

# CHILD SUPPORT

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THE WHO AND WHAT



# The Main Characters

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**Circuit Clerk's Office**

**Family Support Division/ Child Support Enforcement**

**Prosecuting Attorney**

## Other Agencies

- State Agencies
  - Attorney General
- Tribal Agencies
- International Agencies



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# CIRCUIT CLERK'S OFFICE

## The Circuit Clerk is the Court's Record Keeper

- **Receives and files pleadings and motions**
- **Maintains official court record**
- **Issues summons and court notices for terminations**
- **Processes court orders**
- **Can collect the payee's payments and forward them to the Payment Processing Center**
- **Certifies copies of court documents**



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# Who is the Circuit Clerk's Office

## (What We Do)

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### **Provide Documents**

- Affidavit of Termination
- Affidavit of Credit
- Income Withholding
- MACSS Information Sheet
- Abatement requests
- Copies of the payment record

### **MACSS**

(Missouri Automated Child Support System)

- Review court orders and enter judgments into MACSS
- Add credits to accounts when a direct pay has taken place
- Add employers for income withholding
- Review entries and provide parties with information

# Who is the Circuit Clerk's Office

## (What We Do!)

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### **Process**

- **Judgments**
- **Pleadings**
- **Update filed information such as updating last names and addresses if provided)**

# Who is the Circuit Clerk's Office

## (What We Don't Do!)

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### **Can Not!**

- Cannot modify orders without a Judge's signed order
- Cannot calculate support amounts
- Cannot process in MACSS without proper filings
- Cannot process cases that are not filed with the court

### **Does Not!**

- Provide legal advice
- Represent either party.
- Enforce child support or maintenance

# Who is the Circuit Clerk's Office

## (What We Don't Do!)

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**Must Not!**

- Go against Judges orders
- Interpret court orders

# CHILD SUPPORT ENFORCEMENT (FSD/CSE)

Child Support Enforcement –  
Core Responsibilities

**Administrative  
Enforcement Agency**



- **Establishes administrative child support orders**
- **Locates noncustodial parents**
- **Establishes paternity (administratively)**
- **Reviews and modifies support (when eligible)**

# CHILD SUPPORT ENFORCEMENT (FSD/CSE)

**Child Support Enforcement –  
Core Responsibilities**

**Enforces payment  
through:**



- **Income withholding**
- **Tax intercepts**
- **Administrative actions**

**Key Point:**

**FSD/CSE is an administrative enforcement agency, not the court.**

**Custodial Parents MUST apply for FSD/CSE services, as there is not an automatic enrollment option for services**

# How the Circuit Clerk's Office Works with FSD/CSE

- Receives filings when FSD/CSE cases require court action
- Dockets FSD/CSE-initiated cases
- Maintains court record when FSD/CSE seeks judicial enforcement
- Processes court orders resulting from FSD/CSE actions
- Completes changes in MACSS according to the court clerk's access ability.
- Forwards all requested documents to the Jefferson City FSD/CSE Office
- Works as a team to ensure cases are completed so enforcement can begin



## Important Distinction:

FSD/CSE may initiate enforcement, but the Circuit Clerk's Office processes court orders once signed.

# PROSECUTING ATTORNEY'S OFFICE

Prosecuting Attorney – Core Responsibilities

Legal Representation for the State of Missouri



- Litigate or prosecute any action necessary to secure support for any person referred to such office by FSD/CSE
- Represents the state, not the parties
- The focus is the establishment and/or enforcement of child support
- Receive referrals from the Family Support Division exclusively
- Probation
- Utilizes summonses, warrants, and jail time to enforce support orders

To note: The Prosecuting attorney's office has the authority to report non payment to all three credit bureaus. And main tool is criminal and civil enforcement

May refer case continuations to the Attorney General's Office

**HANDS OFF!**

## How the Circuit Clerk Works with the Prosecutor

- **Maintains case docket**
- **Enters court orders**
- **Certifies records when needed**



### **Important Distinction:**

**The Prosecutor argues the case.**

**The Clerk maintains the record but is mostly hands off**

# Working Together

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**Child support is a collaborative process involving:**

- **Administrative enforcement**
  - **Legal advocacy**
  - **Judicial oversight**
  - **Record maintenance**
  - **Each office plays a critical but distinct role in serving families and the court.**
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# Review - Circuit Clerk

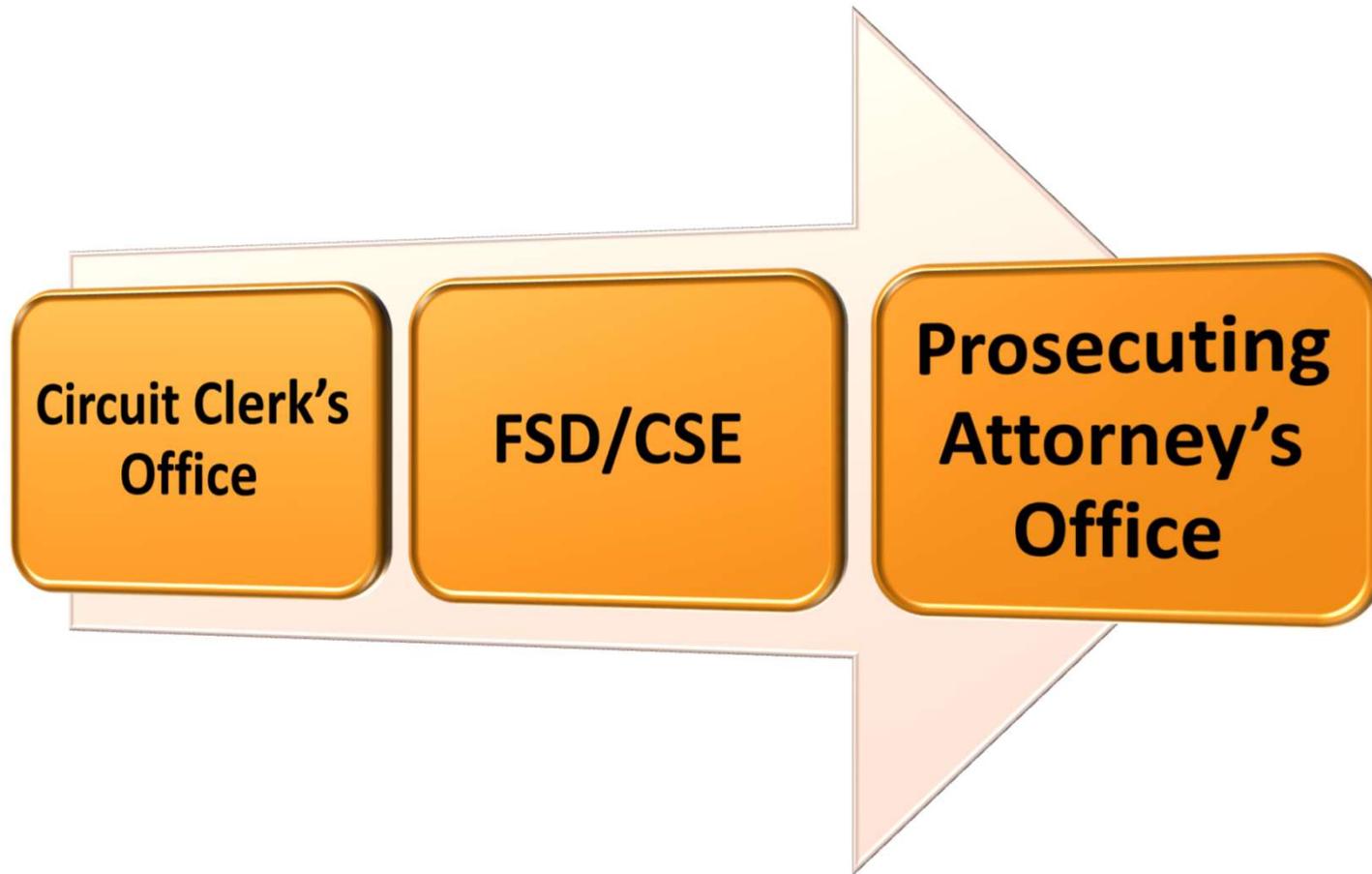
- **Keeps court record**
- **Enters orders into MACSS**
- **Certifies documents**
- **Provides some documents**
- **Cannot give legal advice**
- **Does not represent the parties**

# Review – FSD/CSE

- **Must apply for their services**
- **Intercept tax refunds**
- **Wage garnishment**
- **Initiate contempt actions**
- **Refers to the Prosecuting Attorney's office**

# Review – Prosecuting Attorney

- Litigate or prosecute any action necessary to secure support
- Represents the state only
- Operates on referrals from FSD/CSE
- Cases are considered criminal
- Issues warrants
- Suspends drivers licenses
- Probation
- Referrals to the Attorney General if nessessary



**QUESTIONS?**