service that ORS does not provide, or if you want to be involved in deciding exactly how your case is worked.

Important Information to Parents Receiving Cash Assistance and/or Medicaid

- You cannot enter into an agreement with the non-custodial parent to accept "in-kind" support in place of the court-ordered support. If you do accept "in-kind" support, you will need to pay ORS an equal cash amount. Examples of in-kind support are food, clothing, housing, utilities, etc.
- When your cash assistance and/or Medicaid case closes, ORS will continue to provide full services (such as child support, spousal support and medical support enforcement), unless you request to close your case.
- You assigned (transferred) your past, present and future child, spousal and medical support rights to the State when you became eligible for cash assistance. You will NOT receive your monthly child support payments while you receive cash assistance. ORS will keep any support the non-custodial parent pays up to the total amount of cash assistance you receive. If the amount of the support collected exceeds the total cash assistance you receive, the excess amount will be sent to you.
- If legal paternity for your child(ren) has not been established, you must cooperate in identifying and locating all possible alleged fathers and in establishing paternity for your child(ren) unless ORS determines you are unable to meet the cooperation requirements, or the Department of Workforce Services (DWS) determines there is good cause or other exception to cooperation.

Fees for Services

Charged to individuals who are NOT receiving cash assistance or Medicaid.

PAYMENT PROCESSING: ORS charges a $5.00 administrative fee to the applicant each time a payment is processed and sent by mail, Direct Deposit or Utah Debit MasterCard® Card. The fee will not exceed $10.00 per month. This charge will be withheld from the support payment before it is sent.

PAYMENT CONVENIENCE FEE: ORS charges a $2.00 convenience fee to the payor for each payment transaction processed online using the Online Payment Web Application or the ORS automated phone system (ACCESS). A $6.00 convenience fee is charged to the payor for each payment transaction processed by an employee over the phone. The fees are paid by the payor in addition to the payment amount being made.

UTAH DEBIT MASTERCARD® CARD FEES: There is one free ATM withdrawal per month and then a transaction fee of $0.85 each time you use an ATM to withdraw money. There is a $0.50 fee for a balance inquiry. There is a $1.00 transaction fee to withdraw funds at a teller window. Additional ATM fees may apply based on individual financial institutions, but there will not be an ATM surcharge for ATMs used within the MoneyPass network. Additional fees will apply for extended card inactivity, card replacement, or expedited card delivery.

ANNUAL FEE FOR CHILD SUPPORT SERVICES: ORS charges an annual fee of $25.00 in each case to the custodial parent who has never received cash assistance. The fee is retained from child support collected on behalf of the custodial parent after $500.00 has been collected within the one-year period (October 1 through September 30 each year).

FEDERAL OFFSET PAYMENT CHARGE: ORS charges the case applicant up to $25.00 if ORS takes the non-custodial parent's federal offset payment. If the custodial parent is the applicant, ORS will withhold the charge from the federal offset payment before it is sent. If the non-custodial parent is the applicant, a $25.00 charge will be added to the non-custodial parent's obligation.

INTERSTATE CASES: There may be other charges if your case is referred to another state and that state charges a fee.

If your court order exempts you from paying fees, you may ask the Clerk of Court who issued your order to initiate a Notice to Withhold Income for Child Support to have the payments sent to ORS and forwarded to you. No additional services are provided on these cases and no fees are charged. See the ORS web site for more information or contact the Clerk of Court.

ORS RESERVES THE RIGHT TO GIVE FURTHER NOTICE ABOUT ADDITONAL COSTS AND FEES THAT MAY BE CHARGED IN THE FUTURE.

Release of Case Information

The names and social security numbers of the custodial parent, the non-custodial parent and the children are sent to the Federal Case Registry, where the information may be accessed by authorized agencies, such as child support agencies in other states. The address or employer's address of the non-custodial parent or the custodial parent and children's address may be released to the other party or to the other party's attorney if ORS receives a written request and a parent-time order. If ORS receives a request to release your location information, you will be sent a notice that gives you the opportunity to contest the action and to provide us with documentation that will safeguard your location information. The address or employer's address of the non-custodial parent or custodial parent may be released under the Government Records Access Management Act (GRAMA) to the other party or his/her attorney if needed to serve legal process to establish or modify a child support, spousal support, medical support, or child care order or judgment.

If a National Medical Support Notice is sent to the employer of either parent to enroll the children in an insurance plan, the addresses of the custodial parent and the non-custodial parent will be included in the referral. If the case is sent to the Attorney General's Office for a court action, the addresses of the custodial parent and the non-custodial parent will be included in the court documents, which become public records, unless ORS is provided with an alternate address. If the case is sent to the Office of Administrative Hearings, the addresses of the custodial parent and the non-custodial parent will be included in the hearing documents. If the case is referred to a child support agency in another state, the addresses of the custodial parent and the non-custodial parent will be included in the referral. If you have a domestic violence issue and you would like ORS to attempt to safeguard your case information and your children's case information so that it will not be released, see the "Release of Information" section on the attached application.

Based on section 466(a)(13) of the Social Security Act [42 U.S.C. 666(a)(13)] it is mandatory for a state's child support enforcement program to request an individual's social security number in order to locate individuals for purposes of establishing paternity and establishing, modifying and enforcing support obligations.

Help ORS Help You

Non-Cooperation: If you are receiving cash assistance or certain Medicaid benefits and do not cooperate with ORS, your cash assistance may be reduced, you may be removed from the Medicaid card, and/or your DWS case may be closed unless ORS determines that you have cooperated in good faith. If you feel cooperation may cause physical or emotional harm to you or your children, contact your DWS worker. If you are NOT receiving cash assistance and do not cooperate and ORS is unable to take the next step on your case, your case will be closed.

Cooperate with ORS: Provide truthful and correct information about the other parent and any support that may be owed; answer questions regarding your case; give ORS copies of orders and the child support worksheets; appear at interviews and at administrative or court hearings; submit to genetic testing, etc. **Tell ORS immediately of new information**, **such as:**

- Your current name (for example, if you remarry), address, social security number, phone number and your employer's name and address.
- The **social security numbers** of everyone involved in your case.
- The non-custodial parent's address, phone number, employer, or insurance changes.
- If anyone enrolls the children in or drops the children from a health insurance plan.
- If your children are no longer eligible to receive child support (for example: a child who has emancipated or is no longer living with you). You will need to repay any support payments sent to you for ineligible children.
- **Provide** copies of all your support orders (for example: legal separation order, divorce decree, paternity order, Juvenile Court order, modification order, or judgment for past-due child support, medical support, and/or child care). **Judgments must be issued by the judicial district court and not by a small claims court.**
- If you are working with a private attorney or agency to collect your child support. Also tell the private attorney or agency that you have a case with ORS.
- If an attorney or agency files any legal pleadings in court in regard to your child support.
- Reductions of court-ordered support that could result in an overpayment to the custodial parent. ORS may offset future payments to adjust for the overpaid amount.
- Any support payments you receive directly from the non-custodial parent or from any other source. Send the payments to ORS at the payment address given below. Include a note that provides your case number or the non-custodial parent's social security number and a statement that indicates that the payment was made directly to you. Without a note, the full payment may not be credited to your case.

To Contact ORS or To Receive More Information

Mail

Payments:
Office of Recovery Services
Child Support Services
PO Box 45011
Salt Lake City, UT 84145-**0011**

Correspondence:
Office of Recovery Services
Child Support Services
PO Box 45033
Salt Lake City, UT 84145-**0033**

Internet

Office of Recovery Services Web Site: Go to **www.ors.utah.gov** to obtain additional information about the Office of Recovery Services.

ORS Interactive Web Site: Use our interactive web site to access payment and case status information. You can also submit new address, employment and insurance information, and submit questions about your case electronically. Go to **http://orsica.dhs.utah.gov** where you will find a log-in page and instructions for setting up your account.

Telephone:
(801)536-8500

Automated Case and Customer Service System (ACCESS): ACCESS is the ORS voice-activated, self-service phone system. The ACCESS phone number is (801)536-8500. Use ACCESS to make payments or to hear payment information. Use ACCESS to ask questions about ORS procedures and services, to request forms, and to update your information (address, employer, etc.). ACCESS provides the most information if you have your case number and PIN number ready. If you do not have a PIN number, you will be given a chance to register for the ACCESS system during your call. If ACCESS cannot provide the information you need, you will be given an opportunity to speak with one of our customer service representatives.

Reasonable accommodations per the Americans with Disabilities Act are available with a minimum of three days advance notice.