



**NORTH DAKOTA CHILD SUPPORT DIVISION
INTERGOVERNMENTAL IMPROVEMENT
PROJECT**

CENTRAL REGISTRY

*Enhanced
Procedures
Handbook*



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INTRODUCTION

The North Dakota Intergovernmental Improvement Project (IIP) is a collaborative effort between the North Dakota Child Support Division (North Dakota) and Three Affiliated Tribes Division of Child Support Enforcement (TAT) which seeks to improve intergovernmental case collections and customer service strategically by critically analyzing current intergovernmental case processing procedures, identifying areas where improvements can be made, and implementing changes in those areas. The IIP team members recognized that enhanced specialization in North Dakota's Central Registry (which is operated within the Division's Intake Unit) would improve incoming case processing timeframes, avoid duplicative efforts among functional units, and bring clarity and consistency to initial communications with the initiating jurisdiction, thereby advancing the overall level of service provided in incoming intergovernmental cases. As a result, IIP team members determined development and implementation of enhanced Central Registry processes and procedures should be pursued through this project.

For purposes of this handbook and the responsibilities outlined herein, the term Central Registry will generally be used, but it is acknowledged that some of the responsibilities may be carried out by the Intake Unit generally or in collaboration with the Central Registry.

The new specialized procedures require a more comprehensive review of incoming referrals and a complete build of the case record prior to transfer to the next appropriate functional unit for establishment, enforcement, or review and adjustment. Development of this handbook was required to assist IV-D workers in implementing the new procedures during the Implementation phase of this project, which will begin January 1, 2021.

This handbook is not intended to be a substitute for Division policy or other official reference materials currently used by the Intake Unit but serves to enhance and clarify the Central Registry's role and responsibilities when processing incoming intergovernmental referrals for purposes of this project. This handbook will include references to current policy and other manuals or written procedures, as appropriate (e.g., the Intergovernmental chapter of the policy manual and the FACES User Manual). If an instruction in this handbook is inconsistent with instruction in current policy or written procedures, this handbook controls. (Note: Specific instructions relative to processing the case on the automated system are outside the scope of this handbook.)

This handbook is organized into eight sections:

1. General Instructions
2. Establishment

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- 3. Enforcement
- 4. Review and Adjustment
- 5. Limited Services
- 6. Entry of Order and Debt
- 7. Working with Foreign Countries

The enhanced procedures included in this handbook go into effect February 1, 2021. Outreach to the Policy Unit as prescribed in this handbook, and questions about the procedures described in this handbook, should be directed to the IIP Project Director:

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1. GENERAL INSTRUCTIONS

The Central Registry must thoroughly review all documentation in each incoming intergovernmental referral. General Central Registry procedures and requirements, including mandatory timeframes for response, are set forth in the Child Support Program Policy Manual, chapter 11, Intergovernmental. (See § 11-15)

In addition to the requirements set forth in policy, the Central Registry should consider the following elements:

1.a. Do we have an open IV-D case for these parties?

The Central Registry must determine if North Dakota has an open IV-D case for the parties.

Yes:

If North Dakota has an open IV-D case, the Central Registry must review the case and consider whether the requested action(s) in the incoming referral is appropriate given the circumstances of North Dakota's open IV-D case. It is possible the initiating jurisdiction was unaware that North Dakota already had an open IV-D case or failed to check on the status of the case prior to sending the intergovernmental referral. If North Dakota has *assigned arrears*, this information should be provided to the initiating jurisdiction when the case is acknowledged.

The Central Registry should review if North Dakota has any *open incoming or outgoing processes* that conflict with the actions being requested. For example, if North Dakota already has an open incoming referral from the initiating jurisdiction, the Central Registry should review the newly received documentation to determine if new actions are being requested. If so, the requisite referral documents would need to be included to ensure the requested action could be taken. If North Dakota has an open incoming referral from a second jurisdiction, the Central Registry should review to determine whether the referrals are appropriate considering the current circumstances of the case, and whether follow up with one or both initiating jurisdictions is needed.

If North Dakota has an *open outgoing referral to another jurisdiction*, the Central Registry should review the case to determine whether the incoming referral is appropriate, or whether the referral documents should be returned to the initiating jurisdiction. The Central Registry must follow the procedures outlined in section 1.e.5, which includes requesting the Policy Unit review the case and provide guidance regarding next steps. Special consideration should be given to cases where North Dakota has an open outgoing referral to a tribal IV-D program located partially in North Dakota (i.e., the Standing Rock Sioux Tribe Child Support Enforcement Program (SRST CSE) or TAT). (See section 1.f. for further information.) In this situation, the Central Registry and Policy Unit may seek guidance from the Tribal Unit, as needed.

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No:

If North Dakota does not have an open IV-D case for these parties, the Central Registry should determine if North Dakota previously had an open IV-D case for these parties that was closed. If so, *the reason for case closure should be reviewed*. If the facts that created the basis for case closure still exist, it may not be appropriate for North Dakota to process the referral.

Example: North Dakota previously closed the IV-D case because it was determined the obligor's only source of income was from SSI and based on the information in the incoming referral, that fact has not changed. The initiating jurisdiction is requesting North Dakota enforce its own order and forward payments to the initiating jurisdiction. North Dakota would not provide enforcement services if this case were an intrastate case and is therefore not required to provide the service in an interstate case. Thus, the Central Registry would return the referral documents to the initiating jurisdiction.

1.b. Is the noncustodial parent in North Dakota?

The Central Registry must review the case to determine if the noncustodial parent is in North Dakota. A verified or confirmed address in North Dakota for the noncustodial parent is preferred; however, it is not a prerequisite for processing an incoming referral. Still, there must be some indication from a reliable source that the noncustodial parent is linked to North Dakota to the extent that services from the Division are appropriate (e.g., Federal Case Registry (FCR) Query, Query Interstate Cases for Kids (QUICK), federal new hire information, verification of employment information, Social Security Administration information, North Dakota unemployment benefits are being received, the noncustodial parent has current criminal or civil cases pending in North Dakota, or information from a party to the case).

Yes: Absent the limited circumstances outlined in this handbook that would warrant a return of the referral documents, if the noncustodial parent is in North Dakota, the Central Registry must process the referral.

No: If the noncustodial parent is in another jurisdiction, the Central Registry must notify the initiating jurisdiction. If directed by the initiating jurisdiction, the Central Registry must forward the referral documents to the jurisdiction where the noncustodial parent was located. Otherwise, the Central Registry must return the referral documents to the initiating jurisdiction. (Note: If the noncustodial parent is not in North Dakota, but the initiating jurisdiction is requesting assistance with enforcement against an asset(s) located in North Dakota, the interstate referral will be processed and acknowledged.)

If the noncustodial parent is in the initiating jurisdiction and it is unclear why the initiating jurisdiction is referring the case to North Dakota, the Central Registry must communicate with the initiating jurisdiction about the actions requested and the location of the noncustodial parent. If the initiating jurisdiction confirms the noncustodial parent is in the initiating jurisdiction and there are no appropriate enforcement remedies in the case exclusively available to North Dakota, the Central Registry must return the referral documents.

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Unknown: If the noncustodial parent's whereabouts are unknown, but there are indications in the case record that the noncustodial parent may be, or has recently been, in North Dakota, the Central Registry must process the referral to the extent possible. (Note: The Central Registry will be required to exercise judgment under these circumstances; outreach to the Policy Unit for guidance is encouraged.) The Central Registry must then forward the case to the assigned IV-D worker for any actions that can be taken. The assigned IV-D worker will be responsible for determining whether involvement of the Locate Unit is necessary.

If the noncustodial parent's whereabouts are unknown, and there are no indications in the case record that the noncustodial parent is, or has recently been, in or linked to North Dakota, the Central Registry must communicate with the initiating jurisdiction about the noncustodial parent's whereabouts. If the initiating jurisdiction is unable to provide any information indicating the noncustodial parent is in North Dakota, the Central Registry may return the referral documents to the initiating jurisdiction. If appropriate, the Central Registry may invite the initiating jurisdiction to send a quick locate CSENet request, or a Locate Request, if the initiating jurisdiction believes that the noncustodial parent may be in North Dakota. (See § 11-10-15)

Example: In 2010, North Dakota entered an order which required Dad to pay child support to Mom. At the time the order was entered, Mom and child lived in North Dakota and Dad lived in Minnesota. In 2012, Mom and child moved to Minnesota, Mom requested North Dakota close the case, and applied for services in Minnesota. Minnesota enforced the North Dakota order using intrastate remedies. In 2020, Dad's whereabouts became unknown. Mom informed Minnesota that Dad may be homeless, but she was not certain. Because the controlling order was entered in North Dakota, Minnesota sent an intergovernmental referral to North Dakota requesting North Dakota enforce its own order and forward payments to Minnesota. Minnesota did not provide an address for Dad. The North Dakota Central Registry contacted Minnesota to inquire about Dad's whereabouts. Minnesota was unable to provide any information which indicated Dad had lived or worked in North Dakota since the order was entered. The North Dakota Central Registry returned the referral documents to Minnesota. The Central Registry advised it would honor a quick locate request from Minnesota, if received.

1.c. Intergovernmental forms matrix

The federal Office of Child Support Enforcement (OCSE) created a forms matrix to assist IV-D workers in determining which federal forms are to be included when requesting the responding jurisdiction take various actions. Additional documents may be required, depending on the actions being requested. (See sections 2, 3, and 4 for information about additional documentation or information that may be required depending on the action requested.) (Note: International cases with Hague Convention countries require different forms. (See § 11-35-01-05))

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Action Requested	Federal Forms Required
Establish parentage and establish and enforce a support order for <ul style="list-style-type: none"> • Current support • Retroactive child support • Medical support only 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 1; also check 2.A and/or B or C.) Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311 Declaration in Support of Establishing Parentage (for each child)
Establish and enforce a support order for <ul style="list-style-type: none"> • Current support • Retroactive child support • Medical support only 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 2.A and/or B or C.) Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311
For cases with existing responding tribunal orders: <ul style="list-style-type: none"> • Enforce • Enforce arrears only • Change person/entity entitled to receive funds and enforce 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 3.A, D, or E.) Child Support Agency Confidential Information Form
For cases with existing responding tribunal orders: <ul style="list-style-type: none"> • Modify and enforce • Modify then close the intergovernmental IV-D case 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 3.B or C.) Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311
For cases with existing orders from another jurisdiction (not the responding state): <ul style="list-style-type: none"> • Register and enforce • Register and enforce arrears only 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 4.A or D.) Child Support Agency Confidential Information Form Letter of Transmittal Requesting Registration
For cases with existing orders from another jurisdiction (not the responding state): <ul style="list-style-type: none"> • Register, modify, and enforce • Register, modify, then close the intergovernmental IV-D case 	Child Support Enforcement Transmittal #1 – Initial Request (Check action 4.B or C.) Child Support Agency Confidential Information Form Letter of Transmittal Requesting Registration Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311

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1.d. Is the required documentation fully and properly completed?

All required referral documentation must be fully and properly completed by the initiating jurisdiction. The Central Registry should check the documentation for the following:

- The parties' and child(ren)'s names and other personally identifiable information is correctly and consistently identified throughout the documentation.
- The actions checked on the federal standard intergovernmental forms (e.g., Transmittal #1) are consistent with what the initiating jurisdiction is requesting.
- The necessary fields are completed based on the actions requested (e.g., if support for a prior period is requested, the date the applicant applied for services in the initiating state or the dates assistance was provided is indicated).
- The documents are signed. (Note: Electronic signatures are generally acceptable.) Unsworn declarations are also generally allowed under North Dakota law.
- Direct contact information for the IV-D worker in the initiating jurisdiction is provided. (Note: Direct contact information is not required but should be requested if not provided in the referral documentation.)

If the documentation is not completed properly, but the Central Registry is still able to process the case (i.e., confidently build the case record on the automated system), the Central Registry will process the case to the extent possible and send an acknowledgment to the initiating jurisdiction. (See section 1.g. for more information regarding acknowledging the case and requesting additional information.)

Example: The Central Registry received an incoming referral from Montana. Montana sent all requisite paperwork for North Dakota to enforce an existing order from another jurisdiction, including a certified copy of the Montana order. However, on the Transmittal #1, Montana checked 3.A. and 3.E, which requests North Dakota enforce the responding tribunal's order (meaning a North Dakota order), forward payments to Montana, and change the payee on the order. In the "Other Pertinent Information" section, Montana indicated, "Please enforce the Montana order and redirect payments to Montana." It was apparent from the information available in the documentation that Montana intended for North Dakota to act under 4.A., which requests North Dakota enforce the order of another jurisdiction (Montana) and forward payments to Montana, but inadvertently checked the wrong box. There was no existing North Dakota order for these parties. In addition, Montana apparently mistakenly interpreted 3.E. as requesting a redirect of payments (now referred to as payment forwarding), as opposed to changing the payee on the order. The mistakes do not prevent the Central Registry from processing and acknowledging the case; however, in the acknowledgment to Montana, the Central Registry must identify the errors in the Transmittal #1 and request the Central Registry provide a corrected Transmittal #1 within thirty (30) days.

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If the documentation is not completed properly and the nature of the errors prevent the Central Registry from processing the case, the Central Registry must communicate with the initiating jurisdiction and advise that North Dakota is unable to process the incoming referral, identify the errors in the referral documentation that prevent processing, and request updated or corrected documentation be provided within thirty (30) days. In this situation, the Central Registry has not yet acknowledged the case; the case is in an intermediate status. The Central Registry must retain an electronic copy of the original referral documentation for the thirty (30) day period. If the initiating jurisdiction does not provide the updated information within the requisite timeframe, the Central Registry must return the referral documentation to the initiating jurisdiction. (Note: The case must also be entered and tracked in the Central Registry Referrals Log maintained in the grant project folder. (See section 1.e. for more information about the Central Registry Referrals Log.))

Example: The Central Registry received an incoming referral from South Dakota. South Dakota sent all requisite paperwork to North Dakota to enforce an existing order from another jurisdiction, including a certified copy of the South Dakota order. However, the first and last name of the obligor, Dad, on the order and affidavit of arrears differed from the name of the obligor identified on the Transmittal #1 and Letter of Transmittal Requesting Registration. Upon review of the entire packet, the identity of the obligor was unclear. Due to the discrepancies, the Central Registry was prevented from processing the referral. The Central Registry emailed the South Dakota IV-D worker identified on the Transmittal #1 and explained that the errors in the referral documentation prevented the case from being processed by North Dakota. The Central Registry requested that corrected documentation be provided within thirty (30) days or the referral would be returned to South Dakota. The Central Registry recorded the case in the Central Registry Referrals Log.

1.e. When is it appropriate to return a referral?

Under certain circumstances, it may be appropriate for the Central Registry to return an incoming referral. Returning the referral means the case was never acknowledged by the Central Registry. Each incoming referral must be reviewed on an individual basis to determine whether return is appropriate; *outreach to the Policy Unit for guidance* is strongly encouraged.

If a referral is unable to be processed by the Central Registry, or unable to be initially processed and enters an intermediate stage (i.e., the Central Registry is unable to process the case until additional information or documentation is received), the case must be entered and tracked in the *Central Registry Referrals Log* maintained in the grant project folder.

Throughout section one, several scenarios were identified where it may be appropriate to return an incoming referral:

1. North Dakota had an *open IV-D case that was previously closed* and the reason for case closure still exists.

2. The *noncustodial parent is in another jurisdiction* (e.g., in another state or is a tribal member living on tribal land and the tribe has a tribal IV-D program).
3. The *noncustodial parent's whereabouts are unknown*, there are no indications in the referral documentation that the noncustodial parent is, or has recently been, in North Dakota, the Central Registry communicated with the initiating jurisdiction about the noncustodial parent's whereabouts, and the initiating jurisdiction was unable to provide any information linking the noncustodial parent to North Dakota.
4. The referral *documentation is not completed properly*, the nature of the errors prevents the Central Registry from processing the case, the Central Registry communicated with the initiating jurisdiction, identified the errors, requested updated or corrected documentation be provided, and the initiating jurisdiction failed to provide the necessary information.

In addition to these scenarios, the Central Registry should consider whether return of the referral is appropriate under the following circumstances:

5. North Dakota has an *open outgoing referral to another jurisdiction* (e.g., another state or tribal IV-D program). This is also referred to as a potential “middle-man” case. In this scenario, the Central Registry must request the Policy Unit review the case and provide guidance regarding next steps. Communication with the initiating jurisdiction and the assigned IV-D worker in North Dakota may be necessary to assist in deciding whether North Dakota's continued involvement in the case is appropriate.

Example: In 2018, Mom applied for child support services and North Dakota established a child support order against Dad. At the time the order was entered, all parties lived in North Dakota. In 2019, Dad moved to Texas and stopped paying support. North Dakota sent an outgoing interstate referral to Texas to enforce the North Dakota order and forward payments to North Dakota. In 2020, Mom moved to Minnesota and applied for services in Minnesota. Minnesota sent an interstate referral to North Dakota for enforcement and payment forwarding. The Central Registry reviewed the referral and open IV-D case and quickly noted Dad was in Texas and North Dakota had an outgoing referral to Texas. The Central Registry worker noted this was a non-assistance case and North Dakota did not have any assigned arrears. After consulting with the Policy Unit, the Central Registry communicated with Minnesota to discuss the circumstances of the case and determine if North Dakota's involvement in the case was still appropriate, since Mom was now receiving services from Minnesota. Minnesota advised Mom no longer wanted North Dakota to service the case and Minnesota would be sending an interstate referral to Texas. The Central Registry returned

the incoming referral to Minnesota. The assigned IV-D worker closed the outgoing referral to Texas and properly closed the case at Mom's request.

6. *North Dakota does not provide the service* being requested in an intrastate case. (Note: If a referral is returned for this reason, the Central Registry should provide an explanation, as appropriate, about why North Dakota does not provide the service being requested, recognizing that other states may have different policies and procedures.)

Example 1: Florida sent a referral to North Dakota requesting establishment of parentage only. North Dakota would not provide that service if requested in an intrastate case and would therefore not do so in an interstate case. The Central Registry returned the referral and informed Florida that North Dakota does not provide establishment of parentage only services.

Example 2: South Dakota sent a referral to North Dakota, requesting North Dakota modify the support provisions of a Montana divorce judgment. At the time of the divorce, Mom was awarded legal custody of the child and Dad was ordered to pay child support. Subsequently, the child moved in with Dad (based on an informal arrangement between Mom and Dad) and Dad applied for services in South Dakota where he lives. Mom lives in North Dakota. The Central Registry reviewed the referral documentation and noted that although South Dakota was requesting a modification of the divorce judgment, because a child support order against Mom has never been established, this would be considered an establishment case. The Central Registry also noted that Dad has not secured legal custody of the child. North Dakota would not pursue a child support order against Mom under these circumstances in an intrastate case and would therefore not do so in an interstate case. The Central Registry returned the referral and explained to South Dakota that North Dakota does not provide the service being requested.

Example 3: California sent a referral to North Dakota requesting modification only (no enforcement) of the child support order. The Central Registry reviewed the case and noted that twelve (12) months or less remain on the current support obligation. North Dakota would not review the court order under these circumstances in an intrastate case and would therefore not do so in an interstate case. The Central Registry returned the referral and informed Florida that North Dakota does not provide the service being requested.

Example 4: Kansas sent a referral to North Dakota requesting establishment of support; parentage is not at issue. The noncustodial parent is incarcerated under a sentence of two years and there is no information indicating the noncustodial parent has any actual income. North Dakota would not establish a support obligation under these circumstances in an intrastate case and would therefore not do so in an interstate case. The Central Registry notified the initiating jurisdiction that a support obligation will not be pursued unless the initiating jurisdiction provides documentation to show that the noncustodial parent's income exceeds the minimum amount provided in the North Dakota guidelines. If the initiating jurisdiction is unable to provide the requisite information within thirty (30) days, the Central Registry must return the referral documents to the initiating jurisdiction.

Example 5: South Dakota sent a referral to North Dakota requesting enforcement and payment forwarding. North Dakota recently closed an open IV-D case involving the parties in the incoming referral because it was determined the obligor's only source of income was from SSI and that fact has not changed. North Dakota would not provide enforcement services if this case were an intrastate case and is therefore not required to provide the service in an interstate case. Thus, the Central Registry returned the referral documents to the initiating jurisdiction.

1.f. Should this case be forwarded to a tribal IV-D program in North Dakota?

If the referral documentation indicates a link between the noncustodial parent and a tribe with a tribal IV-D program in North Dakota (i.e., SRST CSE or TAT), the Central Registry should consider if it is appropriate to forward the referral to the tribal IV-D program. Indicators that it may be appropriate to forward the packet include:

- The noncustodial parent is a tribal member.
- There is a tribal support or parentage order.
- The noncustodial parent is living or working on tribal land. (Note: The towns on tribal land reference tool may be used to assist in determining whether the noncustodial parent's address or employer is on tribal land.)
- North Dakota has an open outgoing referral to the tribal IV-D program. (If this is true, notification to the assigned IV-D worker may be appropriate so the case can be assessed for potential tribal transfer.)
- North Dakota has a limited services request to the tribal IV-D program for intercept of disbursement payments (information would be noted in the automated system (APIN)).
- There is a case for these parties or children on the tribal IV-D case participant list.

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If there is an indicator present, the Central Registry should contact the Tribal Unit to review the incoming referral. The Tribal Unit will contact the tribal IV-D program, as appropriate, to discuss the case and determine whether the referral should be forwarded. If it is determined the referral should be forwarded to the tribal IV-D program, the Central Registry must forward the referral, notify the initiating jurisdiction where the referral was sent for action, and provide the initiating jurisdiction with the tribal IV-D program's contact information.

If it is unclear whether the case should be forwarded to the tribal IV-D program, the Central Registry should consider seeking guidance from the Policy Unit, as appropriate, based on case circumstances.

1.g. Acknowledging the case and requesting additional information.

If the case can be processed, the Central Registry must acknowledge the receipt of the referral from an initiating jurisdiction within ten (10) days. (See § 11-15 for more information about general Central Registry responsibilities.) (Note: If the case cannot be processed, the Central Registry must contact the initiating jurisdiction within ten (10) days and inform the initiating jurisdiction what additional documentation or information is required. (See section 1.d. for more information.))

In the acknowledgment, the Central Registry must notify the initiating jurisdiction if additional information or documentation is necessary to process the case and advise that failure to provide that documentation within thirty (30) days will result in case closure.

Any additional information or documentation provided by the initiating jurisdiction in response to a request in the acknowledgment will be reviewed by the assigned IV-D worker (e.g., in the Establishment Unit, Enforcement Unit, or the Tribal Unit). It is the responsibility of the assigned IV-D worker to make any necessary updates or corrections to the information in the case record.

If the initiating jurisdiction fails to abide by the request in the required timeframe, the assigned IV-D worker should review the case to determine if it is appropriate to send a sixty (60) day closure notice to the initiating jurisdiction based on the initiating jurisdiction's failure to provide information necessary to take the next appropriate action in the case.

2. ESTABLISHMENT

The Central Registry must thoroughly review each incoming referral requesting establishment. (See Child Support Program Policy Manual, chapter 07, Establishment, for detailed information about program policy and procedures regarding order establishment.)

2.a. Does an order already exist?

When reviewing an incoming referral requesting establishment, the Central Registry must consider whether there is already an order that exists for this noncustodial parent and child(ren). The Central Registry must check available sources to determine if a child support order already exists (e.g., Odyssey, FCR Query and QUICK). The Central Registry should also review available sources, as appropriate, for information about any establishment actions which may already be pending in another jurisdiction, or in North Dakota (e.g., Odyssey).

Yes:

If the Central Registry determines that an order already exists, the Central Registry must notify the initiating jurisdiction prior to processing the case to determine if the initiating jurisdiction still wants North Dakota to act (e.g., the initiating jurisdiction may decide to take direct action to enforce the existing order).

If the initiating jurisdiction still wants North Dakota to act on the case (e.g., enforce the support order or amend the order to establish an obligation for another child), the initiating jurisdiction may need to send a new intergovernmental packet which includes the requisite documentation properly completed, or may need to send updated or corrected documentation, depending on case specifics. In this situation, whether the Central Registry processes the case or returns the referral will largely depend on the facts of the case. The direction set forth in section 1.d. should be followed and outreach to the Policy Unit for guidance is encouraged.

Example: Idaho sends a referral to North Dakota requesting establishment of an order for Dad to pay support to Mom for two children based on an application for services Idaho received from Mom. Idaho also requested that upon establishment of the order, North Dakota enforce the order. Dad lives and works in North Dakota. The Central Registry reviews the case. In Odyssey, the Central Registry notes there was a recent divorce judgment (nonIV-D) entered between the parents which awarded primary residential responsibility of the children to Mom and ordered Dad to provide child support and medical support for the children. The Central Registry notifies Idaho that a child support order already exists and inquires as to whether Idaho wants to enforce directly or wants North Dakota to proceed with enforcement. If Idaho decides North Dakota should proceed with enforcement, the Central Registry must process the incoming referral and acknowledge receipt of the request.

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No:

If the Central Registry determines there is no order for this noncustodial parent and child(ren) and it is appropriate for North Dakota to proceed with establishment as requested, the Central Registry should process the referral.

If the Central Registry has information indicating *there is an establishment action pending in another jurisdiction*, the Central Registry must notify the initiating jurisdiction. North Dakota has limited authority to establish a child support order if there is a comparable action pending in another state or foreign country. (See § 11-05-01 for more information about simultaneous proceedings under the Uniform Interstate Family Support Act (UIFSA).)

If, upon notification of the pending establishment action in another jurisdiction, the initiating jurisdiction still demands North Dakota proceed with establishment, the Central Registry should request review of the case by the Policy Unit. Upon application of the case facts to the law, if the Policy Unit determines North Dakota does not have the authority to proceed with establishment, the Central Registry must return the referral to the initiating jurisdiction with an explanation about why North Dakota may not proceed with the requested action. If it is determined North Dakota has the authority to proceed with establishment, the Central Registry should process the referral.

2.b. Is the initiating jurisdiction requesting establishment of parentage?

When reviewing an incoming referral requesting establishment, the Central Registry must consider whether parentage may be at issue for the child(ren) (even if the initiating jurisdiction is not specifically requesting establishment of parentage).

Yes:

If the initiating jurisdiction is requesting establishment of parentage, the initiating jurisdiction must provide all forms identified in the intergovernmental forms matrix, including a separate Declaration in Support of Establishing Parentage (Declaration) for each child. (See section 1.c.)

The initiating jurisdiction is also responsible for providing documentation and information (evidence of parentage) which supports the assertion that the respondent is the parent of the child, including:

- If the child was born outside of North Dakota and a *birth certificate* was not provided, it should be requested by the Central Registry in the acknowledgment.
- If the information in the Declaration indicates there may be a *presumption of parentage* in the case, the Central Registry should request any additional evidence supporting the existence of the presumption, as appropriate (e.g., a *copy of a marriage certificate or divorce decree*).

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Example 1: The Central Registry receives an incoming referral from Texas requesting establishment of parentage, and establishment and enforcement of a support order. The Central Registry reviews the referral documentation and notes information supporting a presumption of parentage in the Declaration. Mom and Dad were married in Texas in 2013, and the child at issue was born in Texas in 2015. The parents were never divorced. Because the child was born during the marriage, Dad is presumed to be the father of the child. The Central Registry notes that documentation supporting the existence of a marital relationship between the parents was not included, nor was a birth certificate for the child. The Central Registry processes the case and in the acknowledgment requests Texas provide a copy of the parties' marital certificate/license and a birth certificate for the child.

Example 2: The Central Registry receives an incoming referral from California requesting establishment of parentage, and establishment and enforcement of a support order. The Central Registry reviews the referral documentation and notes information supporting a presumption of parentage in the Declaration. Mom and Dad were married in California in 2010 and divorced in Wyoming in March of 2015. The child at issue was born in Wyoming in August of 2015. A copy of the child's birth certificate was provided and Dad was named as the father of the child. The Central Registry notes that a copy of the divorce order was not provided. The Central Registry processes the case and in the acknowledgment requests California provide a copy of the Wyoming divorce order.

- *Results of genetic testing* which indicate a probability of parentage of at least ninety-nine percent.

Action Requested	Federal Forms Required
Establish parentage and establish and enforce a support order for <ul style="list-style-type: none">• Current support• Retroactive child support• Medical support only	Child Support Enforcement Transmittal #1 – Initial Request (Check action 1; also check 2.A and/or B or C.) Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311 Declaration in Support of Establishing Parentage (for each child) <i>Additional documents depending on case specifics: birth certificate(s), evidence supporting existence of a presumption of parentage (e.g., marriage certificate/license or divorce order/decreed), and results of genetic testing.</i>

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No:

If the initiating jurisdiction is not requesting establishment of parentage, the initiating jurisdiction is responsible for providing information or documentation establishing parentage for each child, including:

- An effective acknowledgment of paternity/parentage.
- An order adjudicating parentage.
- An adoption order/decreed.
- Documentation supporting a presumption of parentage (e.g., evidence that the child was born during the marriage or that the child was born within three hundred (300) days after the marriage was terminated (see examples above under “Yes” for evidence supporting the existence of a presumption)).

Action Requested	Federal Forms Required
Establish and enforce a support order for <ul style="list-style-type: none">• Current support• Retroactive child support• Medical support only	Child Support Enforcement Transmittal #1 – Initial Request (Check action 2.A and/or B or C.) Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311 <i>Additional documents: acknowledgment of paternity/parentage, adjudication order, adoption order/decreed, or evidence supporting existence of a presumption of parentage (e.g., marriage certificate/license or divorce order/decreed).</i>

3. ENFORCEMENT

The Central Registry must thoroughly review each incoming referral requesting enforcement. (See Child Support Program Policy Manual, chapter 11, Intergovernmental, for more information about program policy and procedures regarding registration and enforcement in intergovernmental cases.)

When reviewing cases with an existing order(s) from another jurisdiction, the Central Registry must review the case to ensure that the requisite documents are provided in the referral documentation. (See section 1.c.) In addition to the Transmittal #1, Confidential Information Form, and Letter of Transmittal Requesting Registration, *a certified copy of each order and amendment* must be provided. Also, the initiating jurisdiction must provide a *certified statement of the arrears*, and any other orders or statements affecting a determination of the arrears. The information in the Letter of Transmittal Requesting Registration must align with the order(s) and the information in the statement of arrears. It is not necessary that the information is an exact match, but it must align (e.g., one document might include support due and paid during the current month, while another document might not). (See section 6 for more information about Central Registry responsibilities when the information in the referral documentation does not align.)

If the initiating jurisdiction has a direct income withholding order in place and the Central Registry can process the incoming referral (including entering the order and debt on the system), the Central Registry should request in the acknowledgment that the initiating jurisdiction terminate any active direct income withholding orders, so the assigned IV-D worker can immediately proceed with enforcement action upon receipt of the case.

4. REVIEW AND ADJUSTMENT

The Central Registry must thoroughly review each incoming referral requesting modification to determine if North Dakota has jurisdiction to modify the order. Although a request for modification is typically accompanied by a request for enforcement, the direction in this section will focus on modification (since there are separate sections addressing considerations relative to enforcement).

The Central Registry is *not* responsible for making an initial determination as to whether a review would be conducted in accordance with North Dakota law and Division policy. (See § 08-25-15 for more information regarding North Dakota's responsibilities when receiving an incoming referral requesting modification.)

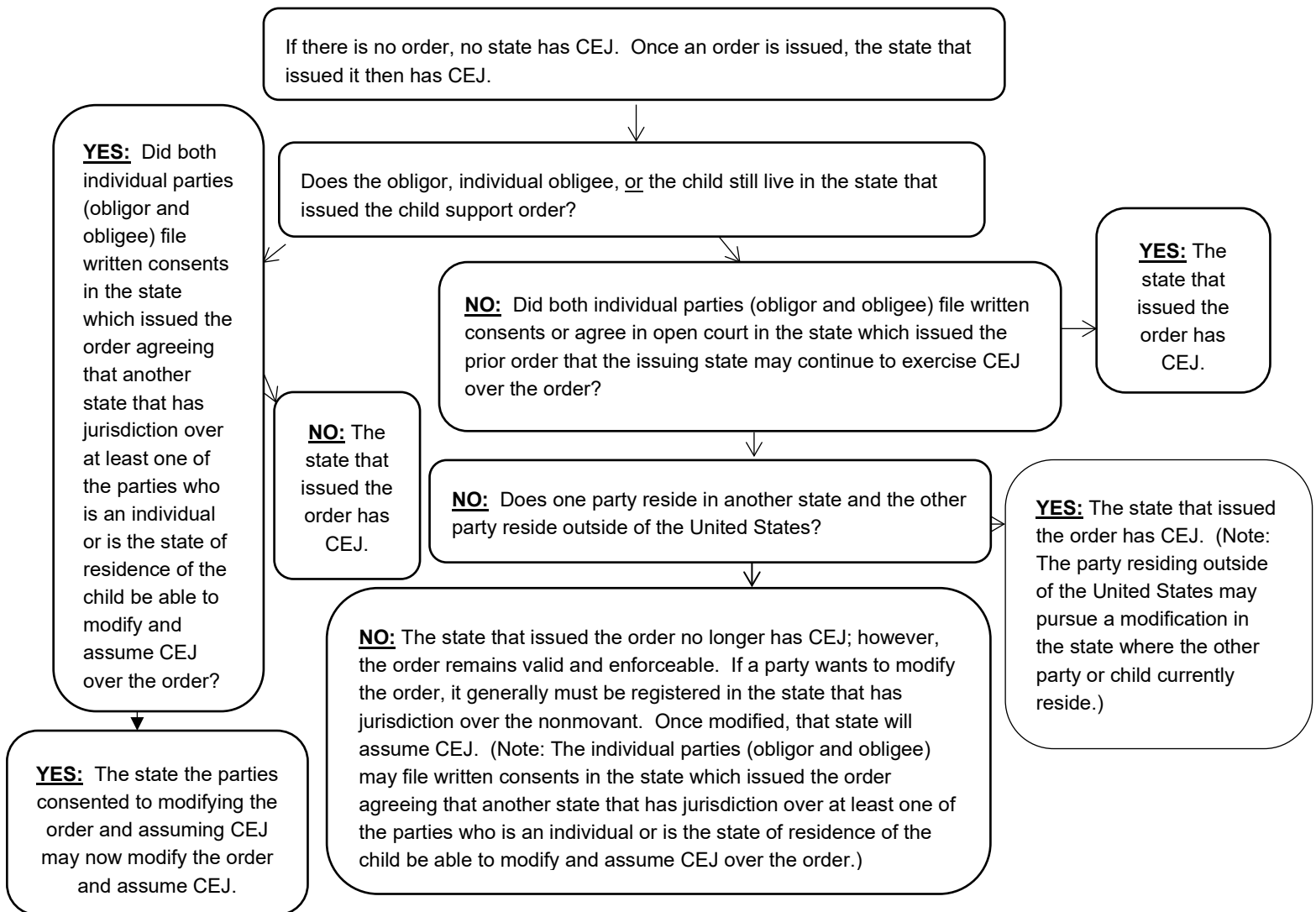
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1.a. Does North Dakota have jurisdiction to modify the order?

The Central Registry must review the referral documentation to determine if North Dakota has continuing, exclusive jurisdiction (CEJ) to modify the support order. (See § 11-05-05 for detailed information about CEJ and examples.) The following flow chart may also be used to assist the Central Registry in determining whether North Dakota has jurisdiction to modify the order:



(Note: There are separate jurisdictional rules that apply to modifying a Hague Convention support order.)

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Yes:

If the Central Registry determines that North Dakota has CEJ to modify the order, the Central Registry should process the case, as appropriate.

No:

If the Central Registry determines that North Dakota does not have CEJ to modify the order and the incoming referral requested modification only, the Central Registry must notify the initiating jurisdiction that North Dakota does not have jurisdiction to modify the order and return the referral to the initiating jurisdiction.

Alternatively, if the initiating jurisdiction requested modification and enforcement, and the Central Registry determined that North Dakota does not have CEJ to modify the order, the Central Registry must notify (e.g., via email) the initiating jurisdiction that North Dakota does not have jurisdiction to modify the order and inquire whether the initiating jurisdiction still wants North Dakota to enforce the existing controlling order. In this situation, the Central Registry has not yet acknowledged the case; the case is in an intermediate status. The Central Registry must retain an electronic copy of the original referral documentation and record the case in the Central Registry Referrals Log. If the initiating jurisdiction does not respond to the inquiry within thirty (30) days, the Central Registry may return the referral documentation to the initiating jurisdiction. If the initiating jurisdiction indicates that enforcement actions are still desired, the Central Registry must process the referral and, in the acknowledgment, request that the initiating jurisdiction provide updated or corrected documentation, if needed.

5. LIMITED SERVICES

The Central Registry receives requests for limited assistance from requesting jurisdictions in cases where the requesting jurisdiction is working its case directly (locally) and needs limited assistance from the Division. (See § 11-10-05 for more information about program policy and procedures regarding requests for limited services.)

Most of the incoming requests for limited assistance from requesting jurisdictions involve requests for court orders and payments records. The Central Registry processes and responds to these requests, without the need to involve another unit. Alternatively, some requests require the Central Registry to refer the requestor to an appropriate third party to obtain the document or information requested. For example, requests for a voluntary paternity acknowledgment or birth certificate are responded to with detailed instructions about how to request the documentation directly from North Dakota's vital records agency.

The Central Registry also receives limited service requests for *payment forwarding*. (See OCSE-AT-17-07 for detailed information about payment forwarding.) A limited service request for payment forwarding is the disbursement of support payments from the state disbursement unit (SDU) in one state to the SDU in another state, when there is not a two-state intergovernmental referral between the states. Payment forwarding is not identified as a required limited service under federal regulation; however, federal law requires state disbursement units to use automated procedures for the collection and disbursement of support payments, including procedures for receipt of payments from other states and disbursements to the agencies of other states. Payment forwarding is most appropriately used in cases where the assisting state has an open IV-D case with an income withholding order in place that is collecting current support (full payments), and the requesting state simply needs the payments forwarded to the requesting state's disbursement unit for disbursement to the obligee.

Upon receipt of a request for payment forwarding, the Central Registry should contact the automated system Help Desk to enter the "redirect" on the system and review the request to determine if North Dakota has an open IV-D case for the parties. If North Dakota has an open IV-D case, the Central Registry must forward the request documentation (the Transmittal #3) to the assigned IV-D worker for any necessary follow up action. It is the responsibility of the assigned IV-D worker to review the request, monitor to ensure the "redirect" is appropriately entered, and acknowledge the request. If North Dakota does not have an open IV-D case, the Central Registry must acknowledge the limited service request.

On rare occasions, the Central Registry will receive a request for change of payment location under UIFSA section 319. (See § 11-10-10 for more information about Division response procedures to request for change of payment location.) Upon receipt of the federal

intergovernmental form (Child Support Agency Request for Change of Support Payment Location Pursuant to UIFSA § 319 and Response) required to be used when making the request, the Central Registry must forward the form and any accompanying documents to the Policy Unit for review. The Policy Unit will review the request and provide direction regarding an appropriate response.

The Policy Unit maintains a record of states that refuse to provide required limited services to North Dakota. This record of states, and the corresponding required services they refuse to provide, is made available to the Central Registry for reference. If a state identified in this record requests a required limited service of North Dakota that the requesting state refuses to provide, the Central Registry will forward the request to the Policy Unit for review and guidance. North Dakota will generally provide the same level of limited service to the requesting state that the requesting state provides to North Dakota (e.g., in response to a request for assistance with service of process from a state that will not provide this service upon request, North Dakota may simply explain to the requesting state how to go about achieving that service on their own, as opposed to taking the necessary action to get the respondent served).

6. ENTRY OF ORDER AND DEBT

The Central Registry's responsibility to process incoming referrals includes entering the case on the automated system, as appropriate, and entering order and debt information associated with the case. (See FACES User Manual D. Financial Management for detailed information and examples about entering court orders and debt.)

6.a. What types of orders must Central Registry enter?

The responsibility to enter order and debt information associated with the incoming referral is limited to entering out-of-state or foreign jurisdiction (OS) orders or orders from one of the four tribal governments in North Dakota: Fort Berthold (FB), Fort Totten (FT), Standing Rock (SR) or Turtle Mountain (TM). (Note: The Central Registry is not responsible for, and does not have security to, update order information for out-of-state, foreign, or tribal orders that have been previously registered in North Dakota and assigned a county civil file number.)

The Central Registry must also ensure the "redirect" is entered, if appropriate, so that support payments are forwarded to the initiating jurisdiction. The responsibility to enter the "redirect" follows the responsibility to enter the order.

6.b. What types of debt must Central Registry enter?

The responsibility to enter debt will also follow the responsibility to enter the order. Thus, if the Central Registry is responsible for entering the order information, as outlined under section 6.a. (e.g., an OS order included with an incoming referral requesting enforcement), the Central Registry is also responsible for entering the current obligation and arrears debt associated with that order. Entering the current and arrears debt may include child support, dollar-specific medical support, and spousal support debts, depending on the terms of the order.

6.c. What if more information is needed?

The Central Registry must enter information as outlined in sections 6.a. and 6.b. If the information provided by the initiating jurisdiction is incomplete (e.g., a certified payment record was not provided with the current support order), inconsistent (e.g., the arrears amount identified in the Letter of Transmittal Requesting Registration does not align with the certified payment record), or unclear (e.g., the payment record leads the Central Registry to believe the most recently entered controlling order was not provided), the Central Registry generally must enter the information available to the extent possible and request the initiating jurisdiction provide additional information or documentation.

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If enough information is provided that the assigned IV-D worker can proceed with action (e.g., issue an income withholding order), the Central Registry must enter the information and process the referral, as otherwise appropriate, and send an acknowledgment to the initiating jurisdiction. In the acknowledgment, the Central Registry must notify the initiating jurisdiction that additional information or documentation is necessary and specifically identify the information needed. (See section 1.g. and 3)

Example: The Central Registry received an incoming referral from California. California sent all requisite paperwork for North Dakota to enforce an existing order entered in California, including a certified copy of the California order. However, on the Letter of Transmittal Requesting Registration, the total amount of child support arrears for the period of computation indicated did not align with the figures in the payment record for the same period. Considering all information in the referral, the Central Registry believed the order and payment record were correct. The mistake in the Letter of Transmittal Requesting Registration did not prevent the Central Registry from putting the order and debt information on the system, so the Central Registry was able to process the referral. In the acknowledgment to California, the Central Registry identified the errors in the Letter of Transmittal Requesting Registration and requested California provide a corrected form within thirty (30) days.

Any additional information or documentation provided by the initiating jurisdiction in response to a request in the acknowledgment will be reviewed by the assigned IV-D worker (e.g., in the Enforcement Unit or the Tribal Unit). It is the responsibility of the assigned IV-D worker to make any necessary updates or corrections to the order or debt information on the system.

If the information provided is incomplete, inconsistent, or unclear to the extent that the Central Registry is unable to process the case (i.e., unable to put the order information on the system), the Central Registry must follow the procedures set forth in section 1.d. In this situation, the Central Registry has not yet acknowledged the case; the case is in an intermediate status.

Example: The Central Registry received an incoming referral from South Dakota. In the referral paperwork, South Dakota is requesting North Dakota register and enforce an order of another jurisdiction. On the Transmittal #1, South Dakota identifies an original order entered in California in 2012 in the amount of \$240 per month and a modified order entered in New Mexico in 2015 in the amount of \$300 per month. No Letter of Transmittal Requesting Registration was provided. Certified copies of the California original order and New Mexico modified order were provided. However, the payment record reflects the monthly child support amount changed in May 2018 from \$300 to \$420 per month. This is not consistent with the terms of the New Mexico order. Thus, the provided orders and the payment record are inconsistent, leading the Central Registry worker to believe there was a second modification of the order or the payment record is incorrect. Due to the discrepancies, the Central Registry is prevented from putting the order and debt information

on the system. The Central Registry emailed the South Dakota IV-D worker identified on the Transmittal #1 and explained that the inconsistencies and missing documentation prevented the case from being processed by the Central Registry. The Central Registry requested that corrected and complete documentation be provided within thirty (30) days or the referral would be returned to South Dakota. The Central Registry recorded the case in the Central Registry Referrals Log.

If the initiating jurisdiction does not provide the updated information within the requisite timeframe, the Central Registry should return the referral documentation to the initiating jurisdiction.

7. FOREIGN COUNTRIES

The North Dakota Central Registry receives a limited number of incoming referrals from foreign countries. (See the Child Support Program Policy Manual, chapter 11, Intergovernmental for detailed policy and procedures regarding provision of services in intergovernmental cases with foreign jurisdictions.) However infrequent, the nuances of the application of law and policy to incoming referrals from foreign jurisdictions adds time and complexity to the review process. This section will focus on the Central Registry's coordination with the Policy Unit upon receipt of an incoming referral from a foreign country.

The Central Registry must seek guidance from the Policy Unit, as appropriate, upon receipt of an incoming referral from a foreign country. Involvement of the Policy Unit's expertise is designed to expedite processing of the referral, and to prevent incorrect application of the law and Division policy. The Central Registry and Policy Unit will thoroughly review the referral documentation to ensure all requisite information is provided. The Central Registry will generally apply the same considerations when processing incoming cases from foreign jurisdictions as outlined in sections 1.d. and 1.e. However, special additional considerations will apply when processing cases under the Hague Convention.

When processing the referral, the Central Registry, in coordination with the Policy Unit, will develop case specific directions that will be provided to the assigned IV-D worker with the referral documentation when the case is transferred, to include:

- Status of the initiating country (i.e., Hague Convention country, foreign reciprocating country (federal or state level bilateral agreement), or another foreign jurisdiction) and the proceeding.
- Applicable law (i.e., whether Article 7 of UIFSA is applicable).
- Applicable policy (i.e., whether § 11-35 is applicable).
- Required and recommended forms.
- References (e.g., link to country profile or pertinent section of caseworker's guide to processing a case with the foreign jurisdiction).
- Pertinent next steps (e.g., requirement to provide status update within three months of the Central Registry acknowledging the case).

A copy of the case specific directions must be maintained in the case record.