

Supplemental Information to the Pennsylvania Child Support handbook



BUTLER COUNTY

Domestic Relations Section

PO Box 1208, Butler, PA 16003
www.co.butler.pa.us/drs

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This form provides supplemental information to the Pennsylvania Child Support handbook. Please contact the Butler County Domestic Relations Section for further information.



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Americans With Disabilities Act of 1990

The Butler County DRS (Domestic Relations Section) has adequate facilities to accommodate individuals with disabilities. Please make your needs known several days prior to your scheduled hearing.

Filing Fees

JCS/ATJ/CJEA Fee (Effective 11/01/17).....	\$40.25
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How to Change a Hearing/Conference Date

Once a date has been scheduled for a hearing, either party may file a motion, in proper form, with the Court and ask for the date to be changed. Refer to the Local Rules of Court found under Court Services on the Butler County website at www.co.butler.pa.us for further information. Motions to reschedule a hearing must be filed at least fifteen days prior to the scheduled hearing date. Domestic Relations Section employees may not present a motion to the Court on behalf of either party.

Obtaining Case Information

If your support case is in the Commonwealth of Pennsylvania, please visit the PACSES Child Support website at www.childsupport.state.pa.us to view your case information, update your address, employer, etc. If you need assistance with setting up this account, or have forgotten your username and/or password, you may receive help by sending an email to ra-pacsces@state.pa.us.

You can access the IVR (Interactive Voice Response) or speak with a client service representative by calling 724-284-5181. **Client Service representatives are no longer permitted to provide payment information.** Please access payment information by calling PA SCDU at 1-877-727-7238 or visiting your case on the website.

The IVR is available 24 hours a day. To access the IVR, call 724-284-5181 and select Option 1.

- Press (1) if you have a Touch Tone phone

- For General Office information, press (1)
Press (1) for office hours and address; or
Press (2) for directions and parking information; or
Press (3) for Court of Common Pleas location; or
Press (4) for cost & fee information
- For General Case Information, press (2)
Press (2) for interstate case information; or
Press (3) for genetic testing information; or
Press (4) for protection from abuse information; or
Press (5) for custody information
- For Collection & Enforcement Information, press (3)
- For Case Specific Information, press (4). A personal Identification number (PIN) is required. Follow the prompts to create a new PIN.

You may also call or appear at the Domestic Relations Office to meet with a representative about your support case at any time Monday through Friday between 8:30 a.m. and 4:30 p.m. (closed from 12:00 p.m. – 1:00 p.m.) excluding holidays and weekends. We recommend calling or writing a letter asking to schedule an appointment. Walk-in clients may experience a longer waiting time.

When contacting the office about an existing support case, you will be required to supply your Domestic Relations docket number, Social Security number, and PACSES case number (your PACSES case number is on all correspondence sent by the Domestic Relations Office and PA SCDU).

Information concerning your case will not be given to any third parties (spouse, girlfriend, boyfriend, parent, child(ren), friend, relative, neighbor, etc.). Case information will be given only to the plaintiff, defendant, defendant's employer (as it pertains to Income Withholding Orders and Earning Subpoenas), attorney of record, power of attorney, or any authorized governmental agency.

Providing Legal Advice

DRS staff personnel are not permitted to offer legal advice. You may choose to proceed without an attorney or make your own arrangements. You may contact Neighborhood Legal Services Association at 724-282-3888 or visit their website at www.nlsa.us to view their eligibility requirements, or contact the Butler County Bar Association at 724-841-0130 for referral services.

Recovery of Overpayments

Upon closure of your case, if an overpayment to the Plaintiff occurs, the Defendant may, according to the PA Rules of Civil Procedure, within one (1) year, file a petition in the Domestic Relations Section to seek recovery of the overpayment.

Support Distribution Policy

All support payments received by SCDU are distributed to plaintiffs following a set of rules that have been established by the PA Rules of Civil Procedure. Normally, all current support is paid before any arrears are paid. Sometimes defendants have more than one case at the DRS. When this occurs, all payments received are distributed on a pro-rata basis so that all families receive a portion of the payment. The DRS cannot override these distribution rules.

Support Payment Policy

The Domestic Relations Section cannot receive any support payments at the DRS office. All payments must be mailed to PA SCDU, PO Box 69110, Harrisburg, PA, 17106-9110. **Please be sure to include your name and social security number on your check or money order when mailing a payment.** (Employers receive a different address to send money from Income Withholding Orders.) You may also visit www.ButlerDRSpmts.com or visit a MoneyGram agent location or www.moneygram.com to make PA child support payments. More information about MoneyGram is included in this packet. Also, you may visit www.expertpay.com to make a payment online.

Client Information

The Domestic Relations Section is the agency in Butler County responsible for all matters involving the support of children and/or spouses.

Services Provided:

1. Location of absent parents.
2. Establishment of paternity.
3. Establishment of support orders including medical support.
4. Enforcement of support orders.
5. Modification of support orders, if warranted.
6. Collection and distribution of support payments.
7. All payments are processed at SCDU daily.
8. The Federal Tax Refund Offset Program is an administrative enforcement remedy where the defendant can be submitted on a continuous basis to have his/her tax refund intercepted for overdue child support owed based upon certain criteria. Any defendant who owes the Department of Human Services child support arrears of \$150 or more can be intercepted. Any defendant who owes child support arrears of \$500 or more to the plaintiff can be intercepted. There is a \$25 fee on an IRS collection where the money is owed to the plaintiff. It is deducted from the IRS collection before the money is distributed.

Client's legal rights and responsibilities:

All clients have the right to request that the court provide any or all of the services above. Clients seeking services must cooperate and comply with the Federal and Pennsylvania Court procedures as follows:

1. Client must appear in the Domestic Relations Section upon proper notice when required to do so.
2. In accordance with the Americans with Disabilities Act, a client with a disability may request accommodations for attendance at required DRS appearances by calling.
3. Client must provide the information requested by the Court necessary to process the case.
4. Client must report to the Domestic Relations Section, in writing, within seven (7) days, any changes of address, employment and any other information requested by the Court.
5. Client has the right to periodic review of the support order.
6. Acceptance of Public Assistance operates as an assignment of support to the PA Department of Human Services. Support payments on behalf of clients or their children who receive welfare will be paid to the PA Department of Human Services as required by law.

Tax Information for Non-custodial Parents

The custodial parent is the parent with whom the child lived for the greater number of nights during the year. The other parent is the **non-custodial parent**.

Do you pay child support?

Child support payments are not tax deductible by the payer and they are not taxable income to the recipient. Paying child support does not necessarily entitle you to a dependency exemption.

Claiming Your Child as a Dependent

Generally, because of the residency test, a child of divorced or separated parents is the qualifying child of the custodial parent. However, the child will be treated as the qualifying child (for the purposes of claiming a **dependency exemption** and the **child tax credit**, but **not** for the **earned income credit**) of the noncustodial parent if all four of the following statements are true:

1. The parents:
 - a. are divorced or legally separated under a decree of divorce or separate maintenance,
 - b. are separated under a written separation agreement, or
 - c. lived apart at all times during the last 6 months of the year, whether or not they are or were married.
2. The child received over half of his or her support for the year from the parents.
3. The child is in the custody of one or both parents for more than half of the year.
4. The noncustodial parent attaches a Form 8332, or similar statement containing the same information required by the form, to his or her return. **The form must be signed by the custodial parent.** (See special rules in Publication 17 for a pre-1985 or post-1984 and pre-2009 divorce decree or separation agreement.) See Publication 17 for additional rules for claiming an exemption for a dependent.

Child Tax Credit

- If you are entitled to claim a dependency exemption for your child based on the exception for children of divorced, separated, or never married parents described above, you can claim the child tax credit for your child who was under age 17 at the end of the year. See Publication 17 for additional rules.

Earned Income Credit (EIC)

The EIC is a refundable tax credit for low to-moderate-income taxpayers.

- A non-custodial parent cannot claim EIC for a child that he or she has been given permission to claim as a dependent by a custodial parent.
- The IRS will request documentation such as school records, birth certificates or medical records to verify eligibility of a child claimed by more than one taxpayer.
- You may still be able to claim the credit, even if you do not have a qualifying child. See the rules and income limits in Publication 17 or Publication 596 for more information.
- EITC Assistant – An online tool to assist you in determining if you qualify for the EITC is available in English and Spanish. The EITC Assistant is available on www.irs.gov 24 hours a day, 7 days a week. Additionally, you can call the IRS for assistance at **1-800-829-1040**

Treasury Offset Program

- If you are due a federal tax refund but have not paid certain debts such as child support, back taxes, or state back taxes, all or part of your federal tax refund may be applied to these unpaid debts. The Financial Management Service (FMS) will offset your refund and forward it to the agency to apply to your debt. Notification of the disbursement of funds is sent by mail. If you have questions about the Federal Tax Refund Offset Program, please contact FMS toll-free at 1-800-304-3107.
- Some past-due child support payments are assigned to the state when a custodial parent receives various state benefits. In this instance, the custodial parent may not receive past-due child support payments directly.
- When a joint return is filed and only one spouse owes a past-due amount, the other spouse can be considered an injured spouse and receive his or her share of the refund from the joint return. See Form 8379 and instructions for additional information.