

LEGAL AID: A NETWORK AT YOUR SERVICE www.csj.qc.ca

Legal brief*

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March/April 2014

Legal Aid: A Network At Your Service

Contact Us

Commission des services juridiques Communications Department 2 Complexe Desjardins East Tower Suite 1404 P.O. Box 123 Succursale Desjardins Montreal, Québec H5B 1B3

Telephone: 514-873-3562 Fax: 514-873-7046

www.csj.qc.ca

* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.

SARPA – SERVICE ADMINISTRATIF DE RAJUSTEMENT DES PENSIONS ALIMENTAIRES POUR ENFANTS [CHILD SUPPORT RECALCULATION SERVICE]

The Service administratif de rajustement des pensions alimentaires pour enfants (SARPA) [child support recalculation service] is a purely administrative service offered to all eligible individuals, at a cost of \$275. The Commission des services juridiques (CSJ) is responsible for managing this service. Individuals who are financially eligible for gratuitous legal aid will not be required to pay any fees. Parents who are financially eligible for legal aid in consideration for the payment of a contribution will only be required to pay the lesser of their maximum contribution amount and the fees prescribed by regulation, namely \$275 or \$137.50, depending on whether the application is made individually or jointly.

Where support for a minor child has already been determined by a court judgment, parents can use the SARPA to obtain the recalculation of that support without having to go to court again. The recalculation application can be submitted to the SARPA by both parents or by one of them alone. The program only applies to situations in which the recalculation does not require any judicial discretion.

When the SARPA receives an eligible application from a parent, it mails the other parent a request for information which must be answered within 30 days. If a parent does not provide the information and documents allowing the SARPA to establish his or her income, the SARPA can determine it by augmenting the last known annual income using criteria prescribed by regulation.

Once the SARPA knows or has determined the parents' incomes, it will use Québec's basic parental contribution determination table to calculate the child support. The SARPA may recalculate support retroactively to a year prior to the application date.

The SARPA will then send the parties the recalculation notice, which will take effect after the expiry of a period of 30 days, during which the parties can contest the adjustment of the child support. Thereafter, the child support will be collected through Revenue Québec's Support-Payment Collection Program or, in exempt cases, it will be deemed to be payable.



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If they wish, parents can also obtain a paper version of the questionnaire and application form at the legal aid office nearest their residence or by printing the documents available under the "Documents et processus" tab at www.sarpaquebec.ca.

SARPA –

SERVICE ADMINISTRATIF DE RAJUSTEMENT DES PENSIONS ALIMENTAIRES POUR ENFANTS [CHILD SUPPORT RECALCULATION SERVICE] (CONTINUED)

Before filing an application with the SARPA, parents can quickly check their

www.sarpaquebec.ca. After filling out the questionnaire, they will be able to

eligibility by filling out the interactive questionnaire available

access the SARPA application form.

This service has been in effect since **April 1, 2014**. Parents who want to use the service can call 1-855-LeSARPA (1-855-537-2772) or, in Montreal, 514-873-3563, or go to the website: <u>www.sarpaquebec.ca</u>.

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