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from Noun Project

How Can I Collect Child Support?

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- ❖ Read this only if you live in the state of Washington.
 - ❖ You can find all the fact sheets we link to here at WashingtonLawHelp.org.
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Should I read this?

Yes, if you want to get child support for your children.

What will I learn from reading this?

You will learn

- ✓ how you can get help collecting child support
- ✓ how you can get some protection from the other parent if you are afraid for your safety
- ✓ what to do if you want to get more child support

What is DCS?

The Division of Child Support (DCS) is the state agency that collects child support. They collect when

- A child gets welfare payments or Medicaid or is in foster care
- You ask DCS for help collecting support

How do I get a child support order?

DCS can set the support amount through its own system unless (or until) a court sets support.

How can DCS help collect support?

Once there is a support order, DCS can collect by garnishing (taking)

- wages (pay from a job)
- unemployment benefits
- Labor and Industries payments
- some Social Security payments
- bank accounts

DCS can also

- take income tax refunds
- place liens on real and personal property

❖ DCS cannot garnish SSI or welfare payments.

I do not know where the other parent is. Can I still get support?

Maybe. DCS has a locator service.

The other parent does not live in Washington. Does it matter?

No. DCS can still help set support.

We have not officially named the child's father. Can I still get support?

Probably. DCS will refer the case to the prosecuting attorney's office. They will file a court case asking for a court order of parentage and support.

Does DCS charge for its services?

Usually, no. If you have never gotten TANF or tribal TANF, there can be a small yearly fee for services.

Can I help DCS help me?

Yes. You should give your DCS worker whatever information can help. If you have a support court order, give them a copy. If you have it, you should also give the other parent's

- Most recent address
- Social Security number
- Current employer and rate of pay
- Other financial information, such as identification of bank accounts or other assets

The other parent has no regular income. Can I still get child support?

Maybe! DCS can

- Take funds from bank accounts and, sometimes, other types of property, such as boats and cars.
- Ask for the parent's federal tax refund.

The other parent can pay. They simply won't. What can DCS do?

DCS can have the parent's driver or other type of license suspended (taken away). A judge can hold that parent in contempt and send the parent to jail.

Do I need to keep track of support payments when DCS is helping me collect support?

No. The state's Washington State Support Registry does this. Its records are the best way to know if someone has paid or owes support.

If the other parent ever pays you directly, **tell DCS** so their payment records are accurate.

I get public assistance. Can I still get child support?

It depends. To get Temporary Assistance for Needy Families (TANF) cash assistance, you must sign over your right to get child support to DCS. (See below about cooperation and good cause.) DCS gets and keeps support that would come to you if you were not getting assistance. DSHS can keep only as much support as reimburses them for the TANF they paid you.

If the amount of support the other parent is supposed to pay is more than the TANF you get, and DCS collects that support amount for two months in a row, your TANF will stop. You will get support payments instead of TANF as long as DCS can collect that support amount.

Can I get back support?

If you have never gotten public assistance, you are entitled to everything DCS collects, current or back support. DCS often also collects unpaid back support, called “**arrears.**”

If you have gotten public assistance in the past but do not get it now, the state can keep the back support that built up while you got assistance. Arrears that have built up **since** you last got public assistance belong to you. DCS should pay you first. Then it can keep any arrears that belong to the state.

Arrears that built up before you went on public assistance may come to you **or** go to the state, depending on when they built up and how DCS collects them. Usually, arrears collected by wage withholding go to you. Arrears collected by income tax refund intercept usually go to the state.

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- ❖ Ask your DCS worker how DCS is paying out back support in your case. Get legal advice if you believe DCS is keeping money that belong to you.
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Will DCS let me know how much support it is getting for me?

Yes. With every support check you get, DCS should send you this information. You can also check the payment history online at secure.dshs.wa.gov/home/default.aspx.

What if I disagree with how much DCS is giving me?

Ask them for a **Notice of Objection form** to fill out and return it to the nearest DCS office. This is how you ask for a hearing.

You should get notice of the hearing date, time, and place within a few weeks. Bring to the hearing any papers showing how DCS' mistake.

Can I get more support?

Maybe. You can petition to modify (change) the support order to a higher amount if:

- The paying parent's finances have gotten better since entry of the child support order.
- The support order is old.
- The children's needs have changed.
- There are other reasons.

Read [Change Your Child Support Order](#). and [Asking DCS to Review Your Child Support Case for Modification](#).

How do I ask for more support?

Fill out DCS' [Petition for Modification form DSHS 09-280B](#). Find it at www.dshs.wa.gov/office-of-the-secretary/forms in English and Spanish. Send it to the DCS office or DSHS Board of Appeals. At a hearing, an administrative law judge (ALJ) will decide if you should get more child support.

I want to get more support. I have a court order of child support. Do I have to go back to court?

Yes. If you cannot get a lawyer, you can try filing the papers yourself. Some volunteer lawyer programs have classes to teach you how to do a child support modification in court.

You can also ask DCS to file a modification action on your behalf. DCS must review support orders periodically and change them up or down depending on the situation. Read [Asking DCS to Review Your Child Support Case for Modification](#).

The other parent is going to jail or prison for at least 6 months. I don't want them to get into trouble for not being able to pay child support during that time. What can I do?

Starting February 1, 2021, you can ask DCS or the court to lower the child support to \$10 a month.

What if collecting support could harm my child or me?

Normally, in return for welfare payments, you must cooperate with DCS's efforts to get child support from the other parent. If this could place you or your child in danger, DCS may excuse you from cooperating. This is called **good cause**.

If you are concerned for your or your children's safety, tell your welfare worker you believe you have good cause not to cooperate with support enforcement efforts. Show them any evidence of why you are afraid, such as:

- medical records
- protection orders
- criminal records
- police reports

If you do not have such records, your sworn statement might be good cause. [DCS' good cause form #18-344](#) is here: www.dshs.wa.gov/office-of-the-secretary/forms.

If they decide you must cooperate anyway, they may threaten to lower your grant. If that happens, you can ask for a hearing. An ALJ will decide if you have good cause not to cooperate.

They may decide you do not have to cooperate **but** they can try to collect support without danger of harm to you or the children. You can also appeal that decision. You should keep getting your usual amount of assistance until the hearing decision.

I am afraid for my safety. Does DCS have to tell the other parent where we are living?

Maybe not. Even if you agree to cooperate with DCS, they can keep your location from the other parent if you have well-founded safety concerns.



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If the other parent asks DCS for your child's address, DCS should let you ask for a hearing to keep DCS from giving it out. You can appear at the hearing by phone. You do not have to say where you are calling in from.

Read more about good cause at www.dshs.wa.gov/esa/division-child-support/domestic-violence-information.

Do I have any rights for interpretation and translation services?

Yes. Read [Interpreters for People with Limited English Proficiency](#) to learn more.

Get Legal Help

Outside King County, call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am - 12:15 pm.

In King County, call 2-1-1 weekdays between 8:00 am - 6:00 pm. They will refer you to a legal aid provider.

Seniors (age 60 and over) can also call CLEAR*Sr at 1-888-387-7111, statewide.

You can also apply online with CLEAR*Online: nwjustice.org/get-legal-help.

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