

CHAPTER 252J

CHILD SUPPORT — LICENSING SANCTIONS

Referred to in [§252B.3](#), [252B.9](#), [272D.1](#), [522C.16](#), [522F.23](#)

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252J.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Certificate of noncompliance*” means a document provided by child support services certifying that the named individual is not in compliance with any of the following:

- a. A support order.
 - b. A written agreement for payment of support entered into by child support services and the obligor.
 - c. A subpoena or warrant relating to a paternity or support proceeding.
2. “*Child support services*” means child support services created in [section 252B.2](#).
3. “*Department*” means the department of health and human services.
4. “*Individual*” means a parent, an obligor, or a putative father in a paternity or support proceeding.

5. “*License*” means a license, certification, registration, permit, approval, renewal, or other similar authorization issued to an individual by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, industry, or recreation or to operate or register a motor vehicle. “*License*” includes licenses for hunting, fishing, boating, or other recreational activity.

6. “*Licensee*” means an individual to whom a license has been issued, or who is seeking the issuance of a license.

7. “*Licensing authority*” means a county treasurer, county recorder or designated depository, the supreme court, or an instrumentality, agency, board, commission, department, officer, organization, or any other entity of the state, which has authority within this state to suspend or revoke a license or to deny the renewal or issuance of a license authorizing an individual to register or operate a motor vehicle or to engage in a business, occupation, profession, recreation, or industry.

8. “*Obligor*” means a natural person as defined in [section 252G.1](#) who has been ordered by a court or administrative authority to pay support.

9. “*Subpoena or warrant*” means a subpoena or warrant relating to a paternity or support proceeding initiated or obtained by child support services or a child support agency as defined in [section 252H.2](#).

10. “*Support*” means support or support payments as defined in [section 252D.16](#), whether established through court or administrative order.

11. “*Support order*” means an order for support issued pursuant to [chapter 232](#), [234](#), [252A](#), [252C](#), [252D](#), [252E](#), [252F](#), [252H](#), [598](#), [600B](#), or any other applicable chapter, or under a comparable statute of another state or foreign country as registered with the clerk of the district court or certified to child support services.

12. “*Withdrawal of a certificate of noncompliance*” means a document provided by child support services certifying that the certificate of noncompliance is withdrawn and that the licensing authority may proceed with issuance, reinstatement, or renewal of an individual’s license.

[95 Acts, ch 115, §1](#); [97 Acts, ch 175, §112, 113](#); [2015 Acts, ch 110, §108](#); [2023 Acts, ch 19, §959](#)

Referred to in [§252B.5](#), [252B.9](#), [252I.1](#)

252J.2 Purpose and use.

1. Notwithstanding other statutory provisions to the contrary, and if an individual has not been cited for contempt and enjoined from engaging in the activity governed by a license pursuant to [section 598.23A](#), child support services may utilize the process established in [this chapter](#) to collect support.

2. For cases in which services are provided by child support services all of the following apply:

a. An obligor is subject to the provisions of [this chapter](#) if the obligor's support obligation is being enforced by child support services, if the support payments required by a support order to be paid to the clerk of the district court or the collection services center pursuant to [section 598.22](#) are not paid and become delinquent in an amount equal to the support payment for three months, and if the obligor's situation meets other criteria specified under rules adopted by the department pursuant to [chapter 17A](#). The criteria specified by rule shall include consideration of the length of time since the obligor's last support payment and the total amount of support owed by the obligor.

b. An individual is subject to the provisions of [this chapter](#) if the individual has failed, after receiving appropriate notice, to comply with a subpoena or warrant.

3. Actions initiated by child support services under [this chapter](#) shall not be subject to contested case proceedings or further review pursuant to [chapter 17A](#) and any resulting court hearing shall be an original hearing before the district court.

4. Notwithstanding [chapter 22](#), all of the following apply:

a. Information obtained by child support services under [this chapter](#) shall be used solely for the purposes of [this chapter](#) or [chapter 252B](#).

b. Information obtained by a licensing authority shall be used solely for the purposes of [this chapter](#).

[95 Acts, ch 115, §2; 97 Acts, ch 175, §114; 2023 Acts, ch 19, §960](#)

Referred to in [§252J.5](#), [252J.6](#), [252J.9](#)

252J.3 Notice to individual of potential sanction of license.

Child support services shall proceed in accordance with [this chapter](#) only if child support services sends a notice to the individual by regular mail to the last known address of the individual. The notice shall include all of the following:

1. The address and telephone number of child support services and the child support services' case number.

2. A statement that the obligor is not in compliance with a support order or the individual has not complied with a subpoena or warrant.

3. A statement that the individual may request a conference with child support services to contest the action.

4. A statement that if, within twenty days of mailing of the notice to the individual, the individual fails to contact child support services to schedule a conference, child support services shall issue a certificate of noncompliance, bearing the individual's name, social security number, and the child support services' case number, to any appropriate licensing authority, certifying that the obligor is not in compliance with a support order or an individual has not complied with a subpoena or warrant.

5. A statement that in order to stay the issuance of a certificate of noncompliance the request for a conference shall be in writing and shall be received by child support services within twenty days of mailing of the notice to the individual.

6. The names of the licensing authorities to which child support services intends to issue a certificate of noncompliance.

7. A statement that if child support services issues a certificate of noncompliance to an appropriate licensing authority, the licensing authority shall initiate proceedings to refuse to issue or renew, or to suspend or revoke the individual's license, unless child support services provides the licensing authority with a withdrawal of a certificate of noncompliance.

[95 Acts, ch 115, §3; 97 Acts, ch 175, §115; 2005 Acts, ch 112, §14, 15; 2023 Acts, ch 19, §961](#)

Referred to in [§252J.4](#), [252J.6](#), [252J.7](#)

252J.4 Conference.

1. The individual may schedule a conference with child support services following mailing of the notice pursuant to [section 252J.3](#), or at any time after service of notice of suspension, revocation, denial of issuance, or nonrenewal of a license from a licensing authority, to challenge child support services' actions under [this chapter](#).

2. The request for a conference shall be made to child support services, in writing, and, if requested after mailing of the notice pursuant to [section 252J.3](#), shall be received by child support services within twenty days following mailing of the notice.

3. Child support services shall notify the individual of the date, time, and location of the conference by regular mail, with the date of the conference to be no earlier than ten days following issuance of notice of the conference by child support services, unless the individual and child support services agree to an earlier date which may be the same date the individual requests the conference. If the individual fails to appear at the conference, child support services shall issue a certificate of noncompliance.

4. Following the conference, child support services shall issue a certificate of noncompliance unless any of the following applies:

a. Child support services finds a mistake in the identity of the individual.

b. Child support services finds a mistake in determining that the amount of delinquent support is equal to or greater than three months.

c. The obligor enters a written agreement with child support services to comply with a support order; the obligor complies with an existing written agreement to comply with a support order; or the obligor pays the total amount of delinquent support due.

d. Issuance of a certificate of noncompliance is not appropriate under other criteria established in accordance with rules adopted by the department pursuant to [chapter 17A](#).

e. Child support services finds a mistake in determining the compliance of the individual with a subpoena or warrant.

f. The individual complies with a subpoena or warrant.

5. Child support services shall grant the individual a stay of the issuance of a certificate of noncompliance upon receiving a timely written request for a conference, and if a certificate of noncompliance has previously been issued, shall issue a withdrawal of a certificate of noncompliance if the obligor enters into a written agreement with child support services to comply with a support order or if the individual complies with a subpoena or warrant.

6. If the individual does not timely request a conference or does not comply with a subpoena or warrant or if the obligor does not pay the total amount of delinquent support owed within twenty days of mailing of the notice pursuant to [section 252J.3](#), child support services shall issue a certificate of noncompliance.

[95 Acts, ch 115, §4; 95 Acts, ch 209, §23; 97 Acts, ch 175, §116; 2005 Acts, ch 112, §16; 2011 Acts, ch 67, §4; 2023 Acts, ch 19, §962](#)

Referred to in [§252J.6](#)

252J.5 Written agreement.

1. If an obligor is subject to [this chapter](#) as established in [section 252J.2, subsection 2, paragraph "a"](#), the obligor and child support services may enter into a written agreement for payment of support and compliance which takes into consideration the obligor's ability to pay and other criteria established by rule of the department. The written agreement shall include all of the following:

a. The method, amount, and dates of support payments by the obligor.

b. A statement that upon breach of the written agreement by the obligor, child support services shall issue a certificate of noncompliance to any appropriate licensing authority.

2. A written agreement entered into pursuant to [this section](#) does not preclude any other remedy provided by law and shall not modify or affect an existing support order.

3. Following issuance of a certificate of noncompliance, if the obligor enters into a written agreement with child support services, child support services shall issue a withdrawal of the

certificate of noncompliance to any appropriate licensing authority and shall forward a copy of the withdrawal by regular mail to the obligor.

95 Acts, ch 115, §5; 97 Acts, ch 175, §117; 2004 Acts, ch 1116, §24; 2023 Acts, ch 19, §963

Referred to in §252J.6

252J.6 Decision of child support services.

1. If an obligor is not in compliance with a support order or the individual is not in compliance with a subpoena or warrant pursuant to [section 252J.2](#), child support services mails a notice to the individual pursuant to [section 252J.3](#), and the individual requests a conference pursuant to [section 252J.4](#), child support services shall issue a written decision if any of the following conditions exists:

- a. The individual fails to appear at a scheduled conference under [section 252J.4](#).
- b. A conference is held under [section 252J.4](#).
- c. The obligor fails to comply with a written agreement entered into by the obligor and child support services under [section 252J.5](#).

2. Child support services shall send a copy of the written decision to the individual by regular mail at the individual's most recent address of record. If the decision is made to issue a certificate of noncompliance or to withdraw the certificate of noncompliance, a copy of the certificate of noncompliance or of the withdrawal of the certificate of noncompliance shall be attached to the written decision. The written decision shall state all of the following:

a. That the certificate of noncompliance or withdrawal of the certificate of noncompliance has been provided to the licensing authorities named in the notice provided pursuant to [section 252J.3](#).

b. That upon receipt of a certificate of noncompliance, the licensing authority shall initiate proceedings to suspend, revoke, deny issuance, or deny renewal of a license, unless the licensing authority is provided with a withdrawal of a certificate of noncompliance from child support services.

c. That in order to obtain a withdrawal of a certificate of noncompliance from child support services, the obligor shall enter into a written agreement with child support services, comply with an existing written agreement with child support services, or pay the total amount of delinquent support owed or the individual shall comply with a subpoena or warrant.

d. That if child support services issues a written decision which includes a certificate of noncompliance, all of the following apply:

(1) The individual may request a hearing as provided in [section 252J.9](#), before the district court as follows:

(a) If the action is a result of [section 252J.2, subsection 2](#), paragraph "a", in the county in which the underlying support order is filed, by filing a written application to the court challenging the issuance of the certificate of noncompliance by child support services and sending a copy of the application to child support services within the time period specified in [section 252J.9](#).

(b) If the action is a result of [section 252J.2, subsection 2](#), paragraph "b", and the individual is not an obligor, in the county in which the dependent child or children reside if the child or children reside in Iowa; in the county in which the dependent child or children last received public assistance if the child or children received public assistance in Iowa; or in the county in which the individual resides if the action is the result of a request from a child support agency in another state or foreign country.

(2) The individual may retain an attorney at the individual's own expense to represent the individual at the hearing.

(3) The scope of review of the district court shall be limited to demonstration of a mistake of fact related to the delinquency of the obligor or the compliance of the individual with a subpoena or warrant.

3. If child support services issues a certificate of noncompliance, child support services shall only issue a withdrawal of the certificate of noncompliance if any of the following applies:

- a. Child support services or the court finds a mistake in the identity of the individual.

b. Child support services finds a mistake in determining compliance with a subpoena or warrant.

c. Child support services or the court finds a mistake in determining that the amount of delinquent support due is equal to or greater than three months.

d. The obligor enters a written agreement with child support services to comply with a support order; the obligor complies with an existing written agreement to comply with a support order; or the obligor pays the total amount of delinquent support owed.

e. The individual complies with the subpoena or warrant.

f. Issuance of a withdrawal of the certificate of noncompliance is appropriate under other criteria in accordance with rules adopted by the department pursuant to [chapter 17A](#).

95 Acts, ch 115, §6; 95 Acts, ch 209, §24; 97 Acts, ch 175, §118; 2004 Acts, ch 1116, §25; 2005 Acts, ch 112, §17; 2015 Acts, ch 110, §109; 2023 Acts, ch 19, §964

Referred to in §252J.7, 252J.9

252J.7 Certificate of noncompliance — certification to licensing authority.

1. If the individual fails to respond to the notice of potential license sanction provided pursuant to [section 252J.3](#) or child support services issues a written decision under [section 252J.6](#) which states that the individual is not in compliance, child support services shall issue a certificate of noncompliance to any appropriate licensing authority.

2. The certificate of noncompliance shall contain the individual's name and social security number.

3. The certificate of noncompliance shall require all of the following:

a. That the licensing authority initiate procedures for the revocation or suspension of the individual's license, or for the denial of the issuance or renewal of a license using the licensing authority's procedures.

b. That the licensing authority provide notice to the individual, as provided in [section 252J.8](#), of the intent to suspend, revoke, deny issuance, or deny renewal of a license including the effective date of the action. The suspension, revocation, or denial shall be effective no sooner than thirty days following provision of notice to the individual.

95 Acts, ch 115, §7; 97 Acts, ch 175, §119; 2004 Acts, ch 1116, §26; 2023 Acts, ch 19, §965

252J.8 Requirements and procedures of licensing authority.

1. A licensing authority shall maintain records of licensees by name, current known address, and social security number.

2. In addition to other grounds for suspension, revocation, or denial of issuance or renewal of a license, a licensing authority shall include in rules adopted by the licensing authority as grounds for suspension, revocation, or denial of issuance or renewal of a license, the receipt of a certificate of noncompliance from child support services.

3. The supreme court shall prescribe rules for admission of persons to practice as attorneys and counselors pursuant to [chapter 602, article 10](#), which include provisions, as specified in [this chapter](#), for the denial, suspension, or revocation of the admission for failure to comply with a child support order or a subpoena or warrant.

4. a. A licensing authority that is issued a certificate of noncompliance shall initiate procedures for the suspension, revocation, or denial of issuance or renewal of licensure to an individual. The licensing authority shall utilize existing rules and procedures for suspension, revocation, or denial of the issuance or renewal of a license.

b. In addition, the licensing authority shall provide notice to the individual of the licensing authority's intent to suspend, revoke, or deny issuance or renewal of a license under [this chapter](#). The suspension, revocation, or denial shall be effective no sooner than thirty days following provision of notice to the individual.

c. The notice shall state all of the following:

(1) The licensing authority intends to suspend, revoke, or deny issuance or renewal of an individual's license due to the receipt of a certificate of noncompliance from child support services.

(2) The individual must contact child support services to schedule a conference or to otherwise obtain a withdrawal of a certificate of noncompliance.

(3) Unless child support services furnishes a withdrawal of a certificate of noncompliance to the licensing authority within thirty days of the issuance of the notice under [this section](#), the individual's license will be revoked, suspended, or denied.

(4) If the licensing authority's rules and procedures conflict with the additional requirements of [this section](#), the requirements of [this section](#) shall apply.

(5) Notwithstanding [section 17A.18](#), the individual does not have a right to a hearing before the licensing authority to contest the authority's actions under [this chapter](#) but may request a court hearing pursuant to [section 252J.9](#) within thirty days of the provision of notice under [this subsection](#).

5. If the licensing authority receives a withdrawal of a certificate of noncompliance from child support services, the licensing authority shall immediately reinstate, renew, or issue a license if the individual is otherwise in compliance with licensing requirements established by the licensing authority.

95 Acts, ch 115, §8; 97 Acts, ch 175, §120; 2009 Acts, ch 41, §245; 2023 Acts, ch 19, §966 – 968

Referred to in [§252J.7](#), [252J.9](#), [321.218](#)

252J.9 District court hearing.

1. Following the issuance of a written decision by child support services under [section 252J.6](#) which includes the issuance of a certificate of noncompliance, or following provision of notice to the individual by a licensing authority pursuant to [section 252J.8](#), an individual may seek review of the decision and request a hearing before the district court as follows:

a. If the action is a result of [section 252J.2, subsection 2](#), paragraph “a”, in the county in which the underlying support order is filed, by filing an application with the district court, and sending a copy of the application to child support services.

b. If the action is a result of [section 252J.2, subsection 2](#), paragraph “b”, and the individual is not an obligor, in a county in which the dependent child or children reside if the child or children reside in Iowa; in the county in which the dependent child or children last received public assistance if the child or children received public assistance in Iowa; or in the county in which the individual resides if the action is the result of a request from a child support agency in another state or foreign country.

2. An application shall be filed to seek review of the decision by child support services or following issuance of notice by the licensing authority no later than within thirty days after the issuance of the notice pursuant to [section 252J.8](#). The clerk of the district court shall schedule a hearing and mail a copy of the order scheduling the hearing to the individual and child support services and shall also mail a copy of the order to the licensing authority, if applicable. Child support services shall certify a copy of its written decision and certificate of noncompliance, indicating the date of issuance, and the licensing authority shall certify a copy of a notice issued pursuant to [section 252J.8](#), to the court prior to the hearing.

3. The filing of an application pursuant to [this section](#) shall automatically stay the actions of a licensing authority pursuant to [section 252J.8](#). The hearing on the application shall be scheduled and held within thirty days of the filing of the application. However, if the individual fails to appear at the scheduled hearing, the stay shall be lifted and the licensing authority shall continue procedures pursuant to [section 252J.8](#).

4. The scope of review by the district court shall be limited to demonstration of a mistake of fact relating to the delinquency of the obligor or the noncompliance of the individual with a subpoena or warrant. Issues related to visitation, custody, or other provisions not related to the support provisions of a support order are not grounds for a hearing under [this chapter](#).

5. Support orders shall not be modified by the court in a hearing under [this chapter](#).

6. If the court finds that child support services was in error in issuing a certificate of noncompliance, or in failing to issue a withdrawal of a certificate of noncompliance, child support services shall issue a withdrawal of a certificate of noncompliance to the appropriate licensing authority.

95 Acts, ch 115, §9; 97 Acts, ch 175, §121; 2009 Acts, ch 41, §246; 2015 Acts, ch 110, §110; 2023 Acts, ch 19, §969 – 971

Referred to in [§252J.6](#), [252J.8](#), [522C.16](#), [522F.23](#)