

# **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

# CUSTODY, CHILD SUPPORT & EMPLOYMENT

- ◉ 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

# CUSTODY, CHILD SUPPORT & EMPLOYMENT

- ◉ 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