

AGENDA
RULE DEVELOPMENT WORKSHOP
(If Requested in Writing)

Workshop Material Available on the web at:
<http://www.floridarevenue.com/rules>

1:00 P.M., June 10, 2022

Contacts: Bobby York, Government Analyst II, (850) 617-8037

**ROOM 1220, BLDG TWO
2450 SHUMARD OAK BLVD
TALLAHASSEE, FLORIDA**

THIS MEETING IS OPEN TO THE PUBLIC

1. Call to Order:

- (a) Introduction of Department of Revenue Staff
- (b) Opening Remarks by Department of Revenue

2. Business: Presentation and discussion of the proposed changes to the following rule sections of the Florida Administrative Code (F.A.C.):

CHILD SUPPORT

- Rule 12E-1.0051, F.A.C.
- Rule 12E-1.012, F.A.C.
- Rule 12E-1.027, F.A.C.
- Rule 12E-1.030, F.A.C.

3. Closing Comment

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NOS.: RULE TITLES:

- 12E-1.0051 Undistributable Collections
12E-1.012 Consumer Reporting Agencies
12E-1.027 Written Agreements for Payment of Past-Due Support
12E-1.030 Administrative Establishment of Child Support Obligations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12E-1.0051, F.A.C. (Undistributable Collections), is to update the Department's procedures for processing undistributable collections...

The purpose of the proposed amendments to Rule 12E-1.012, F.A.C. (Consumer Reporting Agencies), is to incorporate, by reference, changes to replace "written agreement" with "payment agreement" in the Notice of Decision Concerning Report to Consumer Reporting Agencies (CS-EF62).

The purpose of the proposed amendments to Rule 12E-1.027, F.A.C. (Written Agreements for Payment of Past-Due Support), is to add a "payment agreement" as an agreement entered into by the Department and an obligor that sets the terms for payment of past-due support.

The purpose of the proposed amendments to Rule 12E-1.030, F.A.C. (Administrative Establishment of Child Support Obligations), is to update the procedures for termination of an administrative support order or support obligation, incorporating, by reference, new and revised forms used to terminate an administrative support order or support obligation.

SUBJECT AREA TO BE ADDRESSED: Updates to child support rules and forms regarding undistributable collections, written payment agreements, and termination of an administrative support order or support obligation.

RULEMAKING AUTHORITY: 61.13(1)(b)7., 61.1354(5), 61.14(1)(d), 409.2557(3)(f), (i), (j), (p), 409.2558(3), 409.2558(9), 409.246(17), 409.2563, 409.25633, 409.2564(13) FS.

LAW IMPLEMENTED: 61.1354, 409.2558(3), 409.2558(5), 409.256, 409.2561(1), (2)(b), (3), 409.2563, 409.25633, 409.2564(4), 409.2598 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 10, 2022, at 1:00 P.M.

PLACE: 2450 Shumard Oak Boulevard, Building 2, Room 1220, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bobby York at Bobby.York@floridarevenue.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bobby York, Child Support Program, Department of Revenue, 2450 Shumard Oak Blvd., Suite 2-4466, Tallahassee, Florida 32399-0184, telephone: (850)617-8037, email: Bobby.York@floridarevenue.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

[Redacted content]

STATE OF FLORIDA
DEPARTMENT OF REVENUE
CHAPTER 12E-1, FLORIDA ADMINISTRATIVE CODE
CHILD SUPPORT PROGRAM
AMENDING RULES 12E-1.0051, 12E-1.012, 12E-1.027, AND 12E-1.030

12E-1.0051 Undistributable Collections.

(1) Introduction. The Department is responsible for distribution of child support payments under section 409.2558, F.S. When the Department is unable to disburse the payment to the final intended recipient, the provisions of this rule apply ~~shall be applied~~.

(2) Definitions. For purposes of this rule:

(a) “Final intended recipient” means a ~~custodial parent, caregiver, noncustodial parent,~~ a parent’s or caregiver’s estate, or a state, country, or ~~Federal~~ agency providing Title IV-D services, including ~~those~~ agencies administering programs under Title IV-A (Temporary Assistance for Needy Families), Title IV-E (Foster Care), or ~~and~~ Title XIX (Medicaid) of the Social Security Act.

(b) “Obligee” means the person to whom support payments are made pursuant to an alimony or child support order.

(c) “Obligor” means a person who is responsible for making support payments pursuant to an alimony or child support order.

(d) “Undistributable collection” means ~~is defined by the social and economic assistance provisions in section 409.2554(14), F.S., to mean~~ a support payment received by the Department that ~~which~~ the Department determines cannot be distributed to the final intended recipient, as

defined by section 409.2554(17), F.S.

(3) Undistributable Collection Processing.

(a) The Department will consider a collection undistributable when:

1. The final intended recipient is deceased and the Department cannot locate the individual's ~~final intended recipient's~~ estate or the estate does not claim the funds.

2. The final intended recipient cannot be found after making reasonable efforts to locate the individual.

~~a.(b) The Department will use the following sources to try to find the final intended recipient. If the final intended recipient is deceased, location searches under subparagraphs 1. through 6. are not required.~~ Reasonable efforts to locate a final intended recipient are considered complete exhausted when, at a minimum, searches of the Department's automated case management computer system, available electronic data exchange information from other state and federal agencies, and information available from a contractor providing location services to the Department, if any, following sources have taken place and the Department has not found the individual ~~final intended recipient~~.

~~1. Department's automated case management computer system, to include electronic searches with multiple sources and responses from the Federal Parent Locator Service, as required in 45 CFR 303.70. This search includes the obligor, obligee, and children.~~

~~2. Florida Department of Highway Safety and Motor Vehicles.~~

~~3. Florida Department of Economic Opportunity. This search includes employment, wage, unemployment, and Workers' Compensation records.~~

~~4. Florida Department of Corrections.~~

~~5. Location sources available from an out-sourced location vendor, subject to a contractual~~

agreement between the Department and vendor.

~~6. Secure Internet locate sites, as determined on a case by case basis.~~

~~b.(e) If the searches under subparagraph (a)2.a. subparagraphs (b)1. through 6. find the final intended recipient, the Department disburses the payment.~~

~~c.(d) If the searches under subparagraph (a)2.a. subparagraphs (b)1. through 6. do not find the final intended recipient, the payment collection is considered undistributable.~~

~~(b) The Department will ~~shall~~ process the undistributable collections ~~collection~~ in priority order as provided in section 409.2558(3), F.S.~~

~~(e) When the obligor has more than one support order with a past due balance being enforced by the Department, the Department shall notify the obligor by certified mail, restricted delivery, return receipt requested, of its intent to apply the collection to the obligor's other cases, according to section 409.2558(3)(b)6., F.S. If the address of the obligor is unknown, the Department will try to find the obligor using sources referenced in paragraph (b) of this subsection.~~

~~(f) If the obligor disagrees with the Department's plan to apply the collection to the obligor's other cases and a petition is filed in circuit court and served on the Department within 30 calendar days of the mailing date of notice, the Department will not apply the collection to the obligor's other cases unless the court enters an order for the Department to apply the collection to the obligor's other cases.~~

~~(g) When the Department has processed the collections as required in section 409.2558(3)(b)6., F.S., and there are collections remaining, the Department will refund the remaining collections to the obligor if the address of the obligor is known. If the address of the obligor is unknown, the Department will try to find the obligor using sources referenced in~~

~~paragraph (b) of this subsection.~~

(4) Uncashed Checks for Less Than Ten Dollars.

(a) When the Department has sent one or more paper checks totaling less than ten dollars to the final intended recipient, and the individual has not cashed the check within 180 days of the issue date and does not have an established method of electronic disbursement, the Department will hold the collection for processing as program income.

1. The Department sends a Notice of Uncashed Check (CS-FM166) to the final intended recipient's last known address by regular mail. The notice states the Department's intention to process the collection as program income unless the individual contacts the Department to have the collection reissued. Form CS-FM166,

(http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), is incorporated herein by reference, effective xx/xx.

2. If the final intended recipient does not contact the Department within 30 days of the date of the notice, the Department will process the collection as program income, crediting the federal share of the collection to the federal government and the state share of the collection to the General Revenue Fund.

3. If the final intended recipient contacts the Department after the collection has been processed as program income, the Department will handle the request to claim the collection as provided in subsection (6).

~~(5)~~(4) Undistributed Collections for Ninety-Nine Cents or Less.

(a) If the Department has sent one or more paper checks totaling ninety-nine cents or less to a final intended recipient, the ~~final intended~~ recipient has not cashed the check(s) within 180 days of the issue date on the check(s), the collection(s) is the only remaining payment due to the final

intended recipient, and the individual ~~final intended recipient~~ does not have an established method of electronic disbursement, the Department ~~will~~ shall process the collection as program income.

(b) If the Department identifies undistributed collections totaling ninety-nine cents or less on a closed case and the collection is the only remaining collection due to the final intended recipient, the Department ~~processes~~ shall process the collection as program income without attempting to locate the final intended recipient.

~~(6)~~(5) Claiming Reclamation of Undistributable Collections.

(a) The final intended recipient may claim ~~reclaim~~ undistributable collections retained as program income. The individual ~~final intended recipient~~ may not claim ~~reclaim~~ an undistributable collection if the collection was applied to bad check charges because the obligor's payment is returned to the Department Child Support Enforcement Program ~~for~~ insufficient funds, overpayments, state-assigned arrears, administrative costs, other cases in which the obligor owes past-due support, or the collection was returned to the obligor. The individual ~~final intended recipient~~ may contact the Department local child support office or ~~contact the Child Support Enforcement Program Office and ask for the Payment Processing Unit,~~ and to request the collection be disbursed a reclamation form.

(b) ~~The~~ To reclaim a collection, the final intended recipient must ~~complete and send to the~~ Department, Form CS-FM125, Request for Refund, dated July 2010, ~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-00620>)~~ incorporated by reference in this rule. The ~~final intended recipient must~~ prove they are entitled to the collection owner by giving his or her name, mailing address, and other case or demographic information as needed for the Department to verify the individual's identity if known, the child support or case number, date of

payment(s), and amount claimed.

(c) The Department will review the information provided ~~submitted by the final intended recipient~~ and respond in writing to approve or deny the request.

1. If the request is approved, the Department will disburse ~~mail~~ the collection to the final intended recipient.

2. If the request is denied, the Department will mail the Form CS-FM127, Request for Disbursement Refund Denied (CS-FM127) to the final intended recipient. Form CS-FM127 dated July 2010, incorporated by reference in this rule,

(http://www.flrules.org/Gateway/reference.asp?No=Ref-____00621) is incorporated herein by reference effective xx/xx ~~to the final intended recipient. Form CS-FM127 states the request is denied, reason for the denial, and the final intended recipient may contest the decision by seeking an administrative hearing under chapter 120, F.S. The form includes a Notice of Rights.~~

3. A final intended recipient may file a petition for ~~seek~~ an administrative hearing to contest the Department's decision to deny a request to claim ~~reclaim~~ a collection considered undistributable by the Department. A petition for an administrative hearing must be received by the Department of Revenue, Child Support ~~Enforcement~~ Program, Deputy Agency Clerk, within 20 calendar days from the mailing date of Form CS-FM127. Administrative hearings are ~~shall be~~ conducted pursuant to chapter 120, F.S.

(6) Forms.

Members of the public may get a copy of the forms used in this rule chapter, incorporated by reference, without cost, by writing to the Department of Revenue, Child Support ~~Enforcement~~ Program, Attn.: Forms Coordinator, P.O. Box 8030, Tallahassee, Florida 32314-8030.

Rulemaking Authority 409.2557(3)(j), 409.2558(3)(a), 409.2558(9) FS. Law Implemented

409.2558(3), 409.2558(5) F.S. History—New 10-24-11, Amended _____.

12E-1.012 Consumer Reporting Agencies.

(1) through (3) No change.

(4) Notice and Right to Hearing.

(a) Before releasing a report or providing information concerning an obligor under this section, the Department ~~sends shall send~~ the obligor by regular mail to his or her last known address a Notice of Intent to Report to Consumer Reporting Agencies, Form CS-EF32, incorporated herein by reference, effective 11/20, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-12332>). The notice informs ~~must inform~~ the obligor that:

1. through 6. No change.

(b) An obligor may contest the Department's reporting of overdue support to consumer reporting agencies. To contest:

1. and 2. No change.

3. When the review is concluded, the Department will ~~shall~~ hand-deliver or send the obligor by regular mail a Notice of Decision Concerning Report to Consumer Reporting Agencies, Form CS-EF62, incorporated herein by reference, effective 07/22 ~~11/21~~, (http://www.flrules.org/Gateway/reference.asp?No=Ref-____13849). The notice informs ~~must inform~~ the obligor whether the Department intends to report the obligor's overdue support amount to the consumer reporting agencies. The notice also informs ~~must inform~~ the obligor of the right under Chapter 120, F.S., to file a petition for administrative hearing to contest the accuracy of the information to be reported.

~~4. The obligor may contest the notice of decision by filing a petition for administrative hearing with the Department at the address provided in the notice within 15 days after receipt of the notice of decision. A petition is filed when it is received by the Department, not when it is mailed. If the obligor contests the notice of decision by filing a timely petition, the Department may not report information to consumer reporting agencies until the obligor withdraws the petition, the obligor consents, or a final order is entered that authorizes the release of the information.~~

(5) and (6) No change.

Rulemaking Authority 61.1354(5), 409.2557(3)(i) FS. Law Implemented 61.1354 FS. History—New 6-17-92, Amended 7-20-94, Formerly 10C-25.009, Amended 10-22-00, 10-30-06, 9-19-17, 11-12-20, 11-21-21, _____.

12E-1.027 Written Agreements for Payment of Past-Due Support.

(1) No change.

(2) Definitions.

(a) and (b) No change.

(c) “Written agreement” or “payment agreement” means an agreement entered into by the department and an obligor in a format prescribed by the department and suitable to be filed in court or administrative proceedings that sets the terms for payment of past-due support.

(3) No change.

~~(4) Terms of Written Agreements for Payment of Past-Due Support.~~

~~(a) An obligor completing a written agreement for payment of past due support shall admit liability for the total amount of past due support determined by the department to be due in~~

~~accordance with the records of the appropriate court depository established by section 61.181, F.S., or other appropriate records in interstate cases.~~

~~(b) Written agreements for payment of past due support must provide for payment(s) that will satisfy the total amount of past due support, as follows:~~

- ~~1. A one time payment of the total past due support; or~~
- ~~2. Periodic payments in equal amounts, paid at the same frequency as the ongoing support obligation, if any, or~~
- ~~3. Another agreed upon payment schedule that satisfies the total past due support.~~

~~(c) When the department agrees to suspend an enforcement remedy to accept a payment plan, the written agreement shall provide that, in the event the obligor does not pay as agreed:~~

- ~~1. The department shall resume the enforcement remedy without further notice, unless the debt is paid in full, enforcement is contrary to law, or a subsequent written agreement is entered into with the obligor,~~
- ~~2. The obligor consents to the department resuming the enforcement remedy; and,~~
- ~~3. The obligor waives the right to further notice or hearing concerning the department resuming the enforcement remedy.~~

~~(4)(5) Form and Completion of Written Agreements.~~

~~(a) The Department uses the Payment Agreement for Past-Due Support (CS-EF91) form to enter into a written agreement with an obligor. Form CS-EF91, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____), is incorporated herein by reference effective xx/xx. A written agreement completed under this rule must specify the obligor's name, the obligee's name, and the civil circuit case number, if applicable.~~

~~(b) A written agreement must be signed on behalf of the department by an authorized~~

representative.

~~(c) A written agreement must be signed by the obligor, or the obligor's attorney, or another representative authorized by law to enter into an agreement on behalf of the obligor.~~

~~(b)(d)~~ A written agreement becomes effective when completed and signed by both the Department ~~department~~ and the obligor, or the obligor's representative ~~as described in paragraph (e), above~~. After execution of a written agreement, the Department provides ~~department shall~~ furnish the obligor, or the obligor's representative ~~as described in paragraph (e), above~~, and the obligee with a copy of the agreement.

Rulemaking Authority 409.2557(3)(f), 409.2564(13) FS. Law Implemented 61.13016, 409.2561(1), (2)(b), (3), 409.2564(4), 409.2598 FS. History—New 3-6-02, Amended _____.

12E-1.030 Administrative Establishment of Child Support Obligations.

(1) through (14) No change.

(15) Termination of an Administrative Support Order or Support Obligation.

(a) The Department issues a Notice of Intent to Terminate Support, Determine Arrears and Establish Payment on Arrears (CS-OA160) when:

1. The parents reside together with the child(ren);
2. The child(ren) for whom support is ordered permanently resides with the parent who is ordered to pay support;
3. The parent who is ordered to pay support begins receiving Supplemental Security Income (SSI) after the support order is rendered;
4. The parent who is ordered to pay support has no income, is permanently disabled, and provides a doctor's statement that the parent is permanently disabled and unable to work; or

5. A court has terminated the parental rights of the parent who is ordered to pay support.

(b) The Department sends the notice by regular mail to each parent or caregiver, as applicable, at the address of record with the Department in accordance with section 409.2563(13)(c), F.S. Form CS-OA160, Notice of Intent to Terminate Support, Determine Arrears and Establish Payment on Arrears, is hereby incorporated by reference, effective xx/xx, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____).

(c) If a timely petition for an administrative hearing is filed with the Department in response to the notice, the Department refers the proceeding to the Division of Administrative Hearings in accordance with section 409.2563(6), F.S. If the notice is not contested, the Department renders a Final Order Terminating Support, Determining Arrears and Establishing Payment on Arrears (CS-OA178). Form CS-OA178 is hereby incorporated by reference, effective xx/xx, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____).

(d) The Department terminates an administrative support order under paragraph (a) when retroactive support or past-due support is not owed, or if retroactive support or past-due support are owed, none is assigned to the state, and the parent to whom retroactive support or past-due support is owed waives it in writing, except when a parenting time plan is incorporated into a final administrative support order.

(e) The Department terminates the support obligation prospectively, determines arrears and establishes payment on arrears when there are grounds for termination under paragraph (a) and retroactive support or past-due support are owed and not waived by the person to whom it is owed. The administrative support order is not terminated.

(f) A parent or caregiver may request the Department to terminate an administrative support order or support obligation. Requests must be made in writing and may be made using Request

to Terminate Support (CS-OA179). Form CS-OA179 is hereby incorporated by reference, effective xx/xx, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____). The request must include the following information:

1. Name of the parent or caregiver making the request;
2. Name of the other parent;
3. Child support case number or depository number;
4. Name of the child(ren) named in the order;
5. Specific reasons for the request to terminate; and,
6. Documentation that supports the request to terminate, if any.

(g) The Department evaluates requests to terminate an administrative support order or support obligation and issues a Notice of Intent to Terminate Support, Determine Arrears and Establish Payment on Arrears (CS-OA160) if the request and supporting documentation meet the criteria in paragraph (a). If the request does not meet the criteria, the Department mails the parent or caregiver the Response to Request to Terminate Support (CS-OA180). Form CS-OA180 is hereby incorporated by reference, effective xx/xx, (http://www.flrules.org/Gateway/reference.asp?No=Ref-_____).

~~(15) Termination of an Administrative Support Order.~~

~~(a) A parent or caregiver may request in writing that the Department terminate an Administrative Support Order for the reasons listed in paragraph (b). A written request must include the following information:~~

- ~~1. Names and addresses of the respondent and petitioner,~~
- ~~2. Child support case number, administrative support order number, or depository number,~~
- ~~3. Names of child or children,~~

4. Specific reasons for the request to terminate; and,
5. Any documentation that supports the request to terminate.

(b) The Department initiates action to terminate an administrative support order when:

1. A parent due support or caregiver who does not receive cash assistance requests termination of an Administrative Support Order.
2. The parent who owes support is permanently disabled, and is not receiving earned income. The person claiming permanent disability must provide a doctor's certificate stating the parent is permanently disabled and unable to return to work.
3. There has been a permanent change of physical custody of all the children on the order to the parent who owes support, or
4. The court terminates the parental rights of the parent who owes support.

(c) Arrears owed at the time the support is terminated will be established by the Department along with a repayment amount. The parent due support may waive arrears owed to them.

(d) The Department shall send a notice of intent to terminate the Administrative Support Order, to the non-requesting party, or any legal counsel or qualified representative representing the non-requesting party, and the requesting party. The notice of intent informs each parent:

1. The effective date of terminating the support order,
2. How to ask for an informal discussion,
3. How to ask for an administrative hearing; and,
4. That he or she has the right to file a civil action in circuit court to determine child support issues.

(e) When the Department begins a proceeding to terminate an Administrative Support Order, the Department shall notify the parents or caregiver by regular mail at the address of record for

~~each party using Form CS-OA160, Notice of Intent to Terminate Final Administrative Support Order, hereby incorporated by reference, effective 10/21,~~

~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-13854>). If the notice is not contested the~~

~~Department shall render Form CS-OA178, Final Order Terminating Administrative Support Order, hereby incorporated by reference, effective 10/21,~~

~~(<http://www.flrules.org/Gateway/reference.asp?No=Ref-13855>).~~

(16) through (18) No change.

Rulemaking Authority 61.13(1)(b)7., 61.14(1)(d), 409.2557(3)(p), ~~409.2563(7)(e)~~, 409.2563(16), 409.25633(9) FS. Law Implemented 409.2563, 409.25633 FS. History—New 9-19-17, Amended 1-17-18, 9-17-18, 8-28-19, 11-12-20, 11-21-21, _____.



Child Support Program

CS-FM166
Rule 12E-1.0051
Florida Administrative Code
Effective xx/22

Notice of Uncashed Check

Parent's Name
Parent's Address

Pick a date
Child Support Case Number: Enter CSP Number

On Enter date, the Child Support Program mailed you a check in the amount of \$Amount to your current or last known address at Enter address. The check was for child support owed to you or a refund of child support you paid. The check was not cashed or returned to us within 180 days and is now void.

WHAT YOU NEED TO DO

1. Contact us within 30 days of the date of this notice.
2. Provide your current mailing address to have the payment sent to you again.

If we do not hear from you within 30 days, we will process the payment as program income in accordance with Rule 12E-1.0051, Florida Administrative Code. Part of the payment will be credited to the federal government and the remainder transferred to the state's General Revenue Fund.

**If you have
questions or
need help:**

Access your case online: childsupport.floridarevenue.com
Email us: FloridaRevenue.com/AskChildSupport
Chat with us or learn more at: floridarevenue.com/childsupport
Call: *Select number*
Para asistencia en español, llame al 850-488-5437 y marque 7



Child Support Program

CS-FM127
Rule 12E-1.0051
Florida Administrative Code
Effective xx/22

Request for Disbursement Denied

Recipient Name
Recipient Address
City, State, Zip

Pick a date
Child Support Case Number: Enter CSP Number
Other Parent: Enter Name

We are denying your request to disburse a support payment(s) for \$ because:

- We applied the payment(s) to make up for our loss because of your bad check.
- We applied the payment(s) to recover an overpayment you did not repay to the Program.
- We applied the payment(s) to recover an overpayment the other parent did not repay the Program.
- We applied the payment(s) to current or past-due support you owe to the state and federal government on the above case.
- We applied the payment(s) to costs owed on the above case.
- We applied the payment(s) to your other cases.
- The other parent on the above case already claimed the payment(s).
- Other:
- You did not provide the information we asked for. We are sending back your request. We will review your request again once you provide us with the information.
- We need:

Return this form and your request with the information we need to:

Child Support Program
Attn: Payment Processing Unit
P.O. Box 8030
Tallahassee, FL 32314-8030

If you disagree with our decision, you may file a petition for administrative hearing within 20 calendar days from the date of this notice. The attached Notice of Rights tells you how.

If you have questions or need help:	<p>Access your case online: childsupport.floridarevenue.com</p> <p>Email us: FloridaRevenue.com/AskChildSupport</p> <p>Chat with us or learn more at: floridarevenue.com/childsupport</p> <p>Call: Select number</p> <p>Para asistencia en español, llame al 850-488-5437 y marque 7</p>
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NOTICE OF RIGHTS

1. You have the right to an administrative hearing under sections 120.569 and 120.57(1), Florida Statutes. If you want a hearing, you must file a "Petition for Administrative Hearing" within 20 days from the date of this notice. A petition is not considered filed until the Department receives it. Send your petition to the Department's Deputy Agency Clerk at the following address:

Florida Department of Revenue
Child Support Program
Attention: Deputy Agency Clerk
P.O. Box 8030
Tallahassee, Florida 32314-8030

If you do not file a petition within the time allowed, you lose your right to a hearing and this notice will become final agency action. If this notice becomes final agency action, you may appeal under section 120.68, Florida Statutes. To appeal you must file a Notice of Appeal as stated in Rule 9.110, Florida Rules of Appellate Procedure, within 30 days of the date of final agency action.

2. If you disagree with the Department on any issues of material fact, you may ask for a formal hearing. A petition for a formal hearing must be in the form required by Rule 28-106.201, Florida Administrative Code. A copy of the rule can be found at www.flrules.org.

At a formal hearing, you may represent yourself or hire a lawyer. You or your lawyer may present evidence, argue issues, question witnesses, submit written statements of fact and proposed orders, and file exceptions to the judge's recommended order.

3. If you agree with the Department on all issues of material fact, you may ask for an informal hearing. A petition for an informal hearing must be in the form required by Rule 28-106.301, Florida Administrative Code. A copy of the rule can be found at www.flrules.org.
4. Mediation under section 120.573, Florida Statutes, is not available.



Notice of Decision Concerning Report to Consumer Reporting Agencies

<<NCPName>>
<<NCPAddress>>

<<Date>>

Child Support Case Number: <<CSECaseNum>>

1. **We have received your written request for an informal review.** The review is complete.
2. **Overdue support.** Based on our records and the records of the Clerk of the Court, you owe overdue support of \$<<OverdueSupport>> as of <<date>>.
3. **Informal review.** Based on our review, we will:
 - Report overdue support amount to consumer reporting agencies.
 - Not report overdue support amount to consumer reporting agencies.
4. **If you disagree.** You may file a petition for administrative hearing within 15 days after the date on this notice. The petition must be filed according to the attached Notice of Rights. If you ask for a formal hearing, you may only raise the accuracy of the information to be reported.
5. **To avoid credit reporting.** If you do not want a hearing, you may avoid reporting either by:
 - Paying the overdue support in full; or
 - Entering into a payment agreement within 15 days after receipt of this notice.
6. **Payment agreement.** If you enter into a payment agreement:
 - We will not report your overdue support as long as you pay as agreed.
 - We report you if you do not pay as agreed, without further notice to you.
 Contact us to enter into a payment agreement.
7. **Job resources and order modification.** Visit <<FDOR Page>> for information on how to change the amount of your child support order and information about CareerSource Florida and other local programs who can connect you with employers who are hiring and programs that can provide you training to improve your skills.

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<p>If you have questions or need help:</p>	<p>Access your case online: childsupport.floridarevenue.com Email us: FloridaRevenue.com/AskChildSupport Chat with us or learn more at: floridarevenue.com/childsupport Call: <<CountyPhoneNumber>> Para asistencia en español, llame al 850-488-5437 y marque 7</p>
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NOTICE OF RIGHTS

1. You have the right to an administrative hearing under sections 120.569 and 120.57(1), Florida Statutes. If you want a hearing, you must file a "Petition for Administrative Hearing" within 15 days after receipt of this notice. A petition is not considered filed until the Program receives it. Send your petition to the Program's Deputy Agency Clerk at the following address:

<<Deputy Agency Clerk>>

If you do not file a petition within the time allowed, you lose your right to a hearing and this notice will become final agency action. If this notice becomes final agency action, you may appeal under section 120.68, Florida Statutes. To appeal you must file a Notice of Appeal as stated in Rule 9.110, Florida Rules of Appellate Procedure, within 30 days of the date of final agency action.

2. If you disagree about issues of material fact, you may ask for a formal hearing. A petition for a formal hearing must be in the form required by Rule 28-106.2015(5), Florida Administrative Code. A copy of the rule can be found at flrules.org.

At a formal hearing, you may represent yourself or hire a lawyer. You or your lawyer may present evidence, argue issues, question witnesses, submit written statements of fact and proposed orders, and file exceptions to the judge's recommended order.

3. If you agree with the Program on all issues of material fact, you may ask for an informal hearing. A petition for an informal hearing must be in the form required by Rule 28-106.301, Florida Administrative Code. A copy of the rule can be found at flrules.org.

4. Mediation under section 120.573, Florida Statutes, is not available.

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Child Support Program

Payment Agreement for Past-Due Support

<<NCPName>>
<<NCPAddress>>

Child Support Case Number: <<CaseNumber>>
Activity Number: <<ActivityNumber>>
Parent Due Support: <<CPName>>

The Child Support Program and <<NCPName>>, the parent who owes support in the above case, agree as follows:

- 1. On ____ the Child Support Program mailed notice to you that we would:
[] Take further enforcement action
[] Suspend or deny your driver license/motor vehicle registration
[] Suspend or deny your business/professional/recreational license
[] Suspend or deny your vessel registration
[] Report your past-due support to consumer reporting agencies
[] Place a lien on your vehicle or vessel
2. You are \$ ____ behind in your support payments as of ____ and owe \$ ____ in past-due support as of ____ .
3. You agree to make a lump-sum payment(s) of \$ ____ by ____ .
You agree to make an additional periodic payment of \$ ____ each ____ .
4. Based on your support order and this agreement, your new periodic payment is:
\$ ____ each ____ for current child support; and \$ ____ each ____ for past-due support.
The first payment is due on ____ for a total periodic amount of \$ ____ .
5. You can make a payment by credit card or electronic check at fl.smartchildsupport.com.
6. You can also make a payment by mailing a check or money order to:

Florida State Disbursement Unit
<<SDU Address>>

Make the check or money order payable to the Florida State Disbursement Unit. Include your name, the other parent's name, child support case number, and depository number <<DepositoryNumber>> to avoid processing delays.

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Child Support Program

Payment Agreement for Past-Due Support

- 7. The Child Support Program may notify your current or future employer of this agreement and ask the employer to deduct the payments from your income. You are responsible for making any payments not deducted by your employer.
8. The Child Support Program will not complete the enforcement action stated in paragraph 1 if you pay as agreed. If you do not pay as agreed, we will restart the enforcement action without further notice to you, unless the support is paid in full, enforcement is contrary to law, or we make a new agreement with you. If we restart the enforcement action, you waive the right to further notice or a hearing concerning it. We may take other actions to collect current or past-due support even if you pay as agreed, for example federal income tax refund offset.
9. This agreement is binding and may be used as evidence in court. The support order and/or judgment remains in effect and is unchanged by this agreement.

I, <<NCPName>>, understand and agree to the terms of this agreement.

Signature (Parent Who Owes Support)

Date

Signature (Program Representative)

Date

<<ProgramRepresentative>>

Print Name (Program Representative)

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Notice of Intent to Terminate Support, Determine Arrears and Establish Payment on Arrears

To:

Child Support Case Number:

Depository Number:

Parent or caregiver due support:

Parent who owes support:

1. **Intent to terminate.** The Florida Department of Revenue (the Department) intends to terminate support for the child(ren) named below:

Child's Name

Child's Date of Birth

We intend to take this action because we have been notified that:

- The parents reside together with the child(ren) named above.
- The child(ren) for whom support is ordered permanently resides with the parent who is ordered to pay support;
- The parent who is ordered to pay support began receiving Supplemental Security Income (SSI) after the support order was rendered.
- The parent who is ordered to pay support has no income, is permanently disabled, and provided a doctor's statement that the parent is permanently disabled and unable to work.
- A court has terminated the parental rights of the parent who is ordered to pay support.

If a written request to terminate support has been received, a copy of the request is provided to the other parent or caregiver.

2. **Final Administrative Support Order rendered.** On , the Department rendered an administrative support order establishing certain child support obligations; specifically, the final order requires the parent who owes support to pay current support in the amount of \$ per month, and \$ per month on a retroactive support obligation of \$, starting . The final order a requirement to provide health insurance for the child(ren) and payment of noncovered medical expenses.

3. **Informal discussions and right to administrative hearing.** Either parent or caregiver may contact us within 10 days to informally discuss this notice. Either parent or caregiver may file a written request for a hearing within 30 days after the date this notice is mailed. If there is an informal discussion, the time to request a hearing may be extended. If we do not receive a written request for a hearing within the time allowed, we will issue a final order terminating support, determining arrears and establishing payment on arrears. If there is a hearing, the issues will be decided by an administrative law judge.

If you have questions or would like to provide information, contact us by email or online chat at floridarevenue.com/childsupport or call 850-488-KIDS (5437).

4. **If a hearing is not requested.** If a timely request for a hearing is not filed, the Department will terminate support, determine arrears and establish payment on arrears effective .
- As of , the parent who owes support owes past-due support in the amount of \$ to the parent or caregiver due support.
 - As of , the parent who owes support owes past-due support in the amount of \$, of which \$ is owed to the parent or caregiver due support and \$ has been assigned to the State of for reimbursement of temporary cash assistance.
 - An arrears payment of \$ per month will be established for past-due support.
 - The parent or caregiver due support has waived arrears owed in the amount of \$.
 - No arrears are owed on this case.
 - The parenting time plan incorporated into the final order will remain in effect.
5. **Current mailing address and change of address.** This notice has been mailed to your address of record. You are required by law to tell us your current mailing address and any new mailing address. All proposed and final orders, notices of hearing, and any other papers will be mailed to your address of record. We will presume you have received any documents we send you. If you do not notify us of a change of address, you may miss a deadline and lose your right to ask for a hearing or file an appeal.
6. **Court action.** Either parent or caregiver may file a civil action in circuit court at any time to determine child support issues.
7. **Time-sharing and disputed paternity.** The Department and administrative law judges do not have jurisdiction to award or change time-sharing or resolve paternity disputes. If you want a hearing on any of these issues, you must file a petition in circuit court.
8. **Legal authority.** This action is permitted by section 409.2563, Florida Statutes.



STATE OF FLORIDA
DEPARTMENT OF REVENUE
CHILD SUPPORT PROGRAM

State of Florida Department of Revenue
Child Support Program and

Parent or caregiver due support
Petitioners,
and

Depository Number: Depository Number
Child Support Case Number: Case #

Parent who owes support
Respondent.

**Final Order Terminating Support,
Determining Arrears and Establishing Payment on Arrears**

The Florida Department of Revenue (Department) issues this final order pursuant to section 409.2563, Florida Statutes.

**In support of this Final Order, the Department makes the following
FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. The name of the child(ren) is:

<u>Child's Name</u>	<u>Child's Date of Birth</u>
Child's Name	Child's DOB
Child's Name	Child's DOB
Child's Name	Child's DOB
Child's Name	Child's DOB

2. The parent or caregiver due support is Name, the Petitioner.

3. We take this action because we have been notified of reasons/facts justifying termination of support, specifically:

- The parents reside together with the child(ren) named above.
- The child(ren) for whom support is ordered permanently resides with the parent who is ordered to pay support;
- The parent who is ordered to pay support began receiving Supplemental Security Income (SSI) after the support order was rendered.
- The parent who is ordered to pay support has no income, is permanently disabled, and provided a doctor's statement that the parent is permanently disabled and unable to work.
- A court has terminated the parental rights of the parent who is ordered to pay support.

4. The Department has jurisdiction over this proceeding because it is providing Title IV-D child support services to the Petitioner.
5. The Department rendered an administrative support order on establishing the Respondent's child support obligations. The order requires the Respondent to pay current support in the amount of \$ per month, and \$ per month on a retroactive support obligation of \$, starting .
6. Based on the Department's payment records, as of :
 - The Respondent owes past-due support in the amount of \$.
 - \$ is owed to the Petitioner.
 - \$ is assigned to _____ for reimbursement of public assistance.
 - No past-due support is owed.
7. The Petitioner has waived past-due support in the amount of \$_____.
8. The Respondent has the ability to pay \$_____ each month for past-due support.
9. A parent or caregiver has not requested an administrative hearing within the time allowed in the Notice of Intent to Terminate Support, Determine Arrears and Establish Payment on Arrears, a copy of which has been served on all parties. Pursuant to s. 409.2563(7)(b), F.S., the right of any party to request a hearing is deemed waived.

Based upon the foregoing Findings of Fact and Conclusions of Law, and in accordance with section 409.2563, Florida Statutes, it is

ORDERED AND ADJUDGED that:

- The administrative support order and income deduction order is terminated effective _____.
- As of _____, the Respondent owes arrears:
 - To the Petitioner in amount of \$_____.
 - To the _____ in amount of \$_____.
- The Respondent shall pay \$_____ each month towards arrears.
- A new Income Deduction Order is entered for collection of arrears.

This Final Order Terminating Support, Determining Arrears and Establishing Payment on Arrears is effective immediately and remains in effect until vacated on appeal or superseded by a subsequent court order.

DONE AND ORDERED this _____ day of _____, 20_____.

Authorized Designee for: Ann Coffin
 Director, Child Support Program
 State of Florida Department of Revenue

CERTIFICATE OF RENDITION

I HEREBY CERTIFY that this Final Order Terminating Support, Determining Arrears and Establishing Payment on Arrears has been rendered on the above date as authorized by law.

Deputy Agency Clerk

Copies Furnished to:
Clerk of the Circuit Court
_____, Petitioner
_____, Respondent

NOTICE OF RIGHT TO APPEAL

Any party who is adversely affected by the foregoing Final Order Terminating Support, Determining Arrears and Establishing Payment on Arrears has the right to ask for judicial review (Section 120.68, Florida Statutes). The request must be received within thirty (30) days of the filing date on this Final Order. To ask for judicial review, complete both of the following steps:

1. File an original Notice of Appeal as prescribed by the Florida Rules of Appellate Procedure, with the Deputy Agency Clerk of the Department of Revenue at:

Department of Revenue
Child Support Program
Attention: Deputy Agency Clerk
P.O. Box 8030
Tallahassee, Florida 32314-8030

2. File a copy of the Notice of Appeal, together with the filing fee (Section 35.22, Florida Statutes, or other applicable law) with the Clerk of the First District Court of Appeal or the Clerk of the District Court of Appeal for the district where the party seeking review resides.

Filing with either the DOR Deputy Agency Clerk or the Clerk of a District Court of Appeal is effective when the clerk receives the notice, not when it was mailed.



Child Support Program

CS-OA179
Rule 12E-1.030
Florida Administrative Code
Effective xx/22

Request to Terminate Support

Recipient Name
Recipient Address

IMPORTANT
You must respond within
30 days.

Pick a date
Child Support Case Number: Enter CSP Number

The Program may initiate action to terminate an administrative support order or support obligation for reasons listed below. To request termination, complete the attached form and return it within 30 days. We will review your request and determine whether to proceed with termination.

1. The parents reside together with the child(ren);
2. The child(ren) for whom support is ordered permanently resides with the parent who is ordered to pay support;
3. The parent who is ordered to pay support begins receiving Supplemental Security Income (SSI) after the support order is rendered;
4. The parent who is ordered to pay support has no income, is permanently disabled, and provides a doctor's statement that the parent is permanently disabled and unable to work;
or
5. A court has terminated the parental rights of the parent who is ordered to pay support.

WHAT YOU NEED TO DO

1. Complete the attached form.
2. Mail the completed form to:

Florida Department of Revenue
Child Support Program
Local office address
Local office address
3. Fax the completed form to: Enter Fax Number

If the form is not returned within 30 days and you requested your child support case to be closed, the Program will initiate closure of your child support case and will not terminate support. If you do not want to terminate support, you do not need to return the form. If the order is not terminated, the parent who owes support remains obligated to pay support.

If you have questions or need help:	<p>Access your case online: childsupport.floridarevenue.com</p> <p>Email us: FloridaRevenue.com/AskChildSupport</p> <p>Chat with us or learn more at: floridarevenue.com/childsupport</p> <p>Call: Select number</p> <p>Para asistencia en español, llame al 850-488-5437 y marque 7</p>
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Request to Terminate Support

1. Name of parents or caregiver:

Parent or caregiver due support: Name

Parent who owes support: Name

2. Child support case number and depository number:

Child support case number: CSP Case Number

Depository number: Depository Number

3. Name of child(ren) in the order:

Name	Name
Name	Name
Name	Name
Name	Name

4. Reason for request to terminate support. (Attach documentation that supports your request.)

This section must be completed.

5. I want to waive arrears owed to me. Yes No

Arrears amount waived \$ _____

6. I want to close my child support case. Yes No

Under penalties of perjury, I declare that I have read this Request to Terminate Support and the facts stated in it are true.

Signed _____ Date _____

Name (please print) _____



Response to Request to Terminate Support

Recipient Name
Recipient Address

Pick a date

Child Support Case Number: Enter CSP Number

The Program has reviewed your request to terminate your administrative support order or support obligation. Because your request does not meet the criteria under Rule 12E-1.030(15)(a), F.A.C., the Program will not initiate action to terminate the order or support obligation at this time. You may submit a new or amended request at any time with supporting documentation for one or more of following reasons:

1. The parents reside together with the child(ren);
2. The child(ren) for whom support is ordered permanently resides with the parent who is ordered to pay support;
3. The parent who is ordered to pay support begins receiving Supplemental Security Income (SSI) after the support order is rendered;
4. The parent who is ordered to pay support has no income, is permanently disabled, and provides a doctor's statement that the parent is permanently disabled and unable to work; or
5. A court has terminated the parental rights of the parent who is ordered to pay support.

WHAT YOU NEED TO DO

You may provide additional information for review if you believe the Program's response is incorrect.

1. Mail documentation to:

Florida Department of Revenue
Child Support Program
Local office address
Local office address

2. Fax documentation to: Enter Fax Number

If you have questions or need help:

Access your case online: childsupport.floridarevenue.com
Email us: FloridaRevenue.com/AskChildSupport
Chat with us or learn more at: floridarevenue.com/childsupport
Call: Select number
 Para asistencia en español, llame al 850-488-5437 y marque 7