

ATTENTION

The Child Support Recovery Unit is beginning an action to establish paternity for the child(ren) named in the attached notice. This action may also include establishment of an order for child support and medical support. You have been named as a respondent in this action. It is important that you read all of the attached documents very carefully to find out when and how you should respond to this legal action.

If you do not think the person named as the father in the notice is the father of the child(ren), you may want to ask for genetic testing. Either parent may ask for genetic testing. If the person named as the father asks for genetic testing, he will pay the costs of genetic testing only if he is found to be the father of the child(ren). If you have any questions about these documents, call the child support office listed below. If you have questions about your legal rights or obligations in this action, you should immediately contact a private attorney.

ATENCIÓN

La Unidad de Recuperación de Manutención Infantil (Child Support Recovery Unit) está iniciando una acción legal para establecer la paternidad del/los niño/s que se menciona/n en el aviso adjunto. Esta acción también puede incluir el establecimiento de una orden de manutención y manutención médica. Se le ha nombrado a usted como demandado en esta acción. Es muy importante que lea todos los documentos adjuntos muy cuidadosamente para saber cuándo y cómo debe responder a esta acción legal.

Si usted no considera que la persona mencionada como el padre en el aviso es el padre del/os niño/s, puede pedir un análisis genético. Tanto el padre como la madre pueden pedir un análisis genético. Si la persona que se menciona como el padre pide un análisis genético, éste deberá pagar los costos de dicho análisis sólo en caso de que se descubra que esta persona es el padre del/os niño/s. Si tiene alguna pregunta sobre estos documentos, llame a la oficina de manutención que se menciona debajo. Si tiene alguna pregunta sobre sus derechos u obligaciones legales en esta acción, debe contactarse inmediatamente con un abogado particular.

CHÚ Ý

Đơn Vị Phục Hồi Hỗ Trợ Trẻ Em (Child Support Recovery Unit) đang bắt đầu thực hiện thủ tục thiết lập quyền làm cha cho (các) em có tên trong thông báo đính kèm. Thủ tục này cũng gồm có việc đưa ra lệnh hỗ trợ trẻ em và hỗ trợ y tế. Quý vị đã được ghi tên với tư cách đương sự trong thủ tục này. Điều quan trọng là quý vị phải đọc thật cẩn thận tất cả tài liệu đính kèm để tìm hiểu thời điểm và cách thức quý vị phải hành động theo thủ tục pháp lý này.

Nếu quý vị không cho rằng người có tên với tư cách người cha trong thông báo là cha của (các) em này, quý vị có thể yêu cầu xét nghiệm di truyền. Cha hoặc mẹ đều có thể yêu cầu xét nghiệm di truyền. Nếu người có tên với tư cách là người cha yêu cầu xét nghiệm di truyền, ông ta sẽ phải thanh toán chi phí xét nghiệm di truyền chỉ khi ông ta được phát hiện là cha của (các) em đó. Nếu quý vị có bất kỳ thắc mắc nào về những tài liệu này, hãy gọi cho phòng hỗ trợ trẻ ghi ở bên dưới. Nếu quý vị có thắc mắc về các quyền lợi hợp pháp hoặc trách nhiệm trong thủ tục này, quý vị phải liên hệ ngay với luật sư riêng.

Case Number: _____



COVER LETTER

This is a legal action that could result in a court order requiring _____ to pay child support and **either or both parents** to provide medical support for the child or children named in this notice.

IF YOU ARE NOT SURE YOU ARE THE FATHER, ASK FOR GENETIC TESTING WITHIN 20 DAYS AFTER YOU RECEIVE THESE PAPERS. See the following Notice for more information about genetic testing and an explanation of your rights.

If you are sure you are the father and you are not requesting genetic testing, or if you are the mother and you do not request genetic testing, please read the enclosed packet of information for an explanation of your rights.

Complete the enclosed financial statement and return it to the office listed below within 10 days after you receive these papers.

Request For Genetic Testing

CSC #: _____
Name: _____

- I am not sure that I am the father and request genetic testing. My telephone number is _____.
- I am the mother and I am not sure that _____ is the father. I am requesting genetic testing. My telephone number is _____.

Put an "X" in the box to indicate the children for whom you are requesting genetic testing.

- Child's Name: _____
- _____
- _____
- _____
- _____

Signature

Date

If you want to ask for genetic testing, complete this form and return it within 20 days to:
Child Support Recovery Unit

 Fax: _____



AMENDED
Notice of Intent to Establish Paternity
 and Support

Child Support Recovery Unit
Iowa Department of Human Services

Alleged Father: _____
 Mother: _____
 Payee/Caretaker: _____
 Dependents: _____

Docket No. _____
 County: _____
 CSC No. _____

Date Prepared: _____

To: _____ and _____, it is important that you read this notice. This is your legal notice. As a respondent, you have certain rights to contest and challenge this action. Be sure to read the information listed for your time limits and steps for contesting this action.

_____, you have been named by _____ in the attached Mother's Written Statement Alleging Paternity¹ as the possible biological father of the following children:

<i>Child's Name</i>	<i>Date of Birth</i>

The Child Support Recovery Unit is starting an action to establish paternity. Iowa Code chapters 252F and 252E give the Iowa courts authority to establish orders for paternity, child support, and medical support.² Iowa has personal jurisdiction over you.³ Entry of a paternity and support order in Iowa will not violate 28 USC section 1738B.⁴

If _____ is determined to be the child(ren)'s legal father, we intend to seek an order establishing paternity and support. We intend to establish a support order requiring the parents to provide support as follows:

- Child Support** We intend to create an order requiring _____ to pay ongoing monthly child support.
- Accrued Support** We intend to create an order requiring _____ to pay accrued support.
- Medical Support** We intend to create an order for medical support under Iowa Code chapter 252E⁵. Either or both parents may be ordered to provide it.

How is Child Support Figured? The amount of support is based on the Child Support Guidelines under Iowa Code sections 598.21B and 252B.7A. *The Request for Financial Statement*, sent with this notice, explains how we determine your income. If you do not send in your financial statement or proof of income, an order will be entered without your input. The entry of this support order does not stop us or any caretaker from seeking current, accrued, and/or medical support by any legal method, without showing a substantial change of circumstances. You will also be asked to pay a percentage of uncovered medical expenses if current or medical support is ordered.



How is Medical Support Set? Medical support is either health care coverage or cash medical support. Health care coverage includes private health insurance plans (obtained through an employer or purchased privately) and public coverage (like Title 19 or *hawk-i*). We review each parent's financial information to determine what medical support to include in the order. There are several steps to identify the appropriate type of medical support. The requirement to include medical support in orders and the steps we use to determine the appropriate medical support are outlined in Iowa Code chapter 252E.

The law defines an accessible plan as one with no service area limitations, or if it has limitations, the dependent lives within 30 miles or 30 minutes of a network primary care provider. Both parents may consent to a plan if it doesn't meet the definition of accessible. The law defines reasonable cost as 5% or less of gross income. The parent ordered may consent to provide a plan that costs more.

Either parent may provide health care coverage through a stepparent. A parent may object to a stepparent providing a health benefit plan. If a parent objects for this reason in writing, the court will decide the issue based on what is equitable to the parties and children.

_____ may be required to attend a parenting class.⁶

Right to Challenge You have the right to challenge this notice by contesting paternity, requesting a conference, and/or requesting a court hearing.

Contesting Paternity You have *20 days from the date you were served this notice to contest paternity*. Paternity means fatherhood. If you are not sure _____ is the father, contest paternity. **To contest paternity, send a written request for genetic testing to the office listed below.** If you do, we issue an order for genetic testing to find out if _____ is the father. The order is mailed to you at your last known address or the last known address of your attorney. If the alleged father does not show up for genetic tests, an order will be entered at court saying _____ is the father of the child(ren) named in this notice. It will also require _____ to pay support and either or both parents to provide medical support.

If you contest paternity and genetic tests are done, we send a copy of the test results to you.⁸ If you disagree with the test results, you will have another *20 days* from the date of mailing of the test results to challenge them.

You must fill out the enclosed *Financial Statement*. Send it to the address listed below within **10 days** of the date you were served with this notice⁹.

Requesting a Conference A conference is an informal meeting in which you may ask questions or share information about this action. You have *10 days from the date you were served with this notice to request a conference*. *To ask for a conference, send a written request to the office listed below.* If you are contesting paternity, tell us that in your written request. In that case, we will schedule genetic testing first. You will have another chance to ask for a conference after we mail you the genetic test results.

When we get your request for a conference, we tell you of the date, time, and location of the conference. What should you bring?

- A completed financial statement
- Proof of your income, and
- Any information about health benefit plans available to you and the named child(ren). We need to know:
 - If the plans are accessible to the children;
 - The cost of available plans (prices for single, family, employee + one);
 - The people included in the plan (self, spouse, number of children).

After the conference, we send all parties a new written notice. This new notice tells you the results of the conference. It also includes changes that may have occurred. That notice is called the *Second Notice of Intent to Establish Paternity (and Support)*.

If you ask for a conference but you don't like the results of the conference, you may ask for a court hearing. You must request a court hearing **within 10 days** after we issue the second notice.



Requesting a Court Hearing You may ask for a court hearing by sending a written request to the office listed below by the latest of the following dates:

- **Within 20 days** from the date of service of this notice; or
- **Within 10 days** from the date of the conference, if you request one; or
- **Within 10 days** from the date we issue the *Second Notice of Intent to Establish Paternity (and Support)*; or
- **Within 20 days** from the date we mail you the *genetic test results*, if genetic tests were conducted.

If you do not contest paternity or ask for a conference, but you do want a court hearing about support, send a written request for a court hearing about support to the office listed below *within 20 days* of the date you were served with this notice.

After genetic tests are done and you do not challenge the test results or contest paternity but you object to child and/or medical support, send a written request for a court hearing to the office listed below *within 20 days* of the date the genetic test results were mailed to you. In your written request, you must state that you want a court hearing about support.

To request a court hearing send a written request to the office listed below, include any objections you have to the allegation of paternity against _____ and support debt. We will schedule a hearing after receiving your request. However, if you contest paternity, we will **not** schedule a court hearing until genetic tests have been done.

NOTICES

If You Take No Action in Response to this Notice If you do not respond by asking for a conference, a court hearing, or contesting paternity within the time limits listed above, we will enter an order finding _____ to be the father of the child(ren) named above. We will also order _____ to pay support and either or both parents to provide medical support. Before we enter this order, we will give you or send you a worksheet showing how the amount of support was calculated and which parent will be ordered to provide medical support.

If the court approves an administrative order finding _____ to be the father of the child(ren) and requiring him to pay support, we may try to collect support through:

- income withholding,
- garnishment,
- attachment of a lien,
- administrative levy of accounts,
- income tax setoff,
- and any other collection action allowed by law.

It is your responsibility to tell the office listed below of any change in your address or employment.

Cost of Action If _____ is the father of the above children he may be required to pay the cost of this action, including the cost of genetic tests and service costs.

If you have any questions, you may visit or telephone us or talk to a private attorney¹⁰.

Waiver of Rights You may waive your rights to request a conference and court hearing. If you wish to give up these rights, contact us. You may sign the order to show that you were served with this notice and gave up your rights to request a conference and court hearing.



 Child Support Recovery Unit

Phone: _____
 Copy to:

- _____
¹ The Mother's Written Statement Alleging Paternity or a similar statement signed by the mother.
² The authority is further defined in 28 USC 1738B, Iowa Code chapter 252K, if applicable and 441 IAC 95, 98, 99.
³ Notice of this child support action was personally served on the _____ in Iowa and fulfilled all requirements of Iowa Code section 252F.3.
 Iowa has jurisdiction
 because _____ lives in Iowa.
 because _____ lived in Iowa with the child(ren) from approximately _____ through _____.
 because _____ lived in Iowa from approximately _____ through _____, and provided prenatal expenses or support for the child(ren).
 because _____ caused the child(ren) to live in Iowa through the following action(s):

 because _____ had sexual intercourse in Iowa with the other parent which may have resulted in the conception of the following child(ren):

<i>Child</i>	<i>Time Period of Possible Conception</i>		
		through	
		through	
		through	
		through	
		through	

- because _____ claimed to be the other parent of a child either through the declaration of paternity registry maintained by the Iowa Department of Public Health according to Iowa Code section 144.12A, or by completing a paternity affidavit according to Iowa Code section 252A.3A.
 because _____ submitted to Iowa jurisdiction by consent in a record, or by providing a document that has the same effect of waiving any contest to personal jurisdiction.
 because _____ has enough minimum contacts with the State of Iowa which are:



⁴ We are not aware of any other pending action for child support, affecting you either parent and the child(ren) in this action in Iowa or another state.

A separate action for child support involving you both parents and the same child(ren) is pending under Docket # _____ in the State of _____, _____ County. We may continue, however, because this action complies with 28 USC section 1738B or Iowa Code chapter 252K.

⁵ Based on Iowa Code chapter 252E, either or both parents may be ordered to get health care coverage for the child(ren). It has to be available when the order is entered, or in some limited circumstances, become available later. If there is no health care coverage available, the alleged father may be ordered to pay cash medical support. There are exceptions to providing cash medical support as listed in Iowa Code chapter 252E:

- Due to the amount of the alleged father's net monthly income, a minimum order amount applies under the medical support table (see the child support guidelines);
- No health benefit plan is available and there is no income subject to income withholding;
- You have asked us to change the obligation through a cost-of-living alteration;
- The alleged father receives Family Investment Plan (FIP) assistance or Title 19 or lives with a child receiving FIP, Title 19 or *hawk-i*.

⁶ The Department of Human Services must approve this class. You must send us proof that you went to the class within 90 days after the order is entered. If you do not send proof, your support amount may be changed. After 90 days, we may also ask you to send proof that you continue to go to class as ordered by the court.

⁸ The original copy of the genetic test results will be filed with the clerk of court.

⁹ Even if you are contesting paternity, you must return the financial statement.

¹⁰ If you choose to have an attorney, it will be at your own expense.

