

## CSA Parental Agreement

### Referral to the Division of Child Support Enforcement

When a youth meets the criteria for a Child in Need of Services, and is placed out of the home through a CHINS Parental Agreement, those services are considered Foster Care Services as defined in the Code of Virginia § 63.2-905 ii & iii. The parent(s)/legal guardian(s) of youth who receive Foster Care Services are referred to the Division of Child Support Enforcement.

**1. How Does DCSE Determine How Much Support Someone Should Pay?**

DCSE utilizes the child support guideline scale to aid in determining the amount of child support that may be owed each month. The scale takes into consideration the “gross income of parents, the number of other children being supported, the cost of medical/dental insurance and extraordinary medical/dental expenses for dependents, and childcare expenses”. Please note that other “deviations” may be considered by DCSE and the court; however generally, only a court can deviate from the child support guideline.

**2. How is the Child Support Payment Calculated?**

“The child support guidelines require all financial information to be in monthly amounts.” The instructions are as follows:

- Paid every week – multiply the weekly amount by 4.33
- Paid every other week – multiply the biweekly amount by 2.167
- Paid twice a month – multiply the semi-monthly amount by 2
- Paid annually – divide the annual amount by 12

*“Please note that many factors are involved in determining child support obligations; unless all of the figures that are used are accurate, the amount of support determined will not be correct.”*

**3. Does the Court establish the Order?**

“Typically, it is not always necessary to go to court to establish the child support order. Virginia law allows for many child support orders to be established administratively, meaning that DCSE can establish the order for you. However, **in the case of CSA Parental Agreements, ALL of the cases will go to court to establish the child support order.** At that time, the judge can consider extenuating circumstances when establishing the order.

**4. How Do I Request an Administrative Appeal for a Child Support Order?**

“A request for an appeal from an action of DCSE must be made in writing and mailed to the Virginia Department of Social Services, Appeals and Fair Hearings unit, 801 East Main Street, Richmond, VA 23219.”

**In the case of CSA Parental Agreements, ALL appeals will need to be reviewed through the court. Please note that all appeals must be made within 10 days of the date the order is received.**

**5. What is Review and Adjustment?**

“Review and adjustment means reviewing an administrative (payment determined by DCSE) or court support order to see if the payment amount should be changed. Reviews are automatically conducted every 36 months on TANF cases. All other cases are eligible for review every 36 months if a request is received by one of the parties. A case could qualify for a review prior to 36 months if any of the special circumstances below are met:

- There is a change of at least 25% in either parent’s gross income
- Day Care related expenses changed at least 25%
- Medical support is not a part of the current child support order
- The order does not include a provision for unreimbursed medical/dental expenses
- The parent providing health insurance changes or the cost to provide health insurance changes at least 25%
- A child needs to be added to or removed from the existing order

Please note that all requests for review and adjustment must be in writing and include the reason for the request. If the case involves arrears only, DCSE cannot conduct the review. Not all reviews result in a change to the order and the amount may not change as you may think. The review can result in an increase in payment, decrease in payment, or may stay the same. Be sure to look carefully at all changes and remember that support is based on a percentage of your income as well as the other parent’s. The review process can take up to 6 (six) months to complete and the review process cannot always be stopped once it has begun. Please be sure that you want a review before you begin the process.”

**6. How do I establish Paternity?**

“If the father is willing to sign an Acknowledgement of Paternity form, you may submit the notarized form to the Office of Vital Records.” For CSA cases referrals will automatically be sent to DCSE. DCSE will refer these cases to court requesting the establishment of paternity and support at the same time. If paternity has previously been established, DCSE will not request the courts to establish paternity. DCSE also can help you gather evidence to present in court at a paternity hearing.

***For more information, please visit [www.dss.virginia.gov/family/dcse](http://www.dss.virginia.gov/family/dcse).***