
DCSE Policy & Procedures Unit
Policy Update
PPU 08-03-005
Date: March 13, 2008
SUBJECT: Administrative Liens

Please contact the Policy Unit if you have any questions regarding these or any other changes at *DCSE-POLICYQUESTIONS, CSE.POLICY or (602) 771- 8127. The IV-D PARTNERS should send POLICY inquiries directly to *DCSE-POLICYQUESTIONS@azdes.gov

Administrative liens are an effective enforcement remedy and produce favorable results in collecting child support. However, administrative liens must not be filed with the County Recorder's Office before the appropriate timelines required by law have passed or there is an administrative review in progress.

When the non-custodial parent (NCP) fails to respond to the first notice within fifteen (15) calendar days from the date of mailing, DCSE may send a Final Notice of Intent to Establish a Real Property Lien for Child Support.

If the NCP fails to contact DCSE within fifteen (15) calendar days from the date of mailing of the second notice, a Notice of Child Support Lien may be recorded against the NCP. A copy of the lien must be sent to the NCP by certified mail. Spousal support should never be included in the balance of an administrative lien.

Prior to recording the lien, staff should:

- Review for recent payments posted to the case before recording a lien. If payments have posted during the notice timeframe, determine if the case still qualifies for an administrative lien.
- Review for an ongoing administrative review. A lien should not be recorded until after an administrative review is completed and the case qualifies for the lien.
- Review to determine if the NCP has entered into a payment agreement to avoid a lien. A lien should not be recorded as long as the NCP is complying with the payment agreement.

An administrative lien would not be an appropriate enforcement remedy to take on a case when the entire arrears balance is included in a recently recorded judgment and there is no longer a current child support order.

Administrative lien policy and procedures can be found in the **Online Policy and Procedures Manual (OPPM)** under the Enforcement of Support topic, Administrative Lien section, or you may contact the Policy Unit.



MSwordform
.doc (39 KB)