

Responsibilities of the Maintenance Enforcement Program

It is the responsibility of the Maintenance Enforcement Program (MEP) to enforce maintenance obligations under s.1(1)(d) of the *Maintenance Enforcement Act* by collecting payments and forwarding them to the individuals awarded this maintenance. MEP does not have the authority to change the amount of maintenance ordered by the court.

These are the types of maintenance obligations that MEP can enforce:

- **Maintenance orders granted in Alberta, Canadian, and some foreign courts¹.**
- **Specific types of support agreements** such as paternity agreements under the *Parentage and Maintenance Act*, as well as agreements made under the *Income and Employment Support Act* and the *Child Youth and Family Enhancement Act*.
- **Maintenance Enforcement Support Agreements** if they meet the requirements of the *Maintenance Enforcement Regulation* and are filed with the Court of Queen's Bench. Maintenance Enforcement Support Agreements are also the form of agreements used under Alberta's *Family Law Act*.
- **Recalculation Decisions** from the Alberta Child Support Recalculation Program, as well as from any other jurisdictions (Canadian or foreign) that has a reciprocal agreement with MEP.

In order for MEP to enforce a maintenance order or agreement, the creditor or debtor must register with MEP. The Crown (the government) may also register with MEP on behalf of the creditor if the Crown has rights to the support payments. For more information on registration and government rights to support payments see MEP's information sheets *How to Register with the Maintenance Enforcement Program* and *Income Support and the Government's Right to Receive Support Payments*. These are available on MEP's website located at www.albertamep.gov.ab.ca.

MEP provides an intermediary (go-between) service for debtors (those paying maintenance) and creditors (those receiving maintenance). MEP receives payments from debtors and forwards them to creditors once funds have been cleared through a trust account.

In cases of default (debtor non-payment), MEP has access to a variety of information databases to assist in locating debtors and their assets. MEP has the legislative authority to take steps to recover maintenance owed, by collecting money from employers, banks, and the federal government and restricting services such as driver's licences and passports.

When there are changes to a child's circumstances that may impact payment of child support, MEP decides whether to continue collecting maintenance for the child by requesting information about the child's status. To do this, MEP uses the [Child Status Report](#) in conjunction with any other documents that are necessary. MEP relies on the parties to the order to advise the Program when something happens that may impact whether support remains payable for that child. MEP may stop enforcing support when a completed Child Status Report requested by the Program is not returned. The creditor and the debtor are informed of the results of a child status review. Depending on the results of the review, MEP may adjust the amount of maintenance collected from the debtor. For more information, refer to MEP's information sheet *Child Status Reviews*.

MEP automatically conducts a child status review for a child who is about to reach their age of majority. This review determines if MEP will continue to collect support for the child beyond their age of majority.

¹ Any foreign court/jurisdiction where Alberta has a reciprocal enforcement agreement. These jurisdictions are listed on MEP's information sheet *When Debtors or Creditors Reside Outside Alberta*.

MEP will only continue to collect support for an adult child when the child is a full-time student, or when there is a court order granting support for the adult child. If support collection continues beyond the age of majority, MEP sends a yearly reminder to the parties to let MEP know if the child's status has changed. MEP's information sheet *Maintenance For Adult Children* provides more information on this topic.

MEP also attempts to enforce all court-ordered extraordinary (section 7) expenses when it is administratively possible and practical. This includes:

- Clauses that state a specific amount for expenses (e.g., \$50 per month for dance lessons)
- Clauses that state a proportionate amount to be paid by each party (e.g., 50% of hockey expenses); and
- Clauses that require one of the clients to be responsible for all section 7 expenses.

Orders that require parties to pay section 7 expenses but do not set a specific amount or clearly specify the types of expenses that the parties are to share must be supplemented by a *Section 7 Expenses Agreement Form* signed by both parties, so MEP knows what expenses can be enforced. Refer to the *Section 7 Expenses Information and Report* under the *MEP forms* section of the website for more information on this topic.

MEP does not deal with issues relating to **parenting time, child access or custody**. In Alberta, access to children and payment of maintenance are treated as separate matters. Individuals having difficulty with access to their children may wish to address the matter in court or consider alternative dispute resolution (such as mediation or arbitration). For assistance in this area, please seek legal advice or see MEP's information sheets on *Referrals to Resources* and *Access Enforcement*.

- MEP has other Information Sheets, on a variety of helpful topics. To see them, visit MEP's website at www.albertamep.gov.ab.ca.
- To contact MEP, phone 780-422-5555 or toll-free in Alberta at 310-0000.
- To view information about your MEP file, log in to *MEP Accounts Online* on MEP's website and select "Account login".