

2023 ANNUAL  
CONFERENCE



# DLS Roundtable



# Agenda

- 15-minute recap of legislative and policy changes
- Remainder of the time in the DLS Roundtable
- Discuss questions, challenges, and ideas/successes that are working in your county



# Presenters today

- Mary Jo (Josie) Blee, Washington County Program Specialist
- Amy Donahue, Supervisor, Ramsey County Child Support
- Melissa Froehle, Attorney, State Child Support Division
- Shauna Hoelscher, Enforcement Lead, State Child Support Division
- Renae Oseby, Washington County Program Specialist
- Ann Silverness, Child Support Officer II, St. Louis County Child Support

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# Quick Recap of Legislative and Policy Changes



# What changed?

Effective July 1, 2023:

- Suppression reasons added to statute – no longer mandatory to suspend
  - Exception to discretion is where a court order suspended the license – the agency can only request reinstatement of a suspended license in that circumstance if the court order itself allows it

Effective January 1, 2026:

- Changes to selecting new cases for driver's license suspension
  - Address must be known on PRISM (will not select if unknown address)
  - Obligor's license must be valid at the time of selection (cannot be canceled, suspended, or a state ID etc.)

# Why did the statute change?

To make it more appropriate as a tool in child support

- Use it where it most likely to be effective
- Stop using it where it is not likely to be effective or could cause harm
- Recognize this is not one-size fits all approach – can more appropriately customize to facts of the case
- Reduce disparate impact on BIPOC communities
- Reduce paperwork / bureaucracy
- Make it clear the purpose is to induce payment; not a punishment



# Suppression & discretion

- 10 + 1 reasons we can suppress
- The statute says “may” - Agency may not always be aware of NCP’s situation
  - Even if a suppression reason fits, facts may make it more appropriate not to suppress
- State policy lists two “must” suppress reasons – use of the rest of reasons may be more heavily case dependent or fact-specific
- Case history:
  - What is the NCP’s payment history? And what type of payor (pays through IW, self-employed, sporadic etc.)
  - What are the known barriers to payment?
  - Have we talked with the parties?
  - Have we tried DLS before? What remedies have been tried and what was the result?



# Suppression that is required by state policy

(4) the obligor receives public assistance;

- State policy is to suppress for MFIP, GA, SSI; discretionary for MA and CCAP

(7) the obligor is currently incarcerated for one week or more or is receiving in-patient treatment for physical health, mental health, chemical dependency, or other treatment. This clause applies for six months after the obligor is no longer incarcerated or receiving in-patient treatment;

- State policy is to suppress (no discretion), absent a compelling case reason





# Suppression reasons – receiving or expecting payment

- (1) the full amount of court-ordered payments have been received for at least one month;
- (2) income withholding notice has been sent to an employer or payor of money;
- (3) payments less than the full court-ordered amount have been received and the circumstances of the obligor demonstrate the obligor's substantial intent to comply with the order;



# Suppression reasons – conditions of obligor

- (5) the case is being reviewed by the public authority for downward modification due to changes in the obligor's financial circumstances or a party has filed a motion to modify the child support order;
- (6) the obligor no longer lives in the state and the child support case is in the process of interstate enforcement;
- (8) the obligor is temporarily or permanently disabled and unable to pay child support;

# Suppression reasons cont.

(9) the obligor has presented evidence to the public authority that the obligor needs driving privileges to maintain or obtain the obligor's employment;

(10) the obligor has not had a meaningful opportunity to pay toward arrears;

Examples:

- Case re-opens – the worker loads a monthly obligation of \$500 and an arrears balance of \$2,000.
- Prior order with a monthly obligation of \$0 due to receipt of GA – by the time the worker loads a new modification order with a monthly obligation of \$200, the arrears are more than \$600.

# “catch-all” temporary condition

(11) other circumstances of the obligor indicate that a temporary condition exists for which the suspension of the obligor's driver's license for the nonpayment of child support is not appropriate.

- When considering whether the suspension of the obligor's driver's license is appropriate, the public authority must assess: (i) whether the suspension of the obligor's driver's license is likely to induce the payment of child support; and (ii) whether the suspension of the obligor's driver's license would have direct harmful effects on the obligor or joint children that make driver's license suspension an inappropriate remedy.



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