

# Did you know?

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## ENFORCING YOUR MAINTENANCE ORDER

In some cases of child support or spousal support, the spouse who is ordered to make the payments either refuses to do so, or pays less than ordered. When this happens the money owing is called "arrear" of maintenance. Although you can take steps to collect the arrears yourself, many people use the Family Maintenance Enforcement Program (FMEP). This is a program funded by the Provincial Government which monitors the payment of maintenance payments and takes steps to enforce payment, when necessary. There is no cost to you.

### How the FMEP Works

- You can enroll in the FMEP if you are a resident of BC and have a maintenance order from any court in Canada. This may be a Supreme Court or Family Court order. Any written agreements that are filed with Family Court are considered court orders.
- If your spouse lives outside BC the order can still be enforced as long as the province or country has an agreement with BC to enforce maintenance orders.
- The order doesn't need to be in "arrear" before you enroll.
- Once enrolled, the FMEP notifies the paying spouse and assumes responsibility for enforcing the order.
- All payments due under the order are sent to the FMEP which will then send the payments on to you.

### What Can the FMEP Do?

- If a payment is not made, the FMEP can issue a Notice of Attachment to some one who owes money to your spouse. It can be his or her employer or a bank in which your spouse has an account. The FMEP can also attach Government of Canada income tax refunds and Employment Insurance payments.
- A charge can be registered against any real estate that your spouse owns. The property then can't be remortgaged or sold until the arrears are dealt with.
- The FMEP can require your spouse to attend a Default Hearing to explain to a judge why the maintenance order is not being paid. In some cases a judge will order that a non-paying spouse be jailed.

### For More Information

To contact the FMEP call  
(604) 775-0796 or 1-800-668-3637.  
Ask for the filing kit that you will need in order to enroll in the Program. The kit and further information is also available at <http://www.fmep.gov.bc.ca>.