DEPARTMENT OF HUMAN RESOURCES CHILD SUPPORT ENFORCEMENT DIVISION ADMINISTRATIVE CODE

CHAPTER 660-3-17
LIENS

660-3-17-.05 Execution Of A Lien.

When the State Title IV-D agency seeks to enforce a lien or a judicial order, notice shall not be required. The state shall accord full faith and credit to liens arising from another state's judicial or administrative action.

(1) Upon acknowledgment from the Secretary of State that a lien has been filed administratively on personal property, the state IV-D agency sends:

(a) An Obligor Notice of Lien to the noncustodial parent informing him/her that a lien has arisen by operation of law on any personal property belonging to him/her or acquired after the lien arises.

(b) A Request for Administrative Review form to the noncustodial parent that may be used to request a desk review of the action taken within fifteen (15) days of the date of the notice of lien.

(c) A Notice of Attachment to the holder of the assets requesting a freeze be placed on the noncustodial parent's assets for twenty-one (21) days and to surrender the amount named in the document after that period of time.

(2) For a case to qualify for issuing an attachment, it must meet the following criteria:

(a) The balance of the noncustodial parent's arrearages from all cases, including interest, must be at least $1,000.00.

(b) The noncustodial parent's total arrearages from all cases, including interest, must be equal to at least three months current support obligation due under each case.

(c) The value of the noncustodial parent's assets to be levied must be at least $5,000.00.

(d) The noncustodial parent has or may acquire property that can be attached.

(e) The noncustodial parent must not be involved in bankruptcy proceedings.

(f) The noncustodial parent is not a SSI recipient.

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