

## ENFORCEMENT

### You Should Know...

Once a case is opened in Domestic Relations, the main responsibility of the Domestic Relations Enforcement Department is to ensure that the terms of the Court Order are met and that all account balances are reduced to a “0” balance each month.

The requirements to keep your account balance at “0” each month are mandated by state and federal rules and regulations.

Once your account balance exceeds a “0” balance, you will see certain terms used on correspondence you receive from Domestic Relations. It is important to know what these terms mean when attempting to bring your account current.

## FREQUENTLY USED TERMS

**DELINQUENCY** is defined as any account balance more than the monthly support obligation amount. This may also be referred to as arrearages or arrears. There are two kinds of delinquency—past due support and overdue support.

**PAST DUE SUPPORT** is defined as the amount of support which charges as a result of the retroactivity of the order. (This amount is calculated from the date the plaintiff files a petition until the conference or hearing date; these would be the arrears stated on your first court order.)

**OVERDUE SUPPORT** is the account balance after failing to pay the entire monthly support obligation and arrearage payment in any calendar month.

## EXAMPLES

When the first Order of Court is entered and an order is made retroactive, an arrearage is established. If the entire support payment and arrearage payment is not received in the calendar month in which the order is entered, and each calendar month thereafter, the past due support will convert to overdue support. See the examples below.

A support conference is held and an order is entered on August 14th effective July 1st to pay \$500.00 per month plus \$100.00 on arrears determined to be \$1,000.00. Because the entire \$500.00 plus \$100.00 was not paid in the month of August, when the account charged on September 1st the entire balance now became overdue. These arrears are now eligible for application of all enforcement remedies.

Example #1

Date	Charge	Pmts.	Past Due Bal.	Overdue Bal.
8-14			1,000.00	
8-27		300.00	700.00	
9-1	500.00			1,200.00

As you can see in this example because the \$500.00 plus \$100.00 was paid by August 31st, the arrears stayed in the past due status.

Example #2

Date	Charge	Pmts.	Past Due Bal.	Overdue Bal.
8-14			1,000.00	
8-27		600.00	400.00	
9-1	500.00		900.00	

Please note that every case is different, some being more complex than others. The above examples use very basic figures in order to explain the general process of an account.

## HOW DELINQUENT ACCOUNTS ARE HANDLED

The State of Pennsylvania has a fully operational computerized child support enforcement system. The managing of child support accounts is an automated process which is managed by your local Domestic Relations Section.

In an effort to keep your account balance at “0”, we encourage clients to contact and work with a Domestic Relations Enforcement Specialist. By failing to do so any or all of the following actions may occur:

- ◆ Letter of delinquency
- ◆ Letter scheduling an enforcement appointment with a DRS Enforcement Specialist
- ◆ Order scheduling a Contempt Conference in the Domestic Relations Office or a Contempt Hearing before a Judge
- ◆ Credit Bureau Reporting
- ◆ Driver’s License or Professional License Suspension
- ◆ IRS Intercept (federal and state)
- ◆ Passport denial
- ◆ Federal Institution Data Match (seizure of financial assets)
- ◆ Liens against personal or real property
- ◆ Hunting and Fishing License Suspension

## IMPORTANT

**At some point in the enforcement process you may be offered the option to pay an additional amount each month over and above your regular monthly support obligation to be applied toward the arrearages on your case.**

**If the arrearages are in overdue status, even if you are paying faithfully as your court order directs, this DOES NOT exclude you from any of the programs listed above. These programs are federally mandated to get your account to a “0” balance as quickly as possible. For this reason, Domestic Relations does not have the ability to have you deleted from these programs.**

## DO'S AND DO NOT'S

- ◆ **Do** pay your entire monthly support order amount and payment on arrears amount each calendar month.
- ◆ **Do** report your change of address, phone number, employer, etc. to the Domestic Relations Section immediately.
- ◆ **Do** file a modification if you have a change of circumstance.
- ◆ **Do** pay any fees ordered on time.
- ◆ **Do** show up for all conferences and hearings scheduled.
- ◆ **Do** send your payments to PA SCDU and include the payors full name and social security number on the check or money order. Send these payments until your wage attachment is implemented or whenever it is not deducted from your source of income.
- ◆ **Do** contact your attorney for legal advice, as the Domestic Relations Section cannot provide legal advice.
- ◆ **Do** tell the Domestic Relations Section when your child/ren emancipate or change residences.
- ◆ **Do** report to the Domestic Relations Section as soon as you receive information that a bench warrant has been issued for your arrest.
- ◆ **Do Not** make direct payments to the Plaintiff.

Payments may be made online at  
[www.ButlerDRSpmts.com](http://www.ButlerDRSpmts.com)  
[www.expertpay.com](http://www.expertpay.com)  
[www.moneygram.com](http://www.moneygram.com)

Or by mail to:

PA SCDU  
P.O. Box 69110  
Harrisburg, PA 17106-9110

**Include your Name and Social Security Number on your check or money order.**

## REMINDER

Domestic Relations recognizes there may be circumstances which arise that may prevent the payor from being in compliance with his/her support Order. When this situation occurs, IT IS YOUR RESPONSIBILITY TO CONTACT THE DOMESTIC RELATIONS SECTION.

## FREQUENTLY ASKED QUESTIONS

### Q. When is a payor incarcerated?

- A. The decision to incarcerate a payor for failing to comply with the Order of Court is up to a Judge. The Domestic Relations Section attempts to work with the parties to resolve the delinquency issue prior to incarceration.

### Q. What does a payor do if he/she has lost their job?

- A. A change in circumstance is grounds for the payor to file a petition to modify. A conference is scheduled within four to six weeks. A new Court Order will be entered based upon the parties current financial situation or earning ability, whichever is deemed appropriate by the conference officer at the time of the conference. This may result in an increase or decrease in the current support obligation.

### Q. When is a bench warrant issued?

- A. If a party fails to appear at a conference and/or hearing as directed by Order of Court and proper proof of service has been verified, the Court may issue a bench warrant.

### Q. When does my support obligation end?

- A. Either by Order of Court, or when the child(ren) reach the age of 18 or graduate from high school, whichever occurs last.

### Q. What should I do if my employer withholds money but does not send it to Domestic Relations?

- A. If the Defendant's wages are attached, the Defendant needs to provide copies of paystubs showing the deductions made; the Domestic Relations Section will then contact the Defendant's employer regarding the missing or partial payment.

Butler County Domestic Relations

[www.co.butler.pa.us/DRS](http://www.co.butler.pa.us/DRS)

## Enforcement



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