

TENNESSEE DEPARTMENT OF
HUMAN SERVICES



Helping shape Tennessee lives.

Kids
Need
L♥ve
&
Child
Support

Tennessee Child Support Handbook

Tennessee
Department
Of
Human Services

Revised 06/09

TABLE OF CONTENTS

Introduction 3

Services Provided 4

Rights and Responsibilities 5

Payments and Distribution of Collections..... 12

Information Needed 16

Answers to Some Important Questions 17

Finding the Alternate Residential Parent 19

Establishing Fatherhood: Paternity 20

Establishing the Support Order 21

Enforcing the Support Order 21

Working Across State Lines 23

Glossary 24

Tennessee Child Support Office Listing 29

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INTRODUCTION

All children have a legal right to be supported by both parents. When parents who do not live with their children fail to provide the financial support they should, the children suffer. In 1975, Congress passed a law requiring states to create a child support agency. In Tennessee the Department of Human Services (DHS) administers the child support program. The services are provided through local district attorneys, a juvenile court, DHS staff and private agencies under contract with the state. Help is available in locating alternate residential parents, establishing paternity, establishing child support orders, enforcing child support orders and securing and enforcing health insurance coverage. This booklet is written as a general guide to help families understand the processes for establishment of child support obligations and collection of child support. Certain procedures may vary in each local office.

SERVICES PROVIDED

Families needing legal assistance in obtaining child support may seek the help of a private attorney, a legal aid clinic or the state child support enforcement agency.

In Tennessee, child support enforcement services are available through the district attorney's office, the juvenile court, state DHS staff, or a private agency under contract with the state. The services available through these local offices are:

- 1. Locating a child's parent(s) for the purpose of obtaining support or establishing paternity.**
- 2. Establishing paternity of a child.**
- 3. Establishing and enforcing child support orders.**
- 4. Modifying child support orders.**
- 5. Enforcing spousal support orders if child support is also involved.**
- 6. Obtaining and enforcing orders for health insurance coverage.**

Any parent or caretaker of a child who needs help with these services can apply, free of charge, at their local child support office. A list of local child support offices in Tennessee is located in the back of this book.

The State charges families who have never received Families First/Temporary Assistance to Needy Families (TANF) benefits a \$25 fee to provide child support services, but only after collecting at least \$500 in support for them in an annual period. There is no charge to families who currently receive, or who have ever received Families First/TANF benefits.

There are limits to the services provided by your local support office. Child support offices cannot perform the following services:

- a) Handle custody or visitation disputes.**
- b) Handle restraining orders, protective orders, or harassment issues.**
- c) Handle Divorce proceedings.**

Attorneys handling child support cases through the Child Support Program are representing the State of Tennessee and not you as an individual.

RIGHTS AND RESPONSIBILITIES OF RECIPIENTS OF CHILD SUPPORT SERVICES

Families First and TennCare/Medicaid Recipients

Recipients of Families First benefits and TennCare/Medicaid and Foster Care cases are automatically referred to the child support office if there is a parent absent from the child's home. An absent parent is referred to as the alternate residential parent in the Tennessee Child Support Guidelines.

- ◆ As a Families First or TennCare/Medicaid recipient, you must cooperate with the child support office in locating the alternate residential parent, establishing paternity, establishing a child support order, and enforcing a child support order. Families receiving transitional child care must also cooperate with the child support office.
- ◆ As a Families First or TennCare/Medicaid recipient, you may claim "good cause" for not cooperating with the child support office if this might be harmful to you or your child. (See "*Good Cause*" page 17).
- ◆ As a Families First recipient, you assign your rights to receive child support to the state to pay back the state and federal governments for the benefits you and your child get under the Families First program. This means any support paid on behalf of you or your child must be sent to the state. You must send any child support payments received directly from the other parent or from any other source to the state. Any payments made through the court clerk's office will automatically be sent to the state.
- ◆ Families First recipients may be eligible to receive a payment called a "*pass through*" payment in addition to the Families First cash payment. The amount of the child support "*pass through*" payment depends on the amount of the child support collected for that month and the unmet need in your Families First budget for that month. You can ask your Families First case manager about your unmet need.

- ◆ When you apply for and receive Families First benefits you must:
 - Give the names and the demographic data of the parents of any child for whom you are applying or receiving benefits. Tell us all that you know and can find out to help locate the parent(s).
 - If more than one man could be the father of a child, tell us about each one.
 - Help us legally prove who the father is if the mother was not married to him when the child was born. Genetic tests may be ordered if fatherhood is denied.
 - Tell us if the mother and father signed a voluntary acknowledgement of paternity form in the hospital at the child's birth or afterwards.
 - Keep your appointments with the DHS office and/or the child support office to sign papers or answer questions.
 - Send to the state any support payments you get directly from a parent or any other source for a child in the assistance group. You will have to pay back any child support you get directly if you do not send it to DHS.
 - When sending support money to DHS, send a cashier's check, certified check or money order made out to the Department of Human Services. Write your name, child support case number, the name of the parent who paid the support, and the date the payment was received. Send it to:

**CENTRAL CHILD SUPPORT
RECEIPTING UNIT
P.O. BOX 305200
NASHVILLE, TN 37229**

Your case and court order will be reviewed every three years to determine if the amount of child support needs to be changed or if health insurance needs to be ordered. A review will not be conducted if "Good Cause" exists (see page 17 "Good Cause"). Although you may request a review at any time, a modification of the child support order will not occur unless there has been a major change in circumstances as described in the Child Support Guidelines, such as the emancipation of a covered child, or the addition of another child to the same parents.

Go to: <http://www.state.tn.us/humanserv/is/incomeshares.html> for a link to the guidelines. A Notice of Review findings will be sent to you following the review describing case action and informing you of your appeal rights.

Families Not Receiving Families First Benefits

- ◆ Anyone who needs child support services, regardless of income, may apply for these services without an application fee.
- ◆ Families who stop receiving Families First, Transitional Child Care, or TennCare/Medicaid will continue to receive child support services until the support due to the state is paid and they request that child support services be stopped. If there is court ordered child support that was not paid during the period Families First benefits were received, in most cases the child support office must continue efforts to collect the unpaid child support even though you want to close your case.
- ◆ Customers who are not receiving Families First benefits (*Non-FF*) are provided the same child support services and are treated equally with customers who are receiving Families First benefits.
- ◆ Non-FF families must cooperate with the child support office or their case will be closed.
- ◆ Non-FF families must inform the child support office if they have ever received Families First or TennCare/Medicaid benefits. They must also inform the child support office if the children for whom they are seeking services become recipients of TennCare/Medicaid.
- ◆ Non-FF recipients must notify the local child support office if they have contracted with a collection agency to collect owed support or if they have contacted a private attorney about child support or paternity and of any court action taken.
- ◆ Non-FF recipients must sign an application for child support services and acknowledge that:
 - The child support attorney represents the state and not you as an individual.
 - Petitions are based on information provided by you and filed for the purpose of enforcing a legal obligation and not for harassment.
 - The child support agency does not guarantee success of any action or results within any specific time frame.

- Services are limited to child support, which includes medical support and health insurance, but not custody issues, visitation issues, or other issues. If either party brings up issues other than child support, you must hire a private attorney or represent yourself on these issues.
- Since anyone in the state may apply for services, the agency may provide services to others whose interests may be opposed to your own.
- There is no direct fee for services, but there may be court filing fees and other court costs. A \$25 annual fee for services is charged after \$500 is collected.
- If you previously received Families First benefits, but no longer do so, you will receive all child support collected for current support and any arrears that are owed to you; any additional arrearage collected will repay the state for the assistance grants paid to your family. **Exception:** All collections received from the Internal Revenue Offset process must first be used to repay arrearages due the state.
- You must notify the local child support office if the children for whom you are seeking services become recipients of TennCare/Medicaid or leave your custody.
- Your case will be submitted to the Federal Treasury Offset Program if certain conditions are met. The Treasury Offset Program includes but is not limited to, intercept of federal tax refunds, passport denial, and administrative offset of specified federal payments. If your case is submitted for this program there is no guarantee that money will be collected. Also, certain restrictions apply on the distribution of these collections due to applicable federal laws.

You have the right to request a review of your child support order to see if the amount of child support needs to be changed or if health insurance needs to be added.

Tennessee Child Support Guidelines will be used to determine the amount of child support. This may result in an increase or in a decrease in the amount ordered or it may remain the same.

You may request a review of your child support order through your local child support office. A modification of the order will not occur unless there has been a major change in circumstances described in the Child Support Guidelines, such as the emancipation of a covered child, or the addition of another child to the same parents.

Go to: <http://www.state.tn.us/humanserv/is/incomeshares.html> for a link to the guidelines. A Notice of Review findings will be sent to you following the

IMPORTANT INFORMATION ABOUT CHILD SUPPORT

- Rights of Persons/Customers In Actions Taken and Decisions Made By Child Support Services
- Child Support Payments and Distribution of Collections in Child Support Services For Tennessee

Appeals or Requesting Administrative Hearings

1. All Tennessee Child Support (*IV-D*) offices are mandated by federal and state requirements to have an appeal process regarding certain actions taken by the Tennessee *IV-D* Child Support Offices. Parties to the child support case who do not agree with an administrative action taken by Child Support Services may appeal that decision and request a hearing by submitting the request in writing to the address below or to the local child support office or to DHS Customer Service. You can get a form to use for requesting an appeal from a customer service representative or from the local Child Support Office, however, you are not required to use that form to request a hearing. The written request may be submitted to the Local Child Support Office where the action and decision took place, to any Department of Human Services (DHS) office or to the Division of Appeals and Hearings.

The address and phone number of the Division of Appeals and Hearings are:

**Division of Appeals and Hearings
P.O. Box 198996
Nashville, TN 37219-8996
Telephone: (615) 313-5880**

2. Laws mandate the right of due process and establish rules by which the appeals process operates.
3. **TIME LIMITS FOR APPEALS:** In order to appeal an action by Child Support Services, a person must file a **written** request for an administrative hearing with the Department; that is, the local child support office, Division of Appeals and Hearings, or DHS Customer Service, **within fifteen (15) calendar days** of the date of the notice of an administrative action or **within fifteen (15) days of the actual adverse action or as stated in the following information:**

There are filing deadlines for certain types of appeals:

- a) The written request for appeals dealing with Federal Income Tax related offsets, liens, administrative seizures, credit bureau referrals, passport denials, and other adverse actions must reach the Division of Appeals and Hearings or the local child support office **within fifteen (15) days of the date of the notice**.
 - b) License revocation cases must be submitted for appeal **within twenty (20) days of the date of the notice**.
 - c) If you disagree regarding the distribution (payment) of a child support payment to you, the issue can be appealed, but no hearing can be held until you contact Customer Service and try to resolve the disagreement. DHS has thirty (30) days following your request for an appeal to resolve the disagreement with you. If DHS is unable to resolve the disagreement with you in that time, an administrative hearing is automatically scheduled. Following the review by DHS, you will be notified in writing of their findings and that you can continue the appeal process if you so choose. Currently, DHS does not apply the fifteen (15) day appeal period to child support distribution appeals.
4. Regardless of the type of appeal, you should provide the following information in your written request for an appeal or hearing: your name and address, the name and address of the other party in the case, the case number, the date the action or decision took place, the place where the action or decision took place, and a detailed description of your complaint.
 5. The local office may not deny anyone the right to appeal. The Division of Appeals and Hearings will determine if an appeal for a fair hearing was filed within the time allowed by law.
 6. A space is provided on the Appeal Form for an explanation of the reason for the appeal. A detailed explanation should be given even if DHS's form is not used.
 7. The Hearing Officer from the DHS Division of Appeals and Hearings is in charge of the appeal proceedings.
 8. The Hearing Officer to whom the hearing is assigned will notify all parties of the scheduling of the hearing, which will be held at the local county DHS office in or nearest the county where the person requesting the hearing (*appealing the action*) resides.
 9. At the hearing, DHS will be represented by the local IV-D Child Support Office responsible for the case. The person requesting the appeal and the other party to the case may be represented by a private lawyer if he or she wishes.
 10. Customer Service numbers are:
 - **Toll-Free 1-800-838-6911**
 - **Local to Nashville Area callers 253-4394**

Informal Complaint Process For Child Support Program

The Department of Human Services' Child Support Program has established an informal complaint process to better serve persons receiving child support services and to meet the requirements of Federal Regulation 45 CFR 303.35.

If you have a child support case with Tennessee's child support program, and you believe that you have not been provided with the level or quality of service to which you are entitled under the rules and regulations of the Tennessee Department of Human Services or the Federal Office of Child Support Enforcement, you may wish to file a written complaint.

In most instances, your concern or complaint can be quickly resolved by bringing the problem to the attention of your local child support worker or a supervisor; however, if your concern or complaint remains unresolved after bringing it to the attention of local staff then you should put your complaint or concern in writing.

You are encouraged to use the Client Complaint form (HS-2755) provided by the Department; however, the form is not required to file a written complaint.

How to file a complaint about Child Support Services:

This complaint process does not replace your right to any Administrative Hearing to which you may be entitled. In most instances, when an action is taken by the child support office that affects you, you will receive a notice that tells you about your right to an Administrative Hearing and how to request the hearing. The client complaint procedure and form, on the other hand, should generally be used when you have concerns about how services are being delivered to you or how you expect services to be delivered to you.

- You can request a review of your complaint by completing the Client Complaint (HS-2755) and submitting the form to:

**MICHAEL L. ADAMS, ASSISTANT COMMISSIONER
CHILD SUPPORT SERVICES
TENNESSEE DEPARTMENT OF HUMAN SERVICES
NASHVILLE, TN 37243-1403**

- A Client Complaint (HS-2755) may be requested from any local child support office in Tennessee or from the Child Support Customer Service Unit (Nashville Area 615-253-4394 and Statewide Toll free 800-838-6911). The form may also be obtained by Internet on http://tn.gov/humanserv/cs/cs_main.html.

- If you are in the child support office, you may inform the receptionist or the case specialist with whom you are speaking that you wish to file a complaint about the services that you are receiving. You will be given a form to complete, so that you can describe the nature of your complaint as well as your expectations regarding the services requested.
- You will receive a prompt written response to your written complaint.
- The informal complaint review process is finished when you receive a response to your complaint in writing from the State Office Child Support Program.

PAYMENTS AND DISTRIBUTION OF COLLECTIONS

1. If You Have Never Received Families First (Public Assistance Cash Payments)

If you have **never** received Families First or public assistance in any state and do not owe any State money for previous collections received in error, then, when child support is paid, you will receive all child support payments collected, with the exception off the \$25 annual fee referenced under “Service Provided”, and may disregard the following information.

2. If You Have Received Families First (Public Assistance Cash Payments) In The Past

If you received Families First or public assistance in the past, but no longer do so, when child support is paid, the payment will apply to current support and arrearages owed to you based on federal distribution rules and on when the assignment of support rights is terminated. Once all arrearages that are owed to you are paid, the State will keep arrearage collections to pay back any arrearages owed to the State and Federal government for Families First or public assistance money you previously received for your family. However, collections resulting from the treasury offset process from the alternate residential parent’s federal income tax refund must be used to satisfy state arrears first.

3. If You Are Currently Receiving Families First (Public Assistance Cash Payment)

- a. If you are presently receiving Families First cash payments for a child(ren) due to absence of a parent, you have, by law, assigned all of your child support rights to the State. This means that you must cooperate with the child support office in actions taken to locate the absent parent, establish paternity, and to establish and enforce a child support obligation. You **must** also give all child support payments made to you directly by the alternate residential parent to the State. If you think that you or your children would be harmed if we try to collect child support from the alternate residential parent, you should tell your Families First case manager and explain why.

- b. When the Federal Welfare Reform Law was passed in 1996, it changed the way we handle child support for those who receive Families First (public assistance cash payments). When child support payments are sent to Families First recipients depends on when the alternate residential parent made the child support payment and if all identifying information is sent with the payment.
- c. Child support payments in active Families First cases are issued as child support pass-through payments. Child support pass-through payments are sent out promptly after the alternate residential parent makes the child support payment if all identifying information is sent with the payment.
- d. The amount of the child support pass-through payment in a given month depends on the amount of income in the Families First budget, the number of people in the Families First assistance group, the amount of Families First (public assistance cash payment) **and** the amount of child support that the alternate residential parent actually **pays**.

4. Requirements For Central Collection

Your child support payments must come to the Central Payment Processing site in Nashville, Tennessee if:

- a. You receive Families First assistance based on the absence of a parent, or
- b. You do not receive Families First assistance, but have applied for child support services, or
- c. You do not receive Families First assistance and have **not** applied for child support services, but the initial child support order was issued on or after 1/1/94 **and** the child support is being withheld from the alternate residential parent's wages by his or her employer.

5. Payments For Child Support Based Upon An Intercept of The Alternate Residential Parent's Federal Income Tax Refund

- a. Under federal law, amounts received by intercepting the alternate residential parent's federal income tax refund must first be applied to the amount of court ordered arrears that is assigned to the state for the reimbursement of past assistance paid to the family. Therefore, any cash payments made to you for Families First or public assistance that have not been paid back to the State or Federal government must be paid back first from the income tax refund we receive from the Internal Revenue Service (IRS) intercepts. Any remaining amounts will then be paid to you.

- b. Tax offset payments are normally paid out within thirty (30) calendar days of the date of receipt by the Tennessee Department of Human Services. However, when the federal income tax offset is from a refund based upon a joint income tax return filed by the alternate residential parent who has been ordered to pay the support and by the alternate residential parent's current spouse, the Fiscal Services section of the Tennessee Department of Human Services is required to hold the distribution. In cases not receiving Families First assistance, this can be up to six (6) months from the date of receipt or until the State is notified that the IRS has paid the unobligated spouse's proper share of the refund. An unobligated spouse is someone that does not owe child support, but is married to someone who does.
- c. Federal income tax offsets (income tax refunds) are not distributed while a case is in the administrative review (appeal) process.
- d. You are personally liable for any amounts of income tax refunds you receive in error. This includes amounts, which must be returned to the IRS due to the filing of a revised tax return within six (6) years.

6. How Child Support Payments Are Processed And Why There Are Delays In Payment

- a. Thousands of child support payments are received each day through the mail. These payments come from individuals, employers, other state child support agencies, and federal and state agencies such as IRS, Unemployment, Social Security, etc. Collections received through our Centralized Collections Unit are recorded and processed on the day received.
- b. Payments are then matched to the appropriate open child support case. This process is simple and very quick if the proper identifying information is sent with the payment. The proper information includes the case number, support order number (court docket number), court name, the name of the primary residential parent (PRP), the name of the absent parent (AP), etc.
- c. Debit card payments, along with "direct deposits" to checking and savings accounts, are the preferred methods of distributing child support payments to the primary residential parent. Information concerning these payment processes will be provided to the primary residential parent at the appropriate time. Debit card payments and direct deposit payments enhance the speed with which payments are made and provide payment security.

d. Reasons payments get delayed:

- Information sent with payments is missing or incorrect.
- You (the primary residential parent) owe the State money.
- You do not have an open case on the computer system, Tennessee Child Support Enforcement System.
- The necessary information from the support order has not been entered in the computer system.
- We do not have a current mailing address in the computer system for you.
- The check is for less than one dollar (\$1.00) or greater than one hundred thousand dollars (\$100,000).
- Collection is from an IRS tax refund intercept that was filed jointly with the spouse of the person ordered to pay child support.
- There is a hold on the case due to a court order.

INFORMATION NEEDED

You will need to provide as much of the following information as possible to your DHS caseworker and/or the local child support office:

- Full name, address and phone number of both parents of the child who is being supported and date at last address.
- Date of birth and physical description (or photograph) of both parents.
- Social Security number of both parents. You may be able to find this by reviewing old pay stubs, income tax returns, loan applications, bank checking or savings accounts, health or insurance records, or military or union records.
- Disclosure of Social Security numbers is mandatory. Disclosure is based on section 466 (a) (13) of the Social Security Act [42 U.S.C. 666(a)(13)]. The number will be used under the State's child support enforcement program to locate individuals for purposes of establishing paternity and establishing, modifying, and enforcing support obligations.
- Children's birth certificates.
- Listing of all legal actions relating to support and/or paternity involving the children to be supported and certified copies of orders and payment records.
- Date and place of marriage, divorce or separation.
- Name and address of the current or most recent employer of both parents and his or her gross income, if known.
- Name of friends and relatives of the other parent and organizations to which he/she may belong.
- Any other information pertaining to income or property of the other parent such as cars, boats or home.
- Whether you have contacted a private attorney regarding support and/or paternity or if you have contracted with a collection agency to assist in collecting past due support.
- Whether you receive or have ever received Families First, Medicaid, or TennCare.
- The kind of medical plan, if any, which covers the children, and the policy number, if known.

ANSWERS TO SOME IMPORTANT QUESTIONS

I Receive Families First – Why Should I Try To Get Child Support?

When you receive Families First, you assign your rights to child support payments to the state. This means DHS will automatically refer your case to the child support office and any money collected from the alternate residential parent will be sent to the Department for distribution. If you receive child support money directly from the alternate residential parent or the court while you receive Families First, you must send all of it to DHS. If you are eligible, you may receive a “*pass through*” payment in addition to your Families First check.

We need your help in trying to get support. Helping us may help you and your children in many ways including the following:

- We may be able to help to find a parent who is missing.
- We may be able to help in getting legal fatherhood established. Having a legal father may give your child the right to Social Security or other benefits based on the father’s record. The child can be covered on the father’s medical insurance and will have inheritance rights. In addition, the father’s name can be added to the child’s birth certificate.
- Your family may be able to get more money by getting child support payments and Families First.
- We may be able to get child support payments that are more than you receive in Families First benefits.

What Is Meant By “Good Cause” For Not Cooperating?

If you think that helping the child support office to establish paternity or enforce child support would not be good for you or your child, you may have “good cause” not to try to help get child support or court ordered health insurance. To claim “*good cause*”, tell your Families First case manager why you think you or your child will be harmed by your cooperation. Your case manager will tell you more about the reasons for “*good cause*” and the kinds of proof you will need or things you need to tell us. If you prove you have good cause, you will not have to help. If you do not help the child support office and do not have “*good cause*”, you could lose eligibility for Families First benefits.

I Have Applied For Families First Benefits. I Am Afraid The Father Will Harm My Children Or Me If I Tell The Case Worker His Name. What Can I Do?

If you feel that you have good reasons for not identifying the alternate residential parent or helping to locate him, you must explain this to your Families First case manager and give your reasons. The Families First case manager will decide if you have a good reason for not cooperating with the child support agency.

I Recently Closed My Families First Case. Will My Child Support Case Be Handled Any Differently?

When your Families First case closes, or you stop receiving Transitional Child Care or TennCare/Medicaid, you are automatically eligible to continue receiving child support services as a non-assistance case. Your case will be given equal treatment with Families First cases. Your child support case will automatically continue unless you request closure. If there is a child support obligation that was not paid during the period that Families First benefits were received, in most cases the Child Support office must continue efforts to enforce and collect the arrearages due to the state, even if you requested that your child support case be closed.

I No Longer Receive Families First And I Asked That My Child Support Case Be Closed. I Am Back With the Children's Father. Why Is The Local Office Still Attempting To Contact Him?

If the child's father was court ordered to pay child support while you were receiving Families First benefits, and he did not pay as ordered, the state may be due reimbursement of any amounts he did not pay. Also, the alternate residential parent is responsible for taking action to ask the court to modify the current payments if the parents have married or remarried and live together. Methods such as income assignment and the Treasury Offset program may be used to collect this debt owed to the state.

What Is Income Assignment?

Income assignment is also known as income or wage withholding. It is the automatic deduction of child support payments from wages, salaries, and other income to pay the ordered child support. All new orders should be payable by income withholding if the alternate residential parent receives wages or other income from an assignable source. Income withholding cannot be used for the self-employed parent.

What Is The Treasury Offset Program?

Names and Social Security numbers of alternate residential parents owing back child support are submitted to the Treasury Department. Their name will remain on the Treasury Department list until the debt is paid. Income tax refunds and other federal benefits such as VA benefits payments are intercepted to pay overdue child support. If the tax refund is intercepted, any past due child support owed to the state because of receipt of Families First will be paid first. For cases to be submitted for this program there must be \$150 or more in past due child support owed on a Families First case, and \$500 or more owed on a non-assistance case.

FINDING THE ALTERNATE RESIDENTIAL PARENT: LOCATION

Before action to establish paternity or to enforce child support can take place, the alternate residential parent must be found. Providing information about the alternate residential parents' whereabouts to the local office is helpful in finding the parent. An address, Social Security number, and an employer's name and phone number are helpful in locating the parent. If the location of the alternate residential parent is unknown, your case will be placed in "locate status" on the child support system. The system periodically looks at sources such as driver's licenses, motor vehicle registration, and reported wages to locate an address or an employer for the alternate residential parent. If location is unsuccessful, a federal system and a network system involving other states are used.

My child's parent is in the military but I don't know where that parent is stationed.

Current information about the location of military personnel can be obtained through the appropriate branch of military services. (*Army, Navy, Air Force, Marines, Coast Guard or National Guard and the Reserve Components*).

ESTABLISHING FATHERHOOD: PATERNITY

If the child's mother is not married when the child is born, the child does not have a legal father. Fatherhood must be legally recognized to obtain a child support order. Most unmarried parents can legally establish the paternity of their child by signing a Voluntary Acknowledgement of Paternity form at the hospital, local health department, child support office, or Office of Vital Records. Anytime a father is willing to acknowledge paternity, the process to obtain an order for child support will be easier. However, if the father does not admit paternity or if either parent is not sure he is the child's father, genetic tests may be ordered and a court order may be entered establishing paternity depending on the results of the tests and other evidence. Paternity can be established in Tennessee until the child turns 21.

What the local office needs to know to attempt establishment of paternity.

The local child support office needs as much information as you can provide about the alleged father and facts about the mother's relationship with him, the pregnancy, and the birth of the child. It is important to tell your local office if the father ever provided money for the child, admitted that he was the child's father through letters or gifts, or signed a Voluntary Acknowledgment of Paternity form. Information from others who know about the relationship the mother had with the father is helpful, as well as any pictures you may have of the father with the child.

What if the father denies paternity or says he is not sure he is the father?

Genetic tests of the mother, the child and the alleged father, can exclude the man as a possible father or can indicate the likelihood that he is the father. Depending on the results of genetic tests, and other evidence presented to the court, an order establishing paternity can be entered. Many times alleged fathers will sign an agreed order for paternity based on the genetic test results.

What are genetic tests?

Certain inherited genetic traits are found in each cell of the body. Every child receives these traits from each parent. Genetic tests compare small samples of blood or cells taken by swabbing the inside of the cheek of the mother, father, and child. By performing tests on the samples taken, scientists can determine if a man cannot be the father of the child or the probability that he is the father. Genetic tests are highly accurate and are widely accepted for the purpose of establishing paternity. If the child's mother is not available, tests can be made with samples from the father and the child. These tests can be done even when one of the parents is in a different state from the other parent and child.

ESTABLISHING THE SUPPORT ORDER

A petition will be filed with the court requesting that child support be established. The alternate residential parent will be served with the appropriate petition prior to the court date. The Child Support Guidelines must be used to set the amount of support unless the judge finds that it would not be appropriate to do so in your case.

Effective January 18, 2005, Tennessee Child Support Guidelines are based on an Income Shares Model. This model presumes that both parents contribute to the financial support of the child in pro rata proportion to the gross income available to each parent.

For more information about the current Tennessee Child Support Guidelines, go to the following internet website address:

<http://www.state.tn.us/humanserv/is/incomeshares.html>

Can the alternate residential parent be required to cover the child under his/her group health insurance?

Yes. The court will be petitioned to order health insurance coverage if currently available to the alternate residential parent or when it becomes available to the alternate residential parent through his/her employer. The primary residential parent may also be court ordered to provide health insurance coverage. Both parents are responsible for medical expenses.

ENFORCING THE SUPPORT ORDER

Once the child support order is obtained, enforcement action will be initiated if the alternate residential parent does not pay as ordered. The duty of support continues until the child turns 18 years of age. If the child is 18 and still in high school, the duty of support continues until the child graduates or the class of which the child is a member when he/she turns 18 graduates, whichever occurs first.

If child support is not being paid as ordered, the child support office will take the legal action available to enforce the order for current support in an effort to collect the balance of unpaid child support.

When an employer or payer of income is identified, an income withholding order is sent. If there is past due support, an amount to pay on arrears is included. Past due child support (*arrears*) may also be collected by other means even if payments are being made on the arrears. For example, the alternate residential parent may be paying the current obligation and an amount on the arrears balance and still have his/her tax refund intercepted to pay on the overdue balance.

The type of enforcement action that is taken depends on the circumstances of your case. Some types of enforcement action are placement of liens on property, license revocation, denial of passports, and credit bureau reporting. Certain rules apply to using each of these methods of enforcement.

If the alternate residential parent is in the military, can child support be deducted from his/her paycheck?

Military allotments for child and spousal support can be voluntary or involuntary. If a service member is not paying support and will not agree to have payments deducted from his/her paycheck, the child support office can obtain an income assignment and serve it on the appropriate military branch.

The alternate residential parent was laid off his/her job and receives unemployment compensation benefits. Can I still get child support?

Yes, a portion of the absent parent's unemployment compensation benefits can be intercepted for child support.

Can the alternate residential parent's credit rating be affected if back child support is owed?

Yes, past due balances of child support can be referred to the credit bureau to advise potential creditors of the debt.

If my divorce orders alimony or spousal support, can I get it enforced through the child support office?

If spousal support is ordered along with child support, which is being enforced by the child support agency, the spousal support may also be enforced by the child support agency.

WORKING ACROSS STATE LINES INTERSTATE COOPERATION

When one parent lives in one state and the primary residential parent and child live in another state, the case is called an interstate case. All states have a child support program and must work together to establish and enforce child support.

UIFSA – UNIFORM INTERSTATE FAMILY SUPPORT ACT

The Uniform Interstate Family Support Act (UIFSA) was enacted to make it easier for states to establish and enforce orders when the alternate residential parent lives in a different state from the child. UIFSA allows states to enforce orders that were established in other states without having to go through the other state's courts.

When necessary, the other state may seek assistance from the state where the alternate residential parent lives to get help in establishing and enforcing a child support order. State child support agencies must cooperate with each other in handling requests for assistance.

The local child support office sent a request to another state to get a support order from the alternate residential parent. Why is it taking so long?

Most child support enforcement agencies have a high demand for services. A state will be able to respond more rapidly if good information is received on a case. Your local office will usually write or call at regular intervals to inquire about the case status and will notify you when action has been taken on your case. Cases may take more time for many reasons, including waiting for court dates, or service of process problems.

I have a child support order from a Tennessee court and the alternate residential parent lives and works in another state. The parent stopped paying support when he/she moved. What can be done?

If the local office verifies employment in another state and the parent is not paying as ordered, that office can send an income withholding directly to the employer in the other state provided the employer's state has passed the direct wage withholding portion of UIFSA; otherwise, a petition for enforcement must be forwarded through the other state's child support office.

Can paternity be established for my child if the father lives in another state?

Yes, but it may take longer to establish paternity across state lines when the father will not admit paternity. Usually, genetic tests will be ordered to help determine paternity.

GLOSSARY OF COMMONLY USED TERMS

Absent Parent	See “alternate residential parent”.
Alleged father	The person named by the primary residential parent as the biological father of the child before fatherhood is established.
Alternate Residential Parent	The “alternate residential parent” (ARP) is the parent with whom the child resides less than fifty percent (50%) of the time. The father is deemed to be the “ARP” in fifty fifty/equal parenting time situation.
Arrearage	Unpaid, past due child support payments.
Assignment of Support Rights	A condition of eligibility, for Families First recipients, which requires the recipient of assistance to give rights to child support payments to the state.
Bloodtesting	(See genetic testing)
Caretaker	Person with whom the child lives; may be a parent, other relative or someone else.
Child Support Information Line	This is a toll-free phone line that reaches an automated voice response system (see VRS). Callers may call toll-free in Tennessee to listen to recorded messages about child support. Automated information about collections received and disbursed in their case is available to primary residential parents. Callers may also speak with a Customer Service Representative.
Contempt	Disobeying a court order when the person has the ability to comply.
Customer Service Operators	The operators who answer the toll-free Child Support Information Line and respond to questions from callers.
Default	Failure of a defendant to file an answer in a court case within a certain number of days after being served with a summons and complaint.

DHS	Department of Human Services
DNA Testing	A form of genetic testing frequently used in determining fatherhood.
Genetic Testing	Analysis of inherited factors of the child from mother and father, which can help to prove or disprove whether a particular man fathered the child.
Guidelines	State rules used to determine amounts of child support to be paid. The Tennessee Child Support Guidelines are based on an Income Shares Model. This model presumes that both parents contribute to the financial support of the child in pro rata proportion to the gross income available to each parent.
Income Assignment	A deduction of child support payments from wages, salaries or other income to comply with the order for support. Also, called wage withholding or income withholding .
IV-D	Title IV-D of the Social Security Act, which requires all states to have a child support program. The child support program is sometimes referred to as the IV-D program.
Jurisdiction	Legal authority which a court has over particular persons and certain types of cases within a defined geographical area.
Legal Father	A man who is seen by the law as the male parent.
License Revocation	The suspension of the alternate residential parent's driver, professional, business, recreational license or gun permit, for failure to pay child support.
Lien	A claim upon property to obtain money to pay a debt from the sale or transfer of the property.
Modification	A court or administrative order, which changes the terms of an earlier court or administrative order.

Natural Parent	The biological parent of the child.
Obligation	Amount of money to be paid as support by the obligor.
Obligee	The person to whom the child support is due.
Obligor	The person who is ordered to pay the child support.
Offset	Amount of money taken from the alternate residential parent's tax refund, other federal benefit payment or unemployment compensation to satisfy a child support debt.
Pass Through Payment	A child support payment for a family receiving cash benefits through Families First based on child support collected and the unmet need in the Families First budget for that month.
Paternity Judgment	Legal determination of who a child's father is.
Petition	A formal written request made to a court.
Petitioner	The person for whom the petition is filed.
Primary Residential Parent	The "primary residential parent" (PRP) is the parent with whom the child resides more than fifty percent (50%) of the time. The PRP also refers to the parents designated as such by T.C.A. § 36-6-402.
Public Assistance	Money given to a person or family for living expenses from the state. The federal program is called TANF – Temporary Assistance for Needy Families. Tennessee calls its program "Families First".
Respondent	The person who must answer the petition.
Responding State or Jurisdiction	The state or jurisdiction that responds to a petition or action filed by another state or jurisdiction.

Service of Process	The delivery of a notice or petition by an authorized person to officially notify the person involved in the proceeding of action.
Support Award Guidelines	See Guidelines.
TANF	Temporary Assistance for Needy Families. The federal program that provides cash assistance for families in need. Tennessee calls its program “Families First”.
TCSES	Tennessee Child Support Enforcement System. Tennessee’s computer system, which contains information on all cases handled by the child support program.
Treasury Offset	This program intercepts tax refunds and/or other federal benefit payments of the alternate residential parent to pay part or all past due child support.
UIFSA	The Uniform Interstate Family Support Act , which permits enforcement of support orders when the alternate residential parent lives in a different state from the primary residential parent.
Unemployment Intercept	The intercept of the alternate residential parent’s unemployment benefits to pay the child support obligations.
Visitation	The right of the alternate residential parent to visit or spend time with his or her child(ren).
Voluntary Acknowledgement of Paternity	A document signed by an unmarried mother and a man stating the man signing is the biological father of the child. This legally establishes the man as the child’s father and allows his name to be placed on the child’s birth certificate. It also is used to establish a legal duty of support between the man and the child.
Voice Response System (VRS)	An automated system, which provides recorded information about child support services, information about collections, and access to customer services operators. See “Child Support Information Line”.

For further information about the child support program or to apply for services, call the local child support office (see *following listing*) for the county where you reside.

Customers with a touch-tone telephone may access recorded information about the child support program through a toll-free number. Primary Residential parents may access automated information about the latest child support collection received and the latest collection sent to them if they know their child support case number(s). Customers who wish to speak with a Customer Service Representative may either press zero (0) for an operator or hold the line for an operator if they do not have a touch-tone phone.

**Customer Service Toll-Free Number:
1-800-838-6911**

**Customer Service Number In Nashville
Calling Area: 615-253-4394**

Tennessee Child Support Program Internet Website:

http://tn.gov/humanserv/cs/cs_main.html

The above referenced website provides links to various child support topics including child support payment history summaries for individuals with cases in the Tennessee Child Support Enforcement System and a directory of Tennessee Child Support Offices.

TENNESSEE CHILD SUPPORT OFFICE LISTINGS

By The Judicial District & County Served

1st JUDICIAL DISTRICT

Serving: Carter, Johnson, Unicoi and Washington Counties

Washington County (Main Office) - Also serves Unicoi County

Child Support Office
2700 South Roan Street, Suite 405
Johnson City, TN 37601
Phone: (423) 434-6500 Fax: (423) 434-6514

Carter County (Satellite Office)

Child Support Office
806 3rd Street
Elizabethton, TN 37643
Phone: (423) 547-5871 Fax: (423) 547-0012

Johnson County (Satellite Office)

Child Support Office
108 Court Street
Mountain City, TN 37683
Phone: (423) 727-3961 Fax: (423) 727-3965

2nd JUDICIAL DISTRICT

Serving: Sullivan County

Child Support Office
149-A Blountville Bypass
P.O. Box 529
Blountville, TN 37617
Phone: (423) 279-3295 Fax: (423) 279-3298

3rd JUDICIAL DISTRICT

Serving: Greene, Hamblen, Hancock, and Hawkins Counties

Child Support Office
124 Austin Street, Suite #2
Greeneville, TN 37745
Phone: (423) 787-1458 Fax: (423) 787-1461

4th JUDICIAL DISTRICT

Serving: Cocke, Grainger, Jefferson and Sevier Counties

Department of Human Services
Child Support Unit
1050 S. Highway 92
Dandridge, TN 37725
Phone: (865) 397-9434 Toll-free: (877) 987-8200 Fax: (865) 397-5013

5th JUDICIAL DISTRICT

Serving: Blount County

Child Support Office
1938 E. Lamar Alexander Parkway
Maryville, TN 37804
Phone: (865) 981-2373 Fax: (865) 981-5693

6th JUDICIAL DISTRICT

Serving: Knox County

6th Judicial District
Child Support Office
507 South Gay Street, Suite 400
Knoxville, TN 37902
Phone: (865) 862-0366 Fax: (865) 863-0403

7th JUDICIAL DISTRICT

Serving: Anderson County

Child Support Office
26 Kentucky Avenue
Oak Ridge, TN 37830
Phone: (865) 482-6001 Fax: (865) 482-6030

8th JUDICIAL DISTRICT

Serving: Campbell, Claiborne, Fentress, Union and Scott Counties

Child Support Office
2792 Baker Highway
P.O. Box 310
Huntsville, TN 37756
Phone: (423) 663-2532 Fax: (423) 663-9487

9th JUDICIAL DISTRICT

Serving: Loudon, Meigs, Morgan and Roane Counties

Child Support Office
1008 Bradford Way, Suite 200
P.O. Box 703
Kingston, TN 37763
Phone: (865) 376-0081 Fax: (865) 376-5048

10th JUDICIAL DISTRICT

Serving: Bradley, Polk, McMinn and Monroe Counties

(Bradley and Polk Counties) Main Office

Child Support Office
285 Church Street, NE
Cleveland, TN 37311
Phone: (423) 479-8144 Fax: (423) 559-0266

(McMinn and Monroe Counties) Satellite Office

Child Support Office
123 ½ North Jackson Street, Suite 2
Athens, TN 37303
Phone: (423) 744-2819 Fax: (423) 744-9934

11th JUDICIAL DISTRICT

Serving: Hamilton County

Maximus Child Support Services of Hamilton County
5751 Uptain Road, Suite 206
Chattanooga, TN 37411
Phone: (423) 508-6500 Fax: (423) 508-6521

12th JUDICIAL DISTRICT

Serving: Bledsoe, Franklin, Grundy, Marion, Rhea and Sequatchie Counties

Franklin and Grundy Counties (Main Office)

Child Support Office
1002 West Main Street
Decherd, TN 37324
Phone: (931) 962-1158 Fax: (931) 962-1160

Marion and Sequatchie Counties (Satellite Office)

Child Support Office
3751 Main Street
P.O. Box 1058
Jasper, TN 37347
Phone: (423) 942-3537 Fax: (423) 942-6305

Bledsoe and Rhea Counties (Satellite Office)

Child Support Office
391 Main Street, Unit 3
Dayton, TN 37321
Phone: (423) 775-5222 Fax: (423) 570-0692

13th JUDICIAL DISTRICT

Serving: Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White Counties

Child Support Office
1525 G, East Spring Street
Cookeville, TN 38506
Phone: (931) 528-8598 Fax: (931) 525-2008

14th JUDICIAL DISTRICT

Serving: Coffee County

Child Support Office
320 Murfreesboro Highway
Manchester, TN 37349
Phone: (931) 723-5059 Fax: (931) 723-5079

15th JUDICIAL DISTRICT

Serving: Jackson, Macon, Smith, Trousdale and Wilson Counties

15th Judicial District
Child Support Office
203 Greentop Street
P.O. Box 178
Hartsville, TN 37074
Phone: (615) 374-3714 Fax: (615) 374-3758

Wilson County (Satellite Office)

15th Judicial District
Child Support Office
119 South College Street
Lebanon, TN 37087
Phone: (615) 443-2871 Fax: (615) 443-2873

16th JUDICIAL DISTRICT

Serving: Cannon and Rutherford Counties

Child Support Office
320 W Main Street
Suite 111
Murfreesboro, TN 37130
Phone: (615) 898-8002 Fax: (615) 848-5135

17th JUDICIAL DISTRICT
Serving: Bedford, Lincoln, Marshall and Moore Counties

Child Support Office
103 South Main
P.O. Box 878
Fayetteville, TN 37334
Phone: (931) 438-1909 Fax: (931) 438-1934

18th JUDICIAL DISTRICT
Serving: Sumner County

Child Support Office
109 West Main Street
Gallatin, TN 37066
Phone: (615) 451-5829 Fax: (615) 451-6386

19th JUDICIAL DISTRICT
Serving: Montgomery and Robertson Counties

Montgomery County Child Support Office
93 Beaumont Street
Clarksville, TN 37040-3217
Phone: (931) 572-1663 Fax: (931) 648-5539

Robertson County Child Support Office
101 Fifth Avenue, West, Suite 100
Springfield, TN 37172
Phone: (615) 382-2433 Fax: (615) 382-3142

20th JUDICIAL DISTRICT
Serving: Davidson County

Child Support Services of Tennessee
220 Athens Way, Suite 500
Nashville, TN 37728
Phone: (615) 726-0530 Fax: (615) 515-6702

21st JUDICIAL DISTRICT
Serving: Hickman, Lewis, Perry and Williamson Counties

Williamson County (Main Office)

Child Support Office
212 East Main Street
Franklin, TN 37064
Phone: (615) 591-9292 Fax: (615) 591-0336

Hickman, Lewis and Perry Counties (Satellite Office)

Child Support Office
37 Smith Street
Hohenwald, TN 38462
Phone: (931) 796-4900 Fax: (931) 796-4959

22nd JUDICIAL DISTRICT

Serving: Giles, Lawrence, Maury and Wayne Counties

Giles, Lawrence and Wayne Counties (Main Office)

Child Support Office
232 North Military Avenue
Lawrenceburg, TN 38464
Phone: (931) 766-1458 Fax: (931) 766-1443

Maury County (Satellite Office)

Child Support Office
116 A West 7th Street
Columbia, TN 38401
Phone: (931) 380-2538 Fax: (931) 380-3366

23rd JUDICIAL DISTRICT

Serving: Cheatham, Dickson, Houston, Humphreys and Stewart Counties

Child Support Office
102 Cumberland Street
Ashland City, TN 37015
Phone: (615) 792-3075 Fax: (615) 792-7226

24th JUDICIAL DISTRICT

Serving: Benton, Carroll, Decatur, Hardin and Henry Counties

Henry County (Main Office)

Child Support Office
101 West Blythe Street
P.O. Box 281
Paris, TN 38342
Phone: (731) 644-9191 Fax: (731) 642-2396

Benton, Carroll and Decatur Counties (Satellite Office)

Child Support Office
100 Court Square
P.O. Box 99
Huntingdon, TN 38344
Phone: (731) 986-2233 Fax: (731) 986-5343

Hardin County (Satellite Office)

Child Support Office
354 Main Street
P.O. Box 1715
Savanah, TN 38372
Phone: (731) 925-1087 Fax: (731) 925-6921

25th JUDICIAL DISTRICT
Serving: Fayette, Hardeman, Lauderdale, McNairy and Tipton Counties

Lauderdale and Tipton Counties (Main Office)

Child Support Office
101 Mueller Brass Road
Covington, TN 38019
Phone: (901) 475-2535 Fax: (901) 475-2614

Fayette, Hardeman and McNairy Counties (Satellite Office)

Child Support Office
1361 W. Market Street
Bolivar, TN 38008
Phone: (731) 659-3215 Fax: (731) 659-3737

26th JUDICIAL DISTRICT
Serving: Chester, Henderson and Madison Counties

Madison County (Main Office)

Child Support Office
26th Judicial District
225 Martin Luther King Drive, Suite 320
P.O. Box 2825
Jackson, TN 38302
Phone: (731) 423-5805 Fax: (731) 423-6214

Chester and Henderson Counties (Satellite Office)

Child Support Office
514 South Broad Street, Suite B
Lexington, TN 38351
Phone: (731) 968-7906 Fax: (731) 967-0811

27th JUDICIAL DISTRICT
Serving: Obion and Weakley Counties

Child Support Office
126 E. Main Street, Suite B
Union City, TN 38261
Phone: (731) 886-4520 Fax: (731) 886-8420
Toll-free: 1 (800) 290-9220

Child Support Office
811 Morrow Street, Suite 203
Dresden, TN 38225
Phone: (731) 364-9988 Fax: (731) 364-9984
Toll-free: 1 (800) 290-9047

28th JUDICIAL DISTRICT

Serving: Crockett, Gibson, and Haywood Counties

Main Office (serving Gibson County)

Child Support Office
100 South Court Square
Trenton, TN 38382
Phone: (731) 855-4200 Fax: (731) 855-4277

Satellite Office (serving Crockett and Haywood Counties)

Child Support Office
132 South Washington Street
Brownsville, TN 38012
Phone: (731) 779-2020 Fax: (731) 779-2021

29th JUDICIAL DISTRICT

Serving: Dyer and Lake Counties

Child Support Office
1911 Upper Finley Road
P.O. Box 1019
Dyersburg, TN 38025-1019
Phone: (731) 285-0389 Fax: (731) 287-1717

30th JUDICIAL DISTRICT

Serving: Shelby County

Shelby County Child Support Division
3915 South Mendenhall Road
Memphis, TN 38115-5919
Phone: (901) 432-6700 Fax: (901) 432-6701

31st JUDICIAL DISTRICT

Serving: Van Buren and Warren Counties

Child Support Office
125 E. Main Street
P.O. Box 183
McMinnville, TN 37111
Phone: (931) 473-6561 Fax: (931) 473-5841