

#### **252B.4 Nonassistance cases.**

The child support and paternity determination services established by the department pursuant to [this chapter](#) and other appropriate services provided by law including but not limited to the provisions of [chapters 239B, 252A, 252C, 252D, 252E, 252F, 598, and 600B](#) shall be made available by the unit to an individual not otherwise eligible as a public assistance recipient upon application by the individual for the services or upon referral as described in [subsection 5](#). The application shall be filed with the department.

1. The director shall require an application fee of twenty-five dollars.
2. The director may collect a fee to cover the costs incurred by the department for service of process, genetic testing and court costs if the entity providing the service charges a fee for the services.
3. Fees collected pursuant to [this section](#) shall be considered repayment receipts, as defined in [section 8.2](#), and shall be used for the purposes of the unit. The director or a designee shall keep an accurate record of the fees collected and expended.
4. An application fee paid by a recipient of services pursuant to [subsection 1](#) may be recovered by the unit from the person responsible for payment of support and if recovered shall be used to reimburse the recipient of services.
  - a. The fee shall be an automatic judgment against the person responsible to pay support.
  - b. [This subsection](#) shall serve as constructive notice that the fee is a debt due and owing, is an automatic judgment against the person responsible for support, and is assessed as the fee is paid by a recipient of services. The fee may be collected in addition to any support payments or support judgment ordered, and no further notice or hearing is required prior to collecting the fee.
  - c. Notwithstanding any provision to the contrary, the unit may collect the fee through any legal means by which support payments may be collected, including but not limited to income withholding under [chapter 252D](#) or income tax refund offsets, unless prohibited under federal law.
  - d. The unit is not required to file these judgments with the clerk of the district court, but shall maintain an accurate accounting of the fee assessed, the amount of the fee, and the recovery of the fee.
  - e. Support payments collected shall not be applied to the recovery of the fee until all other support obligations under the support order being enforced, which have accrued through the end of the current calendar month, have been paid or satisfied in full.
  - f. [This subsection](#) applies to fees that become due on or after July 1, 1992.
5. The unit shall also provide child support and paternity determination services and shall respond as provided in federal law for an individual not otherwise eligible as a public assistance recipient if the unit receives a request from any of the following:
  - a. A child support agency.
  - b. A foreign reciprocating country or foreign country with which the state has an arrangement as provided in 42 U.S.C. § 659A.

[C77, 79, 81, §252B.4]

83 Acts, ch 153, §16; 92 Acts, ch 1195, §101, 102; 93 Acts, ch 78, §6, 7; 93 Acts, ch 79, §37; 96 Acts, ch 1213, §39; 97 Acts, ch 41, §32; 97 Acts, ch 175, §27 – 29; 2002 Acts, 2nd Ex, ch 1003, §143, 151; 2005 Acts, ch 175, §118

Referred to in [§252B.2, 252H.5](#)