

WAC 388-14A-3375 What kinds of credits does the division of child support give when establishing or enforcing an administrative support order?

(1) After the noncustodial parent (NCP) has been advised of the requirement to make payments to the Washington state support registry (WSSR) by service of a support establishment notice, or by entry of a support order requiring payments to WSSR, the NCP may obtain credit against the support obligation only:

- (a) By cash, check, electronic funds transfer, or money order payments through WSSR or payment of health insurance premiums; or
- (b) As provided under subsections (3) and (6) of this section.

(2) The division of child support (DCS) allows credit against a NCP's support debt for family needs provided directly to a custodial parent (CP), a child, or provided through a vendor or third party only when the:

- (a) Items are provided before service of the notice on the NCP;
- (b) NCP proves the items provided were intended to satisfy the NCP's support obligation; and
- (c) Items are food, clothing, shelter, or medical attendance directly related to the care, support, and maintenance of a child.

(3) After service of the notice, an NCP may obtain credit against the parent's current support obligation only when the NCP proves that the payments were made and:

- (a) DCS determines there:
 - (i) Is no prejudice to:
 - (A) The CP, a child, or other person; or
 - (B) An agency entitled to receive the support payments.
 - (ii) Are special circumstances of an equitable nature justifying credit for payments.
- (b) A court of competent jurisdiction determines credit should be granted after a hearing where all interested parties were given an opportunity to be heard.

(4) DCS does not allow credit for shelter payments made before service of the notice in an amount more than the greater of the:

- (a) Shelter allocation in the public assistance standards for the period when payments were made; or
- (b) One-half of the actual shelter payment.

(5) DCS does not allow credit for shelter payments made after service of the notice.

(6) DCS applies credits for dependent benefits allowed under RCW 26.18.190 as required by WAC 388-14A-4200.

[Statutory Authority: RCW 74.08.090, 34.05.310 (4)(d) and 74.20A.055. WSR 03-20-072, § 388-14A-3375, filed 9/29/03, effective 10/30/03. Statutory Authority: RCW 74.08.090, 74.20A.055. WSR 01-03-089, § 388-14A-3375, filed 1/17/01, effective 2/17/01. Formerly WAC 388-11-015 and 388-14-210.]