

Program Responsibilities

Maintenance Enforcement Program

Questions for you to ask on enrollment

- ▶ Can MEP enforce my Order?
- ▶ Are there any documents and additional information MEP needs to enforce my Order?

What are MEP responsibilities after enrollment?

Record payments accurately

- ▶ Tell the parties the Order has been enrolled and provide a notice of when the next payment is due
- ▶ Forward all payments collected under the Order to the recipient
- ▶ Keep accurate records of all payments received and paid out by MEP
- ▶ Make payment and enforcement information available confidentially on-line and by phone to the clients

Enforce if payment is not received

- ▶ Take every advisable measure to enforce the Order according to the laws and guidelines that MEP follows (See *Maintenance Enforcement Act*)
- ▶ Make enforcement decisions without being influenced by either party to the Order
- ▶ Only enforce an Order when it is enrolled in MEP or until it is replaced with a new order
- ▶ Ensure equal and efficient treatment of all files

Treat clients respectfully

- ▶ Treat all clients with respect in a trustworthy and professional manner
- ▶ Protect each client's personal information
- ▶ Provide a buffer or intermediary between clients in enforcing the court order
- ▶ Investigate and respond to complaints in an unbiased and timely manner

Work with other MEPs when one party is not in Nova Scotia*

- ▶ Ask for assistance from other Maintenance Enforcement Programs outside Nova Scotia that MEP has enforcement agreements with
- ▶ Give assistance to other Maintenance Enforcement Programs outside Nova Scotia that MEP has enforcement agreements with

* MEP has agreements with all Canadian jurisdictions and many other countries

Report Potential Harm

- ▶ Report to police if MEP becomes aware that a person or child is at risk of harm

What can MEP do if maintenance is not paid?

Information

- ▶ Demand the payor's contact, financial and employment information from the payor, recipient and third parties

Finances

- ▶ Order the payor to provide financial information
- ▶ Require the payor to appear and be examined by MEP on the payor's finances
- ▶ Continue efforts to collect arrears until paid in full because there is no time limit on enforcement of maintenance
- ▶ Take money from the payor's wages, bank accounts, or other known sources of income
- ▶ Take federal sources of income such as income tax refunds, employment insurance, GST rebates

Licences

- ▶ Request suspension of the payor's motor vehicle licence or hunting and fishing licence
- ▶ Ask the Federal Government to revoke the payor's passport or suspend federal licences, such as a pilot's licence

If advisable, MEP can also...

- ▶ Issue a lien against the payor's real property (e.g. home and land)
- ▶ Make a court application to require the payor to comply with the Order
- ▶ Take money from a pension fund or RRSP when legally accessible

What can MEP not do?

MEP cannot:

- ▶ Change an Order
- ▶ Guarantee payments can be collected (e.g. when the payor has no known source of income) OR will be collected by the due date on the Order (e.g. MEP does not ask employers to change the payroll schedule)
- ▶ Stop enforcing an Order only because a client plans to start, or has started, the process to change the Order
- ▶ Take enforcement action before payment is due
- ▶ Take direction from a client about enforcement or interpretation of an Order
- ▶ Accept one client's position over the position of another client without facts because decisions are made on a factual basis
- ▶ Enforce any part of an Order that is not about maintenance
- ▶ Enforce an Order without an accurate record of payments and arrears
- ▶ Enforce an Order if another jurisdiction is already enforcing it or if the Order is not yet final
- ▶ Provide an estimate of how long the collection of arrears may take
- ▶ Give legal advice

For more information on MEP's enforcement options, please see *How MEP Can Enforce a Support Order* on our website.

MEP cannot make any changes to the terms of an Order. Only a court can change the terms of an Order.

In this information sheet

- ▶ **Maintenance** means child or spousal support payments
- ▶ **Order** means Maintenance Order and includes registered **agreement**
- ▶ **Payor** means person ordered to pay support
- ▶ **Recipient** means person entitled to receive support