



CLIENT RESOURCE

NC Child Support Enforcement Reality Toolkit

Plain-English enforcement tools · documentation templates · a CSS-vs-private-counsel decision guide

If your ex has stopped paying, waiting to see if it fixes itself is the costliest move. A missed payment in North Carolina isn't a negotiation — it's a broken court order, and broken orders have machinery built to fix them. Here is what that machinery is, how to document your case, and when a private attorney moves faster than the state.

1 YOUR ENFORCEMENT TOOLS, IN PLAIN ENGLISH

TOOL	WHAT IT ACTUALLY DOES	WHEN IT KICKS IN
Wage withholding	The default. Support is deducted straight from the payor's paycheck and routed through NC Centralized Collections — no new lawsuit needed. Built into every order since 1/1/1994.	Automatic; petition to add it once pay turns late (G.S. §110-136.3)
Tax-refund intercept	Federal and state refunds are seized and applied to arrears. Payor gets a pre-offset notice with 30–60 days to contest.	Federal at \$500 arrears; NC state at \$50
License suspension	Driver's, professional, and hunting/fishing licenses can be pulled. A last-resort lever — used to prompt payment, not to end earning ability.	One month behind (private, G.S. §50-13.12); 90 days (CSS)
Passport denial	The U.S. State Department must deny or revoke a passport until the balance clears.	Over \$2,500 in arrears
Lottery intercept	NC Education Lottery winnings are captured and applied to what is owed.	Winnings of \$600+ (G.S. §18C-134)
Civil contempt	Coercive: jail until the payor pays a set "purge" amount. The payor holds the keys — pay and walk out.	Willful nonpayment + present ability to pay
Criminal contempt	Punitive: a fixed sentence (up to 120 days) plus a fine to \$500. Paying later does not erase it.	Willful disobedience of the order
Arrears + 8% interest	Each missed payment becomes a locked-in judgment the day it's due and earns 8% interest — roughly doubling every 10 years. Only a judge can reduce it.	Accrues from each due date (G.S. §50-13.10)

2 CSS VS. PRIVATE COUNSEL — WHICH FITS YOUR CASE

Many parents do both: open a free CSS case for the administrative tools while private counsel files the contempt motion that gets a judge's attention fast. For interstate cases, CSS's federal reach is hard to beat. For almost everything else — hidden income, self-employment, urgent contempt — private counsel is quicker and more persistent.

NC CHILD SUPPORT SERVICES (IV-D)		PRIVATE FAMILY LAW ATTORNEY
COST	Free to open (small fee in some cases)	Attorney fees — often recoverable from the payor
SPEED	Statutory windows (30–60+ days); heavy caseloads	You control the filing pace; often faster to a hearing
STRATEGY	CSS decides which tools to use and when	Full control; combine contempt, discovery & custody
DISCOVERY	Government databases only — limited in complex cases	Full discovery to expose hidden or cash income
BEST FOR	Traceable W-2 jobs, locating a payor, tax intercepts	Willful nonpayment, self-employed / hidden-income payors, urgent contempt
INTERSTATE	Strong — federal cooperation across state lines (UIFSA)	Can also register & enforce, with more direct oversight

3 DOCUMENTATION TEMPLATES — BUILD YOUR RECORD

Judges act on proof, not frustration. Off-book payments — cash, Venmo, Zelle, "helping with a bill" — are legally invisible as child support unless proven with a canceled check, money order, or dated, signed receipt. Keep money in the official channel and keep the record below current.

A. Payment Tracker

DATE DUE	DATE PAID	AMOUNT DUE	AMOUNT PAID	PROOF ON FILE (CHECK #, RECEIPT)

B. Informal-Payment Receipt (use only if money ever changes hands off-channel)

Received from _____ the sum of \$_____ on _____, paid by ☐ cash ☐ money order ☐ app (_____).

This payment is: ☐ court-ordered child support ☐ an additional child expense (specify: _____)

Payor signature _____ Recipient signature _____

C. Enforcement Action Checklist

- ▶ **Gather the order** — the current support order plus any modification, and your payment tracker showing what's owed.
- ▶ **Note the gap** — the date payments stopped and every payment missed since (interest runs from each due date).
- ▶ **Confirm withholding** — is income withholding in place, and did the employer stop remitting, or was it never ordered?
- ▶ **Flag the red flags** — self-employment, 1099 work, cash pay, out-of-state moves, or sudden "unemployment."
- ▶ **Act, don't wait** — the gap between noticing and formally acting is the single biggest thing inside your control.

4 WHAT A PRIVATE ATTORNEY CAN DO THAT WAITING CAN'T

- ▶ **File contempt directly** — no CSS queue. We put your case in front of a district court judge, often in weeks, not months.
- ▶ **Run real discovery** — subpoenas, depositions, and document demands to expose hidden income, cash crews, and cooked books.
- ▶ **Prove willfulness** — we build the record that a payor could pay and chose not to — the finding a judge needs to order jail or a purge.
- ▶ **Stack your issues** — combine enforcement with custody, modification, and discovery in one case instead of scattered filings.
- ▶ **Negotiate from strength** — many arrears cases resolve before court once the payor sees a credible motion and a documented record.
- ▶ **Be relentless** — persistence is the secret. We've carried clients through back-to-back contempt hearings until a payor finally paid a \$42,000 lump-sum arrears just to get out of jail — then paid on time after.

Ready to stop guessing and start enforcing?

Every week of silence is a week of 8% interest accruing and leverage slipping away. Let's talk through your order, your options, and the fastest path to getting your child's support paid.

Call Cape Fear Family Law — (910) 210-0349

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