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 document regularly.

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.

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? ........................................ 4
2. I am self-employed and cannot get unemployment benefits; is there a program that can help me? .......................... 4
3. I was laid off until June 10th. I worked on commission. I cannot get unemployment benefits and do not know what to do? .................................................................................................................................................. 4
4. If I am laid off because I have COVID-19 and cannot work, how can I get assistance with my child support payments? .................................................................................................................................................................. 4
5. Will my child support payments still be due if I am unable to work because of COVID-19? ................................. 5
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? ............................................................................................................. 5
7. Can I have an extension on paying my child support payments due to the COVID-19 pandemic? ...................... 6
8. Will interest be waived if you are unemployed because of COVID-19? .......................................................... 6

ENFORCEMENT

1. If I am unable to pay because of COVID-19, will DCSE continue to take enforcement actions? ........................... 6

PAYMENT PROCESSING

1. Will I continue to get my child support payments to take care of my children? ........................................... 6
2. If a parent lives in another state and everything has shut down, will child support payments continue? ...... 7

3. My child support payment is not showing on my debit card. When can I expect my payment? ............... 7

EMPLOYERS.......................................................................................................................................................... 7

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?.......................................................................................................................................................... 7

2. I am an employer and received a compliance letter. The employee was laid off due to COVID-19. What should I do? .......................................................................................................................................................... 7

EMANCIPATION / GRADUATION ................................................................................................................................. 8

1. My child’s graduation has been extended; will I continue to receive my child support payments? ....... 8

STIMULUS PAYMENTS ............................................................................................................................................. 8

1. If I am eligible for the stimulus payment from the government, will DCSE intercept the payment? ........ 8

2. If DCSE intercepts my stimulus payment and I am enrolled in the TANF debt compromise program, will the payment be matched dollar for dollar? ............................................................................................................................................. 8

3. Will I receive the stimulus payment from the noncustodial parent on my case? .................................. 8

4. 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? ............................................................................................................................................. 9

5. Is there a specific amount that I have to owe for the stimulus to be taken? ........................................... 9

6. Will I be notified ahead of time about my stimulus check being intercepted? ....................................... 9

7. If I am paying my current support obligation but owes $230 in arrears, will my stimulus check be intercepted? ............................................................................................................................................. 9

8. How soon can I receive the NCP’s stimulus payment? ............................................................................. 10

9. Will the stimulus payments be held once they are received and will they apply to current support first or state debt? ............................................................................................................................................. 10

10. I am married and my spouse pays child support. Will my portion of our stimulus check be intercepted for his child support debt? ............................................................................................................................................. 10

11. I am living out of state, how long will it take for me to receive my ex-wife’s stimulus check? ........... 11
1. Are the courts closed due to the COVID-19 pandemic? ................................................................. 11

TAX REFUND ........................................................................................................................................ 11

1. When will a custodial parent receive additional payments due to a tax refund intercept? .................. 11

UNEMPLOYMENT BENEFITS .................................................................................................................. 11

1. I have been approved for unemployment benefits; will child support payments be withheld? ........... 11
2. What is needed from me to have child support deducted from my unemployment benefits? .............. 12
3. Will child support withheld from my unemployment benefits and the $600 bonus payments? ............. 12
4. What amount of child support will be taken from my unemployment benefits? ................................. 12
5. I received the first few $600 bonus payments with my unemployment benefits. Why is child support now being taken from those payments? ........................................................................................................................ 12
6. Will child support be made retroactive to collect on the FPUC payments that I have already received for which support was not withheld? ..................................................................................................................... 12

MISCELLANEOUS .................................................................................................................................. 13

1. I am a noncustodial parent who pays child support. How can I help? .................................................. 13
Employment

1. **I am unable to work because I have lost my job. What can I do about being unable 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](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 listed 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](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 have previously been ineligible for unemployment, such as gig economy workers, self-employed individuals and other workers paid on a 1099-MISC may be eligible for unemployment insurance benefits under the CARES Act. Please check [http://www.vec.virginia.gov](http://www.vec.virginia.gov) for updates.

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

   Depending on your situation, you may be eligible for assistance programs. Visit [https://commonhelp.virginia.gov](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](https://www.211virginia.org)

3. **I was laid off. 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, you can confirm eligibility with the Virginia Employment Commission. To check whether you are eligible, go to [http://www.vec.virginia.gov/unemployed/online-services/apply-for-unemployment-benefits](http://www.vec.virginia.gov/unemployed/online-services/apply-for-unemployment-benefits)

We may be able to review your child support obligation based on a change in circumstance; please see our Request for Review and Adjustment form, available at [https://www.dss.virginia.gov/family/dcse/form.cgi](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](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 consider filing for unemployment benefits with the Virginia Employment Commission. You may be eligible for review and modification of your order or our Family Engagement Services. You may also be eligible for our other Social Service programs, 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, child support payments are due according to your order. Your order will not change automatically. 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 children 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 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](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](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 remain due. If you are unemployed, please see #3 above for information on applying for unemployment benefits, applying for assistance with social services and 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 second 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. An increase in transactions may cause delays. Your child support payments are a top priority to us, and we continue to emphasize to our processing center that the need for timely payment is greater than ever.

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

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

Stimulus Payments

1. If I am eligible for a stimulus payment from the government, will DCSE intercept the payment?

Congress passed and President Trump signed into law the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020. Federal and state laws require offsets to occur when a parent owes a certain amount of past-due support. See #5 below.

2. 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.

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

DCSE will offset past-due child support against the economic impact payments for noncustodial parents when their cases meet the certification
threshold. If the amount of past-due support is less than the stimulus payment, then the noncustodial parent will be entitled to keep the excess.

4. **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, economic impact payment offsets will follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets. The 180-day hold applies where the intercepted refund is for a joint tax return. This hold preserves the interests of the other spouse.

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

Yes, TANF or IV-E foster care cases must have at least $150 in past-due support before an offset can apply. Non-TANF/IV-E or Medicaid-only cases must have at least $500 of past-due support for an offset to apply.

The stimulus offsets will follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets.

6. **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.

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

The Bureau of the Fiscal Service of the Department of Treasury 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 an offset to apply. Non-TANF/IV-E or Medicaid-only cases must have at least $500 of past-due support for an offset to apply. The stimulus offsets will follow the same fees, distribution timeframes, and hold periods as federal tax refund offsets.
8. **If I am a custodial parent, how soon will I receive additional child support from an offset of the noncustodial parent’s stimulus payment?**

It depends on when the Federal government sends stimulus payments. Offset collections on initial payments began in April. 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 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.

9. **Will stimulus payments be held once 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 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.

If money is owed to the state for reimbursement of public assistance, the stimulus payment will be paid to that debt first.

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

Under IRS procedure, when an injured spouse claim is on file with a joint 2019 tax return (or 2018 tax return if the 2019 return has not been filed), half of the total economic impact payment should be sent to each spouse; however, the spouse who owes child support debt should have his or her share of the economic impact payment offset for past-due child support.

If you filed a joint tax return, your spouse owes past-due child support, and you have not made an injured spouse claim, the offset may apply against your stimulus payment unless you take action. You can ask to receive your part of the stimulus refund by filing an Injured Spouse Claim Form 8379. We place a 180-day processing hold to allow you time to file that form and for the Department of the Treasury to process it.
11. I am living out of state; how long will it take to receive my ex-wife’s stimulus check?

We cannot confirm specific dates as to when custodial parents will receive a distribution. Collections began as early as mid-April 2020. Due to the COVID-19 emergency, payments may post to debit cards by the end of the second business day. 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 list on page 4 of the list below for each local court’s operating hours.


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.

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 the Virginia Employment Commission to inform them of your child support obligation.

3. **Will child support be withheld from my unemployment benefits and $600 bonus payments?**

Yes, your unemployment benefits and the $600 Federal Pandemic Unemployment Compensation (FPUC) payments are subject to child support withholdings. 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.

4. **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, we 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.

5. **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, the Virginia Employment Commission has updated its 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.

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

In some cases, child support withholding did not occur for unemployment benefits. It has not been determined whether missed withholding amounts
will be deducted from future unemployment benefits. However, you are still responsible for your support payment 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.