

Iowa Department of Human Services
LEGAL NOTICE OF ADMINISTRATIVE LEVY

Date: | C.O. COUNTY: <--
Worker: | C.O. #(S) : <--
Case Number(s):

To:

From:
CHILD SUPPORT RECOVERY UNIT

Tel:

This notice is to tell you of federal and state laws for the collection of support through levies against accounts.

PLEASE READ THIS NOTICE CAREFULLY AND COMPLETELY

42 U.S.C. 666(c)(1)(G)(ii) and Iowa Code Chapter 252I permit the collection of support through levies against accounts. This includes child support, medical support and spousal support.

The Child Support Recovery Unit may begin a levy if you owe an amount equal to the support payable for one month. A levy is an administrative action to seize funds in an account. The seized funds will be used to pay child support you owe. Accounts include bank accounts, credit union accounts, time certificates, share accounts or shares, etc.

The law provides for the verification of accounts by the Child Support Recovery Unit. The financial institution is exempt from any civil or criminal liability for the release of information.

You must be given notice of the law. Your support order may contain this notice. If not, THIS IS YOUR OFFICIAL NOTICE.

You may or may not currently owe more than the support payable for one month. This notice is to tell you of the Child Support Recovery Unit's authority to place a levy on your account(s) when you owe more than the support payable for one month. You may wish to keep this notice with your support order for future reference.

If you have any questions about this notice, contact your private attorney or the Child Support Recovery Unit. The unit's address and telephone number are printed above.

Legal Notice of Administrative Levy (page 2)

LEGAL REFERENCE: Iowa Code Chapter 252I; 42 U.S.C. 666(a)(4),
666(c)(1)(G)(ii)

The unit may use an administrative levy to collect delinquent support payments. Iowa Code section 252I.2(1).

An obligor is subject to administrative levy under certain conditions. The obligor's support obligation must be enforced by the Child Support Recovery Unit and must be delinquent in an amount equal to the support payment for one month. Iowa Code section 252I.2.

The unit may contact a financial institution to obtain verification of the account number, the names and social security numbers listed on the accounts, and the account balance of any account held by an obligor. Iowa Code section 252I.4.

Neither the financial institution, nor the unit, is liable for the cost of any early withdrawal penalty of an obligor's certificate of deposit. Iowa Code section 252I.4(3).

You may challenge an administrative levy. Only a mistake of fact, including but not limited to a mistake in identity of the obligor or a mistake in the amount of delinquent support due, is reason to dismiss or modify the administrative levy. Iowa Code section 252I.8.

There may be other exemptions or exceptions that apply to your specific case. Consult your legal representative for further information on potential defenses. Iowa Code section 252I.2.

Any amounts forwarded by a financial institution shall not exceed the amounts specified in 15 U.S.C. 1673(b) and shall not exceed the delinquent or accrued amount of support owed by the obligor. Iowa Code section 252I.2.

States are required to have procedures under which:

Liens arise by operation of law against real and personal property for amounts of overdue support owed by a noncustodial parent who resides or owns property in the state. 42 U.S.C. 666(a)(4)(A).

Assets may be secured to satisfy any current support obligation and the arrearage by attaching and seizing assets of the obligor held in financial institutions. 42 U.S.C. 666(c)(1)(G)(ii).

A copy of this notice and proof of mailing shall be filed with the clerk of court.

POLICY ON NONDISCRIMINATION

No person shall be discriminated against because of race, color, national origin, sex, age, mental or physical disability, creed, religion, or political belief when applying for employment, or when applying for, or receiving benefits or services from the Iowa Department of Human Services.

If you think you have been the object of discrimination, you may file a complaint with the Iowa Department of Human Services by completing a Discrimination Complaint form. This form can be obtained from any Human Services office or the Diversity Program Unit. You may also file a complaint with the Iowa Civil Rights Commission (if you feel you were discriminated against BECAUSE OF your race, creed, color, national origin, sex, religion, or disability); or the United States Department of Health and Human Services, Office for Civil Rights.

IOWA DEPARTMENT OF HUMAN SERVICES
Diversity Programs Unit 1st Fl
1305 E Walnut St
Des Moines, IA 50319-0114

IOWA CIVIL RIGHTS COMMISSION
211 E Maple St 2nd Fl
Des Moines, IA 50309-1858

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights Region VII
601 E 12th St Rm 248
Kansas City, MO 64106

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon _____, at the address disclosed herein, by depositing a copy thereof in the U.S. mail, postage prepaid, on _____
