# Getting Child Support Safely: What You Should Know

## Your Safety is a Priority

It is important for children to receive financial and medical support from both of their parents. The New York State Child Support Program is committed to making the child support process as safe as possible for parents and their children. To receive child support services, you must provide information about yourself, the children, and the noncustodial parent. As you read about the steps below, you may want to think about any safety concerns this process may raise and discuss them with your Child Support worker.



### Parentage Establishment

If parentage has not been established, we will help you file a petition with the Family Court. Both parents will be required to appear at a court hearing, which may be in person or virtual, to testify about the facts and circumstances of the case.



### Support Establishment

We will help you file a child support petition with the Family Court. You may be required to appear at this court hearing too. Both parents' income and expenses will be presented and used to determine the amount of the child support order.



### Support Collection

A noncustodial parent's employer will receive an Income Withholding Order to deduct court-ordered child support payments from the parent's paycheck and send the payments to the Child Support Processing Center. If there is no known employer, a monthly billing statement is mailed to the noncustodial parent who is required to send payments directly to the Child Support Processing Center.



### Modification

If something changes, you or the noncustodial parent may file a petition requesting the Family Court modify an existing order of support because the children's needs or the parent's income has changed.



### Support Enforcement

If the noncustodial parent misses payments, enforcement actions are initiated when certain criteria are met. These actions may include seizure of Federal and State tax refunds, lottery winnings, bank accounts, and personal injury settlements; reporting debt to credit agencies; driver license suspension; and U.S. passport denial.



### Cost of Living Adjustment (COLA)

Child support orders at least two years old are eligible for COLA review. This review may increase the amount of child support that the noncustodial parent must pay without going to court.

# Staying Safe While Seeking Child Support

The Child Support Program and the Family Court have ways to help you access child support services safely.

- Request video or telephonic testimony instead of appearing in person at a court hearing.
- Request the court not reveal your location, residence, or employer. The court can offer additional precautions for your physical safety before, during, and after a hearing, including the presence of court officers.
- Remove your location/residence or employment information from petitions, notices, or any required financial disclosures. While your address can be suppressed from all forms, it is not possible to suppress the name of the county of the child support agency or the court that issued the order.
- Request your laboratory appointment for genetic testing to establish parentage be scheduled separately from the other parent.
- Advise you on how to get an Order of Protection.

# Public Benefits and Child Support

If you apply for or receive Public Assistance, you may be required to cooperate with the Child Support Program; however, that requirement may be modified or eliminated if you have safety concerns for yourself and/or the children. Your Child Support or Public Assistance worker can explain what actions can be taken to help access these programs safely.

**You can update information about safety at ANY TIME**. Even if you've already told your Child Support or Public Assistance worker that you didn't have any safety concerns, things change — and we want to help you stay safe.

If you need to talk to someone immediately about safety, contact:

**New York State Domestic and Sexual Violence Hotline**



Text
**844-997-2121**



Call
**800-942-6906**



Chat
**OPDV.NY.GOV**

Highly trained advocates are available 24/7/365 to talk confidentially with anyone experiencing domestic or sexual violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

To learn more about what constitutes family, domestic, and sexual violence and what resources are available, visit https://opdv.ny.gov/about-domestic-violence or the New York State Unified Court System website.

To find a local domestic violence services provider near you, visit: https://opdv.ny.gov/domestic-violence-service-providers.

**For more information, scan here:**

NEW YORK STATE

**Office of Temporary and Disability Assistance**
**Child Support**

childsupport.ny.gov