

support order will be entered based primarily on the parties' incomes, earning capacities, and the reasonable needs of parties and children.

PATERNITY?

Domestic Relations will assist a mother in making a claim of paternity against the alleged father of a child. A conference will be scheduled to determine whether paternity will be acknowledged. If so, a support order can be entered. If not, the Court will order blood tests be performed on the mother, child, and alleged father to determine paternity.

ENFORCEMENT?

Support payments are collected and administered by the Sate Collection and Disbursement Unit (SCDU). SCDU can be contacted at PO Box 69110, Harrisburg, PA 17106-9110.

If support payments are delinquent, an attachment conference can be scheduled by lodging a written complaint with the Domestic Relations Section, or by automatic computerized listing. Supply your case number and docket number for all correspondence and office appearances. If an agreement is not reached, the matter will be heard by a Judge on a Petition for Contempt that same day.

MODIFICATION?

A petition to modify may be filed if there has been a substantial change of circumstance since the Order was entered. Always keep Domestic Relations advised of changes of address, employment, and circumstances.

Montgomery County Commissioners

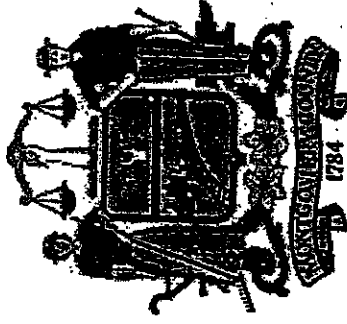
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A GUIDE TO CHILD SUPPORT

IN

MONTGOMERY COUNTY



One in a series of
informative pamphlets
developed by

The Montgomery County Commission
on Women and Families
in partnership with
Montgomery Bar Association
The Family Law Section

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GUIDE TO SUPPORT

WHO MAY APPLY?

Any dependent spouse or custodian of a child may apply for support. Custodian is the person with whom the child resides.

WHEN, WHERE AND HOW?

If you reside in Montgomery Co., apply at Domestic Relations, Suite 109, One Montgomery Plaza located at Swede & Airy Streets, Norristown. You may apply in person, without an appointment, from 8:30 a.m. to 4:15 a.m. Monday-Friday. It is best to appear before 3:00 p.m. You may also call their self-help voice system, 610-278-3646 for basic info on accessing the system, or make contact through the County Website, www.montcopa.org. Mail-in packages are available upon request with instructions for parties filing a local complaint for support, wherein both the obligor and the obligee reside in Montgomery County.

If the obligor resides outside of Montgomery Co., or in another state, you may file a Complaint for Support at the Domestic Relations Office. Either walk in, or make and appointment with the Intake Unit. The Complaint may be referred to the Courts of the County or State in which the Obligor resides. In the event that the Complaint is referred, the responding court will have the authority to enter and enforce a support order. Be aware that a support order may not be entered for several months after the Complaint is referred to the responding Court.

INFORMATION REQUIRED

You must provide either a good personal or business address for the Obligor. If you do not have a good address, but can provide the Obligor's Social Security # and date of birth,

Father's full name and Mother's full maiden name, the Domestic Relations Section will attempt to locate the parent. If the parent cannot be located locally, the inquiry will be referred to the Pennsylvania and Federal Parent Locator Services. Be aware that location of an absent parent involves significant time.

WHAT HAPPENS NEXT?

The Domestic Relations Section will schedule a conference where the parties will appear before an Officer within four to six weeks after the filing of the Complaint. The purpose of the conference is to gather the factual financial information for the Court and determine if an agreement can be reached. If so, a support order and wage garnishment may be entered, and instructions given. If not, the support case will be scheduled for a hearing before the Conference Officer in Support. However, a temporary order will be entered for at least the children pursuant to the Support Officer's recommendation.

IF ONE PARTY APPEARS?

The law requires proof that the Obligor has been served with notice of the support claim and hearing date. Without proof, the conference or hearing must be continued to a new date. The sheriff may be asked to hand-serve the complaint and notice to the Obligor, with notice that the Obligor must appear within 72 hours or face a bench warrant. In the interim, the Officer will conduct the conference with the moving party to gather their information for use when the Obligor appears.

If proof of service is available, a support order may be entered if the party seeking support can offer some documentation as to the Obligor's income. Otherwise, proceedings must be delayed until an arrest warrant is issued,

compelling the other side to appear for another hearing.

LEGAL REPRESENTATION?

Parties are not required to be represented by counsel, but are strongly advised to consider consulting an attorney. Contact the Lawyer Referral Service of Montgomery County Bar Association at 610-279-9660.

The Montgomery County Solicitor is available to represent reciprocal, welfare, or paternity Plaintiffs (Obligee) at the Office Conference and the Court levels only. If parties do not agree with the recommendation of the Conference Officer, they may file Exceptions/Demand for De Novo Hearing and request a Court Hearing before a Judge. In the interim, the Obligor must pay the Order as recommended by the Conference Officer in Support.

There is no Public Defender provided, as a local rule of practice for the Obligor in matters of enforcement of Court Orders or in Paternity matters.

INFORMATION REQUIRED FOR CONFERENCE OR HEARING

Both parties must provide their previous year's tax return, recent W-2, and pay stubs for the previous six months. The self-employed individual must bring business records and financial statements. Those receiving unemployment or workmen's compensation, disability or pensions, must provide proof of the amount received. Both parties must provide social security numbers, and proof of all medical coverage with policy numbers. Completed income & expense forms, mailed to the parties by Domestic Relations, must be returned at the time of the conference. A