



Oklahoma Child Support Services Handbook



**Child Support
Services**

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Oklahoma Child Support Services (CSS) is part of the Oklahoma Department of Human Services (OKDHS). Our mission: To promote healthy families, we establish, monitor and enforce reliable support, while encouraging self-sufficiency and strengthening relationships.

What is child support?

Parents have a legal duty to provide financial support for their children. The court may order either or both parents to make regular payments for a child’s living and medical expenses. These payments are called child support.

Right to child support

Child support payments are a basic legal right of children. Regular child support payments reduce child poverty and the need for public assistance.

Who we serve

We serve custodians and noncustodial parents of minor children. Custodians may be parents, aunts, uncles, grandparents, court-appointed guardians, or others who care for a child.

You may use CSS and a private attorney or private collection agency at the same time. However, the child support office must know of any legal proceedings that may affect your child support.

CSS must be notified when custody of the child changes between the parents or to another person.

Available services

Once a case is opened, CSS provides the following services:

Location of parent – CSS continuously checks federal, state and local sources to find the mailing address, employment or assets of the noncustodial parent. Employers are required to report all newly hired employees to the Oklahoma Employment Security Commission within twenty days of hiring.

Parentage establishment – CSS helps establish legal parentage either by voluntary acknowledgment or through court actions. Either parent may request this service.

Child support establishment – CSS files a petition with the court to obtain a child support order. We use the state of Oklahoma’s legal guidelines to establish a monthly child support amount for children.

Child care – CSS uses the state of Oklahoma’s legal guidelines to determine annual child care costs and allocate this amount between the parents in the same proportion as their adjusted gross income.

Medical support establishment and enforcement – Children are legally entitled to health insurance coverage if it is available. If health insurance is ordered to be provided, we will seek to enforce it. This may include deducting premium costs from wages.

Collection – Once payments are made through the Oklahoma Centralized Support Registry, they are logged and promptly paid to the custodial person by debit card or direct deposit.

Enforcement – We provide enforcement of child support orders. Without going back to court, we can:

- deduct child support from income, social security benefits, and/or unemployment benefits
- take tax refunds, lottery winnings, workers’ compensation, and/or personal injury settlements
- deny passports
- seize bank accounts
- ask the court to revoke driver, professional, and recreational licenses.

Review and modification – CSS can review support orders for the correct amount allowed by law. If appropriate, we ask the court to modify the current support. Either parent may request a review of the order.

Services not provided

CSS attorneys represent the state and not individuals. CSS does not help with:

- Divorce actions.
- Legal advice.
- Property settlements.
- Visitation and custody.
- Collection of private attorney’s fees.
- Collection of unpaid child care costs and medical bills unless reduced to judgment.

You may contact a private attorney for help with these issues.

Cost of services

CSS automatically provides services to families getting Temporary Assistance to Needy Families (TANF), Medicaid/Soonercare, or child care assistance. These child support services may continue after the public assistance case is closed.

Beginning October 1st of each year, a \$35 federal fee is collected on all cases without TANF after \$550 has been sent to the family.

CSS will charge 3%, up to \$10 per month, on child support we send you. The fee does NOT apply to custodial persons receiving TANF or SoonerCare.

How to apply

You may get an application by calling CSS:

- In the Oklahoma City area: 522-CARE (522-2273).
- In the Tulsa area: 295-3500.
- 1-800-522-2922.
- The TTY line: 711 or 1-800-722-0353.

Or by Visiting:

- The Oklahoma Child Support Services page of the OKDHS website at www.okdhs.org.
- Any OKDHS or CSS office.

Separate applications are required if there is more than one child and the children do not have the same mother and father.

Where your case is assigned

Your case is automatically assigned to a child support district office based on Oklahoma law and policy. If an Oklahoma order for support already exists, the child support case is assigned to the child support office serving that jurisdiction.

Intergovernmental case services

CSS also serves parents who do not live in Oklahoma. Each state is required to enforce support orders entered by other states. Federal law requires all states provide locate, establishment and enforcement services. The applicant for services may be asked to complete forms to help the other state collect child support. Other states may charge a fee when providing services. CSS can also assist in some tribal and international cases.

Information needed to provide child support services

- Full name and last known address of each parent, and any other names each person is known by: nicknames, aliases, social media identities, etc.
- Dates of birth and documentation of Social Security numbers for each parent.
- Marriage license, separation order, divorce decree, protective or restraining order involving either parent, other support order, “Acknowledgment of Paternity,” or any other legal documents where parentage has been determined.

The following information MAY be needed:

- Children's birth certificates.
- A physical description with the most current photograph of the parent(s).
- An accurate month-by-month list of all child support payments received or paid.
- Name and address of the current or most recent employer of each parent.
- A list of professional or recreational licenses, memberships or permits, held by either parent; for example: electrician, plumber, medical, cosmetology, hunting or fishing.
- Names, addresses and telephone numbers of friends and relatives of each parent.
- Information about property, such as cars, motorcycles, boats, RVs, or land.
- Copies of paycheck stubs, bank statements for checking, savings or other accounts.
- Tax returns for the last two years, including W-2 forms and 1099 forms.

The court's role in child support

The judge has the final authority for deciding the amount of child support to be paid and who will make those payments. The court sets the amount of child support based on both parents' income and the amount of time the child is in each parent's care. The child support order includes medical support, and may include other child related expenses, like child care costs. The court may also change orders when incomes of the parties, custody of a child, or other matters affecting child support change.

Parentage establishment

Parentage means parenthood. When a married couple has a child conceived during the marriage, parentage does not need to be established – the law automatically presumes the spouse is the child's legal parent. However, it is best to confirm the presumption of parentage with a court order. In the case of unmarried parents, the court cannot order child support or determine custody or visitation until parentage is legally established. Services to establish parentage are available to either parent.

Parentage provides a child of unmarried parents the same legal rights as a child born to married parents. Those rights include:

- Support from both parents.
- Medical and life insurance from either parent, if available.
- Social Security and veteran's benefits, if available.
- Inheritance rights.
- Access to family medical history.

When the parents are not married, parentage may be established in several ways.

Parentage can be established when both parents sign an Acknowledgement of Paternity form (AOP), available at any Oklahoma hospital, birthing center, CSS office or OKDHS office, online at www.okdhs.org, or by calling 1-800-522-2922. Before signing the AOP, both parents must view a presentation of their rights and responsibilities.

To establish parentage by district or administrative court order, CSS needs as much information as possible about the relationship between the legal parent(s) and other parties. If necessary, CSS may ask for information about other sexual partners around the time of the child's conception or request genetic testing. A sample of genetic material is taken from mother, alleged father and child by swabbing the inside of the cheek in the mouth.

A child born out of wedlock can file a parentage action at any time, even after turning age 18. CSS does not establish parentage for adult children.

Child support establishment

CSS can bring a case in district or administrative court to establish a support order. The amount of support is based on child support guidelines set by law. Oklahoma guidelines require information about the number of children, court-ordered child support paid by either parent to another family, other children of the parents, amount of income for each parent, child care expenses and medical costs. The support order established through CSS will include a provision for immediate income withholding and medical support.

CSS collects current support ordered by the court as well as:

- Cost for genetic testing.
- Birthing costs.
- Support for a prior period.
- Fixed medical costs.
- Cash medical support.
- Interest.

Enforcement

When enforcing the support order, CSS may do one or more of the following:

- Order income withholding from wages, unemployment, retirement, social security Title II benefits, or other income.
- Refer the case to take federal and state income tax refunds and other federal payments to pay child support.
- Seize property including bank and other financial accounts, insurance proceeds, such as worker compensation benefits, personal injury and lottery winnings.
- Report to credit bureaus.
- Ask the court to suspend or revoke professional, driver or hunting and fishing licenses.
- Request passport denial.
- Protect and pursue child support debt in bankruptcy court.
- File a contempt citation in district court.

CSS Customers' Rights and Responsibilities

If you are the custodian:

If you have any questions or concerns about your child support or parentage case, please call our customer service line at 1-800-522-2922.

It is your right to:

- Have your personal information kept confidential.
- Review CSS records as allowed by law.
- Due process in actions that may affect you.
- Receive a record of payments made through CSS.
- Request genetic testing if parentage has not been legally established.

It is your responsibility to:

- Cooperate with CSS attempts to enforce and establish parentage and child support orders.
- Provide CSS with any new or existing court orders related to child support or parentage.
- Provide information about the noncustodial parent.
- Send to CSS all child support payments you receive from anyone other than CSS.
- Tell CSS if custody of your child changes.
- Keep CSS informed of your current mailing address, telephone numbers, and e-mail addresses.
- Tell CSS if you hire an attorney for child support matters. CSS can then talk only with your attorney about your case.

If you are the noncustodial parent:

If you have any questions or concerns about your child support or parentage case, please call our customer service line at 1-800-522-2922.

It is your right to:

- Have your personal information kept confidential.
- Review agency records that are not restricted under confidentiality laws.
- Due process in actions that may affect you.
- Receive a record of payments made through CSS.
- Request genetic testing if parentage has not been legally established.

It is your responsibility to:

- Make child support payments as ordered by the court.
- Provide CSS with any new or existing court orders related to child support or parentage.
- Report changes of address, phone numbers or employer, and e-mail addresses.
- Keep receipts of all of your child support payments.
- Tell CSS if custody of your child changes.
- Tell CSS if you hire an attorney for child support matters. CSS can then talk only with your attorney about your case.

Custodian - How to receive payment

Child support payments sent to CSS are paid to you through the Oklahoma debit card. This card will be sent to you after CSS receives the first child support payment. You can continue receiving payments on the debit card or enroll for direct deposit. If you already receive TANF or Aged, Blind or Disabled benefits, your child support payments will be placed on the same card.

Noncustodian - Making child support payments

Most court ordered child support must be paid by wage withholding. This means your employer deducts payments from your paycheck.

If your payments cannot be made by wage withholding, other options include:

- Debit or credit card payments.
- Direct Debit from a bank account online at <http://oksmartchildsupport.com>
- Cash at PAYSITE kiosk locations listed on <http://paysitekiosklocator.com>
- BancFirst locations listed on www.bancfirst.com
- MoneyGram locations listed on www.moneygram.com
- US Payments Pay-by-Phone at 1-800-712-5731
- Money orders, cashier's, certified or personal checks mailed to:
Oklahoma Centralized Support Registry
P.O. Box 268849
Oklahoma City, OK 73126-8849

For a complete list of payment options and other payment details, see the Child Support Services page of the OKDHS website at www.okdhs.org.

CSS does not accept temporary checks for child support payments.

Distribution of child support payments

CSS distributes child support payments to the family as required by federal and state law:

- Current support is paid to the family.
- CSS collections on active TANF cases are kept by the state to repay the amount of TANF the family receives. CSS does not keep more than the amount of TANF paid to the family.
- Money collected from state tax refunds is paid to the family first, then paid to any state balances.
- IRS refunds are first applied to the past due support owed to the state, then to any past due support owed to the family.
- Tax refunds from jointly filed returns must be held for up to six months.
- If the order includes cash medical support and the children in the order get SoonerCare benefits, the cash medical amount may be kept to help pay for SoonerCare.

Actions by Child Support Services

CSS decides the best way to collect support. Remedies are selected to protect children's and tax payers' rights and encourage parents to support their children. CSS staff attorneys represent the state of Oklahoma and not parties to the child support case. Information provided to or obtained by CSS will only be released as needed to enforce your case. Information may be released to law enforcement officers, public officials, court employees or other agencies.

Step-by-step – income assignment

1. A court orders child support and income withholding.
2. The income withholding order is sent to the employer.
3. The employer deducts the child support payment and sends the payment to the Centralized Support Registry.
4. Payments are processed and sent within two business days.
5. Custodians receive payment by:
 - Oklahoma debit card – money on the card can be accessed at any Bank of Oklahoma teller, a MasterCard ATM or used to make purchases.
 - Direct deposit – by request, money is deposited to the checking or savings account of your choice.

Glossary of Terms

For definitions, parent resources, and other information, visit us online at www.okdhs.org and select Child Support Services.

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