

I Am Responsible for Child Support and Just Lost My Job

What Should I Do?

New York takes the enforcement of child support payments seriously and penalties for failing to pay are punitive. Details about New York [child support](#)^[CK1] payments and enforcement are available at the Office of Temporary and Disability Assistance, Division of Child Support Enforcement website.

Failing to make child support payments results in the following kinds of consequences:

- Wage garnishment
- Garnishment of tax refunds, unemployment insurance, or bank accounts
- Property liens
- Fines or jail
- Denial of licenses and passports

Parents in default cannot escape by moving to a different state, and this obligation cannot be discharged through bankruptcy.

So what if you lose your job and no longer have the income the child support was based upon? Since child support orders are set by the courts, the court with jurisdiction over your case must grant a modification of the original child support order.

The parent in default can file a **Motion to Modify Child Support** with the court, and a hearing is scheduled. But the judge will need to see a dramatic change in financial circumstances, such as the following:

- Loss of a job
- Decrease in income
- Dramatic change in the cost of living
- Disability or other medical expenses

Be prepared to furnish evidence to support your claims and be sure to work with a [ny child support lawyer](#) who has the legal muscle to help protect your interests.

^[CK1]https://www.childsupport.ny.gov/dcse/custodial_parent_info.html#amount

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