

**STATE OF MONTANA  
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES  
CHILD SUPPORT SERVICES DIVISION**

\* \* \* \* \* **IMPORTANT** \* \* \* \* \*

**Keep this Form for Your Records**

**TERMS AND CONDITIONS FOR  
CHILD SUPPORT SERVICES DIVISION SERVICES**

**INTRODUCTION**

Either parent or a caretaker/guardian of a child may open a case with the Child Support Services Division (CSSD) by completing an application. Families receiving certain types of public assistance receive CSSD services automatically.

The Terms and Conditions explain your rights and responsibilities and the services the CSSD will provide. **Read this form carefully and keep it.**

You may retain your own attorney, at your expense. The CSSD represents the public interest. Your objectives, goals, and financial interest may be different from the interest of the CSSD. The CSSD and the CSSD attorney do not represent any individual.

**CONFIDENTIALITY / PRIVACY NOTICE**

When you receive child support services, federal and state laws require you to provide the CSSD with certain information, including social security numbers for you and your children. This information is used to establish parentage and establish, enforce and modify support orders. By submitting an application for CSSD services, you authorize the use of these social security numbers for providing child support services.

The CSSD is committed to protecting your privacy and keeping information about your case confidential in compliance with state and federal law. This is also required of all agencies and organizations that work with the CSSD. However, you should be aware that some laws require the sharing of certain information. For example, the CSSD may need to provide certain information to another agency or person working on your case; to a third party such as an insurance

company; or to the other parent. Additionally, be aware that once a legal action is started to establish, modify or collect child support, all information included in the proceeding becomes a matter of public record.

Information received becomes a part of the case record. The CSSD may disclose this information, including your name, address, and phone number, to other parties in the case. **If you believe the release of this information may put you or your family at risk, you must contact the CSSD immediately.** If the CSSD determines there is clear evidence of risk, your address and phone number will be removed from documents issued to other parties in the future. Also, if you have a protective or restraining order, you must provide the CSED with a copy.

**YOUR RESPONSIBILITIES**

1. You must keep the CSSD informed of any change in your address, phone number, or employment. You must also provide updated information about other participants in the case.
2. You must promptly inform the CSSD of any changes in the physical custody of the children, modification of the support order, other collection actions, adoption proceedings, and any other matter that may affect or change the services the CSSD is providing.
3. You must forward any information that adds to, differs from, or contradicts information in the CSSD case so that it may be considered.
4. You must provide certified copies of all orders concerning your case. This includes actions that occur after CSSD services begin.

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5. If you are the obligee, you agree that the value of CSSD services exceeds any interest that might have accrued on collections that are held pending proof of validity, confirmation of funds, or possible adjustments from joint federal tax offsets, and thereby waive that interest. Joint federal tax offsets may be held up to six months pursuant to federal law.
6. You must immediately forward any support payment you receive that has not been issued by the CSSD (or any payment you are required to make) to the CSSD.
  - (a) You may be liable if the CSSD takes an enforcement action because you failed to timely forward a payment.
  - (b) Credit may not be given unless payments are made through the CSSD.
  - (c) Send all child support payments to:
 

**Child Support Services Division**  
**PO Box 8001**  
**Helena, Montana 59604**
6. The CSSD will collect interest on support debts only when the amount of unpaid interest is reduced to a lump sum judgment by an order. The CSSD does not have the ability to calculate the amount of interest that may be due or that may become due. This limitation is not to be construed as a waiver of any right to collect interest independent of the CSSD.
7. The CSSD may seek reimbursement from persons who receive money to which they are not entitled. The CSSD will provide an opportunity to repay or deny that money should be repaid to the State of Montana. Failure to repay or deny within 10 days of notification allows the CSSD to keep a portion of current support (and any amount that exceeds current support) to reimburse the State. The CSSD may also take action to recover these amounts either administratively or through a court order. The CSSD is not required to collect amounts owed to the parent who paid the support.
8. The CSSD will close a case:
  - a) upon your request if there has been no other application for services.
  - b) when you fail to cooperate or fail to abide by these Terms and Conditions.

**Note:** A case may not be eligible for closure if a child receives Medicaid services or state provided public assistance.

## CSSD SERVICES

1. The CSSD will enter an order setting **both** parents' support obligation when establishing or modifying a support order. Enforcement of the support order will be determined by the custody arrangement.
2. The CSSD will collect medical support if it has been reduced to a judgment which is to be paid in a specific dollar amount.
3. The CSSD, not a case participant, will determine the proper action or remedy to apply and the sequence of events, including the time frames, within which each case will proceed. This includes attempts to establish paternity when necessary, secure financial and medical support, and modify orders when appropriate.
4. The CSSD will intercept federal and state income tax refunds when appropriate and apply them to unpaid support debt with state debt taking priority. Persons receiving support may be required to repay intercepts if federal and state adjustments occur.
5. The CSSD may charge an application fee. If another agency or entity charges collection fees, the CSSD will pass on the cost to the person receiving support.

## OTHER INFORMATION

The CSSD cannot guarantee success in establishing paternity, establishing a support order, or collecting support. The CSSD may not be able to continue to provide services because of circumstances outside the CSSD's control. All warranties, expressed or implied, are specifically disclaimed. Please be aware the enforcement of child support is a complex undertaking. It will take time to process your case thoroughly.

These Terms and Conditions govern all child support enforcement services. Any changes to the Terms and Conditions will not be binding until the CSSD notifies you.

It is the policy of the Montana Department of Public Health and Human Services to provide equal agency services to all persons regardless of race, color, religion, creed, sex, national origin, age, physical or mental disability, marital status, or political belief.

Alternative accessible formats of this document will be provided upon request