

## **PEGASUS LEGAL SERVICES**

Pegasus Legal Services for Children is a nonprofit agency that provides free or sliding scale civil legal services to children, youth, and their caregivers, including direct representation, community legal education, and systemic advocacy. Pegasus prides itself on providing comprehensive, high-quality legal services to the most vulnerable children and youth in New Mexico.

**For more information please visit our website: [PegasusLaw.org](http://PegasusLaw.org)**

**OUR MISSION IS TO PROMOTE AND DEFEND THE RIGHTS OF CHILDREN AND YOUTH TO SAFE, STABLE HOMES, QUALITY EDUCATION AND HEALTHCARE, AND A VOICE IN DECISIONS THAT AFFECT THEIR LIVES.**

### **Do I qualify to receive child support services through Child Support Enforcement Division (CSED)?**

The CSED is a government program to collect support from parents. Any parent or person with custody of a child who needs help establishing child support can apply for services through CSED.

People who have received Temporary Assistance for Needy Families (TANF) are automatically referred to the child support agency for services and services are free.

In order to receive TANF benefits, you must cooperate with CSED to establish paternity and child support from the other parent. If you apply for help from CSED and you are not receiving TANF benefits, you may be charged a fee.



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**YOUTH LAW:  
CHILD SUPPORT**

## HOW DO I GET A PARENT TO PAY CHILD SUPPORT?

There are two ways to get child support from a child's parent. You can ask the Child Support Enforcement Division (CSED) to pursue child support for you, or you can file a petition with the District Court for paternity or divorce.



## FAQ

### How is the amount of child support calculated?

New Mexico's Child Support Guidelines provide a range of amounts based on:

- The amount of time the child spends at each parent's home.;
- Both parents' gross income (before taxes are taken out);
- Comparative percentage of each parent's income;
- Related expenses (child care, health and dental coverage); and
- The number of children involved.

### What financial information must I provide to establish the amount of child support?

Both parents must provide the following information to help the Judge decide who has to pay child support and how much support must be paid:

- Federal and state tax returns
- W-2 statements
- IRS 1099 forms
- Cost of work-related daycare
- Medical expenses for the child
- Wage and payroll statements
- Any other extraordinary expenses

### Can a parent have visits with their child even if he or she is not paying child support?

Yes. Visitation and child support are completely separate issues. Failure to pay child support does not affect a parent's right to spend time with their child.

### What happens if I don't pay?

If you are ordered by a Judge to pay child support and you don't pay there can be negative consequences. First, wages can be garnished from your paycheck. Second, you will be charged interest on the amount you have not paid. Third, your driver's license can be suspended until you pay off any back child support. Fourth, the Judge can find you in contempt of court, and may impose a fine or even put you in jail.

### What if the other parent lives in another state?

CSED can help you get child support even if the parent has moved to another state. You can contact CSED and provide any information you have about where the parent is now. If the other parent is located out of state, the case can be transferred to the other state. If you do not have information about where the parent has moved, CSED can send a request to the Federal Parent Locator Service (FLPS), for help locating the other parent.