

Instruction Sheet for Those Awarded Child Support

If the court awards you child support, the court will also issue an immediate income withholding order, unless one of the exceptions in the statute applies to your case. An immediate income withholding order is used to deduct child support payments from the income of the person who owes child support.

If the court awards you child support and issues an immediate income withholding order, you must decide whether to apply for the child support collection services offered by the Department of Human Services (DHS). You must make this choice at the time you learn you have been awarded child support. You must then complete some forms available in the clerk's office, unless you are currently receiving public assistance benefits for the children or have already signed up for DHS child support collection services. If you now receive public assistance benefits or child support collection services from DHS, you will not need to complete any additional forms.

1. If you want DHS to provide child support collection services, you will need to complete form IMSEL 555, Support Enforcement Application, and two copies of form IMSEL 557, Contract for Non-welfare Support Enforcement Services. These forms are available in the clerk's office. DHS services, which include sending the withholding order to an employer and collecting past-due support, are available to anyone in the state.

2. If you do not want DHS to help you collect child support, you will need to complete form IMSEL 580, Refusal of Child Support Enforcement Services. This form is also available at the clerk's office.

You should return all completed forms to the clerk's office.

If you refuse DHS services, you or your attorney will need to serve the immediate income withholding order on the other parent's employer (or other payor of income) in order to have your child support payments deducted from that parent's income. When you serve the withholding order, you will also need to give the employer (or other payor of income) the Payor Notice. You may get a copy of this notice at the clerk's office.

Whether or not you sign up for DHS services, all child support payments withheld from the other parent's income will be sent by the employer to DHS. DHS will receive and record the payments and then send a check to you.