

STATE OF ALASKA
DEPARTMENT OF REVENUE
CHILD SUPPORT ENFORCEMENT DIVISION

INFORMATION ABOUT CHILD SUPPORT ENFORCEMENT SERVICES

Child Support Enforcement Division Services

CSED provides child support services for parents or third-party custodians. CSED can:

- collect and mail out child support payments;
- establish paternity when necessary (paternity testing costs may be charged to the father);
- establish child support and medical support orders;
- enforce child support orders, even if the paying parent is not in Alaska;
- modify support orders if there is good reason;
- require banks, employers, the Permanent Fund, and others to withhold the paying parent's income or assets;
- attach IRS tax refunds to collect child support; and
- provide interstate services when parents move to other states.

CSED charges no fees for these services, although the costs of determining paternity may be charged to the father. CSED cannot monitor or modify visitation or custody orders; a court must address those matters.

Child Support Payments

Support orders established by CSED begin with the month CSED receives the application, unless the children received public assistance earlier. Once CSED receives an application, all support payments must be made through CSED unless a court order specifically provides otherwise. If a custodian receives a direct payment before the case is set up, the custodian must tell CSED, in writing, how much was received and when. Money collected by CSED is paid to the custodian, unless the custodian or the child is receiving (or has received) public assistance. In those cases, the state debt must be repaid. CSED receives copies of all support orders issued by Alaska courts. We set up cases for these orders and send applications for services to the parties on request. If neither party applies for service, we will not enforce the court support order, but we will provide payment distribution services and payment records at either party's request.

Establishing Paternity

If paternity has not been established and child support is requested, CSED will establish paternity. This generally occurs when a child is born to unmarried parents. Both parents can sign an affidavit if they agree about paternity. If they do not agree, CSED will require genetic tests to determine the father of the child. In some cases the father must pay for genetic testing and related costs if he proves to be the biological father.

Establishing Support Orders

CSED calculates child support amounts using the Child Support Guidelines in Alaska Supreme Court Rule of Civil Procedure 90.3. This rule requires that the child support obligation be a percentage of the adjusted annual income of the noncustodial parent based on the number of children in the support order. Parties can ask for exceptions. If a parent does not provide income information, CSED will use the best information available to determine the parent's income from all sources.

We use an "Administrative Child Support Order" when we issue a child support or medical support order. Either party can appeal the findings in that order and present evidence. After an administrative review, we may change those findings. Either party may appeal our decision to a Department of Revenue hearing officer, who will issue a new decision. Either party may then appeal the hearing officer's decision to the superior court.

Enforcing Support Orders

If child support is owed and CSED identifies the noncustodial parent's employer, bank account, or other financial account, we normally issue an Order to Withhold and Deliver those wages or assets. The withholding order is a standard method of ensuring timely support payments. Earnings are withheld directly from the payroll office or the bank account. Noncustodial parents who want to make additional payments, or who are self-employed, may pay by check or money order (please include the case number) to our Anchorage address. Cash payments can be made only in person, and only in Anchorage.

Failure to make support payments may result in collection actions including liens, judgments, withholding from Permanent Fund Dividends, wages, or other income, credit bureau reporting, the seizure of bank and financial accounts, and other actions allowed under civil and criminal law. Noncustodial parents who owe more than four months of child support may also lose their occupational licenses or their driver's licenses. Noncustodial parents who owe \$5,000 or more in past child support (arrears) risk losing their passports. We file liens on real estate if arrears are at least \$2,500 or equal to one year's support. CSED may take the noncustodial parent's federal income tax refunds to pay past due support debts. If the custodian received public assistance in Alaska, then the IRS refund is applied first to reimburse the state. IRS funds remaining after the state is paid go to the custodian.

Modifying Support Orders

Either party, or the state, has the right to request a review of a child support order. Both parties will be required to provide financial information to CSED. Private agreements between parties are not valid unless approved by the court. Situations that could result in a modification are:

- a child listed in the order has reached the age of majority or been legally emancipated;
- the child support guidelines were adopted or significantly amended after the support order was issued;
- the obligor's income has changed to the extent that support would change by 15 percent;
- at least 12 months have elapsed since the order was issued, modified, or reviewed; or
- medical support or post-majority support language is needed in the order.

If a court has issued a support order, usually the court must modify the order. If CSED or another child support enforcement agency has issued an administrative support order, it is not necessary to have a court modify the order.

Your Rights and Responsibilities

Child support is a special debt that must be paid before other debts. The law allows interest to be charged on payments received ten or more days past the due date, on judgments, and on most arrearages. You must provide your social security number. CSED uses it to track cases, credit payments, locate wages and assets, and enforce support obligations. If you use CSED services, you must notify us immediately of the following:

- address changes, new employment, or changes in earnings;
- permanent custody changes;
- visitation when there is a court order for visitation;
- payments received directly from the noncustodial parent;
- availability of medical insurance coverage for the children;
- any action by the parties that may affect support (such as seeking a new or modified court order, custody changes, adoptions, bankruptcy, or other collections).

We invite parties to attend and participate in case proceedings and hearings to protect their interests. An Assistant Attorney General represents CSED; parties may hire attorneys at their own expense.

Medical Support

Federal regulations and Alaska statutes require parents to provide medical support for their minor children if health insurance is available at a reasonable cost. Credit for medical coverage may raise or lower the amount of ongoing child support,

depending on which parent provides the coverage. Health insurance benefits available through the Indian Health Service may fulfill the medical support requirement. Custodians who receive only Medicaid must assign medical insurance or fixed amounts for medical support to the state.

Public Assistance

If the custodian receives public assistance through ATAP (the Alaska Temporary Assistance Program, formerly called AFDC), through another state's welfare program (such as those funded through TANF, the federal Temporary Aid for Needy Families program) or through Medicaid/Denali KidCare, we automatically provide services without requiring a CSED application. In ATAP or TANF cases, child support must be assigned to the state. Enforcement cannot stop while public assistance is being received, while the children are in licensed foster care, or if the other party applies for services. If the custodian receives only Medicaid/Denali KidCare and does not want cash support, CSED must be notified, and we will continue to enforce only the medical support order. If all public assistance ends, CSED services will stop upon the custodian's written request, although enforcement to recover money owed to the state may continue.

Requesting Confidentiality

The Child Support Enforcement Division may be required to release information about you or your children to other parties or agencies. Information that may be released may include names, addresses, social security numbers, and birth dates. This information will be released only when authorized by law and only as needed to take action on your case. This information will not be released to the general public. However, if your case is filed in court, information in the court case may be available to the public.

If you or your children have been victims of domestic violence, including harassment, threats, mental and emotional abuse, physical violence including sexual assault or incest, and parental kidnapping, you may ask that information about your address and location be kept confidential. You must complete the "Affidavit and Request for Address Confidentiality," sign it before a notary or a witness, and return it within 30 days. Attach any documents you have (such as police reports, protective orders, restraining orders, or medical records) to show why you believe the release of information about your address or your location would threaten your well being. CSED will review your request and get back to you in writing. Please call CSED if you have questions.

Contacting CSED

Our automated KIDSLINE provides answers to common questions and allows you to access payment information and leave messages for caseworkers. Also, you may visit one of our offices, or go to our web page at www.csed.state.ak.us for more information. Please let us know if you need assistance or other accommodations to use our services.

KIDSLINE: (907) 269-6900
TTY: (907) 269-6894

KIDSLINE Toll Free (in Alaska): 1-800-478-3300
TTY In-State Toll-Free: 1-800-370-6894

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550 W 7th Ave Suite 310
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Mailing address for payments
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