

## REENTRY UNIT

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**A word of encouragement  
from a leader can inspire a  
person to reach their  
potential.**

~ John C. Maxwell ~

# MRP FLASH

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## The Importance of Child Support and Justice Partnerships



**1 in 28**  
children has a parent behind bars

Millions of children in this country have grown up with a parent in prison. One in two state prisoners are parents. The data reflect strong racial disparities. One in three black men can expect to go to prison during their lifetime. One in four black children born in 1990 had a parent in jail or prison by the time the child was 14 years old — more than double the rate of black children born in 1978, when our program was getting started.

Many experts believe that the loss of a parent due to incarceration is more complicated and painful for a child than other losses. Repeated incarceration destroys all but the strongest family relationships. Most children love their parents, miss their parents, want their parents to come home, and mourn when they are gone. Helping parents and children overcome stigma and maintain contact during incarceration can help. But a child who has lost a parent to prison may never fully get over it.

Often, children lose their primary source of financial support when their parents go to prison. Not all of this support comes through the child support program, but instead may be provided informally. Although there are exceptions, parents are generally not able to pay child support once incarcerated. After release, many owe an average of \$23,000 or more in

child support. The prospects for employment are bleak for most reentering parents. Many never finished high school. The combination of limited education, limited job skills, limited job openings, and a felony conviction mean that reentering parents and the families that depend on them have little hope for steady employment. Debt from child support, fees and fines, and other debt adds to despair and pushes parents right back into the underground economy. Every door is closed.

Many child support agencies, including those featured in this issue, have begun to do something about the collateral consequences of incarceration. They reach out to parents in federal and state prisons and jails. They take affirmative steps to reduce child support orders commensurate with the parent's loss of income and inability to work. They provide tools for parents to communicate with the child support program during incarceration. They work with community partners to help children maintain contact with their incarcerated parent. They stop the clock on accrual of uncollectible debt. They provide targeted post-prison child support services, partnering with reentry, fatherhood and employment

programs, and helping parents manage child support debt after prison. Opportunities for child support agencies to get involved include pre-sentence orientations, facility visits, modification, debt compromise, and connection to job services and other supports.

Through shared objectives and promising practices, child support and justice partnerships at the federal, state, tribal, and local levels are helping incarcerated parents and their families. These partnerships promote access and communication between child support agencies and parents, provide for individualized case management, work to establish trust, and improve the likelihood of employment and reliable support for children and families. Jobs and family ties keep people from going back to prison.

This issue features several model practices to consider and a list of resources. We look forward to hearing from others about your work in this critical area.



Find MRP on the web at [www.doc.mo.gov](http://www.doc.mo.gov)

## Up-Coming Events

11/6/2015

Fall Resource Fair  
Booneville Correctional Center  
Friday November 6, 2015  
For more Information please contact  
Chad Luetjen at  
[chad.luetjen@doc.mo.gov](mailto:chad.luetjen@doc.mo.gov)

11/17-18/2015

2015 Substance Abuse Prevention Conference:  
Building a Healthy Missouri  
The Lodge of the Four Season  
Lake of the Ozark, MO

11/18-20/2015

Missouri Reentry Conference  
The Lodge of the Four Season  
Lake of the Ozark, MO  
Visit [www.stlarchs.org](http://www.stlarchs.org) for registration information and conference details.

Please provide any upcoming events to your designated Reentry Coordinator.



## **Unpaid Child Support and the Department of Revenue**

The Department of Revenue has certain statutory obligations regarding unpaid and delinquent child support. Specifically—upon notification from Child Support Enforcement (CSE)—the Department may apply a lien on a certificate of ownership (title), suspend a driving privilege, or offset a tax refund.

### **Vehicle Lien**

Section [454.516 RSMo](#) outlines the provisions to apply a lien to the title record of a motor vehicle, boat, outboard motor, manufactured home, or trailer.

- If an obligor has unpaid child support which exceeds \$1,000 and the property has a value of more than \$3,000 and meets all other statutory requirements, CSE submits a Notice of Lien to the Department.
- The Department reviews system records to identify a vehicle match:
  - If there is no match in system records, the Department returns the Notice of Lien to CSE and documents that the lien could not be applied.

- If there is a match, the Department applies the lien to the record and sends notification to CSE that the lien has been entered into system records.
- Upon notification from CSE that the lien has been satisfied, the Department removes the lien and provides confirmation to CSE.

### **Driving Privilege Suspension**

Sections [454.1000 through 454.1031 RSMo](#) outline the provisions to suspend a driving privilege.

- If an obligor owes an arrearage of 3 months missed payments or \$2,500 owed (whichever is less), CSE sends a Notice of Intent to suspend the obligor's driving privilege to the obligor. The notice gives the obligor 60 days to establish a payment plan, pay the entire arrearage through CSE, or request a hearing.
- If the Obligor fails to comply with the Notice of Intent within 60 days, CSE submits (to the Department) an Order to Suspend the obligor's driving privilege.
- The Department suspends the Obligor's driving privilege effective the date indicated on the CSE order, and issues a Notice of Suspension to the obligor. The obligor has no appeal rights for this suspension.
- If the obligor begins making payments toward the arrearage, CSE submits a Stay Order to the Department. The suspension is stayed as long as the obligor continues making payments. If the obligor subsequently stops making payments, CSE submits another order to re-impose the suspension. This process continues until the Obligor pays the entire arrearage.
- Once the arrearage is paid in full, CSE sends an Order to Terminate the suspension. The order serves as compliance on the suspension; however, the driving privilege will not be fully reinstated until the obligor pays the required \$20 reinstatement fee to the Department. To expedite the reinstatement, the obligor may pay the reinstatement fee before the Department receives the termination order.

### **Debt Setoff**

Sections [143.781 – 143.788 RSMo](#) are the primary statutes that provide for a debt offset. Specifically, any department may submit a request for a debt offset if an individual's debt is greater than \$25 ([143.783](#)).

CSE submits a weekly report, to the Department, listing obligors with outstanding child support delinquencies. The Department compares the CSE listing against system records and intercepts any pending individual income tax refunds for obligors. The Department issues a debt offset letter to the obligor. The notice includes instructions on how to contest the debt offset with CSE. In order to stop a debt offset, CSE must remove the obligor's name from the weekly report submitted to the Department.

Submitted by: Lynn Bexton, Division Director, Department of Revenue / MRP Steering Team Member.

# Child Support Reentry Reference Sheet

## **If you have a Child Support Obligation when you are released you should:**

Contact the Family Support Division Call Center at, 866-313-9960, and provide the following:

1. Current mailing address and phone number;
2. Any income sources such as SSI, SSA, or unemployment benefits;
3. Any change in employment status such as new employer or the loss of an employer;
4. The name, address and phone number of any new employer;
5. The information on any agency that is assisting you with your job search.

You should obtain and carry your MACSS case number to use when communicating with the Family Support Division.

You should request that a wage withholding order be sent to any new employer.

If you are contacted by the Family Support Division it is important that you respond.

If you believe that you need a review and adjustment of your existing child support order, you should send a written request for a modification to the Family Support Division.

## **Things you should know if you have a Child Support Obligation:**

You can be ordered to pay child support, even if you did not go to court.

During your incarceration your current child support was still due as ordered.

Upon your release, you are obligated to pay your next ordered child support payment.

Failure to pay your next ordered child support payment can be considered a violation of the terms of your Probation and Parole.

Failure to pay your next ordered child support to be abated, reduced, forgiven or deemed paid.

Your incarceration did not cause your child support to be abated, reduced forgiven or deemed paid.

There is no post release grace period for your child support obligation.

Missouri law requires that you make a full payment every month, but if that is not possible, you need to start making payments as soon as possible after your release.

If you are not able to make a full payment, you should pay as much as you can every month.

You should try to increase the amount you are paying every month until you are paying current plus something towards the arrears.

Making monthly payments to the best of your ability is the best way to avoid the possibility of a new criminal non-support charge.

## **If you have children, but no Child Support Order in place:**

If you receive any paperwork from the Family Support Division, read it or find someone to help you as soon as possible. You should cooperate with requests for genetic testing whenever you are named the possible father of a child. FSD can enter an order against you, even if you do nothing and ignore the letter.

Send all Child Support Payments to:

Family Support Payment Center

P.O. BOX 109002

Jefferson City, MO 65110-9002

Check, Money Orders and Online Payments Only.

Always include your MACSS Case Number in the memo line.



## Tipton Correctional Center Restorative Justice Gives Locally



The TCC Restorative Justice Organization is having a great year in giving back to the local community. Over 350 Coloring Books were delivered to local area day care centers, elementary schools and libraries. An additional 115 items were donated to local charities, community groups, accident victim fundraisers and cancer victim/support group fundraisers. Donated items included paintings (74), clocks, an assortment of children's furniture, doll furniture, doll houses, bird feeders and bird houses. In addition to the accident and cancer victim fundraiser donations, the following organizations received items for their fundraisers: Boonville Lion's Club, Boonville Rotary Club, American Heart Association, Blair Oaks Project Graduation, California Main Street Baptist Church 3MT Mission Team, Clarksburg Grace Living Center, Sister's Hope Cancer Survivors, American Cancer Society Relay for Life, Show-Me Christian Youth Home and the Samaritan Center.



The TCC Restorative Justice Organization made monetary donations this year to the following: Tipton Ministerial Alliance (\$500.00), Versailles Ministerial Alliance (\$500.00), Show-Me-Christian Youth Home (\$500.00), Dogwood Animal Shelter (\$500.00), Child Safe (\$500.00), Special Olympics (\$1000.00), and Rape and Abuse Crisis Center (\$1000.00). That is a total of \$4500.00 donated this year.



The TCC Restorative Justice Organization Garden has contributed 1563 lbs of produce to the Moniteau County Nutrition Center as of September 4, 2015.

Other activities include collecting soda tabs for the Ronald McDonald House, cards that benefit St. Jude's Children Hospital, offender hair for Locks of Love, and stamps used for murals.



Please continue to send the Reentry Unit ideas and/or articles you would like to have considered for upcoming FLASH publications.