



Family Maintenance Enforcement Program

We
can help

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The Canadian courts have long recognized that the financial responsibilities of parents to their children – and of one spouse to another – do not end when the parents or spouses separate.

The courts regularly award maintenance orders and file agreements that require parents to continue to provide for their families, and spouses to continue to provide for their former partners.

Many do so willingly. Others, unfortunately, do not.

In either case, the Family Maintenance Enforcement Program can help.

Who we are/what we do

The Family Maintenance Enforcement Program (FMEP) is a service of the British Columbia Ministry of Attorney General.

We are responsible under the *Family Maintenance Enforcement Act* for monitoring and enforcing all maintenance orders and agreements that are filed with us. That means we will:

- calculate, receive, record and forward payments to the person receiving maintenance (called the recipient), and
- take action, if and when necessary, to try to ensure the person who is supposed to pay maintenance (called the payor) makes the required maintenance payments.

For additional information on the Ministry of Attorney General's family justice services, please visit Web site:

www.ag.gov.bc.ca/family-justice/

Who can enroll

Anyone – a payor or a recipient – may choose to enroll in the FMEP. There are only two requirements:

- that you live in British Columbia, and
- that you have a valid maintenance order or agreement from any court in Canada, or the United States or other country by agreement (please check with us).

There are no fees to enroll in the FMEP.

We recognize the importance of maintenance to families and children. At the same time, however, we do not work just for the recipient.

We provide a service for **both** recipients and payors to help ensure the terms of their maintenance orders are fulfilled, and we strive for a good working relationship with all our clients.

We know that many payors will never fall behind in their payments and enforcement action against them will never be necessary.

If a payor does fall into arrears, however, we have the authority to take a number of steps.

First, we will try to work with the payor to develop a plan for paying the arrears in addition to making regular maintenance payments.

Next, if that does not work and we cannot agree on a reasonable payment plan, we will consider enforcement action.

Enforcement Action

If enforcement is necessary, federal and provincial laws give us the authority to use a number of measures, depending on how much money is owing and what we know about the payor's current situation. We will choose the actions we think will have the best chance of success in each particular case.

Payors:

If your order is filed with the FMEP, it does not necessarily mean that you have a poor payment history. Many people enroll with us simply because it's easier to have us collect and track their payments.

Our enforcement options include:

- Requiring anyone who owes the payor money to pay it directly to the FMEP. This is called "attaching" income, and may be applied to virtually any income, including wages, pensions, income tax refunds or GST credits, workers' compensation benefits or rental income. We may also attach bank accounts or other assets.
- Registering a lien against any land or personal property a payor may own (including a car, boat, trailer or manufactured home).
- Obtaining a court order to seize the payor's personal property and arranging for the sale of that property if the payor does not pay the arrears.
- Bringing the case to court, for a judge to decide on any additional enforcement action.

Our options also include:

- If the payor owes more than \$2,000.00 in maintenance, reporting the payor to a credit bureau. This may affect the payor's ability to qualify for a credit card or take out a loan.
- If the payor owes more than \$3,000.00 in maintenance:
 - instructing ICBC to refuse to issue or renew the payor's driver's licence
 - requesting the federal government to suspend, refuse to issue or renew the payor's passport and/or federal aviation or marine licence.
- If the payor owns all or a major part of a corporation, making the payor's corporation liable for the payor's maintenance payments.

We may decide to take one or more of these actions at any time. We will choose the actions we think will have the best chance of success in each particular case.

Recipients:

We will do our best to make sure you receive your maintenance payments.

However, you should know that some payors make it very difficult for us to collect – even going to the extent of leaving the country to avoid paying maintenance. Others may have no income or assets, or may be receiving income assistance, which means it may take a long time to collect what is owed to you. But we will continue to pursue your payments as long as your maintenance order or agreement is enrolled with us.

Court orders or agreements filed with us can also be enforced outside of B.C.

We can request up-to-date information about a payor's location, employment and assets through a variety of federal and provincial computer databases, and we also have reciprocal agreements with all Canadian provinces and territories, American states and several other countries – which means we can ask another province, territory, state or country to take enforcement action on our behalf.

To enroll

You may obtain an enrollment package by contacting an FMEP office by telephone or mail, download it from the FMEP website or you may pick one up in person from:

- provincial courthouses
- Government Agent's offices, and
- Ministry of Employment and Income Assistance, Family Maintenance Program offices, if you are receiving income assistance. Please check the blue pages of your local phone book for locations.

Enrollment usually takes several weeks after we receive your application form. Once your enrollment is complete, we will send you a Notice of Filing stating that your case is now enrolled with the FMEP.

FMEP Offices

To find out more about the FMEP or to receive an enrollment package, please call or write our central Enrollment Office or the regional office nearest you:

Lower Mainland Client Office

Box 80449
Burnaby, BC V5H 3X9
Phone: 604-678-5670
Toll-free: 1-800-663-9666

Northern and Interior Client Office

Box 830
Kamloops, BC V2C 5N1
Phone: 250-434-6020
Toll-free: 1-800-663-3933

Victoria Client Office/Enrollment Office

Box 5100
Victoria, BC V8R 6N3
Phone: 250-220-4040
Toll-free: 1-800-663-3455

Our switchboards are open from
8:30 a.m. to 4:30 p.m. Monday to Friday

FMEP Website

Further information on the Family Maintenance Enforcement Program can be found at: www.fmep.gov.bc.ca

Additional copies

For additional copies of this brochure, please contact:

Director of Maintenance Enforcement
Ministry of Attorney General
203 - 865 Hornby St.
Vancouver, BC V6Z 2G3
Phone: 604-660-2528 Fax: 604-660-1346



Ministry of
Attorney General

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The BC government considers child support a serious obligation.
Maintenance payments are debts that must be paid like any other.