

DHS makes available all services and assistance without regard to race, color, religion, national origin, age, sex, political beliefs, disability, or status with respect to marriage or public assistance. Child Support makes its programs accessible for persons with disabilities.

Persons needing accommodation or who have questions or complaints regarding the provision of child support services should contact Child Support at (701) 328-5440, or 711 TTY.

If you would like this brochure in an alternate format, please call (701) 328-5440 or 711 TTY to make arrangements.



CHILD SUPPORT INFORMATION

PARENTS WITH CHILDREN IN FOSTER CARE

Parents whose child is placed in foster care are required to contribute financial support (child support) towards their child's care. The Child Support Division will establish and enforce court orders for such support. This brochure provides information to parents regarding their financial responsibility for their child in foster care. It is designed to answer commonly asked questions.

WHO HAS TO PAY CHILD SUPPORT?

Natural parent(s), adoptive parent(s) and guardians legally responsible for the support of the child unless the local human service zone office makes a determination that there is good cause not to pursue a parent for support.

WHY DO I HAVE TO PAY CHILD SUPPORT?

All parents are responsible for the support of their children. It is important that parents maintain a tie to and responsibility for their child in foster care. The following federal and state laws require the Department of Human Services (DHS) to collect support for children in foster care.

- ✓ 42 U.S.C. 654(4)
- ✓ N.D.C.C. §50-09-06.1

HOW DOES CHILD SUPPORT GET INVOLVED?

When it is decided that a child is eligible for foster care, the local human service zone office refers the case to Child Support.

HOW MUCH WILL I HAVE TO PAY?

The cost of foster care can be very expensive. However, the parents' financial responsibility will be based upon their ability to pay.

The Child Support Division will work to establish a court order for support using the North Dakota Child Support Guidelines. These guidelines take into consideration such things as the parents' income and number of children. Child Support may also work to establish a court order for health insurance coverage.

HOW DOES CHILD SUPPORT ENFORCE THE COURT-ORDERED SUPPORT?

There are a variety of tools, both judicial and administrative, that are used to enforce court-ordered support. The most common is income withholding; this is a process in which the child support amount is withheld from the parents' paychecks. If the support is not paid, a number of other enforcement tools may be used:

- ✓ Contempt of court hearing
- ✓ Federal and state tax refund offset
- ✓ Lottery prize offset
- ✓ Passport denial
- ✓ Report to credit bureaus
- ✓ License (driver's, professional/occupational, recreational) and vehicle registration suspension
- ✓ Freeze and seize real and personal property
- ✓ Claim against estate and inheritance
- ✓ Federal and state criminal prosecution
- ✓ Enrollment of child in available health insurance, and withholding of premiums, through issuance of the National Medical Support Notice

WHO GETS THE CHILD SUPPORT THAT I PAY?

DHS receives the money to offset the cost of the child's foster care expenses.

WHAT IF I AM RECEIVING CHILD SUPPORT FOR THE CHILD WHO IS GOING INTO FOSTER CARE?

By state law, child support is assigned to the state upon the application of a child for foster care services. This means that the child support will be paid to DHS as long as the child is in foster care.

In addition, any child support that was owed to a parent prior to the child entering foster care becomes assigned to DHS.

WHAT IF THE CHILD GOING INTO FOSTER CARE HAS NO LEGAL FATHER?

Child Support will take action to legally establish paternity whenever possible. In cases where the alleged father denies paternity, genetic testing may be performed.

QUESTIONS?

If your child goes into foster care and you have questions regarding child support, please contact Child Support at 328-5440.