FLORIDA'S CHILD SUPPORT BENCHBOOK
Child Support Hearing Officer Colloquy

- Thank you for being here. We are here today to hear DOR child support cases. Parents have a moral and legal obligation to support their children.

- It's not the other parent requiring you to pay child support – it's the law.

- The question is not what happens to you if you have to pay child support, but what happens to your child if you don't pay.

- The court and the Department of Revenue attorneys don't make up the numbers. The law of Florida has guidelines, and we basically determine your income, your work history and the number of children involved and then plug those numbers into the chart to give us the amount of child support the state requires you to pay.

- The law says we cannot put "0" in the box unless you are disabled and this disability has been verified by a doctor. The lowest amount we can set is the amount for full-time minimum wage. If you aren't working, you'll need to get a job so that you can support your children.

- We are only here to discuss numbers and do the math. We don't need to know if you like the other person or if you are getting along with them.

- We do not do custody or visitation. If you have an issue that deals with something else besides child support, that is handled in a different court and can't be handled today. We only deal with child support issues in this court.

- This is not a court like you see on T.V. and we don't need any drama. We're only here to do the math and arrive at the amount of child support that is due. Please be respectful and don't interrupt each other.

- There has to be a court ordered written time sharing plan before I can account for the time sharing in the child support calculation.

- We are recording these hearings.

- At the end of the hearing, you can ask questions.

- In a couple of weeks, you'll get an order that describes what happened today.

- The state is entitled to court costs. In most cases, I will allow you up to one year to pay those costs.

- I have read the files and know the names of your children and the other information in the documents.

- There are three basic types of cases that will be heard today so here is what you can expect:

    - Petition to establish paternity – The father's name is not on the birth certificate and has not been adjudicated to be the father of the child. Unless the father admits freely and voluntarily that he is the father, then the father is entitled to DNA testing by law. Mothers, please don't be offended. You may know he is the father, but the law allows the test. You'll get a notice in the mail that tells you where and when to take the child for the swab test.

    - Petition for support: that means the father is already on the birth certificate or has already been found to be the father by law. In these types of cases, the father is NOT entitled to DNA, and no DNA will be ordered. What we're going to do in these cases is discuss income, plug those numbers into the guidelines, and come up with the child support amount.

    - Contempt – In these cases, the state has filed a motion and we are here to find out why you haven't been making payments. We want to get you back on track. When a child turns 18, you are not automatically done with child support, you have to keep paying until the total amount you owe is paid, including any arrears. In the last 2 years, the Department of Revenue has made an increased effort to collect child support, and because of this, if you're not paying, you're going to be in court more often and you could end up in jail for non-payment. If you are ordered to jail today, the bailiff will show you where to sit.