

# **MODULE 2: CHILD SUPPORT BASICS**

## TRAINING NOTES

Establish background with the following introductory note:

Executive Order #12953, dated February 27, 1995, establishes the Federal Government as “a model employer in promoting and facilitating the establishment and enforcement of child support.”

The Executive Order opens with the statement, “Children need and deserve the emotional and financial support of both their parents.” It continues by recognizing that the “Federal Government, through its civilian employees and Uniformed Services members, is the Nation’s largest single employer and as such should set an example of leadership and encouragement in ensuring that all children are properly supported.”

Among the requirements placed on Federal agencies are the following: to assist in the service of legal process in civil cases to establish paternity; to establish and enforce a support obligation; to provide complete, timely and accurate information to the Federal Parent Locator Service (FPLS); and to advise current and prospective employees about child support enforcement services authorized under the Social Security Act.

### **Executive Order 12953**

The Federal Government, through its civilian employees and Uniformed Services members, is the Nation's largest single employer and as such should set an example of leadership and encouragement in ensuring that all children are properly supported.

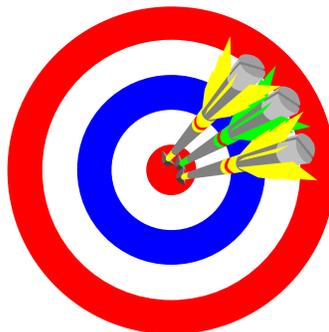
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### **Module 2 Objectives - Child Support Basics**

- State origins and general description of the Child Support Enforcement Program
- Identify 4 primary child support services
- Identify 4 requirements for employers

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## 2.1 MODULE OBJECTIVES



At the end of this module, you will be able to:

- Provide a general description of the Child Support Enforcement Program.
- Briefly describe the origins of the Child Support Enforcement Program.
- Identify the four primary services offered by the IV-D program.
- Identify the employer's four requirements for child support.

## TRAINING NOTES

- Employers account for more than 70% of all child support collected. This course will describe the mechanics of how this happens.
- FLIP CHART: Note the various acronyms used: NCP (non-custodial parent), CP (custodial party), FPLS (Federal Parent Locator Service), IV-D.

Not all NCPs are fathers; roughly 15% are mothers. “Deadbeat dads” do not make up the entire NCP population. Many NCPs are happy to have their child support deducted.

### Child Support Basics

- Definition of “child support”
- Definition of “medical support”



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### Magnitude of the Child Support Program

- Caseload
  - 1976 - 2 million cases
  - 2007 – 15.8 million cases
- Collections
  - FY 1992 - \$ 8 billion
  - FY 2007 - \$25 billion



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## 2.2 DEFINITION OF CHILD SUPPORT

- Child support is the money ordered to be paid by a parent for the support of his or her (minor) child, when that parent does not live with the child. The amount of money to be paid is based on standardized guidelines that consider the parents' income, the needs of the child, and whether there are other dependents.
- Child support also comes in the form of medical support. Medical support is a form of child support owed by either parent or both parents as stated in the judicial or administrative order, as health care insurance coverage and/or cash medical support. Cash medical support is a payment toward medical expenses.

## TRAINING NOTES

- The Federal Office of Child Support Enforcement (OCSE) provides general guidelines and regulations that States must follow, plus training and technical assistance. Each State runs its child support enforcement program within those guidelines.
- The Child Support Program was first open only to those receiving public assistance; later it became available to all citizens, by application. FLIP CHART: Add AFDC (Aid to Families with Dependent Children) (now called Temporary Assistance for Needy Families or TANF) and non-IV-D (private cases).
- FPLS runs cross-matches between its two major databases, a directory of all newly hired employees (plus quarterly wage and unemployment insurance data) and a registry of case abstracts for all child support cases in the country. All data reported to each State Directory of New Hires is sent to the National Directory of New Hires. Interstate “hits or matches” are sent to State child support agencies seeking information on case participants.

**Child Support Enforcement Program**

- Established 1975
- AFDC (now TANF) only; later, all applicants
- Federal, state and local levels



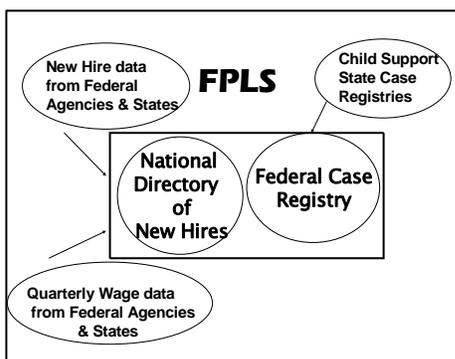
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**Federal Level - OCSE**

- Program standards, policy & regs
- Program funding
- Audits state & local programs
- Technical assistance & training
- FPLS



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**State Level**

- Central administration
- Operates statewide automated system
- Maintains registry of all cases in state
- Maintains database of new hires

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**Local Level**

- Regional and county agency offices
- Provides direct services

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## 2.3 OVERVIEW OF THE CHILD SUPPORT ENFORCEMENT PROGRAM

**WHAT:** The government program responsible for the collection and distribution of payments and medical support enforcement to support children in single-parent (single-guardian) families.

**WHEN:** Established by Congress in 1975.

**WHY:** To reimburse the government for public assistance expenditures and later, as an alternative to public assistance and to help families seeking support for their children.

**WHERE:** At the Federal, State, and local levels of government.

- **Federal:** Office of Child Support Enforcement, Administration for Children and Families, Department of Health & Human Services

Provides program funding, sets program standards, policy, and regulations, evaluates and audits the State/local programs, provides technical assistance and training to States, and operates the Federal Parent Locator Service (FPLS), and a database that helps States find newly hired employees as reported by employers (the National Directory of New Hires or NDNH).

- **State:** Administered centrally, operates the automated child support computer system required in each State, processes payments at a single, centralized site (State Disbursement Unit or SDU), maintains a registry of all child support cases in that State (State Case Registry, or SCR) and a database of all newly hired employees in that State (State Directory of New Hires or SDNH).
- **Local:** County and regional agency offices providing direct child support services to families, such as locating non-custodial parents, establishing paternity, and establishing, modifying and enforcing child support orders.

There are two types of child support cases: IV-D and non-IV-D. The term “IV-D” refers to the section of the Social Security Act which established and regulates the program.

1. **IV-D:** A case in which an individual applied (or was referred) to a State/county child support enforcement agency. TANF cases are referred automatically to the child support agency.
2. **Non-IV-D:** A child support order handled by a private attorney that is not affiliated with a State/county child support enforcement agency.

## TRAINING NOTES

- **LOCATE:** Finding missing information about non-custodial parents whose whereabouts are unknown. Examples of missing information could include the following: Social Security number (SSN), address, date of birth, place of employment and financial assets.
- **PATERNITY ESTABLISHMENT:** Legally establishing fatherhood through genetic testing or voluntary acknowledgment; paternity must be established before child support can be ordered.
- **ORDER ESTABLISHMENT:** A child support order must be in place before any **money** can be collected or **medical coverage** provided. The order may be established judicially (in a court) or administratively (by a child support agency). Each State has its own guidelines for setting the amount of child support, based on parental income and the child's needs.
- **COLLECTION:** Once the child support order is in place, collection is made through a number of enforcement "remedies" or tools, including:
  - Income withholding
  - Federal and State Tax refund and lottery winnings intercept
  - Asset seizure
  - Passport Denial
  - License suspension/revocation (driver's, professional, commercial and recreational)

After the child support enforcement agency collects the money, it allocates the payment and sends the correct amount to the family (or the State if the family receives or has received public assistance). Payment allocation follows Federal and State-imposed prioritization rules.

### 4 Basic Child Support Services

1. Locate
2. Establish paternity
3. Establish child support orders
4. Collect child support

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## **2.4 FOUR BASIC SERVICES OF THE CHILD SUPPORT ENFORCEMENT PROGRAM**

1. Locate.
2. Establish paternity.
3. Establish child support orders.
4. Collect child support.

## TRAINING NOTES

- During the remainder of the class we will move through each step that the employer must follow to honor its child support responsibilities.
- Specific examples will be used.

**Employer's 4 Basic Steps in  
Child Support**

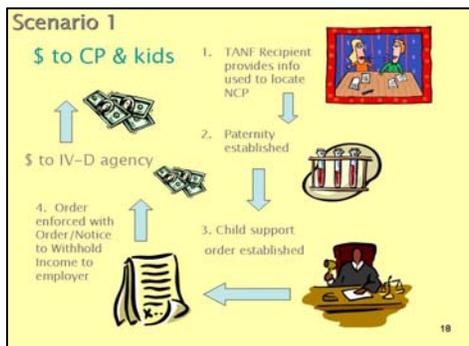
1. Report new hires & respond to verification requests
2. Withhold income, premiums
3. Disburse payments
4. Report terminations

  
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## **2.5 FOUR BASIC STEPS FOR EMPLOYERS**

1. Report new hires and respond to employment verification requests.
2. Withhold income and premiums for medical insurance.
3. Disburse payments.
4. Report terminations.

## TRAINING NOTES



There are a couple of differences in Scenario 2:

**Intake** – The CP does not receive public assistance, and voluntarily chooses to open her child support case. She must pay an application fee (set by the State) and may pay a yearly fee, depending on the State’s laws or regulations.

**Paternity is not established** because she was previously married, and her ex-husband is presumed to be the father of the child.

Let's walk through the processing of a child support case.

### **Scenario 1**

Unmarried mother of twins is receiving public assistance through the Temporary Assistance for Needy Families (TANF) program. She is required to cooperate with the Child Support Enforcement program and is referred to her local agency for services.

1. **Locate** – First, information from the mother is gathered by the agency during the “intake” process. The child support worker seeks information about the alleged father, such as address, SSN and last known employer. This information is used to research various locate sources, such as motor vehicle records, to locate the alleged father.
2. **Establish paternity** –The alleged father is located, but denies that he is the father of the twins. DNA testing is done to determine whether he is the father. DNA testing is positive, and paternity is established.
3. **Establish child support order** – Once paternity is established, a child support order is entered. This is called the “underlying order” and the employer usually does not see this legal document unless this is a private, non-IV-D case.
4. **Collect child support** – Once the father is ordered to pay child support, the order is enforced when an Income Withholding Order (IWO) is sent to the father's employer. Regular deductions from his pay may now be made by the employer, and sent directly to the issuing child support agency's State Disbursement Unit (SDU).

### **Scenario 2**

Divorced mother of one child goes to the child support agency to apply for services. There is a one-time application fee of up to \$25 which varies from State to State. In addition, there is a yearly fee of \$25 which may be paid by either the custodial parent (CP), the non-custodial parent (NCP), whoever applies for services, or the State. This fee is not collected in cases where participants have ever received TANF and is not collected until \$500 is disbursed to the CP in each year.

1. **Locate** – Information obtained from the mother during the “intake” process is used to verify the father's location and current employment in a neighboring State.
2. **Establish paternity** – Since the man is the CP's ex-husband, paternity is assumed.
3. **Establish child support order** – A child support order is entered and placed into the State's child support automated system.

4. **Collect child support** – An IWO is sent to the father's employer. Regular deductions from his pay are made by the employer and sent directly to the issuing child support agency's SDU.