# **Application for Child Support Services**



#### Welcome!

New York's Child Support Program works with parents and guardians to strengthen families and provide children with the financial and medical support they need.

#### To start the application process:

- 1. Review the **Important Information about Child Support Services**, pages 1-4, and keep this document for your records.
- 2. Complete and sign Part A Application (pages A-1 through A-4).

  You must sign the Application to receive Child Support Services.
- 3. Complete **Part B Child Information** (pages B-1 through B-2) for each child (up to two children) with the Other Party named in this application.
- 4. If you have more than two (2) children with the Other Party named in this application, obtain and complete the separate form, **Additional Child Information (LDSS-5143B)** for each additional child or photocopy **page B-1** of **Part B**.
- 5. Review **Part C Supporting Documentation** (page C-1) and submit copies of all relevant documents with your application.

# Important Information about Child Support Services

Please read and keep pages 1-4 for your records.

#### **Definitions**

Child – an individual under age 21 for whom support is sought.

**Custodial Parent (CP)** – the parent with primary care and custody of the child. In equal shared custody cases, this is the parent eligible to receive child support.

**Guardian (G)** – a nonparent caregiver with physical custody of at least one child under age 21. If the child lives with the guardian on a day-to-day basis, the guardian has physical custody of the child.

Noncustodial Parent (NCP) - the parent obligated to pay child support.

**Alleged Father (AF)** – the person who may be the child's father but who has not yet been legally declared to be the father.

#### **Eligibility**

In New York State, both parents are required to support their child until the child is 21 years of age. Any **parent** or **guardian** of at least one child under age 21 can apply for child support services. A **child** under age 21 or a **noncustodial parent** or **alleged father** may also apply for child support services.

#### **Safeguarding Confidentiality**

The Child Support Program is required to safeguard the privacy, integrity, access to, and use of your personal information (including case data kept in the computer system of the Child Support Program). We share your address and other identifying information with other State and federal agencies only for child support purposes or as otherwise permitted by law. Information can only be released to authorized persons for reasons authorized by law.

**Use of Social Security Numbers:** Federal law (42 USC § 666) requires that Social Security numbers be used only for locating parents, establishing paternity, and/or establishing, modifying, and enforcing an order of support; the administration of certain public benefit programs; or as otherwise permitted by law. In addition, Social Security numbers will be subject to verification through the Social Security Administration.

#### **Safety Concerns**

Please be sure to read and answer the Safety Concerns question on page A-1 of Part A - Application. If you check YES to the question, your local Child Support Program office will discuss your concerns with you and can assist you with filing an Address Confidentiality Affidavit with the court. We can also assist in preventing your address from appearing on documents we send to the court. We will prohibit disclosure of location information at your request, or if we learn:

- · You are residing in a domestic violence shelter;
- You have an order of protection involving the Other Party;
- You have a domestic violence referral or other written statement from a public or private service provider; or
- A court has determined that contact with the Other Party creates a risk of physical or emotional harm to you or the child.

#### Services

The Child Support Program will provide the child support services appropriate for your case pursuant to federal and New York State law, regulation, and policy. With your assistance and cooperation, services may be provided to you for as long as child support payments are due and owing. The following services are provided, as appropriate:

- **Location** of the noncustodial parent or alleged father, including obtaining information about addresses, employment, other sources of income and assets, and health care coverage;
- **Establishment of Paternity** (legal fatherhood) for a child born to unmarried parents through the voluntary acknowledgment process or through a court-based process;
- **Establishment** and/or **Modification** of an order of support, including establishment of health insurance coverage or cash medical support, if available, from either parent;
- **Collection** and **Distribution** of child support or combined child and spousal support made payable through the Support Collection Unit, including educational expenses, child care expenses, and cash medical support;
- Enforcement of Support Obligations through income withholding from wages, benefits, or other income; federal and State tax refund intercept; seizure of assets and lottery winnings; credit bureau reporting; suspension of the noncustodial parent's New York State driver license; and referral to New York State Department of Taxation and Finance for collection. Court-ordered health insurance benefits are also enforced by the Child Support Program;
- · Filing and prosecuting Violation Petitions; and
- Assistance with making an existing order of support payable through the Support Collection Unit.

All services listed above are also provided to parents who live in other counties, states, and some countries.

Your child support case may be closed for reasons including, but not limited to:

- · Paternity cannot be established;
- The noncustodial parent/alleged father cannot be located after diligent effort or is incarcerated with no chance of parole, permanently disabled with no ability to pay support, or institutionalized;
- The recipient of services fails to cooperate or provide information that is essential to the next step in providing services:
- · The recipient of services makes a written or verbal request to close the case; or
- The Child Support Program is unable to contact the recipient of services.

#### **Paternity Establishment**

Paternity establishment is the process of determining the legal father of a child. If the parents are not married, the alleged father has no rights or responsibilities to the child until a legal father is determined. In order for the alleged father to be the legal father, the parents must establish paternity for the child. By establishing paternity for the child, the parents are ensuring that the child has the same rights and benefits as children born to married parents. In New York State, paternity may be established by either signing a voluntary Acknowledgment of Paternity form or filing a court petition to have the court determine paternity and issue an Order of Filiation.

#### **Child Support Obligations**

The basic child support obligation includes a percentagebased obligation, a provision for health insurance coverage and/or cash medical support, child care expenses, and educational expenses for the child, if determined by the court (Family Court Act § 413 and Domestic Relations Law § 240).

#### **Child Support Percentages**

1 child	17%
2 children	25%
3 children	29%
4 children	31%
5 or more	at least 35%

The percentage guideline is applied to combined parental income up to \$148,000. Above \$148,000 (which will increase in 2020 and every two years thereafter with changes in the Consumer Price Index for All Urban Consumers [CPI-U]) the court determines whether to use the percentage guideline. The court may deviate from the percentage-based obligation based on the factors set forth in Family Court Act § 413(1)(f) and Domestic Relations Law § 240(1-b)(f).

**Low Income Obligation**: If the noncustodial parent's income is determined to be at or below the federal poverty level for a single person, the presumptive support amount is \$25 per month. When income is at or below the self-support reserve (135% of the federal poverty level), but above the federal poverty level, the presumptive support amount is \$50 per month.

Cost of Living Adjustment (COLA): An order is eligible for COLA when it is at least two (2) years old and the sum of the average annual percentage change in the CPI-U is equal to or greater than ten (10) percent since the order was issued, last modified, or last adjusted. Every two years your account will be reviewed to determine whether your order is eligible for a COLA. COLA adjustments are made without going to court. A notice is sent to both parties when an order is eligible for a COLA, and either party may request the adjustment.

**Modification of Orders**: The Child Support Program can assist you in filing a petition to modify your order of support, if needed. Either party has the right to seek a modification of the order of support based upon a showing of a substantial change in circumstances or other conditions provided in Family Court Act § 451 (2)(b).

**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 an order of support, or any order dismissing the petition.

#### Distribution of Payments

Support payments are distributed according to federal and New York State distribution rules.

- If the custodial parent has never received Temporary Assistance, they will receive all support that is collected and due, except for the Annual Service Fee and the recovery of costs for legal services, if applicable.
- If the custodial parent formerly received Temporary Assistance, child support collections received will first be used to pay current support followed by payments for support arrears/past due support owed to the custodial parent and then to support arrears/past due support due to the social services district. Collections received from federal tax refund offset will first be paid to satisfy any support arrears/past due support due the social services district and then to support arrears/past due support owed to the custodial parent.

#### **Recoupment of Overpayments**

The Child Support Program collects child support payments on your behalf and sends them to you. In rare instances, an overpayment may occur due to a misdirected payment (money is sent to the wrong person) or an unfunded payment (payment is returned unpaid by the remitter's bank), among other reasons. If these situations occur:

- It is your responsibility to return or repay these funds.
- We will contact you to arrange for repayment of the amount overpaid either in a lump sum payment or, at your
  request by withholding twenty-five (25) percent of collections until the overpayment is repaid.

#### **Legal Services**

Applicants may request legal services to establish paternity or to establish, modify, or enforce a child support order. If you request legal services, you will be advised by the Child Support Program of the cost of such services, which vary by local Child Support Program office (see next section).

- The attorney assigned to your case is the legal representative of the Commissioner of the social services district and does not represent you personally.
- Matters of custody, visitation, or other issues not related to child support will not be handled by the attorney of the social services district.
- Any information, written or oral, which you provide to the social services district's attorney or staff may not remain confidential, including information indicating welfare fraud or child abuse.

#### Cost Recovery for Legal Services

Legal services are provided to applicants upon completion of the *Right to Recovery Agreement for Legal Services* (LDSS-4920).

- Costs for legal services will be recovered from support collected by the Child Support Program at the rate of 25% of your current support obligation.
- If you are the noncustodial parent, the cost for legal services will be recovered at the rate of 25% of the current support obligation or payment you are required to make, and will be added to the support obligation that you pay until the cost is reimbursed.
- All support arrears/past due support will be paid in full before costs for legal services are settled.

#### **Annual Service Fee**

If the custodial parent is receiving child support services and has never received assistance through the Temporary Assistance for Needy Families (TANF) program in New York State or any other state, and child support is being paid to the family, an annual service fee of \$35 will be assessed if more than \$550 of support is collected during the federal fiscal year (October 1 – September 30). If the custodial parent has child support accounts with more than one noncustodial parent on which more than \$550 is collected, separate \$35 fees will be assessed for each account.

#### **Customer Service**

You may obtain additional information about child support as well as payment and account information online at <a href="mailto:childsupport.ny.gov">childsupport.ny.gov</a> or by calling the New York State Child Support Helpline at 888-208-4485 (TTY: 866-875-9975 – Relay Service <a href="http://www.fcc.gov/encyclopedia/trs-providers">http://www.fcc.gov/encyclopedia/trs-providers</a>). A personal identification number (PIN) is required to set up your online child support account. You will receive your PIN by mail when your child support account is established.

It is in your best interest to regularly check your account to ensure that your payments are received on time and in full. **You must keep your address and contact information up to date**, which you may do by calling the Child Support Helpline or by contacting your local Child Support Program office. The contact information for your local Child Support Program office, including an email link, can be found at <a href="https://www.childsupport.ny.gov/DCSE/LocalOffices">https://www.childsupport.ny.gov/DCSE/LocalOffices</a>.

### Part A – Application

Special Assi	stance ——										
1a. What is your	primary spoken lan								_		
☐ English ☐	Español 🗌 বাঙালা	ربية 🔲 🦳	□ 中文 □ ト	(reyò	l Ayisyen 🛭	] 한국어	∤ □ РУ	ССКИЙ [	Other		
1b. What is your	primary reading lar	nguage?									
2. Do you need la	anguage assistance	e? 🗌 \	∕es □ No								
3. Do you have a	disability that prev	ents you f	rom completin	g this	Application	or being	g interviev	wed?	☐ Yes ☐	No	
If YES, please	indicate what assis	stance you	ı need?								
	erns (See page safety or the safety		-				•			nformati	ion) ———
Applicant Inf	formation —										
I am the (check o	one):  Custodial	Parent [	☐ Guardian - I	Relati	ionship:						
	☐ Noncustod	dial Parent	t 🗌 Alleged	Fathe	er 🗌 Chile	d					
If you are the cust	todial parent, the g	uardian, o	r the child, coi	nplet	e a separate	applica	tion for ea	ach nonc	ustodial par	ent or a	lleged father.
Child Support Hi Are you currently	story in receipt of Child S	Support Se	ervices?	⁄es	☐ No						
If yes, w	here? County				State		Case	#			
Have you previou	sly received Child S	Support S	ervices?	⁄es	☐ No						
If yes, w	here? County				State		Case	#			
Public Assistand Are you currently	e <b>History</b> an applicant of, or	in receipt	of public assis	tance	e benefits?	☐ Yes	□No				
If yes, w	here? County				State		Case	#			
If Yes, STOP. An	LDSS-5145 Referi	al for Ch	ild Support S	ervic	es is requir	ed.					
	receive public assi	istance be	nefits under th	e Ten	nporary Assi	stance fo	or Needy	Families	(TANF) prog	gram?	☐ Yes ☐ No
If yes, where	? County				State		Case	#			
Date you last	received assistant	ce (Month	/Day/Year)								
Legal Name									Alias or Oth	ner Know	n Name
First	Midd	lle		_ Lá	ast			Suffix	(e.g., Maide		
				_  L							
SSN/ITIN		Gend	_		□ Nam Diman			Date of	Birth (Mont	th/Day/`	Year)
		☐ Fe	emale 🗌 Ma	ie L	☐ Non-Binar	y/Otner					
Race-Ethnic Affil					1 . C /.		1.20	112			
	Black or African-Am In or Alaskan Nativ		☐ Hispar		Latina/o		hite, non-	-Hispanic her	;		
			rative riawai	iaii oi							. 1
Residential Addr In care of:	ess 				Mailing In care		ss (if diffe	erent thar	residential	addres	s)
Street					Street						
Floor/Apt.	City		State ZIP		Floor/A	pt.	City			State	ZIP

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Contact information									
Home Phone #	Cell Phone #	# 	Other Ph	none #		Email Addre	ess		
Preference ☐ Home ☐	Cell	ner	Best tin	ne to ca	II 🗌 Mo	rning   Afte	rnoon		
Secondary Contact									
First	Middle		Last			Suffix	Relationship		
Street		City			Sta	ate ZIP	Phone #		
Marital Status to Other Par	ty								
Were you ever married to the	e Other Party?	☐ Yes ☐ No	Date of	Marriag	е				
Place of Marriage City			State		Country				
☐ Separated Date of Lega	al Separation			Name	of Court			Stat	е
☐ Divorced Date of Divo	orce			Name o	of Court			Stat	e
☐ Divorce Pending Name	e of Court			St	ate				
Marital Status to Someone other than Other Party									
Has the Applicant ever been		•	he Other	Party o	f the child	named in this a	oplication?	☐ Yes	☐ No
From	To			Name	of Spouse				
From	То			Name	of Spouse				
Health Care Coverage Info	rmation								
Does the Applicant's employ		offer or provide h	aalth inei	irance h	anafits?	☐ Yes ☐ No	o □ Unknow	n	
	-	):  Individual Co					O I OTIKITOW	11	
is the Applicant enfolieu?	_	j. 🗀 ilidividual CC	veraye	∟ i aii	my Covera	age			
l.	No								
L	Unknown								

## **Continue to Page A-3**

Other Party Information ————————————————————————————————————		
The Other Party is (check one): ☐ Noncustodial Parent ☐ Alleged Fathe Legal Name	,	☐ Guardian  Alias or Other Known Name
First Middle Last	Suffix	(e.g., Maiden Name)
SSN/ITIN Gender	Date of B	irth (Month/Day/Year)
☐ Female ☐ Male ☐ Non-Binary/0	Other	
Race-Ethnic Affiliation (Optional)  ☐ Asian ☐ Black or African-American ☐ Hispanic or Latina/o ☐ Native American or Alaskan Native ☐ Native Hawaiian or Pacific Island	☐ White, non-Hispanic er ☐ Other	
Primary Language ☐ English ☐ Spanish ☐ Other (specify)		
Description		
	lair Color	
☐ Marks ☐ Scars ☐ Tattoos Describe		
Photo ☐ Yes (Attach Photo) ☐ No		
Social Media Information		
Facebook Twitter	Instagram	
Other Party's Parent Information		
Name Address	Phone #	Relationship
Name Address	 Phone #	Relationship
Address	T Hone #	Relationship
Place of Birth City State Coun	try	
Date of Last Contact  Month/Day/Year  Spouse Partner  Partner  Residential Address  Current  Relationship of Other Party to Applicant  Spouse Former Spouse Partner  Other  Mailing A	ent	residential address)
In care of:		
Street Street		
Street		
Floor/Apt. City State ZIP Floor/Apt.	. City	State ZIP
Tiodinapt. Oity State Zii Tiodinapt.	City	State ZII
Contact information Home Phone # Cell Phone # Other Phone #	Email Addres	s
Preference ☐ Home ☐ Cell ☐ Other Best time to call	☐ Morning ☐ Aftern	oon
Employment Is the Other Party currently employed? ☐ Yes ☐ No ☐ Unknown Date	last employed	
Is the Other Party self-employed?		
Employer/Business Name:		
Franks (All Andreas)	☐ Current ☐ Last Kr	IOWN
Employer/Business Address: Street City	State ZIP	Phone #
Oity		i none #
Job Title/Occupation:  Annual Salary		
\$		Weekly benefit
Is the Other Party receiving NYS Unemployment Insurance Benefits (UIB)?	Yes □ No □ Unkno	
Is the Other Party a member of a labor union/organization? Yes No	Unknown Name:	

Marital Status to Someone of Is the Other Party married to so	• • •	icant?	□ No	
Name of Spouse	omeone omer man me Appi	Address	L NO	
Email Address		Phone #		
Incarceration Status Is the Other Party incarcerated Name of Facility	? 🗌 Yes 🔲 No 🔲 Unk	nown Inmate #		
Facility Address City		State	ZIP Co	untry
,		State		unuy
Health Care Coverage Inform  Does the Other Party's employ  Is the Other Party enrolled?	er/organization offer or prov			☐ No ☐ Unknown ☐ No ☐ Unknown
Vehicle Information				
Make	Model	Yea	r Color	
☐ Own ☐ Lease ☐ Busine	ss Vehicle License	Plate	State	
Additional Information (e.g.,	assets, other contacts)			
of the federal Social Security A application and any accompany correct. I will cooperate with the Program office immediately of I will not accept court-ordered of forward them to the New York St. I have received the Important overpayments. I understand the wrong person) or an unfunded	and agree that:  ort Services pursuant to Note. I hereby subscribe and a sying documents has been elee Child Support Program in any new or changed informational process. Information about Child State in rare instances an overpayment (payment is return or repay these funds and you ent or I may request you with the Note of I may re	lew York State and a state of the firm under penal state of the firm under penal state of the firm under penal state of the firm the non-sing Center, P.O. support Service of the firm will contact ment the firm under	alty of perjury that the info and to the best of my know ride services, and I agree to the information I have custodial parent or, if any Box 15363, Albany, NY, s which includes informateur due to a misdirected per er remitter's bank), among to request reimburseme	ewledge and belief is true and at to tell my local Child Support provided.  If are received, I will immediately 12212-5363.  Ition about the recoupment of payment (money is sent to the protein other reasons. I further understand ent. I may repay the overpayment
or other methods. To ens address and cell phone n	ure confidentiality, I underst umber.	and that it is my	responsibility to provide a	available, by email, text messages a secure, valid, and active email
Check this box if you wisl provided to you for comp		A Right to Recov	ery Agreement for Legal	Services (LDSS-4920) will be
Signature of Applicant			Date of Applica	ation
Print Name				
	Fe	or Agency Use	Only —	
Date Application Received	NY Ca	ase Identifier		Worker Code
Peminder: review Safety Conc	corns on page A-1 and oval	uate pood for EV	1	

# Part B – Child Information (for each child with the Other Party)

Name of Child #01

First	Middle	Last	Suffix
SSN/ITIN Gend	ler	Date of Birth (Mor	nth/Day/Year) Due Date
F6	emale 🗌 Male 🔲 Non-Binary	//Other	Unborn Unborn
Name of Parent	Middle	Look	
Parent 1 First	Middle	Last	
Parent 2 First Child's Birthplace	Middle	Last [	
Hospital	City	State	e Country
Other Party's Relationship to the	: Child		
• • • • • • • • • • • • • • • • • • • •	Alleged Father		
Parents' Marital Status Were the parents listed above mar	ried at or after the time of the c	child's birth?	
☐ Yes, to each other ☐ Yes, bu	it not to each other 🔲 No	Unknown	
If <b>Yes, to each other</b> , go to the <b>Order</b> Paternity Establishment	of Support Information questions	s. Otherwise, go to the <i>Paternity Es</i>	tablishment questions.
Was paternity established?			
Yes - Complete the <i>Paternity Esta</i>	•		te of Jurisdiction questions.
How was paternity established?	e the <b>State of Jurisdiction</b> question	Unknown - Go to	the <b>State of Jurisdiction</b> questions.
☐ Established in Court on	Name of Co	urt	
☐ Acknowledgment of Paternity o			
In what county, state, and country			
County	State	Country	
Where was the child conceived?	State Country		
State of Jurisdiction	otate oduntry _		
Did the alleged father (AF) provide	prenatal expenses or support	for the child?	Unknown
Did the AF reside with the child in	New York State? ☐ Yes ☐	No Unknown	
Does the child reside in New York	State as the result of acts or di	rectives of the AF?	□ No □ Unknown
Order of Support Information	schild2 🗆 Vos 🗆 No 🗆 III	nknown If "Voc." what is the d	ate of the order?
Is there an order of support for this Is health insurance ordered?		nknown If "Yes," what is the da	ate of the order?
Obligation Amount			
\$	Weekly   Every two weeks	☐ Monthly ☐ Twice per more	nth 🗌 Other
Court that Issued the Order			
☐ Family ☐ Supreme ☐	Other		
County	State	Country	
Health Care Coverage Information			
Does the child have health care could "Yes," identify the type of coverage	•		
		ealth Care Coverage questions.	
Health Insurance Benefits Who provides the child's priva	te health care coverage?		
	rdian   Noncustodial Parent	/ Alleged Father	t 🗌 Unknown 🔲 Other
Name of Health Insurance Ca		Policy #	Group #
Street		/Apt./Suite City	State ZIP
Public Health Care Coverag			
Indicate the type of public hea	_	nthly contribution: \$	
	TT 103 (OT 11-103) CHEI03 IIIO	many contribution. 🍎	
Other			

#### Part B - Child Information (continued) Name of Child #02 First Middle Last Suffix Gender Date of Birth (Month/Day/Year) Due Date SSN/ITIN ☐ Female ☐ Male ☐ Non-Binary/Other Unborn Name of Parent Middle Parent 1 First Last Parent 2 First Middle Last Child's Birthplace Hospital City State Country Other Party's Relationship to the Child Stepparent Alleged Father **Parents' Marital Status** Were the parents listed above married at or after the time of the child's birth? ☐ Yes, to each other ☐ Yes, but not to each other ☐ No If Yes, to each other, go to the Order of Support Information questions. Otherwise, go to the Paternity Establishment questions. **Paternity Establishment** Was paternity established? Yes - Complete the Paternity Establishment questions. No - Go to the **State of Jurisdiction** guestions. You do not need to complete the State of Jurisdiction questions. Unknown - Go to the State of Jurisdiction questions. How was paternity established? Established in Court on Name of Court Acknowledgment of Paternity on In what county, state, and country was paternity established? Country County State Where was the child conceived? State Country State of Jurisdiction Did the alleged father (AF) provide prenatal expenses or support for the child? Yes No Unknown Did the AF reside with the child in New York State? ☐ Yes ☐ No Does the child reside in New York State as the result of acts or directives of the AF? ☐ Yes ☐ No ☐ Unknown Order of Support Information Is there an order of support for this child? Yes No Unknown If "Yes," what is the date of the order? Is health insurance ordered? Yes No Unknown Obligation Amount \$ ☐ Weekly ☐ Every two weeks ☐ Monthly ☐ Twice per month Court that Issued the Order ☐ Family Supreme Other County State Country **Health Care Coverage Information** Does the child have health care coverage? Yes No Unknown If "Yes," identify the type of coverage: Private – Go to *Health Insurance Benefits* questions. Public – Go to Public Health Care Coverage questions. **Health Insurance Benefits** Who provides the child's private health care coverage? ☐ Custodial Parent ☐ Guardian □ Noncustodial Parent/ Alleged Father Stepparent Unknown ☐ Other Name of Health Insurance Carrier Policy # Group # Street Floor/Apt./Suite City State ZIP **Public Health Care Coverage** Indicate the type of public health care coverage:

CHPlus monthly contribution: \$

Medicaid

Other

Child Health Plus (CHPlus)

#### Part C - Supporting Documentation

Please provide *copies* of all available supporting documents to your local Child Support Program office. Supporting documentation allows the Child Support Program to proceed with your child support case, including establishing paternity and establishing, modifying, and/or enforcing your child support order, as appropriate. Supporting documentation also aids the court in determining the income of each parent and the basic child support obligation.  $\textbf{CHECK}(\checkmark)$  the boxes indicating which documents you are providing.

Please do not send original documents in the mail.