

Please Keep In Mind...



Parents and guardians retain the option to file their own Court motions, even when CSSD decides not to.

CSSD is unable to establish and enforce custody or visitation. However the Court,



and some non-profit organizations, can assist you with these requests. Cooperation and mutual respect is key to any successful co-parenting relationship and, according to the U.S.

Census Bureau report, *Custodial Mothers and Fathers and Their Child Support: 2009* (published Dec. 2011), support and care of children improved considerably when the child had a healthy relationship with both parents.

Assistance with filing motions, and some forms, are available at your local Judicial District Court and online at

www.nmcourts.gov.

Always keep copies of documents you sign.



New Mexico

Human Services Department

Child Support Services Division

Consolidated Customer Service

Center: 1-800-283-4465

Email: Child.Support@hsd.nm.gov

www.hsd.state.nm.us



HUMAN SERVICES
DEPARTMENT

Child Support Services Division

Supporting Our Children:

Information for parents and guardians



What is the New Mexico Child Support Enforcement Division?



The New Mexico Child Support Services Division (CSSD) works to establish paternity and support orders and enforce support obligations owed by parents to their children, thereby reducing the number of families reliant on public assistance.



Who Can Use CSSD Services?

Anyone can use CSSD services. If a parent or guardian receives public assistance in the form of Temporary Assistance for Needy Families (TANF) on behalf of the child(ren), a case will automatically be opened on behalf of the child(ren) and that parent/guardian. Families that fall within this category must cooperate with CSSD's requests in order to continue to receive benefits.



If you are a parent or guardian and you need assistance with establishing or enforcing child support but have never received public assistance, you may apply for services online or at your local field office. You can find more information at the Human Services Department (HSD) website (www.hsd.state.nm.us) within the Child Support Section.



Are There Fees?

If the child(ren) receive public assistance from the State of New Mexico, there are no fees to establish and collect child support.



If the child(ren) do not receive public assistance then, pursuant to New Mexico laws, some basic fees are charged. Fees are paid after child support has been set and is being collected. You can find more information on fees at www.hsd.state.nm.us or at your local CSSD office.

How Is a Child Support Order Obtained?

Steps for Obtaining Child Support:

1. Establishing Paternity is the first step in obtaining an obligation. If the father agrees to paternity he may sign an Acknowledgement of Paternity. If he disagrees with paternity a DNA test can be ordered by the Court and



your local CSSD office will arrange for testing. Parties can also agree to do DNA testing at their local CSSD office

2. Determining the child support obligation is the second step. Child support obligations are based on each parent's gross (before deductions like insurance and tax) income and expenses for the child(ren) and calculated using the New Mexico Child Support Guidelines. You may find a link to the child support calculator on the HSD website (www.hsd.state.nm.us) or at www.nmcourts.gov.

3. Once the obligation terms are set by agreement or hearing, the Court Order is signed by a Judicial Officer.

4. CSSD receives a copy of the Order from the Court and begins to collect and disburse the child support obligation. CSSD also issues a wage withholding to the paying parent's employer.

How Long Does It Take?

Establishing an Order can be a lengthy or quick process; it largely depends on how cooperative the parents are. Agreeing to DNA testing, acknowledging paternity, providing documentation of income, attending appointments and coming to agreements can expedite the process significantly.



How Is Child Support Enforced?

CSSD has administrative and judicial enforcement remedies available. Administrative enforcement remedies occur automatically and can include wage withholding, license suspension, tax refund intercepts and bank account seizures.



Wage withholding is the single most effective form of payment, accounting for 75% of all child support collected nationally. Many choose this convenient form of payment because it requires no additional effort and ensures the payments are applied accurately.

Judicial enforcement remedies require Court intervention and include Motions for Order to Show Cause and Requests for Bench Warrants. Whether CSSD pursues court enforcement is decided in accordance with CSSD policy by CSSD attorneys, who do not have an attorney/client relationship with either party.

