

**IMPORTANT NOTICE REGARDING CHILD SUPPORT
TO PERSONS APPLYING FOR OR RECEIVING TEMPORARY ASSISTANCE OR FOSTER
CARE MAINTENANCE PAYMENTS UNDER TITLE IV-E**

Assignment and Cooperation with Child Support

As an applicant for or recipient of “temporary assistance” (officially known as “family assistance” and “safety net assistance”) or, where appropriate, certain foster care maintenance payments, you are required to assign to the Department any rights you have to support on your own behalf and any rights to support on behalf of any family member for whom you are applying for or receiving assistance. Where applying for or receiving temporary assistance, your assignment of support rights is limited to support that accrues during the period that you or the family member receives assistance. You are required to assign these support rights and, unless you claim good cause or domestic violence for not doing so, cooperate with the Child Support Enforcement Unit (CSEU) to:

- Establish paternity of each child born out-of-wedlock for whom you are applying for, or receiving, temporary assistance;
- Locate noncustodial parents, including biological parents, stepparents, or adoptive parents;
- Establish, modify or adjust child support obligations from the noncustodial parent of each child; and
- Collect and enforce support obligations through the Support Collection Unit from noncustodial parents for the support of each child.

Rights and Obligations Which May Result From Establishing Paternity

- If paternity establishment is necessary, the court order establishing paternity (called an “order of filiation”) will name the father of your child.
- The noncustodial parent will be chargeable by the court to pay support until the child is twenty-one (21) years of age. As a recipient of temporary assistance, you will receive up to the first \$100 of current support collected each month or up to the current support obligation amount, whichever is less, without reducing your assistance grant or affecting your eligibility for assistance. This is referred to as the “pass-through” payment. Effective January 1, 2010, the \$100 pass-through payment level will continue for temporary assistance families with one child but will also increase to up to the first \$200 each month of current support collected or up to the current support obligation amount, whichever is less, for temporary assistance families with two or more children.
- Your child gains right to inheritance from his or her parents. Parents also may have rights of inheritance from their child.
- Your child may be entitled to receive death or disability benefits if either parent dies or becomes permanently disabled.
- The noncustodial parent has the right to ask the court for visitation with and/or custody of your child.
- The noncustodial parent will also have the right to be consulted before any adoption or foster care placement proceedings may occur for your child and may oppose any such adoption or foster care placement.

Rights to Information Regarding Legal Proceedings

You have the right to be kept informed of the time, date and place of any court proceedings involving you. You will be provided with a copy of any order establishing, modifying, adjusting or enforcing a child support obligation or, in the case of modification or adjustment, a determination that no change is warranted.

Legal Representation

An attorney will be assigned to your case for any actions that require a court proceeding. The attorney assigned to your case is the legal representative of the Commissioner of the Department of Social Services, and does not represent you personally. The attorney’s representation in this matter is limited to the establishment of paternity and the establishment, modification, adjustment, and enforcement of support obligations. Matters of custody, visitation, or other issues not related to support will not be handled by the Department’s attorney. Any information, written or oral, which you provide to the Department’s attorney or staff **may not** remain confidential, including information indicating welfare fraud, which must be reported to appropriate officials.

If you have any questions concerning other legal issues, or you wish to have your own legal representation, you should contact a legal services or legal aid organization for assistance, or obtain the services of a private attorney of your own choosing at your own expense.