

What will happen to your child support after you stop collecting welfare

After you stop getting TANF benefits, child support received for your children should come directly to you. If money is being collected but you are not getting it, you should contact your caseworker at the Probation office in your county. You may also want to seek legal advice. (See information about Legal Services' hotline number below). There are complicated rules about what happens to extra money collected in a month. This additional money is considered "arrear," support that is owed for previous months. Most of it should go to you. But some may also go to welfare to pay it back for monthly benefits it has paid to you. The rules below explain how the money will be distributed:

- ◆ First, any additional money collected in a month will go to you to pay any support owed to you since you stopped getting welfare.
- ◆ Second, if there is still additional money, it will go to you to pay any support owed to you from the time before you received welfare.
- ◆ Third, any remaining money will go to the State to pay it back for welfare benefits it has paid to you.
- ◆ Fourth, if anything is left in a month, it will go to you.

Here's an example of what these rules mean.

Ms. Jeffery has a child support order for \$100 per week. She had the support order before she started collecting welfare in January 1999. At the time she went on welfare, Mr. Jeffery was behind in his payments and owed \$400 in child support. Ms. Jeffery stopped collecting welfare in April 2001 and Mr. Jeffery has not paid any support since that time. In June, he pays \$400, or 4 months of support payments. All of it will go to her under these rules.

- ◆ The first \$100 will go to Ms. Jeffery and her children for June 2001 child support.
- ◆ \$200 will go to her for support owed to her for April and May 2001, after she stopped getting welfare.
- ◆ The remaining \$100 will go to her for support owed to her before January 1999, when she started collecting welfare.

But, these rules will not apply if your child support is collected through a federal tax intercept. When support is collected that way, extra support collected in a month will go first to the State to repay it for benefits it has paid to you.

For advice and assistance: If you want advice or assistance about collecting your support, you can contact Legal Services of New Jersey's statewide, toll-free legal hotline at 1-888-LSNJ-LAW (1-888-576-5529).