

# ENFORCING A SUPPORT ORDER

## Financial Institution Data Match (FIDM) Bulletin

CS 500.3

### SUPERSEDES

CS 500.3, Financial Institution Data Match (FIDM) November 14, 2001

### REFERENCES

42 U.S.C. §666(a)(14) and (17); MCA 40-5-202(1) and 40-5-924

### Warrants for Distrain When the Obligor Has Multiple Cases

**Question:** When I issue a Warrant for Distrain on an obligor with multiple cases, the money usually goes to just one case because the bank levies on the first warrant and there isn't any money left for the other cases. What can I do to ensure that the money will be applied to all the obligor's qualifying cases?

**Answer:** You can combine multiple cases in one warrant so that the collection will be distributed according to the algorithm. In addition to resulting in a more equitable distribution of the money, combining cases has other benefits. It is less confusing to both the sheriff and financial institution and it decreases the cost of service. *FIDM Committee, November 2001*

### PROCEDURES FOR COMBINING CASES

1. When generating a Warrant for Distrain, enter each case number at the start of the "Date range of debt" IPF, then enter the date range. The system creates the total debt amount on the Word side.

#### 03 Debt data/debt must be reduced to judgmt

System will calculate total debt	
Date range of debt	Case Number 55555 January 2001 through December 2017
Unpaid balance \$	20,000.00
Date range of debt	Case Number 66666 September 2012 through November 2017
Unpaid balance \$	3,000.00

#### Warrant text looks like this:

PERIOD	SUPPORT DUE
Case 55555 January 2001 through December 2017	\$20,000.00
Case 66666 September 2012 through November 2017	\$ 3,000.00
<b>TOTAL AMOUNT OF WARRANT:</b>	<b>\$ 23,000.00</b>

2. For each case you add to the warrant, add the case number, obligee and children to the documents on the Word side. (Headings on the docs in the warrant pac vary so be sure to review each one to determine where changes are needed.)
3. Place a hold on open accounts included in the warrant. All accounts should have holds on them except for the ASGN accounts.
4. Enter a case note for each case you add to the warrant. Modify ticklers to reflect all cases included in the warrant for distrain.
5. Monitor each case for collection and proper distribution.

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**Note: Benefits Income Subject to Restrictions.**

Benefits income subject to restrictions are those disability-related benefits that may or may not be available for execution by seizure. Please see the Benefits Bulletin and Table at the beginning of section CS 200 Case Management for additional information. Federal regulation specifically bars the CSED from taking action against an obligor's financial accounts when an obligor is receiving SSI or concurrent SSI and SSDI benefits. If it is determined that funds from the above mentioned benefit sources have been incorrectly garnished, the funds **must** be returned to the noncustodial parent within 5 business days.