

# Criminal Non-Support of a Child

## Overview

The Office of the Shawnee County District Attorney will pursue criminal non-support prosecutions in accordance with § 21-3605(a)(1) of the Kansas Annotated Statutes.

The Kansas Department of Social and Rehabilitative Services operates the Child Support Enforcement (CSE) program. The CSE program provides services such as locating noncustodial parents, establishing paternity, establishing and enforcing support orders and collecting child support payments. The CSE maintains these toll-free numbers:

- CSE Customer Service Call Center Line: 1-888-7-KS-KIDS (1-888-757-2445)
- Kansas Payment Center Line: 1-888-KPC-KPCC (1-888-572-5722)
- Employer Information Line: 1-877-729-6367

Civil remedies may actively be pursued before criminal non-support proceedings are initiated. However, should civil remedies prove ineffective the only redress may be through the criminal justice system.

## Procedures

1. The victim of non-support shall set up an interview with the Office of the Shawnee County District Attorney to review the circumstances and determine if a crime has been committed.
2. Before the scheduled interview, victims shall complete referral forms and compile certified copies of birth information, support orders, collection efforts, and other helpful documentation.

## Guidelines

- A parent commits the crime of nonsupport of a child if such parent fails, neglects or refuses without lawful excuse to provide for the support and maintenance of the parent's child in necessitous circumstances.
  - "Child" means a child under the age of 18 years and includes an adopted child or a child born out of wedlock whose parentage has been judicially determined or has been acknowledged in writing by the person to be charged with the support of such child.
- At any time before the trial, upon petition and notice, the court may enter such temporary order as may seem just providing for support of such child, and may punish for violation of such order as for contempt.
- Criminal non-support is a severity level 10, nonperson felony.