

Manitoulin-Sudbury District Services Board POLICY & PROCEDURES MANUAL	
Section: H. Ontario Works	Effective Date: July 2009
Topic: 5. Income and Exemptions	Replaces: November 2004
Subject: 5.9. Family Support Assignments	
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POLICY

Authority **OW Act: Sec. 7(1), 7(2), 7(3), 13, 16(1) and 19(2)**
OW Directives: Dir. 5.2

Child and spousal support assignments and directions are taken in the name of the Manitoulin-Sudbury District Services Board. Please refer to the Case Manager's FSW manual for further information.

Retaining support assignments in Manitoulin-Sudbury District Services Board will benefit both MCFCS and Ontario Works as this will avoid cancelling and reassigning support assignments when participants move within our catchment area. . **Any support assignment must be terminated when the client's OW file is terminated or transferred. The FSW must be notified immediately whenever an assigned client is terminated or transferred so the assignment can be cancelled with the Family Responsibility Office.**

An assignment form is used to assign court orders made in any court, whether in Ontario or any other province.

A direction form is used where the support provision is contained in an agreement rather than a court order. It is used to redirect payments under a domestic contract, separation agreement or paternity agreement which is in default.

PROCEDURE

METHODS OF ASSIGNMENT

The assignment form #0403 (10/99) and direction form # 0251 (10/99) should be completed in the following situations:

- the support provision is in arrears for at least one complete calendar month and is filed with the Family Responsibility Office;
- the support payments are irregular and it appears that this situation is likely to continue; or
- there are extenuating circumstances (to be discussed with **the FSW** or the Ontario Works Supervisor).

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Assignments should be **cancelled** in the following situations:

- there are no arrears owing to the assignee;
 - support obligations are regularly being met; or
 - Ontario Works financial assistance has terminated.
 - Client has been transferred to another OW office or to ODSP program
1. Any existing Agreements which contain support provisions in line with the Federal Child Support Guidelines should be filed with the Court where the participant resides, when support is erratic or in arrears. The FSW will assist them in preparing the filing package for both the court and the Family Responsibility Office.
 2. The Assignment or Direction shall be completed by the Case Manager with the client. The Case Manager witnesses the client's signature. Only the FSW or the designated supervisor can sign the form as the authorized Representative for the Administrator.
 3. The Case Manager will then provide to the FSW the following documentation:
 - An email of explanation
 - Declaration/Acknowledgement and Undertaking Form
 - Agreement to Reimburse
 - Completed Assignment or Direction noting the effective date
 - copy of the Filing Package (if available)
 4. Case Manager will issue arrears to client as per the declaration and limited arrears policy (one month)
 5. Case Manager will complete relevant SDMT screens to delete support deduction and enter note into SDMT.
 6. FSW will commission the assignment, complete the assignment information in SDMT and append the note already input by the Case Manager, complete statement of arrears (if necessary) and forward package to FRO.

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7. If an Assignment comes with a **referral on a new grant**, the FSW will review entitlement and ensure that any orders in excess will be monitored regularly.
8. When deleting a **dependent** on a case where support is assigned, please advise the FSW by way of email so that he/she can notify FRO. A memo should also be sent in cases where a dependent is put back onto the budget.
9. **When payments become regular**, the FSW will cancel the assignment and advise the Case Manager to start charging the support amount.

Terminating / Transferring a Case:

1. When terminating a case where an assignment is in place, the Case Manager must immediately email the FSW. **It is the responsibility of the FSW to fax it to the Family Responsibility Office.**
2. If the client is being transferred from OW to ODSP and the case is currently assigned, a cancellation must be done and a new one taken by the new program.
3. If the cancellation is not done immediately and FRO received payments, they will go to the assignee; the FSW will then have to write to the appropriate department and request reimbursement to the client.
4. If the Case Manager learns any new information about a payor in an assigned case, such as a new address or new employer or income information, the Case Manager should immediately notify the FSW so FRO can be informed. The FSW works with FRO to ensure all assignments are up-to-date with any payor information available.