

## Changing a Child Support Order in Your State

**!** The information below applies only to Texas

### 1. How can I find out if I have a “IV-D” child support case in this state?

A parent can contact the Child Support Division of the Texas Attorney General at the phone number or e-mail address listed below.

An incarcerated parent can make an appointment to see the Access to Court Supervisor or the law librarian at the prison and may fill out an inquiry form requesting assistance from the Office of the Attorney General.

### 2. How can I contact my child support agency?

A parent may contact the child support office by:

- Phone: (800) 252-8014
- E-mail: [child.support@texasattorneygeneral.gov](mailto:child.support@texasattorneygeneral.gov)
- Postal mail: Office of the Attorney General  
Child Support Division  
P.O. Box 12017  
Austin, TX 78711-2017
- Website: [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov)
- Local offices: <https://www.oag.state.tx.us/cs/fieldoffices.php>, or “find an office” at <https://childsupport.oag.state.tx.us/wps/portal/csi/OfficeLocate>

### 3. If I am incarcerated, are there any barriers to having my order changed?

No, incarcerated parents who meet the modification criteria may request a modification.

### 4. Do you provide any materials online that I can use to ask for a change to my child support order?

Modification information is available on the Office of the Attorney General’s website. This material provides a step-by-step guide for how child support orders may be modified and answers numerous questions about child support modifications. No modification forms are provided.

[https://www.oag.state.tx.us/cs/parents/faq\\_modifications.shtml](https://www.oag.state.tx.us/cs/parents/faq_modifications.shtml) and [https://www.oag.state.tx.us/cs/parents/mod\\_guide.shtml](https://www.oag.state.tx.us/cs/parents/mod_guide.shtml).

There is also a process to ask child support to conduct a review and that “Child Support Review Questionnaire” form is available online at <https://www.oag.state.tx.us/cs/forms/forms.shtml>.

### 5. Do you have any printed materials I could read to learn more about child support for parents who are incarcerated?

Yes, the Texas Child Support Division has created a “Handbook for Incarcerated Parents,” [https://www.oag.state.tx.us/AG\\_Publications/pdfs/incarcerated.pdf](https://www.oag.state.tx.us/AG_Publications/pdfs/incarcerated.pdf). This handbook informs incarcerated parents on how to handle their child support case when they are incarcerated and what to do when they are released from prison. The brochure also answers frequently - asked questions and provides definitions of commonly used terms regarding child support issues, such as establishment of paternity and DNA testing. The Handbook includes a tear off form for an incarcerated parent to submit a child support inquiry.

The Handbook for Incarcerated Parents, and inquiry form, are attached.

## Changing a Child Support Order in Your State

### 6. When can I ask to have my order changed?

A parent may ask for a modification if:

- It has been three or more years since the order was established or last modified and the monthly amount of the child support ordered differs by either 20 percent or \$100 from the amount that would be awarded according to child support guidelines, or
- A material and substantial change in circumstances has occurred since the child support order was last set.

A non-custodial parent's release from incarceration is a material and substantial change in circumstances if the parent's support obligation(s) was stopped, reduced, or suspended during incarceration.

### 7. How do I request the change?

There is no formal process other than for a parent to make an oral or written request for modification to the Office of the Attorney General.

Any incarcerated parent may request an application for modification by completing an "Inquiry Form for Incarcerated Parents", which may be found in the prison law library (and attached here). An incarcerated parent may also send in a written request for modification by mail to any child support office or to:

Incarcerated and Reentry Specialist  
PO Box 12017 MC 039  
Austin, Texas 78711-2017

Upon release from incarceration, parents may also contact any field office or the Incarcerated and Reentry Specialist to determine if they qualify for a modification.

Parents who have an OAG child support case can complete a "Child Support Review Questionnaire", and mail it to the office that is handling their case. The request form is available at <https://www.oag.state.tx.us/cs/forms/forms.shtml>, and is attached.

### 8. What is the process after I've asked to have my order changed, and how long does it take?

Once the inquiry is received by the Office of the Attorney General, child support staff mails an Incarcerated Non-Custodial Parent Affidavit of Income/Assets to the parent. Only courts can set or modify the support obligation. However, the Office of the Attorney General will attempt to facilitate that process through a Child Support Review Process (CSRP). CSRP enables the Office of the Attorney General to take expedited actions to establish, modify, and enforce child support and medical support obligations, to determine parentage, or to take any other actions authorized under Title IV-D of the Social Security Act.

The modification process in Texas is a judicial process whereby the court reviews all Motions to Modify filed by the IV-D agency and signs all orders rendered. If no agreement can be reached, the Office of the Attorney General will serve the parties, or obtain a waiver of service, and set a court date for the modification.

The incarcerated parent will be served with copies of all pleadings filed in court and the agency will review and present to the court the Incarcerated Non-Custodial Parent Affidavit of Income/Assets, eliminating the need for the incarcerated parent to talk to someone from the child support office.

### 9. Is this process different if the other parent agrees to the change in advance?

Yes, the modification process is quicker if both parents are in agreement.

## Changing a Child Support Order in Your State

### 10. Does it cost anything to try to have my order changed?

Parents who request services from the Office of the Attorney General for a modification in a IV-D case do not have to pay any filing fees or any other costs. However, parents who file a Motion to Modify directly with the court have filing fees.

### 11. If I am incarcerated, do I need to do anything else to have my order changed?

No. The Texas IV-D agency has designated a State Office employee to reach out to offenders when they are approaching release from prison. This employee (known as an Incarcerated Parent & Reentry Specialist) targets offenders in Texas Department of Criminal Justice and mails a Review and Adjustment Application to the incarcerated parents. Once the offender completes the form and mails it to the designated child support office, the office reviews the application to determine whether a child support modification should be sought and whether the case will proceed to an in-office negotiation or to court. The incarcerated parent will be served with copies of all pleadings filed in court and the agency will review and present to the court the Incarcerated Non-Custodial Parent Affidavit of Income/Assets, eliminating the need for the incarcerated parent to talk to someone from the child support office.

### 12. If I am incarcerated, does my state have any programs to help me with child support?

Yes, the Texas Child Support Division has a child support modification project for non-custodial parents in prison. The Regional Outreach Coordinators of each of the nine regions within the state of Texas and the State Office Incarcerated Parent & Reentry Specialist regularly visit the correctional institutions of the Texas Department of Criminal Justice and the Bureau of Prisons. Incarcerated parents are provided information about requesting a modification and are given appropriate forms.

### 13. Can I get help with child support questions from other sources?

Yes, the Texas Access & Visitation Hotline attorneys provide legal information about child custody, visitation, paternity, and child support issues. They may be reached at: 1-866-292-4636.

To file for modification without the assistance of the Texas Child Support Division, you may consult the modification kit available on [texaslawhelp.org](http://texaslawhelp.org), <http://texaslawhelp.org/resource/modification-kit?ref=Zaoz9>

### 14. Is there anything else I should know about trying to change my order?

No.



The federal Office of Child Support Enforcement prepared this guide; however, your local child support agency can provide the most current information. This guide does not have any binding legal authority and does not constitute legal advice. You may wish to consult a lawyer before using the forms or information provided.





## ATTORNEY GENERAL OF TEXAS GREG ABBOTT

### Frequently Asked Questions about Child Support Modifications

How can child support be changed?

What is a material and substantial change in circumstances?

I am returning to active military duty and my income will change, what do I do?

I am returning from active military duty and my income will change, what do I do?

I lost my job. My new job pays less than my previous job. Will my child support order change to match my new income?

How do I request the OAG's help to review the amount of my child support order?

What information will the OAG need when reviewing a case for modification?

Will child support be taken out of my unemployment benefits? If so, how will the amount be determined?

My kids were on my employer provided insurance, but that coverage ended when I was laid off. What should I do now?

I'm hoping that I'll be able to obtain a new job that pays close to what I previously earned. Can my child support be temporarily lowered while I'm looking for employment?

I'm only able to obtain part-time work right now; can my order be set based on my part-time wages?

Can the payments I'm making on back child support be adjusted based on my new wages?

I live in Texas and the custodial parent lives in another state (where child support was ordered) – how do I file for a modification in this situation?

How long will it take for the child support amount to change if I qualify for a modification?

Is there any way that my child support amount could go up if I request a modification?

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*Revised: July 21 2011*



## ATTORNEY GENERAL OF TEXAS GREG ABBOTT

### Surviving an Economic Downturn

#### Step by Step Guide

Use this step by step guide to help you find out how your child support order could be modified through our office.

Please choose the statement that best describes your situation:

- I'm a parent who pays child support and my income has changed.
- I'm a parent who receives child support or would like to receive child support.

Need some help? Try one of these options:

- Read through our list of frequently asked questions about modifications.
- Visit the [Child Support website](#) for useful links and information.

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*Revised: May 06 2010*

# INQUIRY FORM FOR INCARCERATED PARENTS

Read the section below carefully before completing this form. If you have multiple cases, use one form for each case.  
(Photocopies are acceptable).

(Please print)

NAME (Last, first, middle): \_\_\_\_\_ Inmate#: \_\_\_\_\_

Facility Name: \_\_\_\_\_

Facility Address: \_\_\_\_\_ City/Zip Code: \_\_\_\_\_

SOCIAL SECURITY NUMBER: \_\_\_\_\_

OTHER PARENT'S NAME: \_\_\_\_\_

DATE OF ENTRY: \_\_\_\_\_ DATE OF RELEASE: \_\_\_\_\_

PLEASE CHECK **ONLY** THE LINES YOU WANT US TO RESPOND TO:

I would like information on my child support case.

I would like the address and phone number of the child support office handling my case.

I have a child support case, and I am requesting that it be reviewed to see if I qualify for a modification.

I was not married to the mother/father of my child \_\_\_\_\_ (child's name) and would like to establish paternity (legal fatherhood ) for this child.

Please forward the enclosed letter for my child – I do not know his/her address. I understand the letter will be screened and mailed to the parent with custody of the child, and I can only make one request for this service.

NOTE: Requests for information not listed above will not be answered. State and federal law limits the release of certain information on child support cases.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## MAIL TO:

Office of the Attorney General – Child Support Division

P. O. Box 12017

Austin, TX 78711-2017

# INCARCERATED PARENTS *and* CHILD SUPPORT

THE HANDBOOK FOR INCARCERATED PARENTS

CHILD SUPPORT

ESTABLISHING PATERNITY

VISITATION

DNA TESTING

RESOURCES



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT





# THE ATTORNEY GENERAL OF TEXAS

administers the  
child support  
program in the  
State of Texas.

Federal law requires  
that the Attorney General's  
Child Support Division services  
include establishing paternity  
(legal fatherhood), establishing  
court orders for financial and  
medical support, enforcing  
child support orders and  
distributing support payments.

Our agency believes that children deserve the love and support of both of their parents. Even while you are incarcerated, you can let your children know that you care about them, want the best for them and are doing everything you can to support them.

The purpose of the **Incarcerated Parents and Child Support** brochure is to inform incarcerated parents about what they need to do when they are sent to prison, how to handle their child support case when they are incarcerated and what to do when they are released from prison. The brochure will also answer frequently asked questions and provide definitions of commonly used terms regarding child support issues, such as establishment of paternity and DNA testing.

If you plan on writing to the Attorney General's Office, you need to know what information or services we can provide while you are incarcerated and what we cannot provide. Check the following list carefully before writing to us.

## THE OAG CAN PROVIDE:

1. Basic information about your child support case status.
2. A review of your case and the terms of the order (such as monthly child support payments, monthly arrears payments and total arrears owed).
3. A review of your case to see if you are eligible for a child support modification (upon your request).
4. The address and phone number of the child support office handling your case or the county of your divorce order.
5. Information on how to establish paternity for your child if you weren't married to the other parent when the child was born.
6. The State of Texas Child Support Guidelines (how the child support due is calculated by state law).
7. In some cases, we may be able to forward a letter for your child or children to the custodial parent, if you do not know the custodial parent's address and you have an open child support case. The custodial parent will be given your contact information. Additional letters may not be forwarded.

## THE OAG WILL NOT:

1. Change custody or enforce the visitation provisions of your child support order.
2. File a Termination of Parental Rights petition.
3. Provide you with the address(s) of your children or the other parent.
4. Perform DNA testing if you have signed an Acknowledgement of Paternity (AOP) or if there is an existing child support order.
5. Answer questions other than child support inquiries.
6. Obtain information from the court if you do not have a case with the Attorney General's Office.
7. Transport you to court for a hearing or request a bench warrant on your behalf.
8. Lift a bench warrant.
9. Stop the interest on your arrears.
10. Provide legal advice or an attorney.

## FREQUENTLY ASKED QUESTIONS ABOUT CHILD SUPPORT

### **I'm in prison and can't work. Why doesn't my child support order change?**

Your child's needs don't change just because you are incarcerated. In fact, they are probably greater. Even if the Attorney General's Office knows you are in prison, your obligation to pay child support doesn't go away. The amount you owe will continue to add up, and you will be charged interest on any unpaid financial support. If you have any ability to pay child support while incarcerated, it is in your best interest – and your child's interest – to do so. You can request a modification of your child support due to your incarceration, but unless the order is modified, your obligation is unchanged.

### **How can my child support order be modified or changed?**

Only the court can modify or change your child support order. Grounds for a modification include a material and substantial change in the circumstances that impact your ability to pay child support, or the passage of three years since the last child support order and a difference in monthly payment by either 20 percent or \$100 from the child support guidelines. An incarcerated non-custo-

dial parent subject to a child support order may request a review and adjustment of his or her ordered child support. There is no guarantee that your child support order will be lowered. The forms you complete serve only as a request to review your child support for a modification.

### **What should I do when I enter prison?**

If you are reading this brochure, you are on the right track. Do everything you can to let your children know you care for and are committed to them. If you have a child support case, provide the office that is handling your case with your updated address. By doing this, you will receive a monthly statement that shows how much you are supposed to pay, how much you have paid and how much you owe in past-due support. You may want to consider asking the child support office for a review and adjustment packet if you want to see if your child support can be lowered.

### **I was receiving child support payments before I came to prison. What happens to my child support payments while I'm in prison?**

The Attorney General's Office will continue to send child support payments to the custodial parent (CP) through the option he or she selected for receiving child support. If the CP doesn't request any changes, the payments will continue to be sent through direct deposit to his or her checking account or debit card, or a check will be mailed to the address previously requested. Child support payments will not stop unless a court order redirects payments to another person. Prior to being sent to prison, a CP may redirect child support payments to the person who is designated to care for the child(ren) through a court order.

### **While I'm in prison, can the child support I'm supposed to receive go to the person who is taking care of my child(ren)?**

#### **And if so, what do I need to do?**

Yes, your child support can go to the person caring for your child(ren). You (the CP) should direct the person who is taking care of the child(ren) to the Attorney General's Office, where they can seek a child support order that will redirect the child support payments to them. The person caring for the child(ren) will need to bring with them proof of possession and control of the child(ren).

Examples include: child(ren)'s school or daycare records, an affidavit from the person in possession, or appropriate documentation of possession. The Attorney General's Office may then file a Motion to Redirect Child Support.

**I don't have a child support case, so I don't have anything to worry about, right?**

You may not have a child support case when you go to prison, but that doesn't mean a new case can't be established while you are incarcerated. If you are served with legal papers from the Attorney General's Office, it is important that you respond promptly in writing to the court that issued the papers and the local child support office that is named in the papers. If you do not respond, the court may make a decision on your child support case without your involvement, which is called a default judgment, and includes setting the amount of child support you must pay regardless of your situation.

In your response, include all information that you want the court to consider when deciding your case. If you have been identified as the father of a child and are being sued for paternity, you may request DNA testing, and the Attorney General's Office can send a lab technician to the Texas Department of Criminal Justice (TDCJ) facility where you are to collect a sample. The State Counsel for Offenders at the TDJC may be able to assist you in preparing your response. You also have the right to get your own attorney. The Attorney General's Office cannot advise you on any legal matter, and we **cannot** help you prepare a response to a legal document.

**Can I have a court-appointed attorney represent me in court at a child support hearing?**

A judge will appoint an attorney to represent you only if you are found to be indigent, you appear in person at the hearing, and you face incarceration as a result of the hearing. This is not a function of the OAG; you must make this request to the court.

## FREQUENTLY ASKED QUESTIONS ABOUT PATERNITY

**What does "paternity" mean?**

Both legally and biologically, the word paternity means the identity of the father of a child. Every child has a biological father. But if you were never married to the mother of your child, Texas law does not give you any rights or responsibilities as the child's father unless legal paternity is established. Unless paternity is established, a child born to an unmarried mother has no legal father.

A man is presumed to be the legal father of a child if he was married to the mother at the time of the birth of the child or if the child is born before the 301st day after the date the marriage is terminated.

**How can the paternity of a child be established?**

In Texas there are two primary ways to establish paternity for a child. Both parents can sign a legal document to establish the paternity of the child. This document is called an Acknowledgment of Paternity (AOP). The second way to establish paternity is through a court proceeding.

**What does it mean to "acknowledge paternity"?**

Paternity means fatherhood. When both parties sign an AOP and it is filed with the Texas Vital Statistics Unit (VSU), the biological father becomes the legal father. Once paternity has been established, the father's name is placed on the birth certificate. A court can order him to pay child support and may grant him the rights for visitation or possession of his child.

**What if the incarcerated parent wants to sign the Acknowledgment of Paternity (AOP)? Where can I get assistance signing the AOP form?**

An AOP can be obtained from a certified entity such as a local registrar or child support office or your Access to Court Supervisor. The Access to Court Supervisor can assist you with an AOP in the law library at your facility.

**What are the legal benefits for an incarcerated father when paternity is established?**

Establishing paternity has many benefits for both children and parents. The most important benefit for children is knowing that they have a father who wants to be in their life. Once paternity has been established, you become the legal father of that child, with all the rights and responsibilities of a father who was married to the mother. The Texas Attorney General's Office cannot help you obtain visitation with or custody of your child. There is no guarantee of the right to custody or visitation, but you have a right to raise the issue of custody and visitation in court or during the child support review process.

**What if, after signing the Acknowledgment of Paternity, I have reasons to believe I am not the father?**

If you sign the Acknowledgment of Paternity (AOP) and you later decide you may not be the father, you have to file legal papers to either rescind (if done within 60 days of filing an AOP) or challenge (must be done within four years of filing an AOP) the AOP. Either of these legal actions is likely to require assistance from an attorney. The Attorney General's Office cannot provide assistance to rescind or challenge an AOP. Legal action to challenge an AOP is barred if more than four years have passed since the AOP was filed.

**What if the mother says I am the father, but I don't think I am, and we were never married?**

If you do not think that you are the biological father and you have not signed an Acknowledgment of Paternity (AOP), a suit may be brought against you to establish paternity. The mother or the Attorney General's Office can open a case to establish whether you are the biological father. When paternity is being established, you can request a DNA test or the court can order a DNA test. If you have been identified as the father of a child and are being sued for paternity, you may request DNA testing, and the Attorney General's Office can send a lab technician to the TDCJ facility where you are incarcerated to collect a sample. The request should be in writing and sent to the Attorney General's Office and to the court listed in the documents naming you as the father. This request should be sent before the date of the hearing listed in the court papers. The DNA testing generally costs less than \$200 and will not be charged

if the man who has been named the father is found to **not be the biological father**.

**Are fathers treated differently from mothers in child support matters?**

No. In terms of support, custody or visitation, the law does not discriminate based upon the gender of a person. The law focuses on what is the best interest of the child.

**We're together, so why do I have a child support case?**

In the eyes of the law, you are incarcerated, and the other parent and your children are living separately from you. If the custodial parent (CP) needs assistance from the State and applies for Temporary Assistance for Needy Families (TANF), the State may proceed with a child support case whether the CP requests it or not.

FREQUENTLY ASKED QUESTIONS  
ABOUT VISITATION

**Does the Attorney General's Office handle custody and visitation disputes?**

Federal regulations do not allow the Office of the Attorney General to provide services for custody or visitation disputes. During your incarceration, you do not have the ability to enforce visitation rights provided in a court order, and contact with your children is generally dependent upon on the custodial parent's willingness to work with you. Upon your release from TDCJ, you may contact the Access & Visitation Hotline for information about resources available to help you see your children. The hotline number is 1-(866)-292-4636 and is answered in English and Spanish, Monday–Friday, 1–7 p.m.

FREQUENTLY ASKED QUESTIONS  
UPON RELEASE FROM INCARCERATION

We recognize that most people need a little time to get on their feet after being released from prison. The Attorney General's Office may be able to temporarily hold off on certain enforcement actions, if you provide our office with evidence that you are looking for a job and providing some support to your child. You may also request a Child Support Review when you return to work or if you are reuniting with the mother of your child. This can be done by contacting the local child support office handling your case.

**What do I do about my child support case once I am released from prison?**

- Contact the child support office handling your case and give them an update on your status.
- Pay child support regularly while you are looking for work.
- Request time to find employment before an enforcement action is taken; you will need to provide your address and report on your job search efforts.
- Notify the child support office as soon as you are employed so that an order or writ for withholding can be sent to your employer.
- Request referrals to parenting programs, job help resources or other community assistance.

**My child support order was modified during my incarceration. When I get released from prison, what might happen to the amount of money that I will owe in child support?**

If your child support order was modified while you were in prison, your release is considered a material and substantial change in circumstances. When there is a material and substantial change in circumstances, the court can change your child support order. The amount you pay in child support will likely increase to reflect your earning capacity after your release from prison.

**How does the court decide how much child support I will pay?**

Texas law sets the following general guidelines for child support payments.

- 20% for one child
- 25% for two children
- 30% for three children
- 35% for four children
- 40% for five children
- Not less than 40% for six or more children

Special rules apply if you have children in more than one household. If the court believes you are not making as much money as you should, the child support amount may be based on your potential earnings.

**I have remarried, and my spouse makes a very good living. Will the child support office take my child support out of my spouse's earnings? Will my spouse's income be counted when my child support amount is calculated?**

No. Your new spouse does not have to pay your child support. A new spouse's income may not be used when determining the amount of child support to be paid.

**I have children who have different mothers. How will the court determine the amount of child support that I owe?**

When you have children in different households, the court uses a multiple household formula to determine the amount of support you must pay. It is important that you let the judge or child support review officer know that you support other children who have a different mother.

**What happens to my Social Security disability benefits or veterans benefits when I am incarcerated?**

Much like informing the Attorney General's Office of your incarceration, you must inform the Social Security Administration or the Department of Veterans Affairs when you have been convicted of a felony and are sent to prison for any length of time. You cannot receive disability benefits for any of the months during which you are incarcerated. However, family members who are eligible for benefits based on your work history may continue to receive benefits.

**Are there any services available to help me get a job so I can pay my child support?**

The Attorney General's Child Support Division can direct you to skills training and job placement services through the Texas Workforce Commission. The Child Support Division can also help you with referrals to educational or literacy classes and counseling services for substance abuse or for parenting skills. In many cases, the court will order a noncustodial parent who is behind on child support payments to take part in one or more of these services.

## CHILD SUPPORT DEFINITIONS:

**Accrual** – Sum of child support payments that are due or overdue

**Arrearage** – Past-due, unpaid child support owed by the noncustodial parent

**Acknowledgement of Paternity (AOP)** – A document that both unmarried parents can voluntarily sign to establish legal paternity for their child without going to court

**Case** – A collection of people associated with a particular child support order, court hearing, and/or request for IV-D services. This typically includes: a custodial party (CP), a dependent(s), and a noncustodial parent (NCP) and/or putative father (PF). Every child support case has a unique Case ID number and, in addition to names and identifying information about its members, includes information such as CP and NCP wage data, court order details and NCP payment history.

**Case ID** – Unique identification number assigned to a child support case

**Child support modification** – A court-ordered change to a child support order, which can include your child support payment amount being lowered or raised

**Child support** – Financial support paid by a parent to help support a child or children of whom they do not have custody

**Court order** – A legally binding edict issued by a court of law. It is issued by a judge or properly empowered administrative officer. A court order related to child support can dictate how often, how much, and/or what kind of support a noncustodial parent must pay and how long he or she must pay.

**Custodial parent (CP)** – The person who has primary care, custody, and control of the child, also referred to as the obligee

**Dependent** – A child who is under the care of someone else. Most children are dependents. The child ceases to be a dependent when he or she reaches the age of 18, as determined by state law, but depending on the State's provisions, may remain eligible for child support for a period after he or she turns 18 years of age.

**Default judgment** – A judgment entered when a person fails to respond to a legal action or fails to appear in court

**Genetic testing** – (DNA testing) Analysis of inherited factors to determine legal fatherhood or paternity

**Guidelines** – A standard method for setting child support amounts based on the income of the parent(s) and other factors determined by state law

**Income** – Any periodic form of payment to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker's compensation, disability, pension, or retirement program payments and interest

**Legal father** – A man who is recognized by law as the male parent of a child

**Monthly support obligation** – The amount of money a noncustodial parent is required to pay per month

**Noncustodial parent (NCP)** – The parent who does not have primary care, custody and control of the child, also referred to as the obligor

**OAG** – Office of the Attorney General

**Obligated** – A term meaning that a noncustodial parent (NCP) is required to meet the financial terms of a court or administrative order

**Obligation** – Amount of money to be paid as support by a noncustodial parent (NCP). It can take the form of financial support for the child, medical support or spousal support. An obligation is recurring and ongoing. It is not a one-time debt.

**Order** – Direction of a magistrate, judge or properly empowered administrative officer

**Paternity** – Legal determination of fatherhood

**Rescind** – Change of mind after signing an Acknowledgment of Paternity (AOP) must be filed as a petition with the court within 60 days of filing AOP documents with the Vital Statistics Unit

**Where can I get help with my child support or information about my child support case?**

The law librarian is a good place to start while you are incarcerated. They have the **Child Support Inquiry Form for Incarcerated Parents** that you must use to submit information requests to the Office of the Attorney General. All requests for information about child support or your child support case **must be made on this form**. Please allow about 60-90 days for a response.

**What do I do if I believe my child is being abused?**

Call the Department of Family and Protective Services at 1-(800)-252-5400. If you do not have access to a phone, ask a third party to make the call for you.

**CONTACT INFORMATION FOR USE AFTER INCARCERATION**

**BY U. S. MAIL**

Office of the Attorney General  
Child Support Division  
P. O. Box 12017  
Austin, TX 78711-2017

**ON THE INTERNET**

website: [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov)  
email: [child.support@oag.state.tx.us](mailto:child.support@oag.state.tx.us)

**BY TELEPHONE**

Regional Customer Service Centers and Area Offices (all voice)  
Houston/Harris County . . . . . (713) 243-7100  
Dallas/Tarrant County . . . . . (972) 339-3100  
San Antonio/Bexar County . . . . . (210) 841-8450  
Austin/Travis County . . . . . (512) 514-7000  
Lubbock . . . . . (806) 765-0094  
McAllen . . . . . (956) 682-5581  
Tyler . . . . . (903) 595-6900  
El Paso . . . . . (915) 779-2388

**24-HOUR PAYMENT AND CASE STATUS INFORMATION**

(800) 252-8014

**FOR THE DEAF AND HARD-OF-HEARING**

(800) 572-2686 (TTY)  
(512) 460-6417 (TTY)

# INQUIRY FORM FOR INCARCERATED PARENTS

Read the section below carefully before completing this form. If you have multiple cases, use one form for each case.  
(Photocopies are acceptable).

**(Please print)**

**NAME (Last, first, middle):** \_\_\_\_\_ **Inmate#:** \_\_\_\_\_

**Facility Name:** \_\_\_\_\_

**Facility Address:** \_\_\_\_\_ **City/Zip Code:** \_\_\_\_\_

**SOCIAL SECURITY NUMBER:** \_\_\_\_\_

**OTHER PARENT'S NAME:** \_\_\_\_\_

**DATE OF ENTRY:** \_\_\_\_\_ **DATE OF RELEASE:** \_\_\_\_\_

PLEASE CHECK **ONLY** THE LINES YOU WANT US TO RESPOND TO:

I would like information on my child support case.

I would like the address and phone number of the child support office handling my case.

I have a child support case, and I am requesting that it be reviewed to see if I qualify for a modification.

I was not married to the mother/father of my child \_\_\_\_\_ (child's name) and would like to establish paternity (legal fatherhood ) for this child.

Please forward the enclosed letter for my child – I do not know his/her address. I understand the letter will be screened and mailed to the parent with custody of the child, and I can only make one request for this service.

NOTE: Requests for information not listed above will not be answered. State and federal law limits the release of certain information on child support cases.

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

**MAIL TO:**

Office of the Attorney General – Child Support Division

P. O. Box 12017

Austin, TX 78711-2017







ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT



# ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

CHILD SUPPORT DIVISION

Dear Parent:

Re: Your Request for Review

Thank you for your inquiry regarding a review of your child support order. Please sign this form and return it with the completed Child Support Review Questionnaire to the child support office that is handling your case. You can find the address by calling 1-800-252-8014, or selecting "Child Support Interactive" from the child support section of the Attorney General's Web site at [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov).

Name:	Social Security #: - -	OAG Case #:
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**I request the Child Support Division of the Office of the Attorney General to conduct a review of my child support order. I understand the following:**

- § The attorneys of the Office of the Attorney General represent the State of Texas. They will provide me with child support services, but do not represent me or any other individual.
- § A review addresses only child support and medical support.
- § The non-custodial parent may be required to provide medical insurance for the child(ren).
- § A review of a child support order will determine if the order complies with the Texas child support guidelines.
- § A request for a review may be withdrawn by the requestor.

Please list the reason you are requesting a review:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

Within three weeks of receiving all of the necessary information from you, we will determine if a review of your child support order is appropriate and we will notify you of our decision. If it is determined that a review should be conducted, the other party named in your child support order will be asked to complete a questionnaire. Thank you for your cooperation.

Office of the Attorney General  
Child Support Division



OFFICE OF THE ATTORNEY GENERAL  
STATE OF TEXAS

CHILD SUPPORT DIVISION

GREG ABBOTT

Attorney General

**CHILD SUPPORT REVIEW QUESTIONNAIRE**

**INSTRUCTIONS**

Please type, print, or write clearly. Answer all questions as completely and accurately as you can.  
Please return the completed form along with copies of your:

    \$ income tax returns for the past two years      \$ two most recent payroll stubs

If you do not have these items, please send us your W-2 Forms for the past two years.

Date:	OAG Case Number:
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**INFORMATION ABOUT YOU (Please Print All Information)**

Name (Last, First, Middle)		Social Security No. - -	Date of Birth	Relationship to Child(ren)	
Address: Street Address		Apt. #	City	State	Zip Code
Home Telephone No. ( ) -		Work Telephone No. ( ) -	Do you have custody of the child(ren)? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Employer			Employer=s Telephone No. ( ) - ext		
Employer Address: Street Address		City		State	Zip Code

**INFORMATION ABOUT THE OTHER PARTY**

Name (Last, First, Middle)		Social Security No. - -	Date of Birth	Relationship to Child(ren)	
Address: Street Address		Apt. #	City	State	Zip Code
Current Employer		Employer=s Telephone No.	Home Telephone No. ( ) -		
Employer Address: Street Address		City		State	Zip Code

**INFORMATION ABOUT THE CHILD(REN)** (List only your children with the other party named above.)

Name (Last, First, Middle)	Sex	Social Security Number	Date of Birth	Place of Birth
	F	- -		
	F	- -		
	F	- -		
	F	- -		
	F	- -		

## FINANCIAL INFORMATION

	CURRENT INFORMATION	INFORMATION AT TIME OF LAST SUPPORT ORDER
<b>YOUR GROSS (before any deductions) MONTHLY INCOME FROM:</b>	<b>AMOUNT</b>	<b>AMOUNT</b>
Salary and Wages (including commissions, bonuses, and overtime)		
Self-Employment		
Pensions and Retirement		
Social Security Benefits		
Unemployment Benefits		
Disability and Workers= Compensation Benefits		
Dividends and Interest		
Net Rentals		
Other (specify):		
<b>TOTAL MONTHLY INCOME</b>		

	CURRENT INFORMATION	INFORMATION AT TIME OF LAST SUPPORT ORDER																		
<b>YOUR MONTHLY DEDUCTIONS FOR:</b>	<b>AMOUNT</b>	<b>AMOUNT</b>																		
Union Dues																				
Health Insurance You Pay For Your Child(ren) On This Order																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Insurance Company</th> <th style="width: 25%;">Policy Number</th> <th style="width: 50%;">Child(ren) Covered</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Insurance Company	Policy Number	Child(ren) Covered																	
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<b>TOTAL MONTHLY DEDUCTIONS</b>																				

	CURRENT INFORMATION	INFORMATION AT TIME OF LAST SUPPORT ORDER
<b>YOUR ASSETS:</b>	<b>AMOUNT</b>	<b>AMOUNT</b>
Cash On Hand		
Money in Checking Accounts		
Money in Savings Accounts		
Money in Any Other Accounts		
Retirement or Pension Funds		
Life Insurance Cash Value		
Stocks, Bonds, or Other Investment Securities		
Real Estate		
Other Assets (please specify)		
<b>TOTAL VALUE OF ALL ASSETS</b>		

	CURRENT INFORMATION	INFORMATION AT TIME OF LAST SUPPORT ORDER
<b>CHILDREN:</b>	<b>NUMBER</b>	<b>NUMBER</b>
Children you are legally obligated to support either in you home or by court order.		

Read the statements below. Check the box next to those you believe are true, and explain why.

The other parent=s income has substantially (check one)  increased  decreased since the date of the current child support order.

By how much? \$ \_\_\_\_\_ per Hour

Explain why \_\_\_\_\_

Do you have any other children, not already mentioned in this questionnaire, **who currently live with you?**

Yes  No If Ayes@, complete the box below. Do **not** include stepchildren.

Name (Last, First, Middle)	Sex	Social Security #	Date of Birth	Place of Birth
	F	- -		
	F	- -		

Do you have any other children, not already mentioned in this questionnaire, **whom you are legally obligated to support?**

Yes  No If Ayes@, complete the box below. Please attach copies of your court orders, if available.

Name (Last, First, Middle)	Sex	Social Security #	Date of Birth	Place of Birth
	F	- -		
	F	- -		

Is there any other information we should consider that has not been covered in this questionnaire? For example; Special needs of the children subject to this order.

Explain \_\_\_\_\_

By my signature below, I certify that the information provided by me in this form is true and correct to the best of my knowledge.

**Texas Government Code ' 559 gives you the right to review and request correction of information on this form.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed