



FREQUENTLY ASKED QUESTIONS

We are here to help you through this challenging time. The Virginia Department of Social Services is working closely with Governor Northam’s administration, the COVID-19 Taskforce, and local partners and stakeholders to address and respond to COVID-19 safely and effectively. This FAQ will address frequently received questions, and we will continue to update this website in the coming days.

DCSE’s commitment to providing you with excellent customer service will continue. You can call us at 1-800-468-8894, email askdcse@dss.virginia.gov, or access our MyChildSupport Portal at mychildsupport.dss.virginia.gov. It is our pleasure to be of service.

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Employment

1. I am unable to work because I have lost my job. What can I do about not being able to pay child support?

Losing one's job can seem overwhelming. However, there are immediate steps you can take. First, see if you are eligible to file for unemployment at <http://www.vec.virginia.gov/unemployed/online-services/apply-for-unemployment-benefits>. The Governor has waived many requirements.

Second, reach out to us if you are a parent who is obligated to pay child support through any of the contact methods at the beginning of this document. We may be able to review your child support obligation based on your change in circumstance. You may also be eligible to participate in our Family Engagement Services.

For more information about Family Engagement and helpful resources, see <https://www.dss.virginia.gov/family/dcse/links.cgi>

2. I am self-employed and cannot get unemployment benefits; is there a program that can help me?

Certain workers who are not eligible for unemployment under current state law such as gig economy workers, self-employed individuals, or workers paid by 1099 may be eligible for unemployment insurance benefits under the CARES Act. Please check <http://www.vec.virginia.gov> and <https://www.vec.virginia.gov/covid19> for updates.

If you are a self-employed individual and you are no longer in business due to the COVID-19, you may be eligible for review of your child support order based on a change in circumstances. While that process is pending, you must continue to make payments. You may qualify for Family Engagement Services. See <https://www.dss.virginia.gov/family/dcse/links.cgi>

Depending on your situation, you may also be eligible for assistance programs. Visit <https://commonhelp.virginia.gov> for more information. If you would like to learn more about services in your local area, visit <https://www.211virginia.org>

3. I was laid off until June 10. I worked on commission. I cannot get unemployment benefits and do not know what to do?

If you were laid off due to COVID-19, you may be eligible for unemployment benefits, even if you traditionally would have been ineligible. If your job



paid you on commission, this may not disqualify you. To see if you are eligible to file for unemployment, go to

<http://www.vec.virginia.gov/unemployed/online-services/apply-for-unemployment-benefits>

We may be able to review your child support obligation based on your change in circumstance; please see our *Request for Review and Adjustment* form, available at <https://www.dss.virginia.gov/family/dcse/form.cgi>

If you are the parent who is obligated to pay support, you may also be eligible to participate in our Family Engagement Services.

For more information about Family Engagement and helpful resources, see <https://www.dss.virginia.gov/family/dcse/links.cgi>

4. If I am laid off because I have COVID-19 and cannot work, how can I get assistance with my child support payments?

You should contact us immediately to discuss details about your current situation and file for unemployment benefits with the Virginia Employment Commission. You may be eligible for review and modification of your order, or be referred to our Family Engagement Services. You may also be eligible for our other Social Services' programs for assistance such as SNAP, TANF and Medicaid.

5. Will my child support payments still be due if I am unable to work because of COVID-19?

Yes, your child support payment is still due according to your order. If you have been laid off or your work hours have been reduced due to COVID-19, contact us for assistance. You may be eligible for review and modification of your order or assistance through our Family Engagement Services.

6. Will child support orders for parents with children in the custody of the Department of Juvenile Justice (DJJ) be suspended due to the impact of the COVID-19 pandemic?

No, child support orders for children in the custody of DJJ will not be suspended. The Code of Virginia requires parents to pay for the support of their child while in the custody of DJJ.



7. Can I have an extension on paying my child support payments due to the COVID-19 pandemic?

Your child support payments are still due according to your order. If you are having challenges making the payments due to reduced work hours or due to a furlough, please contact us for assistance. You may be eligible for a modification of your child support order because of a change in circumstances.

You may be eligible for unemployment benefits as the Governor has waived some requirements; go to <http://www.vec.virginia.gov/unemployed/online-services/apply-for-unemployment-benefits>. You may qualify to participate in our Family Engagement Program. Please review the information at <https://www.dss.virginia.gov/family/dcse/links.cgi>

8. Will interest be waived if I am unemployed because of COVID-19?

Your current support, arrearages and interest amounts are still due at this time. If you are unemployed, please see **#3** above for information on applying for unemployment benefits, applying for assistance with social services and for possibly being eligible for a review of your child support order.

Enforcement

1. If I am unable to pay because of COVID-19, will DCSE continue to take enforcement actions?

We realize this is a difficult time and we are evaluating where we can offer flexibility. However, the law often requires us to take enforcement action with limited flexibility. As noted earlier in this FAQ, you can request review of your order and ask about enrollment in our Family Engagement Services. If you owe TANF arrearages, you can also ask about our TANF debt compromise program.

Payment Processing

1. Will I continue to get my child support payments to take care of my children?

We will continue to distribute child support payments within 48 hours of the parent or employer sending us payment. However, if a parent is unable to pay, such as due to a loss of employment, then this could affect your child



support payments. If there has been a change in a parent's employment, please contact us.

2. If a parent lives in another state and everything has shut down, will child support payments continue?

We are continuing operations and will continue to process payments as usual. However, if a parent is unable to pay, such as due to a loss of employment, then this could affect your child support payments. If there has been a change in a parent's employment, please contact us.

3. My child support payment is not showing on my debit card. When can I expect my payment?

Due to the COVID-19 emergency, your payment may post to your debit card by the end of the 2nd business day. Debit card payments are handled by the same payment processing center that processes payments for all Virginia agencies including unemployment benefits, TANF, and child care benefits along with other states' agencies. The impact of all those transactions is causing a slight delay. Your child support payments are top priority to us and we continue to emphasize to our processing center the need for timely payment processing which is even greater now.

We encourage you to enroll in direct deposit to receive payments directly in your bank account. The direct deposit form is located on our website at <https://www.dss.virginia.gov/family/dcse/form.cgi>.

Employers

1. How should an employer process an income withholding order, if the named employee has been laid off or sent home without pay? Will there be a penalty or will interest accrue if child support cannot be withheld or paid?

It is the responsibility of the employer to notify us when an employee has been laid off, sent home without pay, or terminated. If an employee is still employed but not receiving payment such as because of a furlough, then please contact us with additional details. If a payment becomes 30 days past due, interest may apply in accordance with the child support order.



2. I am an employer and received a compliance letter. The employee was laid off due to COVID-19. What should I do?

You should contact us at our customer service number to provide us with more information, such as the employee's name and date of layoff. If you were remitting payments under an income withholding order, you should complete the *Notification of Employment Termination* on that order and return it to us by email, at the address listed in the introduction on this page, or by mail at 801 East Main Street Richmond, VA 23219.

Emancipation / Graduation

1. My child's graduation has been extended; will I continue to receive my child support payments?

Support continues until the child reaches the age of 19 or graduates from high school, whichever occurs first. Virginia public schools are closed for in-person classes, but there are plans for online learning. As with many other aspects of this situation, plans for graduation and formal end of the school years are subject to updates.

You can follow updates from the Department of Education at http://www.doe.virginia.gov/support/health_medical/office/covid-19-grad-credits.shtml

At this time if a child has neither turned 19 or graduated, support should continue.

Stimulus Payments - General

1. If I am eligible for an Economic Impact (Stimulus) Payment from the government, will DCSE intercept the payment?

Under Federal and State law, States must offset federal tax refunds, including stimulus payments when a parent owes a certain amount of past-due support, unless Congress includes an exception.

Congress has elected to treat the first and second stimulus payments differently.

First Round

Congress passed and President Trump signed into law the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020. These



payments remain subject to offset for past-due child support, and, under Federal law, the Division must offset them when applicable. See answer #6 for additional information on when a debt is certified.

Second Round

Congress passed and President Trump signed into law the Consolidated Appropriations Act, 2021 on December 27, 2020. These payments are **not** subject to offset for past-due child support.

Parents are always welcome to make additional payments. Make payments online at <https://mychildsupport.dss.virginia.gov>, by calling our automated payments line at 1-877-670-2941, or by mail at P.O. Box 570, Richmond, VA 23218-0570. Some offices offer self-serve kiosks, with hours available at https://www.dss.virginia.gov/family/dcse/service_offerings.cgi.

2. Did the Virginia General Assembly prohibit interception of stimulus checks during the 2020 Special Session?

The General Assembly did not prohibit interception of stimulus checks.

A new law, passed during the 2020 Special Session, exempts state and federal emergency relief payments from garnishment, attachment, and other legal creditor process seizures. However, [the bill](#) specifically states, "no such exemption shall extend to child support, spousal support, or criminal restitution orders."

December 2020 Stimulus Payments

1. Are the stimulus payments authorized in December 2020 subject to offset?

No. Congress elected to exempt the second round of stimulus checks from offset.

However, parents are always welcome to make additional payments. Make payments online at <https://mychildsupport.dss.virginia.gov>, by calling our automated payments line at 1-877-670-2941, or by mail at P.O. Box 570, Richmond, VA 23218-0570. Some offices offer self-serve kiosks, with hours available at https://www.dss.virginia.gov/family/dcse/service_offerings.cgi.



March 2020 Stimulus Payments

1. If DCSE intercepts my stimulus payment and I am enrolled in the TANF debt compromise program, will the payment be matched dollar for dollar?

If you are already an active participant in our TANF debt compromise program and you have made the required payment for three, consecutive months, you may be eligible for a \$1 for \$1 reduction. If you have questions about your specific case, please reach out to us.

To become a participant in our TANF debt compromise program, your order must be a Virginia order, you must owe TANF debt, and you must have signed the TANF Debt Compromise Payment Agreement. If you are interested in learning more, please reach out to us.

2. Will I receive the stimulus payment from the noncustodial parent on my case?

Payments to noncustodial parents that are subject to intercept under the Federal Income Tax Refund Offset Program will be offset by the amount of past-due child support. If the amount of past-due support is less than the stimulus payment, then the noncustodial parent will be entitled to keep the excess.

For payments received from tax refund offsets, including the stimulus payment, the payment hierarchy is as follows: if money is owed to the state for reimbursement of public assistance that has been previously paid to the family, payment will be paid to that debt first. Next, debt owed to the custodial parent will be paid.

3. If DCSE intercepts the noncustodial parent's stimulus payment, will there be a hold for 180 days prior to posting payment to the custodial parent?

Yes, offsets to the first set of stimulus payments will follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets. The 180-day hold applies for Federal tax offsets where the intercepted refund is for a joint tax return. This hold preserves the interests of the other spouse. This will also apply for the stimulus offsets when the noncustodial parent is married and filed his taxes jointly.



4. Is there a specific amount that I have to owe for a stimulus to be taken?

Yes. TANF and title IV-E foster care cases must have at least \$150 in past-due support for an offset to apply. Non-TANF/IV-E or Medicaid-only cases must have at least \$500 of past-due support for the offset requirement to apply. Stimulus offsets follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets.

5. Will I be notified ahead of time about my stimulus check being intercepted?

If there is an interception of your stimulus check, you will receive notice. Typically, the Federal entities administering the offset program send both a pre-offset and a post-offset notice.

6. If I am paying my current support obligation but owe \$230 in arrears, will my stimulus check be intercepted?

The second round of stimulus payments is not subject to offset. However, parents are always welcome to make additional payments. Make payments online at <https://mychildsupport.dss.virginia.gov/>, by calling our automated payments line at 1-877-670-2941, or by mail at P.O. Box 570, Richmond, VA 23218-0570. Some offices offer self-serve kiosks, with hours available at https://www.dss.virginia.gov/family/dcse/service_offerings.cgi.

For the first round of stimulus payments, the Bureau of the Fiscal Service of the Department of Treasury (BFS) will intercept a noncustodial parent's stimulus payment if the arrears exceed the minimum requirement for federal tax refund offset at the time of the match. TANF or title IV-E foster care cases must have at least \$150 in past-due support for the offset requirement to apply. Non-TANF/IV-E or Medicaid-only cases must have at least \$500 of past-due support for the offset requirement to apply. Stimulus offsets will follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets.

7. How soon can I receive the NCP's stimulus payment?

The second round of stimulus payments is not subject to offset. However, parents are always welcome to make additional payments. Make payments online at <https://mychildsupport.dss.virginia.gov/>, by calling our automated payments line at 1-877-670-2941, or by mail at P.O. Box 570, Richmond, VA 23218-0570. Some offices offer self-serve kiosks, with hours available at https://www.dss.virginia.gov/family/dcse/service_offerings.cgi.



For the first round of stimulus payments, offsets began in April. There is 180-day hold that applies for Federal tax offsets where the intercepted refund is for a joint tax return. This hold preserves the interests of the other spouse. This will also apply for the stimulus offsets when there is a joint tax return.

8. Will the stimulus payments be held once they are received and will they apply to current support first or state debt?

The stimulus or economic impact payment offsets will follow the same fees, distribution timeframes, and hold periods as Federal tax refund offsets. There is 180-day hold that applies for Federal tax refund offsets where the intercepted refund is for a joint tax return. This hold also applies for the stimulus offsets when there is a joint tax return.

For payments received from Federal tax refund offsets, including the stimulus payment, the payment hierarchy is as follows: if money is owed to the state for reimbursement of public assistance that has been previously paid to the family, payment will be paid to that debt first. Next, debt owed to the custodial parent will be paid.

9. I am married, and my spouse pays child support. Will my portion of our stimulus check be intercepted for his child support debt?

Yes, your portion of the stimulus check may be intercepted if your spouse owes past-due child support. As in the case of the 180-day hold that applies to Federal joint tax refunds the same will apply to the stimulus checks. This hold preserves the interests of the other spouse. You can receive your part of the stimulus refund by filing an Injured Spouse Claim Form 8379 as you would for a Federal tax offset.

10. I am living out of state; how long will it take for me to receive my ex-wife's stimulus check?

We cannot confirm specific dates as to when you will receive your stimulus payment.

We encourage you to enroll in direct deposit to receive payments directly in your bank account. The direct deposit form is located on our website at <https://www.dss.virginia.gov/family/dcse/form.cgi>.



Courts

1. Are the courts closed due to the COVID-19 pandemic?

Please refer to the link below to see the list on page 4 of each local court's operating hours.

http://www.courts.state.va.us/news/items/covid_19.pdf

Tax Refund

1. When will a custodial parent receive additional payments due to a tax refund intercept?

The federal tax filing deadline has been extended from April 15 to July 15 for 2020. Tax refund intercept occurs when a tax filing is completed. Due to the tax filing extension, intercepted tax refund payments may be delayed. If you are a parent paying child support and owe arrearages, the tax intercept will still occur.

2. Will tax refunds be held once they are received if there is a joint tax return?

There is 180-day hold that applies for Federal tax offsets where the intercepted refund is for a joint tax return. The 180-day hold has been extended through March 31, 2021. Any Federal tax offsets held beyond the 180-day hold will not be held longer than March 31, 2021. This hold preserves the interests of the spouse.

Unemployment Benefits

1. I have been approved for unemployment benefits; will child support payments be withheld?

Yes, child support payments will be withheld from your unemployment benefits. You are responsible for the remainder of the support payment due each month, if the full amount of your child support obligation is not withheld from your unemployment benefits.



2. What is needed from me to have child support deducted from my unemployment benefits?

Contact us to keep us informed of your employment status and your unemployment benefits. We will automatically connect with VEC to inform them of your child support obligation.

3. I was receiving my unemployment benefits and the \$600 bonus payments until it ended in July. Will there be any more supplemental payments to help those who are still unemployed?

Yes, President Trump has authorized additional funds to FEMA Disaster Relief Fund to provide financial assistance to individuals who have lost wages due to COVID-19. The additional funds will be paid through the Lost Wages Assistance Program (LWA) in an amount of \$300 with the first payable week being retroactive to the week ending August 1, 2020.

4. How long will the \$300 Supplement Payment last?

This is to be determined. FEMA has allotted a three week allocation for each state that's contingent upon approval. Additional weeks will be determined on a weekly basis thereafter.

5. What amount of child support will be taken from my unemployment benefits?

Depending on the amount of your child support obligation and the amount of your unemployment benefits, DCSE may withhold up to 65 percent of your total unemployment benefits. You are responsible for the remainder of the support payment due each month, if the full amount of your child support obligation is not withheld from your unemployment benefits.

6. I received the first few \$600 bonus payments with my unemployment benefits. Why is child support now being taken from those payments?

In accordance with the CARES Act, VEC has updated their system to allow child support obligations to be deducted from the FPUC payments in the same manner that child support obligations are deducted from regular unemployment compensation. You are responsible for the remainder of the support payment due each month, if the full amount of your child support obligation is not withheld from your unemployment benefits.



7. Will child support be made retroactive to collect on the FPUC payments that I have already received for which support was not withheld?

It has not been determined if the missed child support payments will be deducted from the future unemployment benefits including FPUC. However, you are still responsible for your support payment due each month.

Miscellaneous

1. I am a noncustodial parent who pays child support. How can I help?

Continue to support your child or children in every way that you can—your child may need emotional support as well during this challenging time. Keep your contact information updated so we can reach you and do not hesitate to reach out to us if your circumstances change.