

I dispute the amount of arrears I owe.

If you are disputing the amount of arrears owed, please provide information on why you believe that the arrearage amount is incorrect (missing court orders, misapplied payments, etc.) and mail the information to your caseworker. The caseworker will conduct an arrearage review. In this review, the caseworker will use the payment history records (which you can obtain at the Madison County Clerk's Office) and any other information that you provide. You will receive a letter in the mail detailing the results of the review once the review is completed. If you still contest the arrearage owed, you may file an action in court regarding your dispute.

An income withholding order has been sent to the non-custodial parent's employer. When can I expect the first payment?

Once an employer has received an income withholding order, the employer must start withholding from the non-custodial parent's earnings no later than the first pay period that occurs after 14 days following the date the notice was mailed. Thereafter, the proper amount must be withheld and forward each time the non-custodial parent is paid. Typically, if an employee is paid every 2 weeks, it takes around 4 weeks for the first payment to be remitted by the employer to the Indiana State Central Collection Unit (INSCCU).

Why has my driver's license been suspended for failing to pay child support?

A child support obligor's driver's license may be suspended if said obligor either fails to pay child support for 3 consecutive months or owes more than \$2,000.00 in arrearages. Please contact your caseworker if your driver's license has been suspended. Your caseworker will inform you of the requirements you will need to satisfy in order to have the driver's license suspension lifted.

How far behind in arrears must a non-custodial parent be before collections begin?

The Child Support Division will begin to work on a case immediately after it opens and will begin procedures to collect both current support and any arrearage that may exist. If the arrearage has been determined by the court, then the Caseworker will establish collection of the amounts indicated in the court order. If there is an arrearage that has not yet been confirmed by the Court, an additional

amount will be added to your current support for collection purposes until the matter can be brought before the Court.

How long does a child support order exist?

Child support may be collected until the child becomes emancipated, although an order for educational needs may continue in effect until further order of the court. The emancipation age in Indiana regarding child support is 19 (effective 7/1/2012). However, a child may be emancipated prior to age 19 in accordance with [I.C. §31-16-6-6\(a\)\(3\)](#) if the child:

- (A) is at least eighteen (18) years of age;
- (B) has not attended a secondary school or postsecondary educational institution for the prior four (4) months and is not enrolled in a secondary school or postsecondary educational institution; and
- (C) is or is capable of supporting himself or herself through employment.

However, if the Court finds that the child is (or is capable of) only partially supporting himself or herself, then the Court may modify the support instead of terminating it.

If the Court finds that the child:

- (1) is on active duty in the United States armed services;
- (2) has married; or
- (3) is not under the care or control of:

(A) either parent; or

(B) an individual or agency approved by the court;

the court shall find the child emancipated and terminate the child support.

My tax refund was intercepted even though I have been making payments through income withholding. Can I get my refund back?

Your tax refund will be offset as long as you owe child support arrears that meet federal criteria.

Please reference the tax information section (section 8) of this page for further tax offset information.

What tools does your office have to enforce a child support order if the Noncustodial Parent is not willing to cooperate?

Our office will engage in a wide variety of enforcement measures to enforce a child support order. Such measures include: non-payment and delinquency letters, income withholding orders, credit bureau reporting, driver's license suspension, DNR license suspension, professional license suspension, passport suspension, federal and state tax offsets, garnishing unemployment benefits, administrative review hearings, contempt hearings and sanctions hearings in court. Further, if support is not being provided to a dependent child, the case may be evaluated for the filing of criminal charges under I.C. 35-46-1-5 – Nonsupport of a dependent child, which can be a Class D or Class C Felony, depending upon the arrearage amount.

How is it possible that I am delinquent with my child support payments when I have always paid through income withholding?

Your child support order could have been retroactively ordered; meaning, your obligation started before the hearing when the judge ordered you to pay child support. Additionally, you may have developed an arrearage by missing a payment when you changed employers or during an unemployment benefit waiting period. Even if your employer has been withholding the maximum amount possible from you pay, if the current child support exceeds the designated maximum withholding amount listed in the income withholding order, so that the amount withheld does not quite cover the current accrued support, then the unpaid amount would create an arrearage which can add up over weeks or months.

Can child support payments be directly deposited into my bank account or onto my debit card?

As of January 2008, the Indiana Child Support Bureau will no longer be printing paper checks for child support payments. All payments posted by the Indiana State Central Collection Unit (INSCCU) will be sent to custodial parents electronically, either by direct deposit or by using the Indiana Visa® Debit Card. Custodial parents may choose which method of electronic payment they prefer. The payment method selected will be in effect for all child support cases belonging to a custodial parent.

Direct Deposit: Child support payments are deposited into a custodial parent's personal checking or savings account. If a custodial parent chooses to have direct deposit, he/she must complete and return the Direct Deposit Authorization form with all necessary documentation to the Indiana State Central Collection Unit (INSCCU). After an initial ten (10) day waiting period to allow the State to verify the

banking information received with the financial institution, any child support payments received will begin to be directly deposited into the account. Custodial parents who have questions about direct deposit should contact the Kidsline at (317) 233-5437 or (800) 840-8757.

Indiana Visa® Debit Card: The Indiana Visa® Debit Card is designed for safety and convenience. The debit card account is a good choice if a custodial parent wishes to keep support payments separate from a personal bank account, or if a custodial parent does not have a personal banking account. The new debit card service will also allow a custodial parent to enroll for free automated phone or email notification of deposits to the debit card account. (Please note that this service is not offered for direct deposit.) Custodial parents with questions about the new Indiana Visa® Debit Card should call the Debit Card customer service line at 1-888-393-5866 or click on the links below for more information.

For further information, please see the [Indiana State Child Support Website for Direct Deposit or Debit Card](#) page.

My spouse's portion of our joint tax return was intercepted. Can his/her portion of the refund be returned?

Yes. Please refer to the Injured Spouse section of the Tax Refund Offset section of this page.

My bank account was frozen and the balance taken for child support. What can I do?

If our office places a levy on your bank account(s), the bank will freeze your account(s) and distribute the levied amount to the Indiana State Central Collection Unit. The levied sum will thereafter be applied to your child support case. Please contact your caseworker if you dispute the levy placed on your bank account(s).

When does failing to pay child support become a crime?

A felony charge of Non-support of a Dependent Child is filed only when all civil enforcement has proven to be ineffective. A felony charge may be considered when certain criteria are met. Felony charges are filed with the Indiana Code 35-46-1-5.

I am currently receiving SSI (Supplemental Security Income) and cannot afford to pay child support. What should I do?

If you are receiving SSI, it is important that you immediately contact your caseworker who can review your documents and determine if future child support is due.

I am currently receiving Unemployment Insurance benefits and/or Disability Insurance benefits. Must I still pay child support?

Yes, your child support order continues until changed by the Court. However, you should contact your Caseworker and discuss a possible modification of your support. If the Noncustodial Parent is receiving Social Security Disability, then it is possible that Social Security benefits should also come to the child. Such benefits can have an immense effect on the support you are required to pay under the guidelines. Therefore, a Petition to Modify Support is normally appropriate.

Why can I not obtain a passport?

All child support cases with an arrearage exceeding \$2,500.00 or more will be denied a passport until the child support arrearage is paid in full or satisfactory payment arrangements are made. You should contact your Caseworker to discuss such arrangements.