

# GETTING CHILD SUPPORT:

## WHAT CAN I DO?

Prepared by  
JACKSONVILLE AREA LEGAL AID, INC.  
A UNITED WAY AGENCY

JACKSONVILLE AREA LEGAL AID, INC.  
IS SUPPORTED IN PART BY:  
The Florida Bar Foundation  
The City of Jacksonville  
United Way of Northeast Florida  
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The State of Florida  
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Private Contributions

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The information provided in this brochure is not a substitute for legal advice. The laws described here may change without notice.

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### WHAT IS CHILD SUPPORT?

Child support is money provided to parents raising their children without the financial help of the other parent being in the home. Non-parents caring for children may also be eligible to receive child support. Only parents can be required to pay support. Child support is paid to meet the needs of the child, including housing, utilities, food, clothing, and medical care.

### MAY I REFUSE CHILD SUPPORT?

Children have the right to receive child support. Parents do not have the right to give up child support. For example, a parent cannot agree to give up child support to get the other parent to agree not to visit the child.

## **HOW CAN I GET CHILD SUPPORT?**

A parent who is not supporting his or her child can be ordered by a court to pay child support. Whether the parent is ordered to pay, and how much, will depend on the parent's income. Other factors, such as child care and health insurance expenses for the child may also affect the amount.

## **HOW DO I GET A COURT ORDER FOR CHILD SUPPORT?**

You will need to file a case to get child support. The type of case you need to file depends on your circumstances. If you are married, but separated, you could file for a dissolution of marriage (divorce). If you do not want a divorce, you could file for child support alone.

## **WHAT IF I AM NOT MARRIED?**

The other parent can be ordered to pay child support through a paternity case. In a paternity case, the father may either admit that he is the child's father, or the court can order a blood or DNA test. Even if the father is already on the birth certificate, a paternity case is required to get child support between unmarried parents.

## **WHO CAN HELP ME GET CHILD SUPPORT?**

The Child Support Enforcement Program may be able to help you. It provides assistance with starting child support, collecting child support that has already been ordered, and increasing child support that has already been ordered.

You may contact the Child Support Enforcement Program at 1-800-622-KIDS. You should call for an appointment. You can also find out the location of the office in or near your county by phone, by internet at [www.myflorida.com/dor/childsupport](http://www.myflorida.com/dor/childsupport), or in the resource section of this guide.

## **WILL I HAVE TO PAY FOR THE CHILD SUPPORT ENFORCEMENT PROGRAM TO HELP ME?**

If you receive welfare on behalf of your child, there are no fees. If you do not receive welfare, there is only a \$25 application fee. You do not have to pay filing or attorney's fees. The Child Support Enforcement Program will ask the court to hold the other parent responsible.

## **IF I RECEIVE WELFARE FOR A CHILD IN MY CARE, CAN I STILL GET CHILD SUPPORT FROM THE CHILD'S PARENT?**

If you receive welfare for a child, your right to support is assigned to the State. The State will try to sue the other parent for future child support for you, and for repayment of the welfare the State provided to you in the past. If child support is ordered, you will have the right to decide whether you want to continue receiving welfare, or receive the future child support. If you continue to receive welfare, the State may keep all or a portion of the child support as repayment for the welfare. When you no longer receive welfare, you can receive the full amount of the child support being paid.

## **WHAT IS THE STATE OF FLORIDA DISBURSEMENT UNIT?**

The State of Florida Disbursement Unit is the payment processing center for child support in all Florida cases. The court will require child support to be paid through the disbursement unit, unless you agree otherwise. When the disbursement unit receives a payment from a non-custodial parent, a check is cut to the custodial parent or other caretaker the next working day. You may also call the disbursement unit toll free at 1-877-769-0251 to check when the last payment was received. You may also get a printout of payments from most local courthouse depositories. In Duval County, contact the Domestic Relations Depository, Room 402, Duval County Courthouse, 330 East Bay Street, Jacksonville, (904) 630-1130. In Clay County, contact the Central Governmental Depository, Clay County Courthouse, 825 North Orange Avenue, Green Cove Springs, (904) 278-3691. Check with your Clerk of Court in other counties.

#### **WHAT IF THE PERSON I NEED SUPPORT FROM LIVES IN ANOTHER STATE?**

The Child Support Enforcement Program can call on its sister programs in other states to sue a parent outside of Florida for child support. You do not have to travel there.

#### **WHAT CAN I DO TO HELP MY CHILD SUPPORT CASE?**

- ! Know the address and place of work of the parent who should pay child support.
- ! Keep good records of money received and money owed.
- ! Keep all the court orders you receive and bring them with you to appointments with lawyers or child support enforcement workers.
- ! Write down any questions you have and bring them with you to appointments with lawyers or child support enforcement workers.

#### **DO I HAVE TO ALLOW THE OTHER PARENT VISITATION EVEN IF HE OR SHE IS NOT PAYING CHILD SUPPORT AS ORDERED?**

Yes, you should not stop visitation because of failure to pay child support. Otherwise, you may be held in contempt of court. The proper way to deal with non-payment of child support is to ask the court to hold the non-custodial parent in contempt of court for failure to pay.

#### **WHAT IF I WANT A DIVORCE?**

JACKSONVILLE AREA LEGAL AID, INC. may be able to handle your divorce if you qualify for free legal help and you meet our guidelines for divorce cases.

#### **WHAT IF I DO NOT QUALIFY FOR LEGAL AID?**

If you need help finding a private lawyer to take your case, the LAWYER REFERRAL SERVICE may help you. The Lawyer Referral Service can arrange for you to meet with a lawyer for 30 minutes for \$50. Costs for additional services will be subject to arrangement with the lawyer. You can call the service at 399-5780 for an appointment.

If you cannot retain an attorney, you may file your own case. The FLORIDA SUPREME COURT

provides free family law forms and instructions on their website at [www.flcourts.org](http://www.flcourts.org). The forms include: dissolution of marriage (divorce), paternity, custody modification and enforcement, visitation modification and enforcement, child support, child support modification and enforcement, domestic violence, repeat violence, dating violence, sexual violence, step-parent adoption and name change. If you do not have internet access at home, you may use the internet at your local public library.

## **RESOURCES**

### **JACKSONVILLE BAR ASSOCIATION**

**Lawyer Referral Service  
(904) 399-5780**

### **CHILD SUPPORT ENFORCEMENT PROGRAM**

**921 North Davis Street, Bldg. A, Suite 350 (Duval)  
or Suite 250 (Nassau)  
Jacksonville, FL 32209  
(800) 622-5437**

**3540 Highway 17 N, Suite 123 (Clay)  
Green Cove Springs, FL 32043  
(800) 622-5437**

**75 King Street, Room 241 (St. John-s)  
St. Augustine, FL 32084  
(800) 622-5437**

### **FAMILY COURT SERVICES**

**Room 413, Duval County Courthouse  
330 East Bay Street  
Jacksonville, FL 32202  
(904) 630-7682**

**Room 309, Clay County Courthouse  
825 North Orange Avenue  
Green Cove Springs, FL 32043  
(904) 278-3636**

**Nassau County Annex  
76347 Veterans Way  
Yulee, FL 32034  
(904) 491-2028**

**St. John-s County Self-Help Coordinator  
(904) 827-5631**

### **JACKSONVILLE AREA LEGAL AID, INC.**

**126 West Adams Street  
Jacksonville, FL 32202**

**(904) 356-8371**

**3540 Highway 17, Suite 101  
Green Cove Springs, FL 32043  
(904) 284-8410**

**222 San Marco Avenue  
St. Augustine, FL 32084  
(877) 827-9921**