

REMOVING BARRIERS TO EMPLOYMENT: CUSTODY AND CHILD SUPPORT

Neighborhood Legal Services Program

December 2, 2014

DISCLAIMER

- ⦿ Please note that the information contained within this presentation should not be considered legal advice.
- ⦿ Furthermore, this presentation is specific to the laws of Washington, D.C., and the contained information may not apply elsewhere.
- ⦿ If you are interested in legal advice or representation on a legal issue related to this presentation, you can contact Neighborhood Legal Services Program to conduct an intake (please see last slide for intake information).

FAMILY LAW: WHAT IS IT?

- Child custody
 - Parents seeking to gain or keep custody
 - Third parties seeking custody
- Child support
 - Part of custody case
 - Parent seeking to modify child support order
- Paternity
 - Part of a custody, divorce, or child support matter
- Divorce
 - Cases with custody and/or child support issues
 - Complicated cases
- Domestic Violence
 - Related to divorce, custody, or child support
 - Civil Protection Orders

CUSTODY, CHILD SUPPORT & EMPLOYMENT

- Concerns about family can be overwhelming
- Court cases require time and resources
- Custody arrangements can help or hinder the ability to work
- Child support orders
 - Unemployment or underemployment makes payment difficult
 - Arrears can lead to driver's license suspensions, or possibly incarceration

CUSTODY, CHILD SUPPORT & EMPLOYMENT

- Meet Derek and Zoe



CUSTODY, CHILD SUPPORT & EMPLOYMENT

- What are the legal issues Derek is facing?
 - Child support order is not set at his current income
 - He has not paid his child support, which means he has accumulated back payments, or arrears
 - His driver's license has been suspended as a result of those arrears
- What can Derek do about those issues?
 - Modify child support order at DC Superior Court
 - Address license suspension with CSSD
 - Address outstanding tickets with the DMV

CUSTODY, CHILD SUPPORT & EMPLOYMENT

- How can he address those issues?
 - File a motion to modify child support order
 - Evidence of involuntary unemployment
 - Evidence of effort to gain new employment
 - Evidence of current income
 - Evidence of current expenditures for child(ren)
 - Work with CSSD to establish compliance
 - Full or partial payment

- Where can Derek find help?
 - Family Law Self Help Center
 - Neighborhood Legal Services Program
 - Other legal aid providers in DC

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- ◉ Derek and Zoe, Part 2



CUSTODY, CHILD SUPPORT & EMPLOYMENT

- What are the legal issues Derek is facing?
 - Visitation arrangement does not fit with his new work schedule, which complicates his ability to see his child
- What can Derek do about those issues?
 - Seek a custody order at DC Superior Court
- What is the actual process for addressing those issues?
 - File a complaint for child custody
 - Best interest of the child standard
- Where can Derek find help?
 - See previous resources

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- ◉ Derek and his employer



CUSTODY, CHILD SUPPORT & EMPLOYMENT

- DC is an “at will” employment jurisdiction
 - Limits on being let go from employment
 - Cannot be fired for discrimination based on a protected class
 - Cannot be fired for having your wages garnished
- Dealing with court dates
 - Seeking a continuance of court dates during work
 - Advanced notice to your employer for time off
 - Court can give you documentation of hearing
- Affect of arrears on credit report
 - Check your credit report
 - Arrears can affect credit report for up to 7 years

CUSTODY, CHILD SUPPORT & EMPLOYMENT

Have more questions?
NLSP may be able to help!

Call: (202) 832-6755

10am - 3pm, Monday - Friday

Stop by one of our 3 offices:

680 Rhode Island Avenue NE

4609 Polk Street NE

2811 Pennsylvania Avenue SE