

The State of New Hampshire

UNIFORM SUPPORT ORDER-STANDING ORDER

NOTICE: This Standing Order (SO) is part of all Uniform Support Orders (USO) and shall be given full effect as order of the Court. Variations to paragraphs of the SO in a specific case must be entered in paragraph 18 of the USO and approved by the Court.

(Paragraph numbers in the SO correspond to related paragraph numbers in the USO. Variations entered in paragraph 18 should reference the related paragraph number.)

SUPPORT PAYMENT TERMS

- SO-3A. All prior orders not inconsistent with this order remain in full force and effect.
- SO-3B. This order shall be subject to review and modification three years from its effective date upon the request of a party. Any party may petition the Court at any time for a modification of this support order if there is a substantial change in circumstances. Except as otherwise provided, the effective date of any modification shall be no earlier than the date the petition is filed.
- SO-4A. Child support shall terminate when the youngest child terminates his/her high school education or reaches the age of 18 years, whichever is later; gets married; or becomes a member of the armed forces.
- SO-4B. The amount of child support shall be recalculated according to the guidelines whenever there is a change in the number of children for whom support is ordered, effective the date of the change.
- SO-4C. **Each party shall inform the Court in writing of any change in address, within 15 days of the change**, so long as this order is in effect. Service of notice of any proceeding related to this order shall be sufficient if made on a party at the last address on file with the Court. A party who fails to keep the Court informed of such a change in address, and who then fails to attend a hearing because of lack of notice, may be subject to arrest.
- SO-5A. If no date appears in paragraph 5 of the USO, the first support payment shall be due on the date this order is signed by the Judge.
- SO-5B. If support is payable through the New Hampshire Division of Child Support Services (DCSS), DCSS is authorized and directed to collect all sums, including any arrearages, from the obligor and forward the sums collected to the obligee or person, department, or agency providing support to the children named in the USO. Any payment shall be applied first as payment towards the on-going support obligation due that month and second towards any arrearages.
- SO-5C. Collection by DCSS on any arrearage may include intercepting the obligor's IRS tax refund, placing liens on the obligor's personal and real property including the use of attaching qualifying financial accounts of the obligor. IRS tax refund intercept and lien remedies shall be used even if an obligor is complying with the terms of this agreement. Pursuant to 45 CFR 302.51 and 45 CFR 302.60, any payment shall be applied first as payment towards the on-going child support obligation due that month and second towards any arrearages.
- SO-5D. In all cases where child support is payable through DCSS, obligor and obligee shall inform DCSS in writing of any change of address or change of name and address of employer, within 15 days of the change.

WAGE ASSIGNMENT

- SO-7A. Until such time as a wage assignment goes into effect, payments shall be made as follows: (1) if the case is not payable through DCSS, directly to obligee, or (2) if support is payable through the DCSS, by use of payment coupons available at the local DCSS office. A wage assignment will not go into effect for self-employed obligors as long as they do not receive wages as defined in RSA 458-B:1, paragraph 1X. Future wages will be subject to wage assignment if the case is payable through DCSS.

- SO-7B. If a parent is ordered to provide health coverage for Medicaid-eligible child(ren), he or she must use payments received for health care services to reimburse the appropriate party. Otherwise his or her wages may be subject to wage assignment by DCSS. RSA 161-H:2V.
- SO-7C. Wage assignments for the purposes of payment on arrearages shall cease at such time as the arrearages are paid in full.
- SO-8. Whenever a wage assignment is suspended, it may be instituted if a Court finds obligor in violation or contempt of this order OR after notice and the opportunity to be heard (RSA 458:B-5 & 7), when DCSS begins paying public assistance for the benefit of a child OR when an arrearage amounting to the support due for a one-month period has accrued.

REPORT CHANGES OF EMPLOYMENT

- S)-9. If obligor is unemployed and support is payable through DCSS, obligor shall report **in writing** monthly, or as otherwise ordered by Court, to DCSS, and shall provide details of efforts made to find a job. Efforts to obtain employment shall include registering with New Hampshire Employment Security within two weeks of the date of this order. Support and payments on arrearages shall be recalculated by DCSS in accordance with the guidelines when obligor gets a job, effective the date of obligor's employment.

HEALTH INSURANCE PROVISION

- SO-10. A party providing or ordered to provide health insurance for the child(ren) shall give the other party sufficient information and documentation to make such insurance coverage effective. If support is payable through DCSS, or if there has been an assignment of medical support rights to DCSS, the information and documentation shall be provided to DCSS. In addition, obligor shall inform DCSS in writing when health insurance is obtained or discontinued.
- SO-11. If health insurance is not provided, and support is payable through DCSS or there has been an assignment of medical support rights to DCSS, the obligor shall inform DCSS whenever he or she has access to health insurance.

SUPPORT ARREARAGES OWED TO THE STATE

- SO-17A. Pursuant to RSA 161-C:22, III when an assignment of support rights has terminated and obligor and the recipient of public assistance reunite, obligor may request a suspension of the collection of support arrearage owed to the state under RSA 161-C:4. So long as the family remains reunited and provided that the adjusted gross income of the family as defined by RSA 458-C is equal to or less than 185% of the Federal poverty guidelines as set by the United States Department of Health and Human Services, DCSS shall not take any action to collect the support arrearage owed to the State.
- SO-17B. If the collection of a support arrearage pursuant to RSA 161-C:4 is suspended, the obligor shall provide DCSS with a financial affidavit every six months evidencing the income of the reunited family and shall notify his or her child support worker in writing within ten days of any change in income or if the family is no longer reunited. Failure to report changes in income or in the status of the family as reunited or to provide a financial affidavit shall cause the suspension of collection to terminate.
- SO-17C. If child support is or has been paid by the state and obligor has defaulted and failed to file a financial affidavit with the Court, he/she shall immediately provide DCSS with evidence of personal income and ability to pay child support. If the weekly child support ordered departs significantly from the child support guidelines, the parties may file an agreement establishing support in conformity with the guidelines or either party may request a hearing.
- SO-17D. In cases payable through DCSS, if there are arrearages when support for a child is terminated, payments on the arrearages shall increase by the amount of any reduction of child support until the arrearages are paid in full.

**BY ORDER OF THE CHIEF JUSTICE
NEW HAMPSHIRE SUPERIOR COURT**