



Nightmare
Intergovernmental Cases:
Face Your Fears
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Speakers

Suzi Truby

Assistant Director

District Attorney, Family
Support

Suzi.Truby@clarkcountyda.com

702-671-9371

Rob Velcoff

Owner and Independent Consultant

Intergovernmental Support Services

robvelcoff@intergovernmentalsupportservices.com

(518) 852-9469

www.intergovernmentalsupportservices.com



Speakers

Beth Dittus

Policy and Legal Unit Counsel
North Dakota Child Support
Section

bldittus@nd.gov

childsupportnd.com

Susan Smith

Intergovernmental IV-D Program
Liaison

Indiana State Child Support Bureau

Susan.Smith@dcs.IN.gov

(317) 232-7980 direct

(317) 385-4675 cell



Moderator

Diane Potts

Director

National Strategy Team, CGI

630-660-0306

diane.potts@cgi.com



Scenario #1

Sam and Sally got married in Nebraska in 2010. Shortly thereafter, they began living apart but remain married. Sam moved to Texas and Sally moved to North Dakota. In 2018, Sally began a relationship with Saul in North Dakota and conceived a child. Later that year, she moved to Wisconsin and gave birth to the child. In 2022, she applied for IV-D services in Wisconsin to establish parentage and a support obligation against Saul. Wisconsin sends an intergovernmental referral to North Dakota to establish parentage and an obligation against Saul. Sam (husband) has never stepped foot in North Dakota and has no known connections or contacts with the state. North Dakota contacts Wisconsin and indicates that Sam is a necessary party to the action due to the marital presumption and North Dakota does not have personal jurisdiction over him.

How should the Wisconsin worker proceed?



Scenario #2

Bobby Troupe and Julie London have an Indiana Divorce Decree, Pro Se signed by judge 03/2020. Bobby lived in (and still does) in Indiana. Julie lived in (and still does) in New York. Julie has NEVER lived in Indiana. At the bottom of one of the pages of the decree, Respondent Julie wrote “see attached paperwork regarding child support docket # file # in New York”. This included the current amount ordered in New York as well as an arrears amount due, based on New York order at the time Indiana Divorce was filed. Parties separated some time ago but were not divorced, and an order for support was issued in New York in 2008 for 3 children; Roy, Johnny, & Hank. Father Bobby spent several years in England and was unaware New York order existed. New York modified the order due to COLA in 2013. New York order was never registered in Indiana. Bobby moved back to Indiana. Parties agreed to Divorce using standard Pro Se Packet and both agreed to the new current amount.



Scenario #2 Continued

Divorce decree amount was issued for New York current + the amount ordered towards arrears as current support. Oldest of children, Roy, is now over the age of emancipation for New York. New York says oldest child may not be emancipated under their law because they only emancipate when someone requests it.

Is the Indiana Divorce a valid court order?

Does Indiana have jurisdiction to modify order of New York?

Can oldest child, Roy, be emancipated due to New York laws (NCP requested it)?



Scenario #3

There is a Michigan child support order for Michelle to pay Michael \$300/month in support for their child Mary. Michelle moves to Maryland and the Michigan order is registered there for enforcement. Michael moves to Maine and goes on Public Assistance, and TANF arrears accrue. Michael then leaves Maine and goes on Public Assistance in Montana, where additional TANF arrears accrue. An employer is finally located for Michelle, so an IWO is issued by the Maryland child support office for \$300/month for current support plus an additional administrative amount of \$100/month for arrears. The employer sends \$400/month in payments to the Maryland SDU.

Where should Maryland send the payments?

A federal tax offset collection is received by the Maine SDU – what should happen to this money?



Scenario #4

Cassandra lives on Standing Rock tribal land and is a tribal member. She has three children: Chad, Chase, and Clark. Standing Rock IV-D secured an order in Standing Rock tribal court against Dad, Carter, to pay support to Cassandra for the three children. Standing Rock IV-D then sent an outgoing referral to Three Affiliated Tribes IV-D to enforce the order. The youngest child, Clark, was later removed from the order because he went to live with Dad for a temporary period. Now all three children are living with Grandma Colleen in North Dakota and are on TANF. North Dakota IV-D received a TANF referral and opened a case. Dad is living on Three Affiliated Tribes tribal land and works for a tribal employer that only accepts withholding orders from the Three Affiliated Tribes tribal IV-D program or tribal court. North Dakota needs to get the support order modified to add the youngest child back on and also needs to enforce against Dad.

What actions should North Dakota take? What should the payment flow look like?



Scenario #5

Indiana receives a UIFSA request from Georgia for enforcement of an Indiana court order for Roy to pay Joanne. The current support is abated a few years later as the dependent, Chris, emancipated, making the case arrears only. There are no monies due either state, all are due to Joanne. Georgia receives a federal involuntary payment for full arrears left on the case. Indiana collects a state involuntary payment and sends it to Georgia, not knowing about the federal involuntary payment. Georgia sends both sums to Joanne which overpays Roy. Because of the timing of both collections, they are received by both states within days of each other, CSENet messages are sent but they crossed paths with the forwarding of the collection.

Which state should attempt recoupment of the overpayment to make Roy whole?



Scenario #6

Walter and Wendy have a 2016 Wisconsin child support order requiring Walter to pay Wendy \$600/month for their 3 children. Wendy now becomes incarcerated in West Virginia and the children move in with different relatives: the oldest child Willie moves in with Grandma in Wyoming, the middle child Wilhelmina moves in with Aunt in Washington, and the youngest child Wyatt moves in with Walter in Wisconsin. Walter and Grandma and Aunt now all apply for services in Wisconsin.

As the Wisconsin worker, what actions do you take on this case?



Scenario #7

Darlene conceived a child in Pennsylvania in 2010. Darlene gave birth to the child in Pennsylvania and Darren voluntarily acknowledged parentage of the child. Darren is active in the military and was stationed in Germany in 2018. That same year, Darlene moved to Minnesota and applied for IV-D services. Minnesota sent an application under the Hague Convention to Germany to establish a support order. For nearly a year, the case was open in Germany. Germany was not successful in establishing an order (or maintenance agreement). However, Darren entered into a verbal voluntary agreement with Germany to pay monthly. Darren made regular payments for some time and then stopped completely. In 2022, Germany notified Minnesota that Darren was now stationed in South Korea and the case was closing in Germany without establishing an order. Darren will not consent to Minnesota's jurisdiction and domicile is unclear.

What should Minnesota do next? Should Minnesota send an interstate referral to Pennsylvania? If so, would Pennsylvania be required to exercise long arm and establish an order?



Scenario #8

Alleged Father, Kelly Brackett, walks into a IV-D office in Indiana to sign up for services. He wants paternity and a court order to pay support to be established. Mother, Dixie McCall, and Child, Chet Kelly, live in Kentucky. Indiana sends a UIFSA packet to Kentucky for establishment. Dixie does not want to participate in the process. Dixie is not on any type of assistance in Kentucky.

Can Kentucky close the case due to non-cooperation of Dixie? If Kentucky cannot proceed, what recourse does Indiana have? Can Indiana send a Limited-Service Request for DNA Testing? If this is completed, then can Indiana send another Limited-Service Request for Service and establish a court order in Indiana?



Intergovernmental Best Practices

- **Updated Contact Information**
 - **IJ Fair Contact List**
- **States at a Glance Information**
- **Relationships**
- **Greater Good Goal**
- **Networking**
 - **Conferences**
 - **Virtual Trainings**
 - **Webinars**



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