

Coming Together When Things Fall Apart: Best Practices for Collaboration Between the IV-D and IV-E Agencies and Courts

Building Strong Families Through Innovation

Different Programs with Different Objectives

The IV-D Program

- Locates noncustodial parents
- Establishes parentage
- Establishes, reviews, modifies, and enforces child support orders



Transforming lives

What We Do

We improve lives by delivering excellent child support services.

The IV-E Program

- Helps to provide safe and stable out-of-home care for children until the children are safely returned home, placed permanently with adoptive families or placed in other planned arrangements for permanency.

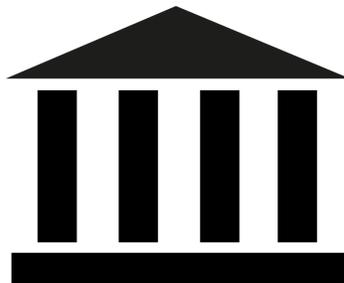
Who might a parent need to work with when an out-of-home placement occurs?

Systems

- IV-D Agency
- IV-E Agency
- Family Court
- Juvenile Court

People

- Child Support Caseworkers
- Child Protective Services Caseworkers/Social Workers
- Prosecuting Attorney for IV-D Program
- Assistant Attorney General for IV-E Program
- Judicial Officers
- Parent's attorneys



Child Support Requirements and Considerations: To Order or Not to Order?

- [§471](#) (42 USC 671) – The Title IV-E plan:
 - (a)(17) provides that, **where appropriate**, all steps will be taken, including cooperative efforts with the State agencies administering the ... plan approved under Part D, to secure an assignment to the State of any rights to support on behalf of each child receiving foster care maintenance payments under this part....
- [§454](#) (42 USC 654) – the Title IV-D State Plan must:
 - (a)(4) Provide that the state will
 - (A) provide services relating to the establishment of paternity or the establishment, modification or enforcement of child support obligations, **as appropriate**, under the plan with respect to
 - (i) each child for whom ... (II) benefits or services for foster care maintenance are provided under the State program funded under part E of this title,... unless, in accordance with paragraph (29), good cause or other exceptions exist...; and
 - (B) enforce any support obligation established with respect to
 - (i) a child with respect to whom the State provides services under the plan....;



To Order or Not to Order in Washington?

- RCW 74.20A.030 authorizes collection of support for children placed into care as a result of an action under chapter 13.34 RCW, under a state-funded program, or a program funded under Title IV-E of the federal social security act
- RCW 13.34.160 Order of support for dependent child.
 - (1) In an action brought under this chapter, the court may inquire into the ability of the parent or parents of the child to pay child support and may enter an order of child support as set forth in chapter [26.19](#) RCW.
- This statute also provides for administrative jurisdiction in the absence of a court order
- WAC 110-50-0320- What constitutes good cause for not pursuing the collection or establishment of child support or paternity?





Parentage: Who, What, Where, When, and How?

- Locate requirements
- Requirements to cooperate with the establishment of parentage in child support cases and dependency cases
- Due process considerations
- Furthering the goals of both the IV-D and the IV-E programs and judicial resolution of cases
- Program collaboration



Confidentiality

- How do federal and state requirements around confidentiality impact programs, collaboration, legal actions, and families?
- Sec. 471 (a)(8)(A) requires safeguards which restrict the use of or disclosure of information concerning individuals assisted under the state plan to purposes directly connected with the administration of the state plan or program under part A, B, **or D** of this title. [42 U.S.C. 671]

What best practices exist for setting an appropriate child support obligation for a parent who has a child in foster care?

- RCW 26.19.071(6) Imputation of income. “Income shall not be imputed to a parent to the extent the parent is unemployed or significantly underemployed due to the parent's efforts to comply with court-ordered reunification efforts under chapter [13.34](#) RCW or under a voluntary placement agreement with an agency supervising the child.”
- RCW 26.19.075 Standards for deviation from the standard calculation. “Costs incurred or anticipated to be incurred by the parents in compliance with court-ordered reunification efforts under chapter [13.34](#) RCW or under a voluntary placement agreement with an agency supervising the child.





Questions?