

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
April 17, 2017**

IM 5299

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance

SUBJECT: Child Support and Spousal Support – Court Ordered and Voluntary

PROGRAMS: Child Care Assistance Program

EFFECTIVE: Immediately

RETENTION: Until superseded

**SECTIONS
AFFECTED:** New section numbered 400-28-65-10-42

A new section on the treatment of court-ordered and voluntary child or spousal support received is being added.

**Child Support and Spousal Support - Court-Ordered and Voluntary
400-28-65-10-42**

Child support and spousal support received by the household is countable unearned income.

Child support is counted as the child's income.

EXCEPTION:

When a household member receives child support for a child that is not living in the home, the child support is counted as income to the household member that actually received it.

Spousal support is counted as income to the household member for which it is obligated.

Federal tax intercept payments are a non-recurring lump sum and are not counted as income. Federal tax intercept payments are not included in ND✓erify.

State and interstate state tax intercept payments are counted as income as these payments are applied to current support. State tax intercept payments are included in ND✓erify.

The date the payment is considered received is determined as follows:

- If disbursed via check, the date received is two working days after the date on the check.
- If direct deposited, the date received is the date the funds were deposited into the bank account as reflected on the bank statement.
- If deposited onto electronic payment card (EPC), the date received is two working days after the disbursed date in ND✓erify.

When an individual is in receipt of TANF, support assigned to the state is not counted as income.

If you have questions, please contact your Regional Representative.