

## Lowering the Amount of SSDI Taken to Pay Past-Due Child Support

You can ask the Department of Child Support Services to take only 5% of your Social Security Disability Insurance or “SSDI,” to pay over-due child support if

- Your child is over 18, **and**
- You have limited resources, as explained below

### **How to Meet the Resource Rule:**

- A single person must have less than \$2,000 in savings or other valuable things.<sup>1</sup>
- Certain things you own do not count towards this limit, such as:
  - The home you live in and the land it is on;
  - Household goods like furniture or appliances;
  - One wedding ring and one engagement ring;
  - The value of one car;
  - Pre-paid burial spaces for you and your spouse;
  - Burial funds up to \$1,500;
  - Life insurance worth \$1,500 or less;
  - Healthcare equipment such as wheelchairs and respirators.

### **How to Make the Request:**

Turn in the following to your county’s Department of Child Support Services office:

- the attached form DCSS 0046 Resource Test form with your information, signature and date;
- a recent SSDI pay stub or letter from Social Security showing your SSDI amount.

If you mail the form, we recommend that you send it by certified mail. Keep a copy of what you turn in for your records. For information about where to send your form, you can call the Department of Child Support Services at 1-866-901-3212. If you have child support cases in more than one county, ask the county you gave the forms to let the other counties know about your request.

If you have any questions regarding this information, call our Health Intake Line at (408) 280-2420.

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*DISCLAIMER: This fact sheet is intended to provide accurate, general information regarding legal rights. It is not legal advice. Because laws and legal procedures frequently change and can be interpreted differently, Law Foundation of Silicon Valley cannot guarantee that the information in this fact sheet is current or be responsible for any use of this information. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular case or situation.*

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<sup>1</sup> If you are married, you and your spouse must have less than \$3,000 in savings or other valuable things.

<sup>2</sup> If you have child support in other states, contact the Department of Child Support Services for more information about this rule and process in those states.

## SUPPLEMENTAL SECURITY INCOME (SSI) RESOURCE TEST SELF-CERTIFICATION

DCSS 0046 (08/22/05)

**If you receive monthly Social Security Disability Insurance (SSDI) benefits and you have limited resources, you may qualify to have only 5% of your SSDI benefits attached for payment toward your past-due child support (arrearage) balance. This SSI resource test will be used to determine if you qualify and/or modify the support order.**

NAME (Last)	(First)	(Middle Initial)	
MAILING ADDRESS			
CITY	COUNTY	STATE	ZIP CODE
PARTICIPANT IDENTIFICATION NUMBER		CHILD SUPPORT CASE NUMBER	

### Resources:

Things you own such as cash, bank accounts, land, life insurance, and personal property.

### Resources that DO NOT COUNT when deciding if you meet the SSI resource limit:

- The home you live in and the land it is on
- Household goods and personal property that are not worth more than \$2,000
- One wedding ring and one engagement ring
- The value of one automobile
- Burial spaces for you and your spouse
- Burial funds up to \$1,500
- Life insurance worth \$1,500 or less
- Resources such as wheelchairs, respirators, care services, etc.

I **do not** have resources worth more than: *(Please check one.)*

\$2,000 for one person

\$3,000 for a couple

My monthly SSDI benefit amount is \$ \_\_\_\_\_ .00.

*(Please attach a copy of your last SSDI benefit payment or payment stub.)*

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE