



Glossary of useful terms

Ad-Ar

Administrative Procedure

The method by which support orders are made and enforced by an executive agency rather than by courts and judges.

Aid to Families with Dependent Children (AFDC)

Assistance payments made on behalf of children who don't have the financial support of one of their parents by reason of death, disability, or continued absence from the home; known in many states as ADC.

Aid to Dependent Children Arrearages

Unpaid child support for past periods owed by a parent who is obligated to pay an assignment of support. A person receiving public assistance agrees to turn over to the state any rights to child support, including arrearages, paid by the obligated parent in exchange for receipt of an AFDC grant and other benefits.

Arrearage

An unpaid and overdue debt; when child support has not been paid, it is said to be "in arrears" and the amount owed is the "arrearage."

C-E

Complaint

A written document filed in court in which the person initiating the action names the persons, allegations, and relief sought.

Consent Agreement

A voluntarily written admission of paternity or responsibility for support.

Custodial Parent

A person with legal custody and with whom the child lives; may be parent, other relative, or someone else.

Custody

Legal determination which establishes with whom a child shall live.

Default

The failure of a defendant to file an answer, response, or appeal in a judicial proceeding after having been served with a summons and complaint.

Default Judgment

The decision made by the court when the defendant (respondent) fails to respond.

Electronic Funds Transfer

The transfer of money from one bank account directly to another or to a child support enforcement agency.

Enforcement

Obtaining payment of a child support or medical support obligation.

F-J

Federal Parent Locator Service (FPLS)

A service operated by the Federal Office of Service Child Support Enforcement to help the states locate parents to obtain child support payments; also used in cases of parental kidnapping related to custody and visitation determinations; FPLS obtains address and employer information from Federal agencies.

Garnishment

A legal proceeding under which part of a person's wages and/or assets is withheld for payment of a debt.

Genetic Testing

The analysis of inherited factors (usually by blood test) of mother, child and alleged father which can help to prove or disprove that a particular man fathered a particular child.

Guidelines

A standard method for setting child support obligations based on the income of the parent(s) and other factors as determined by state law.

Interstate

Existing or occurring between two or more states.

Intrastate

Existing or occurring within a state.

Jurisdiction

The legal authority which a court has over particular persons and certain types of cases in a defined geographical area.

L-O

Legal Father

A man who is recognized by law as the male parent.

Lien

A claim upon property to prevent sale or transfer until a debt is satisfied.

Long-Arm Statute

A law which permits one state to claim personal jurisdiction over someone who lives in another state.

Medicaid Program

A federally funded medical support program for low income families.

Medical Support

The legal provision for payment of medical and dental bills; can be linked to a parent's access to medical insurance.

Non-Custodial Parent

A parent who does not have primary custody of a child but who has a responsibility for financial support.

Obligation

The amount of money to be paid as support by the responsible parent and the manner by which it is to be paid.

Offset

The amount of money taken from a parent's state or federal income tax refund to satisfy a child support debt.

Order

The direction of a magistrate, judge or properly empowered administrative officer.

P-S

Paternity Judgement

The legal determination of fatherhood.

Petitioner (Plaintiff)

The person who brings an action or complaint to court, or who sues in a civil case.

Presumption of Paternity

A rule of law under which evidence of a man's paternity (e.g. voluntary acknowledgment, genetic test results) creates a presumption that the man is the father of a child. A refutable presumption can be challenged by evidence that the man is not the father, but it shifts the burden of proof to the father to disprove paternity.

Probability of Paternity

The probability that the alleged father is the biological father of the child as indicated by genetic test results.

Public Assistance

The money granted from the state/federal Aid to Families with Dependent Children program to a person or family for living expenses; eligibility based on need.

Respondent (Defendant)

The person against whom a civil or criminal proceeding is begun.

State Parent Locator

A service operated by the State Child Support Service (SPLS) enforcement agencies to locate non-custodial parents to establish paternity, and establish and enforce child support obligations.

Stay

The act of stopping a judicial proceeding by an order of a court.

U-W

Uniform Interstate Family Support Act (UIFSA)

Laws enacted at the state level which provide mechanisms for establishing and enforcing support obligations across state lines by allowing one state, through the use of long-arm statutes, to assert personal jurisdiction over a non-custodial parent in another state.

Uniform Reciprocal Enforcement of Support Act (URESA)

Laws allowing for state-to-state cooperation in the establishing and enforcing of support obligations when the non-custodial parent lives in one state and the custodial parent and child(ren) live in another.

Visitation

The right of a non-custodial parent to visit or spend time with his or her children following separation or divorce.

Voluntary Acknowledgement of Paternity

An acknowledgement by a man, or both parents, that the man is the father of a child, usually provided in writing on an affidavit or form.

Wage Attachment (Wage Withholding)

The procedure by which automatic deductions are made from wage or income to pay some debt such as child support; may be voluntary or involuntary.