



Why Does the Other State Keep Messing
Up My Case!?!?

Success with Interstate





Rob Velcoff
Owner and Independent Consultant
Intergovernmental Support Services

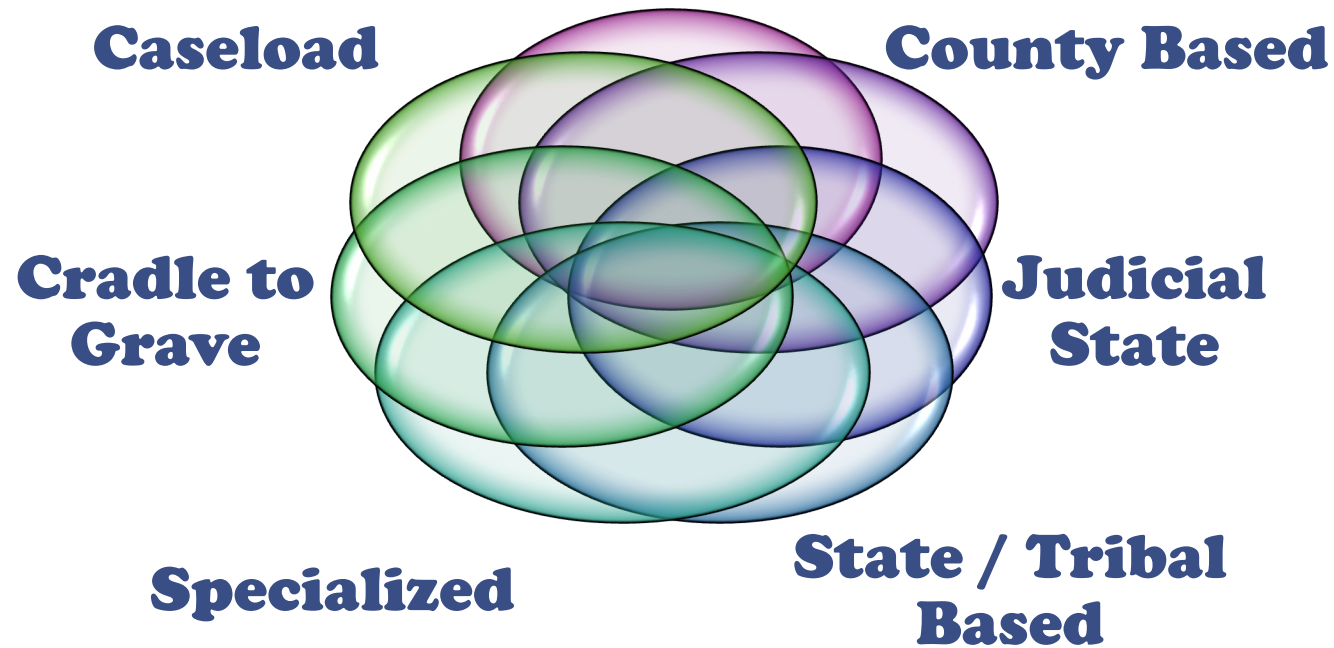
Bill Woods
Staff Attorney
Three Affiliated Tribes Division of Child Support

Ryan Morrow
Assistant Attorney General / Deputy Division Chief
Office of the Attorney General of Texas Child Support Division



WHY DOES THE OTHER STATE KEEP MESSING UP MY CASE!?!?

Administrative State



FEDERAL STANDARDIZATION

Every state is federally mandated to have a Central Registry –
CFR § 303.7(b).

Responsible for:

- Receiving incoming intergovernmental cases.
- Responding to inquiries.

Tribes are not required to have a Central Registry. The tribal IV-D agency should be contacted for all information that would otherwise be handled by a state Central Registry.



FEDERAL TIMEFRAMES

Within ten working days of receipt of an intergovernmental IV-D case, the central registry must:

- Review the request for completeness;
- Forward the case for location services or appropriate agency for processing;
- Acknowledge receipt of the case and request any missing documentation; and
- Inform the initiating agency where the case was sent for action.
- If documentation is incomplete, forward the case for any action that can be taken pending necessary action by the initiating agency.

(45 CFR §303.7(b)(2))



FEDERAL TIMEFRAMES

- Within five working days of receiving a status request for a case status review, the central registry must:
 - Respond to the request, and
 - Provide assistance.

45 CFR §303.7(b)(4)

- Status requests may be sent in one of the following ways:
 - CSE Transmittal #2 – Subsequent Actions
 - Email
 - Telephone
 - CSENet (for states, not tribes)



A UNIFORM LAW, NOT A UNIFORM APPLICATION

•Issuing State Governs:

- (1) the nature, extent, amount, and duration of current payments under a registered support order;
- (2) the computation and payment of arrearages and accrual of interest on the arrearages under the support order; and
- (3) the existence and satisfaction of other obligations under the support order.

•Responding State Governs:

- Procedures and remedies to enforce current support and collect arrears and interest

•Variables:

- State / Tribal Policy regarding Case Types
- State vs Customer Owned Arrears / Interest Only Cases
- Emancipation Dates
- Statutes of Limitations



INTERGOVERNMENTAL FRAMEWORK

What is being sought:

- Establishment
- Enforcement
- Modification
- Change of Beneficiary
- Change of Custody
- Payment Forwarding / Redirection

How can it be achieved:

- One-State Solution
- Two-State Solution

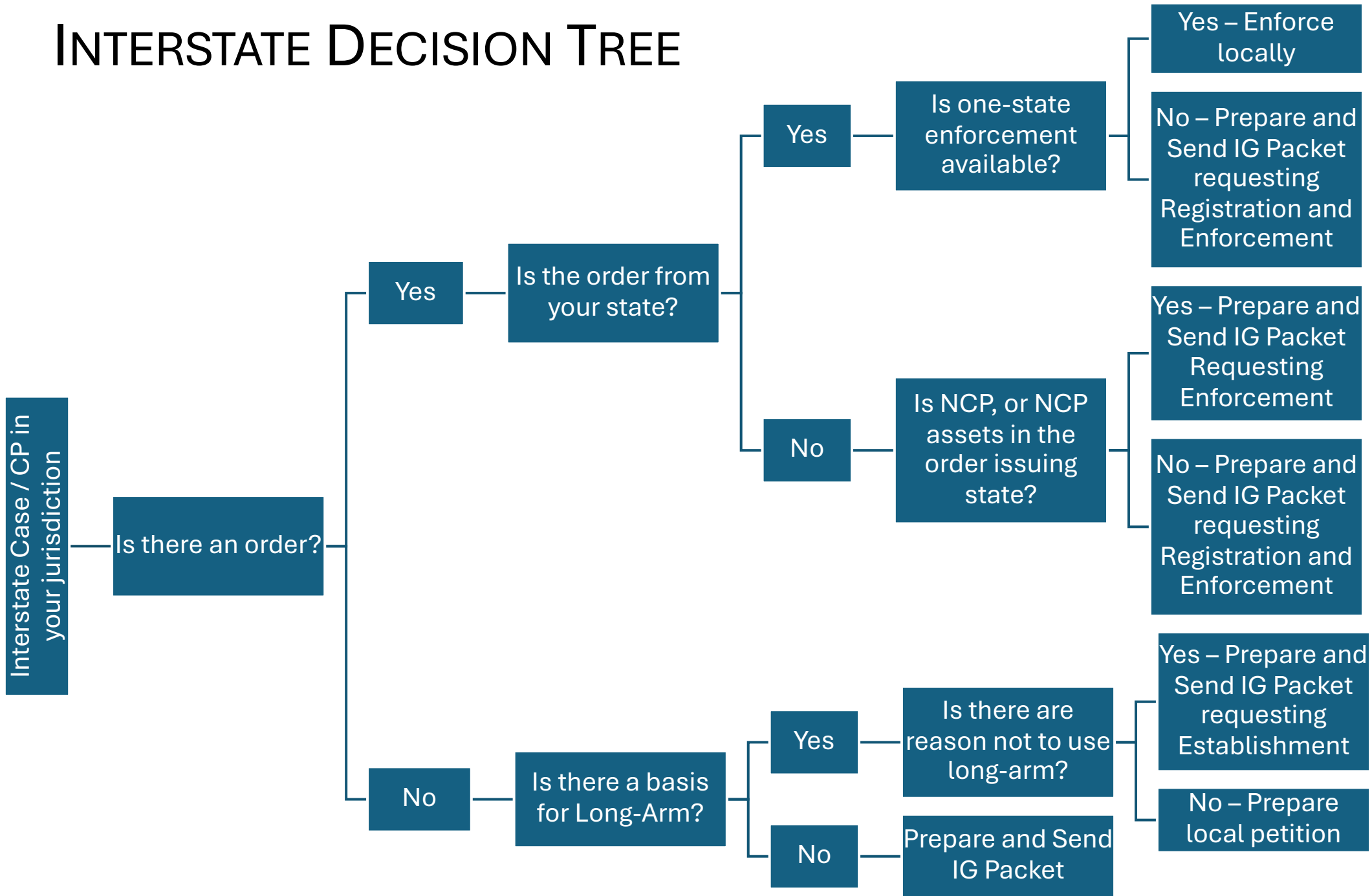


INTERGOVERNMENTAL FRAMEWORK

- Consider keeping the case solely in your jurisdiction whenever possible
- When involvement of a second jurisdiction is necessary:
 - Gather all available information before sending it to a second tribe or state.
 - Know what you are requesting before you forward the request to another jurisdiction.
 - Ensure that the other jurisdiction can do the action you are requesting.
 - Review the IRG and the federal OCSS Forms Matrix to determine what documentation and information the other jurisdiction requires.
- Best Practice: Tribal components and the one-state vs. two-state assessment



INTERSTATE DECISION TREE



THE UIFSA PACKET

Internal Documents

- Transmittals
 - Transmittal #1 – Initial Request
 - Transmittal #2 – Subsequent Actions
 - Transmittal #3 – Request for Assistance / Discovery
- Child Support Agency Confidential Information Form
- UIFSA Form §319 for Redirection

Documents Filed with the Tribunal

- Letter of Transmittal Requesting Registration
- Uniform Support Petition
- Personal Information Form For UIFSA §311
- General Testimony
- Declaration in Support of Establishing Parentage



THERE'S A FORM FOR THAT

Tips for Completing Documents:

- Reconcile arrears on all documents.
- Pay close attention to case type (i.e., TANF, Medical Only).
- Provide a recent, verified address for the obligor.
- Request correct action (i.e., Collection of Arrears Only).
- Provide your direct contact information.
- Provide email address.



LET'S GET IT RIGHT

Common Problems:

- Missing Documents.
- Missing court orders and/or COLAs.
- Locate not recently Verified.
- Address and/or Employment information is old.
- Other information is incomplete or inaccurate.
- If local or “optional” forms are needed, explain these to the initiating jurisdiction.



SO WHY DOES THE OTHER JURISDICTION MESS UP MY CASE!

Common Issues Impacting Your Case

- Jurisdiction
- Establishment
- Enforcement
- Modifications
- Policy



JURISDICTIONAL PROBLEMS

- What jurisdictional issues do you see in your caseload involving other states?
- How can they be “fixed”?
- Modification Jurisdiction.
 - International cases.



ISSUES IN ESTABLISHMENT

- What areas do you find problematic in your intergovernmental establishment caseload?
- The Birth Certificate Debate?
- To Long Arm or Not to Long Arm?
- Is Establishment of Parentage Needed?
- Who does things differently?



TROUBLE IN ENFORCEMENT

- Why is it so hard to get another state to just enforce the order?
- Administrative or Judicial Remedies?
- Dual state enforcement: IJ and RJ?
- Multiple states Registering the same order simultaneously.



WHY CAN'T WE JUST AGREE TO MODIFY

- CEJ or Assume Jurisdiction
- Consent of the Parties
- Calculating Support
- What can and can't be modified?



THE NOT SO STRAIGHT FORWARD

- Family Violence
- Paternity when CP is not the Mother
- Change of Payee/Beneficiary
- Payment forwarding or payment redirection
- Certified copies of orders
- Registration for Modification Only – NCP filing
- Modify/Register and Modify and then “Close Case”



THE NOT SO STRAIGHT FORWARD (CONT.)

- Arrears Calculations – jurisdiction with controlling order determines the balance
- Telephonic/Electronic Testimony
- Who does what with limited services?
- The other state has a “policy”
- Cost of Living Adjustments
- Why can't I close my case?





QUESTIONS?





THANKS FOR ATTENDING

Rob Velcoff

Owner and Independent Consultant

Intergovernmental Support Services

robvelcoff@intergovernmentalsupportservices.com

Bill Woods

Staff Attorney

Three Affiliated Tribes Division of Child Support

wwoods@mhanation.com

Ryan Morrow

Assistant Attorney General / Deputy Division Chief

Office of the Attorney General of Texas Child Support Division

Ryan.Morrow@oag.texas.gov

