

# LICENSE SUSPENSION

## A GUIDE TO ADDRESSING FREQUENTLY ASKED QUESTIONS



### What is License Suspension?

A child support enforcement agency (CSEA) may suspend the driver's license of a parent owing overdue child support. A CSEA may

also withhold, suspend or restrict a professional license, occupational license, or hunting, fishing or boating license. A

license may also be suspended for failure to comply with a subpoena or warrant.

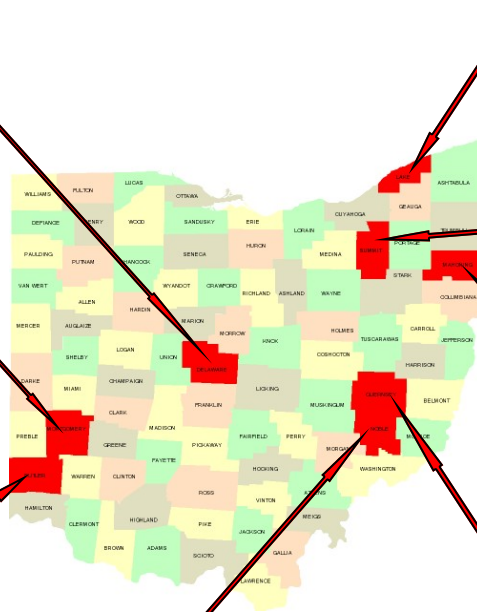
### Is License Suspension an Effective Tool in Collecting Support for Children?

Yes. The data supplied by several Ohio Counties indicates that over 1/2 of all non-paying parents that receive a pre-suspension notice either make a payment or contact the CSEA and make arrangements for managing their case going forward and never have their license suspended. For those who do not respond to

the pre-suspension notice and have their licenses suspended, they make payments, report employment, or other important information and get their licenses reinstated. Most of these families would receive **NO** payments without the availability of this tool.

County agencies do not abuse the use of this tool. In fact, data

received from the Ohio Office of Child Support indicates that 63.5% of the parents whose driver's licenses were suspended as of Dec 31, 2011 paid **NOTHING** during 2011. Of the remaining parents that did make at least one payment, nearly 2/3 paid less than 25% of what was owed for their children in 2011.



#### Delaware County CSEA

- 557 pre-suspension notices resulting in 266 suspensions

#### Lake County CSEA

- Collected \$95,508 from pre-suspension notices
- Collected \$244,090 from reinstatements

#### Montgomery County CSEA

- Collected approximately \$478,000 from pre-suspension notices
- Collected approximately \$837,000 from 2,797 reinstatements (FFY 2011 data)

#### Summit County CSEA

- Collections from pre-suspension notices approximately \$50,000
- Collections from reinstatement approximately \$248,000

#### Butler County CSEA

- Collected \$427,416.41 from reinstatements

#### Mahoning County CSEA

- Collected approximately \$31,000 from pre-suspension notices
- Collected \$210,500 on reinstatements

#### Noble County CSEA

- Collected \$20,838 from pre-suspension notices (for 3 cases this was their only payment)
- Collected \$8,850 for 56 reinstatements

#### Guernsey County CSEA

- 145 licenses suspended with 122 reinstated
- Collected approximately \$34,000

-All statistics are from 2011 unless otherwise noted.  
 -The Support Enforcement Tracking System does not track case by case information. However, some counties track different data on the usage of driver license suspension.

## Why is the Child Support Program Authorized to Suspend Licenses?

It is a federal requirement for states to have statutory procedures to withhold, suspend or restrict the use of driver's licenses. Individuals who owe overdue support or fail to comply with a subpoena or a warrant, after receiving appropriate notice, may have their license suspended. Authority is also given under

Revised Code sections 3123.42-3123.44.

A parent must be in default, which is defined in Revised Code section 3121.01 (B) as "any failure to pay under a support order that is an amount greater than or equal to the amount of support payable under the support order

for one month," to be eligible for license suspension.

Individuals often assume that they have a right to a driver's license. A license is a privilege that one can keep by obeying state laws, including timely payment of support as ordered.

## What is the Process for Suspension?

A CSEA will review an individual's payment history for the 90 days (three full months) preceding to determine if the individual has paid at least 50% of the total monthly obligation due during that period. If the person has not met this requirement, the CSEA

may move forward and issue a pre-suspension notice.

The pre-suspension notice will be sent to the last known address of the individual. This notice will alert the individual of the potential suspension. An individual has 10 days to contact

the CSEA and make appropriate arrangements to avoid suspension. If no contact is made or if appropriate arrangements cannot be made, the CSEA may move forward and request that the appropriate licensing authority suspend the license.

## How do I Get my License Reinstated?

Revised Code section 3123.45 governs the reinstatement of licenses and lists the criteria. An individual must meet one of the conditions (listed sequentially) in order to have the license reinstated. These conditions include:

- The individual is no longer in default
- The individual makes full payment of the arrearages
- The individual has presented to the CSEA with sufficient

evidence of current employment or of an account with a financial institution, the CSEA has confirmed the employment/account and an appropriate withholding has been issued to collect support

- The individual presents evidence to CSEA sufficient to establish that the individual is unable to work due to circumstances beyond the individual's control

- The CSEA and individual enter into a written agreement that requires compliance with a program administered by the agency or a program to establish compliance with a seek work order

- The individual pays the unpaid portion of the total monthly obligation for the 90 days preceding the date the agency issued a pre-suspension notice

## How Can I Avoid License Suspension?

- Pay support as ordered
- Stay in touch with the child support enforcement agency concerning employment changes, address changes and payment of support
- Respond to letters, notices and phone calls from the child support enforcement agency
- Work with child support enforcement agency on a plan for supporting your child

