



CHILD SUPPORT AND REENTRY

Do you have child support debt that is beyond your ability to pay due to incarceration or a record?

- New laws require courts to consider your particular circumstances and ability to pay (including employment history, job skills, criminal records, and other barriers to employment) when setting a child support order and punishing for nonpayment. See 45 CFR 301-309.
- Incarceration can no longer be considered willful or voluntary unemployment. O.C.G.A. § 19-6-15(f)(4)(D).
- If you are struggling to earn money because of incarceration or a criminal record, you may be able to modify your child support order to better reflect your current income.

Has your child support debt triggered a driver's license suspension or caused you to lose your job?

- You have the right to a hearing within 20 days of receiving a notice of that your license is about to be suspended. O.C.G.A. § 19-11-9.3(f).
- If you cannot pay off your debt, you may still be able to reinstate your license by joining the Fatherhood Program or signing a work agreement with Child Support Services.

Are you now facing jail because of inability to pay your debt?

- Inability to pay is ALWAYS a defense when facing loss of property and liberty because of child debt. Debtors prisons are unconstitutional in Georgia and the United States.
- When charged with civil contempt or child abandonment, you have the right to a hearing where you can present documents that show efforts to earn income and why you have not been able to pay the full order or debt amount.

If you or someone you know is in one of the above situations, Georgia Justice Project may be able to help. Contact Ross Brockway at (404) 827-0027, ext. 263, or Ross@GJP.org, to learn more. See www.GJP.org for more information.