

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to Petitioner (DCSE).
 - c. Second copy – to Respondent/Obligor.
 - d. Third copy – to DMV if license is suspended.
2. Prepared by clerk, signed by DCSE representative and judge.
3. Attachments – order of support pursuant to which suspension/revocation is sought (if provided by petitioner).
4. Preparation details
 - a. This form is designed for use by the Department of Social Services, Division of Support Enforcement (DCSE) to ask courts which have entered or are enforcing support orders to suspend or refuse to renew the driver's license of persons delinquent either by 90 days or by \$5,000. It is not intended for use by non-DCSE petitioners.
 - b. A restricted driver's license may be issued to the obligor by the juvenile and domestic relations district court of the jurisdiction where the obligor resides.

**PETITION AND ORDER TO SUSPEND DRIVER'S LICENSE –
FAILURE TO PAY CHILD SUPPORT**

Commonwealth of Virginia
VA. CODE § 46.2-320.1

Case No. **1**

DCSE Case No. **2**

HEARING DATE:

..... **3**

.....

.....

..... **4** Court

..... **5**

ADDRESS OF COURT

Department of Social Services **6**

PETITIONER

v.

..... **9**

RESPONDENT/OBLIGOR

..... **6**

ADDRESS

..... **10**

ADDRESS

.....

.....

..... **7**

CASE MANAGER

..... **11**

SSN

..... **8**

TELEPHONE NUMBER

..... **12**

VIRGINIA DRIVER'S LICENSE NUMBER (IF DIFFERENT FROM SSN)

Petitioner respectfully requests that this court find that the respondent (i) is delinquent in the payment of child support by 90 days or more, or in the amount of \$5,000 or more, and that this delinquency constitutes willful non-compliance with the order of support identified below or (ii) has failed to comply with a subpoena, summons or warrant relating to paternity or child support proceedings. Petitioner respectfully requests this court to authorize the suspension or refusal to renew of respondent's Virginia driver's license pursuant to Virginia Code § 46.2-320.1.

..... **13**

NAME OF OBLIGEE

..... **14**

COURT ISSUING SUPPORT ORDER

..... **15**

DATE ORDER ENTERED

..... **16**

DATE OF LAST SUPPORT PAYMENT

..... **17**

AMOUNT OF ARREARAGE

..... **18** Per [] week [] month

AMOUNT OF PERIODIC SUPPORT PAYMENT

.....

.....

..... **19**

DATE

..... **20**

PETITIONER

.....

.....

ORDER

21 The court finds that the obligor is delinquent in the payment of child support by 90 days or more, or in an amount of \$5,000 or more, and that obligor's noncompliance with the child support order was willful or that petitioner has failed to comply with a subpoena, summons or warrant relating to paternity or child support proceedings. Therefore, the court grants the petition to authorize the suspension or refusal to renew of the respondent's driver's license until such time as respondent has either (i) paid the delinquency in full, (ii) reached an agreement with petitioner to pay such delinquency within a period not to exceed ten years and has made at least one payment, representing at least five percent of the total delinquency or \$600, whichever is greater, (iii) complied with the subpoena, summons or warrant, or (iv) completed or is successfully participating in an intensive case monitoring program for child support as ordered by a juvenile and domestic relations district court or as administered by the Department of Social Services. Petitioner shall notify the Department of Motor Vehicles if the respondent satisfies such requirement. The Department of Motor Vehicles shall restore respondent's driving privilege upon receipt of said notice from petitioner.

Petition denied.

..... **22**

DATE

..... **23**

JUDGE

Data Elements

1. Court case number.
2. DCSE case number.
3. Hearing date and time.
4. Name of court.
5. Address of court.
6. Jurisdiction and address of DCSE office seeking license suspension.
7. Name of DCSE case manager handling the case.
8. Case manager's telephone number.
9. Name of respondent whose license suspension is sought.
10. Address of respondent
11. Social security number of respondent.
12. Respondent's Virginia driver's license number if different from Data Element No. 11.
13. Name of person to whom support is owed by respondent.
14. Name of the court which has issued a support order against the respondent.
15. Date the support order was entered.
16. Date on which respondent last made a payment under the order referenced in Data Element Nos. 13-15.
17. Dollar amount of arrearage alleged to be owed by respondent.
18. Dollar amount of periodic support payment. Check applicable box.
19. Date form signed by DSS representative.
20. Signature of DSS representative.
21. Check appropriate box.
22. Date order entered by judge.
23. Judge's signature.