

# SESSION 6: PARENTS WHO DON'T PAY

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## INTRODUCTION

In the last session you figured out how child support is calculated. Now, let's think about what it really means and what happens when it doesn't get paid.

Who do you think is affected when a noncustodial parent doesn't pay child support that's been ordered?

Here are some possible consequences:

- The child may go without certain things.
- The child will have less and, in some cases, it means the child will live in poverty.
- The custodial parent has to bear all financial cost of caring for a child alone.
- The noncustodial parent gets deeper and deeper in debt, which can lead to stress, credit problems, having licenses taken away, etc.

## Child Support Is a Commitment

We make commitments all the time. It's part of what sets us apart from small children. We can decide what we'll do, let people know what they can expect from us, and then do it. It's like a promise.

- Some Examples:**
- You tell your friend she can get a ride home with you.
  - You tell your little brother you'll take him to a movie.
  - You tell your coach you'll come to practice on time every week.
  - You tell your mom you'll always be home by 10 pm.
  - You tell your dad you'll study hard this year.

List some commitments you've made:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

## SESSION 6: PARENTS WHO DON'T PAY *Continued*

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Some commitments are pretty minor. Maybe your mom is halfway out the door and says, “I forgot to take the trash out,” and you say, “I’ll get it.” Others are much more important, like when you tell your little sister you’ll pick her up after a movie. It’s about what happens if you don’t do what you said. Your mom might be slightly annoyed if you got distracted and the trash didn’t go out in time for the garbage truck. But, if you forgot to pick up your sister, she’d be standing out on the street alone late at night.

Go back to the list of commitments you just wrote. Below, list those same commitments in order of importance. For each commitment, add a note about what would happen if you didn’t follow through.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Some commitments (like picking up your sister) are one-time deals. Others are longer-term propositions (like promising your dad you’ll study hard this year). You can call any promise (or anything you say you’re going to do) a commitment, but we tend to use the word “commitment” for the more important, long-term promises. You make a commitment to study or to come to practice or to take care of your dog or to help keep the house clean.

Have you made any long-term, important commitments yet? Like what? And why did you make the commitment?

Have you made any commitments to yourself? What is it, and why did you make it?

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What kinds of commitments do you plan to make when you consider a future marriage?

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## SESSION 6: PARENTS WHO DON'T PAY *Continued*

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People don't always keep all of their commitments. What are some reasons people don't keep commitments? Look at these **examples**:

1. Louis said if he could keep a dog he found, he would walk it and feed it. Then he got a chance to join a band that practices after school five days a week. Now, Louis's sister has to walk the dog and give him his dinner.
2. Megan says she'll make straight A's this semester, but no matter how hard she tries, she's getting a B in Spanish.
3. Derrick asked his grandmother to sign for a car loan. He said he'd make the payments, but he hasn't been able to find a job.
4. Lainey wanted to join the a capella choir at her church because the choir performs at other churches all over town. But she misses every other practice for one reason or another. One time she overslept; another time her aunt and uncle came and she wanted to see her cousins; and another time she had the flu.
5. James promised his fellow teammates he'd take them to the championship, but he broke his leg in the first game. Without him, they're in last place at mid-season.
6. Erica and her friend, Sharma, agreed to save their money and go to Cozumel after graduation, but Erica got pregnant.

Was there ever a time when you made a commitment and couldn't keep it? Why was that?

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Was there ever a time when someone made a commitment to you and didn't keep it? What was it and how did it affect you?

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## SESSION 6: PARENTS WHO DON'T PAY *Continued*

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Was there ever a time when you made a commitment that was hard to keep or you didn't want to keep, but you did anyway? Good for you! Explain.

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Why did you do it?

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What kind of person are you when it comes to keeping commitments? Check one answer:

It's got to be a major disaster before I go back on my word.

I'm pretty good about keeping my promises.

I try, but I need to work on this.

I don't do very well at this.

Other: \_\_\_\_\_

What would other people say about you? Do you think people who know you well feel they can depend on you to do what you say? Write what you think they would say about you:

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Here are some tips for keeping commitments:

- Don't be too quick to make commitments that limit your options. Look at Louis. He should have thought about whether he might want to be free to do something after school every day.
- Don't promise to do something unless you know you can do it. Sometimes, it's better to promise that you'll "try" or limit promises to things you know you CAN do. Look at Megan.

## SESSION 6: PARENTS WHO DON'T PAY *Continued*

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- Don't make promises for other people. Derrick needed some cooperation to keep his promise. If it involves somebody else, you better get them to buy in before you commit.
- Once you commit to something, DO give it priority. Don't wimp out for every little reason.
- There are times when everybody gets sidetracked by things they can't control.
- As for Erica, once she got pregnant, Cozumel was out of the question. Now, the really important commitment is to her child. Your obligation to your child is a matter of law. To your child, your commitment is the most important thing in the world.

So what does all of this have to do with child support? Child support is a commitment.

- In the eyes of the law, when you're a parent, you have an obligation or duty to support your child financially.
- The obligation is to your child.
- Paying child support is keeping a commitment (duty, obligation, responsibility) to your child.
- When parents don't take this commitment or responsibility seriously, the state will use enforcement tools to get the parents to honor their commitment.
- If the parents' circumstances have changed or something has happened beyond their control (job loss, disability, permanent financial downturn), they can apply to the court immediately to get their child support order modified based on their current income.

### **SURVIVAL SKILLS**

If you're a noncustodial parent who has a child support case with the Office of the Attorney General (OAG):

- Accept your responsibility and role as a parent. **FOCUS ON THE CHILD'S BEST INTERESTS, NOT YOURS.**
- Always stay in contact with the child support office that has your case. If you move or change jobs, call or write the office with your new address and new employer. **OTHERWISE, YOU MAY MISS A PAYMENT OR AN IMPORTANT NOTICE.**
- If you have a permanent change in financial circumstances, contact the child support office to request a review of your payment amount and a modification (decrease, if you make less money; increase, if you make more money).

## SESSION 6: PARENTS WHO DON'T PAY *Continued*

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- If you're responsible for paying child support and lose your job, ask the child support office to refer you to the local workforce board. You can do this on your own, but letting the child support office know of your situation and asking for help alerts the office to the fact that you're trying to correct your situation.
- If you're having a conflict with the other parent about visitation or any issue concerning the child, look in the phone book to find a parent support group or mediation center. While the OAG does not have the authority to enforce visitation or change custody, the office may be able to refer you to other agencies or resources for help. **THE OFFICE OF THE ATTORNEY GENERAL CANNOT RESOLVE YOUR ISSUES WITH THE OTHER PARENT.**
- Parents who become delinquent in their child support should immediately contact the child support office to make arrangements to pay. **PAY SOMETHING ON A REGULAR BASIS. DON'T AVOID CONTACT WITH THE OFFICE OF THE ATTORNEY GENERAL JUST BECAUSE YOU OWE BACK SUPPORT.**
- Never put off making arrangements to pay back support. This can only result in large amounts past due, with interest on the past-due amount piling up. **EXPECT YOUR IRS REFUND OR LOTTERY WINNINGS TO BE INTERCEPTED IF YOU OWE BACK CHILD SUPPORT.**
- Either parent can open a case with the Office of the Attorney General. The parent is not required to have custody of the child. Also, grandparents or relatives with physical custody can open a case for child support establishment or enforcement.
- If you have a court order, it cannot be legally changed by informal or mutual agreement. You must go back to court to have it modified.
- Never ignore a summons to come to court. If you don't appear, your right to tell your side of the story may be forfeited. For example, a judge can name a man a legal father by default if the man does not appear when served.
- You always have the right to hire a private attorney.
- Strive to pay the court-ordered amount, but pay something every month; this might keep you out of court or out of jail.
- Keep all your records, including receipts for child support payments.
- Maintain, at the least, a civil relationship with the other parent. Child support is for 18 years, but being a parent is for life.