

December 14, 2010

New Mexico's Child Support Enforcement Division Has Broad Authority (to Make Your Life Miserable)

Child support is mandatory in the state of New Mexico and the New Mexico Child Support Enforcement Division (known as CSED for short) is a division of the state government in charge of establishing, enforcing and collecting child support obligations.

CSED may get involved collecting child support whether that obligation arises from a divorce or a paternity action. Once CSED determines that a non-custodial parent (the parent who is court-ordered to pay child support) is not paying child support, then CSED has a variety of enforcement mechanisms at its disposal that are not directly available to private parties.

CSED can have a wage withholding order entered. The wage withholding order directs a non-custodial parent's employer to take child support payments out of the non-custodial parent's paycheck. The Order is fully enforceable on the employer and the employer may be held liable for failures to abide by the Order. As such, a wage withholding order from CSED is effectively a garnishment on wages.

CSED has similar authority to seize a non-paying parent's bank accounts. The CSED system is also tied into the Federal Government. As such, CSED has full legal authority to intercept a non-custodial parent's tax refunds in order to satisfy a child support obligation. In addition to seizing tax refunds, the linkage with the federal government may be used to prevent the non-custodial parent from obtaining a passport.

It's not over yet. CSED also has the power to suspend a non-paying parent's driver's license and any professional licenses they may have. CSED can report unpaid child support obligations to the credit bureaus, which may severely damage a non-custodial parent's credit.

In short, CSED can pretty well make a non-paying parent's life miserable. Many non-paying parents are lulled into a sense of security because they have fallen far behind on child support arrearages with no consequences. Indeed, it can take CSED a while to get moving, much to the chagrin of custodial parents who have no financial support from

DISCLAIMER

Main Office:
400 Gold Ave. SW
Suite 500
Albuquerque, NM 87102
(505) 242-5958

<http://www.albuquerquedivorcelawyerblog.com/>

the other parent. However, once CSED gets moving, the consequences are like an out of control train. It becomes exceedingly difficult to prevent or unravel the wreckage once the train leaves the station.

Given all of the enforcement mechanisms available to CSED, it is very important that any parent involved in a child support action consult a **child support attorney** to understand his or her rights and obligations. Once child support enforcement proceedings begin, they can be very difficult and expensive to stop.

DISCLAIMER

**Main Office:
400 Gold Ave. SW
Suite 500
Albuquerque, NM 87102
(505) 242-5958**

<http://www.albuquerquedivorcelawyerblog.com/>