

What happens if I get a job before the first day of the tenth month after release?

Based on your ability to pay, your child support order can take effect again, and you may need to start making payments.

Will I be able to visit my child after I am released?

Child custody and visitation orders are not handled by California Child Support Services. Every county has a Family Law Facilitator who can guide you through the process or refer you to someone that can help you. Facilitator services are free.

Find your county Family Law Facilitator at www.courts.ca.gov/selfhelp-facilitators.htm.



Should I contact the child support agency handling my case when I am released?

Yes, let them know about any address, employment and income changes.

California Child Support Services

www.childsupport.ca.gov

866.901.3212

TTY | 866.399.4096

Child Support Information for the Parent in Jail or Prison

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CHILD SUPPORT SERVICES

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Kristen Erickson-Donadee
Director
California Child Support Services



Will I owe child support while I'm in jail or prison?

Yes, once a child support order is placed, you are responsible for paying child support and still have an obligation to support your children while in jail or prison. However, the amount due can be lowered or set to zero for an extended period if you have no ability to pay.

If you are confined in a facility other than jail or prison, such as a juvenile or mental health facility, the law still applies to you. Contact your child support specialist if you need help.

I'm confined for more than 90 consecutive days and have no ability to pay. Am I still required to make payments?

Payments are not required from the first day of the first full month of your confinement until the first day of the tenth month after your release.

What if I am sued for child support while in jail or prison?

As soon as you receive the Summons and Complaint package, contact the child support agency listed on the paperwork either by telephone or in writing. You have 30 days from the date the Summons and Complaint is officially handed to you to respond.

Will interest still be charged?

Yes, interest on previously owed past due balances will continue to be charged.

How much interest is charged when I don't pay?

By law, California's interest rate is 10% per year and is charged monthly to your balance of unpaid child support.

Will my license get suspended if I have unpaid child support?

If you make less than 70% of your county's median income and are overdue on child support, your driver's license will not be suspended. This makes it easier for you to keep or find a job.

How is my child support order determined?

Child support orders are now based on what you can pay. We consider your full situation when setting your support amount, including things like:

- Where you live
- Your work and income history
- Job skills and education
- Health and age
- Criminal record or anything else making it hard to work
- What jobs are available in your area

How do I get my order changed?

Contact the child support agency handling your case. Tell them you are in jail or prison and need a change in the amount of child support you pay, called a modification. Your child support specialist will review your situation and help you with the process.

What if I don't think I'm the parent?

Free genetic testing can be done while you are in jail or prison. To request genetic testing, contact the child support agency listed in the paperwork.

Can I do time instead of paying child support?

No. You can't get credit for child support owed for time served in jail, and you can't do time instead of making child support payments.

How will Child Support Services know how long I'm in jail or prison?

The child support agency will know of your dates of confinement through their databases. You can also report your dates of confinement by filling out the Declaration of Support Payment History form.

Will past-due support go to my family?

If the other parent no longer gets public assistance, past-due support owed to the state may now go directly to your family instead. This helps support your child more directly.

Child support forms are available at your law library. Your law librarian will be able to assist you.