

# Things You Should Know About Child Support Payments in Arizona



**This booklet is designed to give you general information about the financial responsibilities of both parents when it comes to child support and to let you know what you can expect as your case moves through the court system.**

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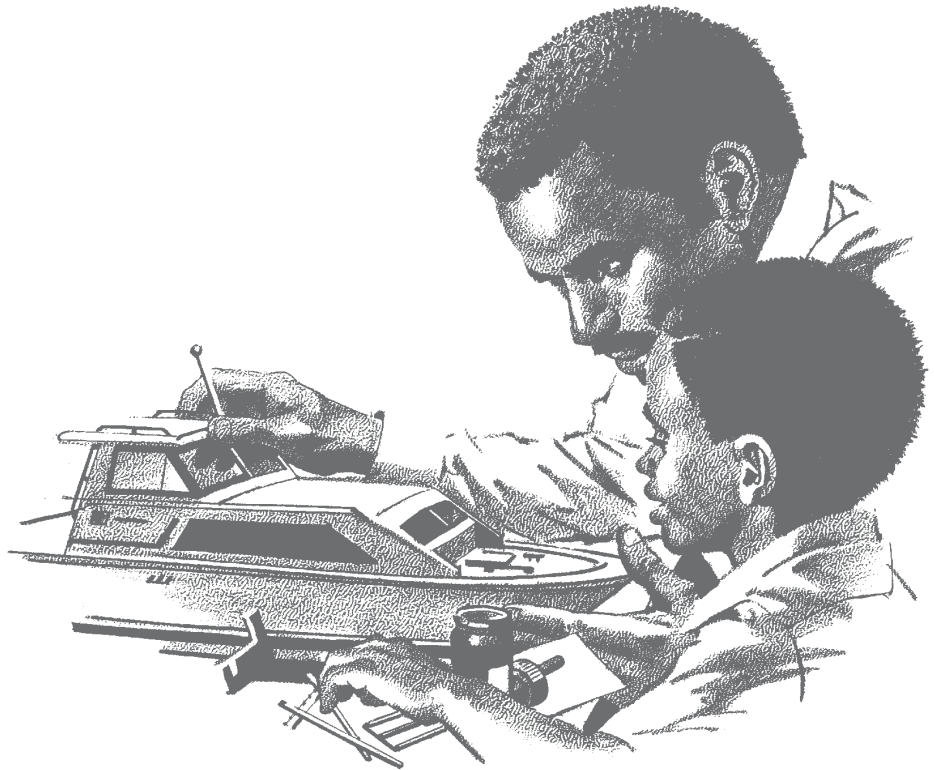
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# Child Support Payments

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Most people think of “paying child support” as providing economic support for children, but it is more than that. Although this booklet focuses on the economic or financial aspects of child support, parents should always remember that other elements of supporting their children are equally important. Parents also have a moral and ethical obligation to actively support the emotional and psychological needs of their children.



# Questions & Answers

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**NOTE:** This booklet is intended to provide general information about child support payments. It is not a complete nor authoritative review of this subject and reflects the laws of the state of Arizona only as of the date of its publication. Questions about specific situations should be discussed with an attorney.

## **Other available booklets in this series include:**

- Child Support Modification
- Covenant Marriage
- Custody and Parenting Time
- Divorce in Arizona
- Establishing Paternity for Your Child in Arizona
- Parent Education Class
- Protective Orders

State laws governing child support are found in Arizona Revised Statutes, Title 25, Chapter 5.

# Questions & Answers

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Below is a list of frequently asked questions about child support. If you are not sure about the meaning of a word, take a look at the *Words & Definitions* section in the back of this booklet.

**Q. What is a child support order?**

**A.**

A child support order is a written order from the court that tells:

- Which parent must pay child support.
- The amount of the payment.
- How often the payment must be made.
- Who receives the child support payment for the children.

**Q. When does the court order child support?**

**A.**

If a parent requests, the court may order child support when:

- Married couples are divorcing or separating.
- Unmarried parents are breaking up or separating.
- An unmarried parent who has never lived with the other parent requests child support.

*Note: In Arizona, if a parent is unmarried, paternity must be established before child support can be ordered.*

# Questions & Answers

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**Q.** If a parent is ordered to pay child support, where should the payment be made?

**A.** In most cases, the court will instruct the payor (obligor) to send the child support payment to the Support Payment Clearinghouse (address on Page 12). The payment will be recorded and forwarded to the payee (obligee). If the payor is employed, the payments will eventually be processed by Wage Assignment.

The support Payment Clearinghouse accepts payments in the form of check, money order, credit card, through Western Union, or automatic withdrawal.

The Support Payment Clearinghouse sends payments to the payee (obligor) by direct deposit into a bank account or the payments can be transferred electronically into an electronic payment card.

See [www.azdes.gov/dcse](http://www.azdes.gov/dcse)  
or call (602) 252-4045 or (800) 882-4151.

**Q.** What is a Wage Assignment and how does one work?

**A.** A Wage Assignment is another term for what the law calls an Order of Assignment. A Wage Assignment is ordered in every case and is an easy, convenient way for the payor to make a child support payment.

The court sends a copy of the Wage Assignment instructing an employer to automatically deduct

# Questions & Answers

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child support from the payor's paycheck to comply with a court order. The employer must send the payment to the Support Payment Clearinghouse within two business days of the date the employee (payor) is paid. The Support Payment Clearinghouse records the payment, and forwards payment to the payee. A Wage Assignment also may be issued by the state child support enforcement agency if the agency is providing services in a particular case.

## Q. When does a Wage Assignment go into effect?

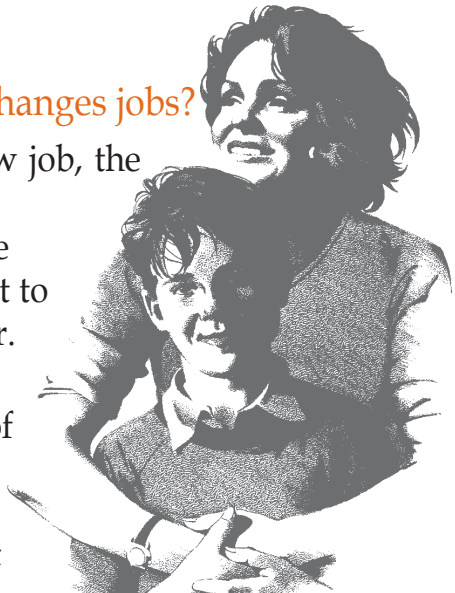
A.

There can be a delay of up to a month or longer while the Wage Assignment is being processed. Until the Wage Assignment is in effect, the payor must make payments *directly* to the Support Payment Clearinghouse. Once the Wage Assignment has been processed by the employer, payments will be handled automatically.

## Q. What if the payor changes jobs?

When starting a new job, the payor must:

- Give a copy of the Wage Assignment to the new employer.
- Within 10 days, notify the Clerk of the Superior Court *and* the Support Payment



# Questions & Answers

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Clearinghouse in writing of the new employer's name and address.

Until a Wage Assignment is in effect with the new employer, the payor must make the payments directly to the Support Payment Clearinghouse.

**Q. What if the payor does not have a regular income or is self-employed?**

**A.** If the payor is not employed, self-employed or does not have a regular source of income, the convenience of the Wage Assignment process cannot be used to make child support payments. The payor *must* make payments *directly* to the Support Payment Clearinghouse.

**Q. What if a parent moves?**

**A.** The moving parent *must* inform the Clerk of the Superior Court and the Support Payment Clearinghouse of their new address *in writing* within ten (10) days after the move.

**Q. Should the parent ordered to pay child support make payments directly to the other parent?**

**A.** No. If the parent does not send payments through the Support Payment Clearinghouse, the court may consider those payments as "gifts" and may not credit those payments toward the child support obligation.

# Questions & Answers

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**Q.** What if a payor does not make the child support payments ordered by the court?

**A.** State law requires that child support be paid before other debts are paid. However, if a payor fails to make court-ordered child support payments, the payee can consult with an attorney regarding filing an enforcement action. If a payee cannot afford an attorney, there are referral services or legal aid groups that may be able to help. In most counties, a Self-Service center is available for parties who wish to represent themselves in court or you may contact the child support enforcement agency to request help collecting child support payments.

**Q.** Does child support stop if the other parent won't let me see the children?

**A.** No. Child support payments and parent-child access do not have anything to do with each other. You may wish to explore options to enforce parenting time. However, if a parent refuses to allow the other parent his or her parenting time with the child, the parent can consult with an attorney regarding filing an enforcement action. If a parent cannot afford an attorney, there are referral services or legal aid groups that may be able to help. In most counties, a Self-Service center is available for parties who wish to represent themselves in court (see listing at the back of this booklet).

# Important Tips for Keeping Records

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In the event that you need to show the court or other parties information regarding your child support case, it is important to keep and organize your records.

Here are a few tips about keeping records.

1. Keep accurate records.
2. Keep all of your records together, in a safe place, and *keep them indefinitely*.
3. If you are a payor, keep a record of every child support payment you make including:
  - Paycheck stubs
  - Cancelled checks
  - Receipts
4. If you are a payee, keep a record of every child support payment you receive including:
  - Payment amounts
  - Check numbers and dates
5. Keep a copy of all correspondence and court orders.

# Important Tips for Keeping Records

6. Make yourself an information sheet on each person involved in your case (including each child) listing the following:

- Court case number
- ATLAS number
- Full legal name
- Maiden name
- Date of birth
- Birthplace
- Social Security Number
- Driver's license number
- Attorneys' names and addresses
- Relatives
- Other important information

7. At least once a year, request from the Clerk of the Superior Court in your county a record of the payments made. A fee may be charged for this service. (See the listing of offices in the back of this booklet.)

# Words & Definitions

The following are words you will see, hear, and use as your case moves through the system. You should become familiar with them and their definitions:

## Arrearage -

The total amount of child support that has not been paid.

## ATLAS Number -

A special number assigned by the child support enforcement agency. The ATLAS case number begins with numbers not letters.

## Case Number -

A special number assigned by the court to identify your specific case. The case number may begin with one or two letters such as: D, DO,DR or FL.

## Child Support Enforcement Agency -

The state agency operated by the Department of Economic Security, Division of Child Support Enforcement. When a child does not receive financial support from one or both parents, this agency can help by

- locating the parents
- establishing legal paternity
- establishing the legal child support order
- enforcing support orders
- collecting child support payments.

# Words & Definitions

## Child Support Order -

A written order from the court that states:

- Which parent must pay child support.
- The amount of the payment.
- How often the payment must be made.
- Who receives the child support payment for the children.

## Modification Order -

A written order from the court that notifies each party that the court has made changes to an earlier order. An example of this might be an increase or decrease in the child support payment amount.

**Obligor** - (See Payor)

**Obligee** - (See Payee)

**Order of Assignment** - (See Wage Assignment)

## Payor -

The person ordered by the court to make payments to support the children. This is usually the parent who is not living with the children the majority of the time. The payor is also known as the obligor or non-custodial parent.

## Payee -

The person who receives the child support payments for the children. This is usually the parent who lives with and takes care of the children the majority of the time. The payee is also known as the obligee or custodial parent.

# Words & Definitions

## Support Payment Clearinghouse -

The place where child support payments are received, recorded, and processed through the system. In Arizona, all child support payments are processed through the Support Payment Clearinghouse operated by the Department of Economic Security, Division of Child Support Enforcement. (Address on Page 12.)

## Request to Stop or Modify -

A form that you or your attorney submits to the court to request a change to an existing child support order. An example of this might be when a child has graduated from high school and the obligation for paying child support is no longer required.

## Termination Order -

A written order from the court that notifies both parents and the employer that payment of child support is no longer required.

## Wage Assignment -

A written order from the court that tells an employer to automatically deduct child support payments from a payor's paycheck. A Wage Assignment is also known as an Order of Assignment.

# Support Payment Clearinghouse

All support payments are received, recorded, and processed by the Support Payment Clearinghouse.

## Division of Child Support Enforcement (DCSE)

Support Payment Clearinghouse

P.O. Box 52107

Phoenix, AZ 85072-2107

(602) 252-4045

To report a change of address for child support payments contact the clearinghouse at:

P.O. Box 40458

Phoenix, AZ 85067

(602) 252-4045

# Clerks of the Superior Court

If you have questions about or need assistance with support payments, contact one of the following customer service locations. If your case is serviced by the Department of Economic Security, Division of Child Support Enforcement, contact the Support Payment Clearinghouse (Page 12). Otherwise contact:

**Apache County**  
70 West 3rd South  
St. Johns, AZ 85936  
(928) 337-7550

**Cochise County**  
County Courthouse  
Bisbee, AZ 85603  
(520) 432-8570

**Coconino County**  
200 N. San Francisco  
Flagstaff, AZ 86001  
(928) 779-6535

**Gila County**  
1400 E. Ash  
Globe, AZ 85501  
(928) 425-3231

**Graham County**  
800 Main St.  
Safford, AZ 85546  
(928) 428-3100

**Greenlee County**  
223 5th Street  
Clifton, AZ 85533  
(928) 865-4242

**La Paz County**  
1316 Kofa Ave., Suite 607  
Parker, AZ 85344  
(928) 669-6131

**Maricopa County**  
201 W. Jefferson  
Phoenix, AZ 85003  
(602) 506-3676

**Northwest Regional Court Center**  
14264 W. Tierra Buena Lane  
Surprise, AZ 85374  
(602) 506-3676

**Southeast Regional Public Service Facility**  
222 E. Javelina Ave.  
Mesa, AZ 85210  
(602) 506-3676

**Mohave County**  
401 E. Spring Street  
Kingman, AZ 86402-7000  
(928) 753-0713

# Clerks of the Superior Court

## **Navajo County**

County Courthouse  
Holbrook, AZ 86025  
(928) 524-4188

## **Pima County**

110 W. Congress  
Tucson, AZ 85701  
(520) 740-3201

## **Pinal County**

County Courthouse  
Florence, AZ 85232-2730  
(520) 868-6296

## **Santa Cruz County**

Santa Cruz County Complex  
2150 North Congress Drive  
Nogales, AZ 85621  
(520) 375-7700

## **Yavapai County**

County Courthouse  
Prescott, AZ 86301  
(928) 771-3312

## **Yuma County**

230 W. 2nd Street  
Yuma, AZ 85364  
(928) 329-2164



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