

OIC Transfer Checklist

Introduction

The purpose of this checklist is to assist IV-D workers in screening a case for appropriate transfer to the Outgoing Interstate Center (OIC) for an intergovernmental referral. This checklist must be completed and sent to the OIC prior to case transfer.

Cases that are appropriate for referral to a tribal IV-D program located, at least partially, within North Dakota should not be transferred to the OIC (i.e., cases that are appropriate for referral to the Standing Rock Sioux Tribe Child Support Enforcement Program (SRST CSE) or the Three Affiliated Tribes Division of Child Support Enforcement (TAT DCSE)). These cases should be referred to the Tribal Unit.

If it is unclear whether case transfer is appropriate upon completion of the checklist, outreach to the lead case manager at OIC is recommended, and in certain circumstances required, prior to transfer.

This checklist is organized into seven parts:

- [Part A: Identifying Information and Address Verification](#)
- [Part B: Analysis – Establishment](#)
- [Part C: Analysis – Enforcement](#)
- [Part D: Analysis – Modification](#)
- [Part E: Analysis – Enforcement: Unemployment Benefits](#)
- [Part F: Determination](#)
- [Part G: OIC Review](#)
- Attachment: Determining CEJ Under UIFSA Flowchart

Parts A through F of this checklist must be completed by the IV-D worker, as appropriate, prior to case transfer. It is recommended the IV-D worker determine which parts require completion prior to beginning the checklist, recognizing that case specifics will determine which parts of the checklist require completion. Upon completion, the checklist must be emailed to OIC.

Part G is only to be completed by OIC. Once finalized by OIC, a copy of the checklist will be maintained in the case record. For purposes of enforcement, if an obligor has multiple cases, a transfer should encompass all cases and a copy of the completed checklist must be maintained in each individual case record.

 Below, click on left flag to expand or collapse section (first need to click outside the section).

Part A: Identifying Information and Address Verification

1. **Obligor Name:** [Click here to enter obligor name.](#)

2. **Case information:**

Obligee Name

FACSES Case Number

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Click here to enter obligee name.	Enter FACES Case number.
Click here to enter obligee name.	Enter FACES Case number.
Click here to enter obligee name.	Enter FACES Case number.
Click here to enter obligee name.	Enter FACES Case number.

3. Date checklist completed: [Click here to select date.](#)

Instructions: If you are referring this case to OIC for income withholding of active unemployment benefits, skip question 4 and go to Part E.

4. Has the noncustodial parent's address been verified through a postmaster letter (PML)?

☐ Yes. Date verified: [Click here to select date.](#) (must be less than 60 days)
☐ No.

Note: It is a best practice to attempt to verify the address information obtained through a PML. If the PML is not returned within two weeks, the IV-D worker must contact the OIC (via email or phone) to discuss whether the source of the address information may be considered confirmed for purposes of sending an outgoing referral. Depending on the case specifics, address information from certain sources may be considered confirmed, including:

- New hire
- Employment verification
- Provided by the noncustodial parent
- Provided by the custodial parent
- State Verification and Exchange System (SVES)
- Query Interstate Cases for Kids (QUICK)
- Federal Case Registry (FCR) Query
- Accurint
- CLEAR

Part B: Analysis – Establishment

Instructions: If establishment of parentage or support is not necessary, skip this section and go to Part C or D, as appropriate.

- 1. Determine whether North Dakota has personal (long arm) jurisdiction to establish parentage or support.**

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Note: If any of the following questions are answered with a “yes”, then North Dakota has jurisdiction to establish a support order and transfer to OIC is generally not appropriate.

An exception to this rule may occur when the IV-D worker is unable to accomplish service of process on the noncustodial parent in another jurisdiction. In this situation, the IV-D worker should request the responding jurisdiction provide limited assistance with service of process via a Transmittal #3 Request for Assistance/Discovery. If the responding jurisdiction refuses to comply with the request, the IV-D worker must contact the Policy Unit to discuss the next appropriate action in the case. If necessary, the case will be transferred to the OIC to send a referral to the responding jurisdiction.

a. Was the individual personally served with a summons within North Dakota?

- ☐ Yes.
☐ No.

b. Has the individual submitted to North Dakota’s jurisdiction by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction?

- ☐ Yes.
☐ No.

c. Did the individual reside with the child in North Dakota?

- ☐ Yes.
☐ No.

d. Has the individual resided in North Dakota and provided prenatal expenses or support for the child?

- ☐ Yes.
☐ No.

e. Does the child reside in North Dakota as a result of the acts or directives of the individual?

- ☐ Yes.
☐ No.

f. Did the individual engage in sexual intercourse in North Dakota and the child may have been conceived by the act of intercourse?

- ☐ Yes.
☐ No.

2. Are there any cases open in other states on QUICK or FCR for this noncustodial parent?

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☐ Yes*. If yes:

- *Are there any support orders for this noncustodial parent and this child(ren)?

☐ Yes. If yes, explain: [Click here to explain.](#)

Note: If there is a support order, transfer to OIC for establishment is not appropriate unless one or more children are not included in the existing order.

☐ No.

☐ No.

3. Is parentage at issue for the child?

☐ Yes.

Note: If parentage is at issue, the child was born outside of North Dakota, and there is no birth certificate for the child in the case record, the IV-D worker should request a copy of the birth certificate prior to transfer to OIC.

☐ No. If no, explain: [Click here to explain.](#)

Note: If the answer is "no", the IV-D worker should explain or identify information in the case record which establishes parentage for the child (e.g., an effective acknowledgment of paternity/parentage, an order adjudicating parentage, an adoption order/decreed, or documentation supporting a presumption of parentage (i.e., evidence that the child was born during the marriage)).

Instructions: Skip Part C, D and E, and go to F.

Part C: Analysis – Enforcement

Instructions: If the case is being transferred for modification only, skip this section and complete Part D.

1. Are there any cases open in other states on QUICK or FCR for this obligor and obligee?

☐ Yes.

Note: If another state has an open case for the parties, has an income withholding order issued, and is receiving full payments, the IV-D worker should assess whether it is appropriate to send a limited service request for payment forwarding to the assisting state via the Transmittal #3 Request for Assistance/Discovery (instead of transferring the case to OIC for a two-state referral). Some states do not honor limited service requests for payment forwarding for a variety of reasons (e.g., system limitations, assigned arrears, or a conflicting incoming referral from another jurisdiction). (Note: Minnesota is currently unable to honor limited service payment forwarding requests due to system limitations.) If the IV-D worker is unsure whether a limited service payment forwarding request is appropriate, outreach to the Policy Unit or OIC is required prior to transfer to OIC.

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☐ No.

2. Does the obligor have North Dakota licenses that can be suspended?

Note: Licenses include driver's licenses, motor vehicle licenses and registrations, professional and occupational licenses, and recreational and sporting licenses.

☐ Yes. If yes, explain: [Click here to explain.](#)

Note: If the answer is "yes", it is generally expected that the administrative license suspension process is completed before transfer to OIC. Otherwise, the IV-D worker must explain why administrative license suspension was not pursued.

☐ No. If no, explain: [Click here to explain.](#)

3. Does the obligor have bank accounts susceptible to an administrative lien or deduction order?

☐ Yes. If yes, explain: [Click here to explain.](#)

Note: If the answer is "yes", it is generally expected that the account(s) is pursued prior to transfer to OIC. Otherwise, the IV-D worker must explain why the account was not pursued.

☐ No. If no, explain: [Click here to explain.](#)

4. Does the obligor have assets amenable to administrative liens?

☐ Yes. If yes, explain: [Click here to explain.](#)

Note: If the answer is "yes", it is generally expected that the asset(s) is pursued prior to transfer to OIC. Otherwise, the IV-D worker must explain why the asset was not pursued.

☐ No. If no, explain: [Click here to explain.](#)

5. Has income withholding been issued and are payments being received?

☐ Yes.

Note: If only partial payments are being received, check to see if the obligor has additional employment and if an income withholding order(s) should be issued or amended.

If only partial payments are being received, but the obligor is working over thirty hours per week and is paying the maximum amount allowed to be withheld per the law of the obligor's principal place of employment, a transfer to the OIC is not appropriate. If the obligor is working less than thirty hours per week, the IV-D worker must contact the OIC to discuss whether transfer is appropriate.

☐ No.

Note: If the obligor's current employment is temporary or seasonal and no payments are being received, the IV-D worker must contact the OIC to discuss whether transfer is appropriate. For example, if the active employer identified for the obligor is a temporary employment agency and no payments are being received, it may still be appropriate to transfer the case to the OIC for an outgoing referral.

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If it is determined that transfer is appropriate and an income withholding order is already in place, the income withholding order should remain in active status when the case is transferred to OIC.

6. Is the obligor a job hopper?

Note: A job hopper is an obligor who has had at least three jobs in the last twelve months.

☐ Yes*. If yes:

- *How many jobs has the obligor had in the past twelve months: [Click here to enter.](#)
- *Source of employment information used to determine job hopper status (indicate all that apply):
 - ☐ Quarterly employment inquiry.
 - ☐ FCR quarterly employment inquiry.
 - ☐ Other: Explain: [Click here to explain.](#)

(For example, the obligor testified at a recent contempt hearing that he works as a handyman, is paid cash, and has had four jobs at differing locations in the past twelve months.)

☐ No.

Note: If the obligor is a job hopper, has recently obtained a new job, and it is determined transfer to the OIC is appropriate, the IV-D worker must issue an income withholding order to the new employer prior to transfer to the OIC.

7. Has the obligor kept the case manager up to date on any changes in address or employment status?

☐ Yes.

☐ No.

8. Has the obligor been contacted directly (e.g., via letter, email, or phone call) to discuss the case and the reason for nonpayment?

☐ Yes. If yes, describe contact or attempted contact (e.g., letter or email sent or phone call to obligor) and obligor's response, if any: [Click here to describe contact and obligor's response.](#)

☐ No. If no, explain: [Click here to explain.](#)

9. Has the obligee been contacted (e.g., via letter, email, or phone call) to determine if the obligee has any pertinent information?

☐ Yes. If yes, describe contact or attempted contact (e.g., letter or email sent or phone call to obligee) and obligee's response, if any: [Click here to describe contact and obligee's response.](#)

☐ No. If no, explain: [Click here to explain.](#)

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Instructions: Go to Part F.

Part D: Analysis – Modification

Instructions: Complete this section if the case is being sent for modification.

1. **Which state or foreign country has continuing, exclusive jurisdiction (CEJ) to modify the current support order? (See Attachment: Determining CEJ Under UIFSA Flowchart)**

State or Foreign Country: [Click here to enter state or foreign country.](#)

Note: Refer to the Child Support Program Policy Manual, chapter 11 Intergovernmental, for additional jurisdictional rules that apply to modification of foreign support orders and Hague Convention support orders. (See §§ 11-05-05-01 and 11-35-01-01)

2. **If North Dakota does not have CEJ to modify the order and one of the parties lives in North Dakota, will the parties consent to North Dakota obtaining jurisdiction to modify the order?**

☐ Yes.

☐ No. If no, explain: [Click here to explain.](#)

Instructions: Go to Part F.

Part E: Analysis – Enforcement: Unemployment Benefits

Instructions: Complete Parts E and F if the case is being sent for withholding of unemployment benefits and the responding state will not honor a direct income withholding order (DIWO).

From which state is the obligor receiving unemployment benefits?

Note: The following states will honor a DIWO for unemployment benefits: GA, IN, MA, MI, MN, NJ, NY, OH, PA, PR, TN, VI, WI. (as of 7/26/2021)

State: [Click here to enter state.](#)

Date benefits reported: [Click here to select date.](#)

Source of information: [Click here to enter source.](#)

Part F: Determination

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1. **Date checklist completed:** [Click here to select date.](#)
2. **Date outreach to OIC completed (if applicable):** [Click here to select date.](#)
3. **Date transferred to OIC:** [Click here to select date.](#)
4. **Case Manager:** [Click here to enter name.](#)
5. **Additional comments:** [Click here to enter comments.](#)

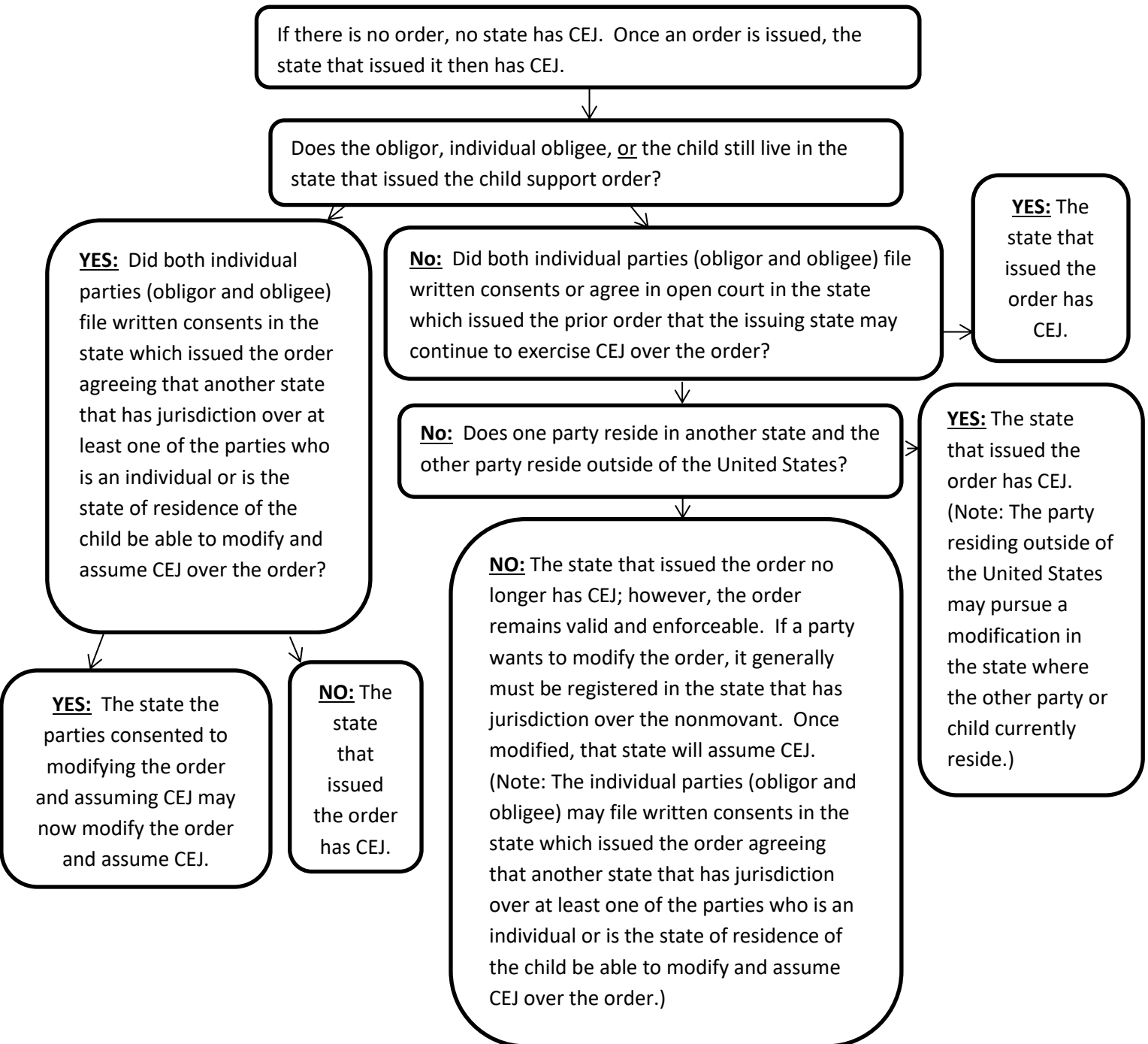
Part G: OIC Review

Instructions: To be completed by OIC only.

- ☐ **Agree with referral.** Date: [Click here to select date.](#)
- ☐ **Disagree with referral for reason listed below:** Date: [Click here to select date.](#)
 - ☐ Missed enforcement action.
 - ☐ IV-D worker failed to contact OIC as required (e.g., no PML verification or obligor is partial payor and working less than thirty hours per week). Explain: [Click here to explain.](#)
 - ☐ Other: [Click here to explain.](#)

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Attachment: Determining CEJ Under UIFSA Flowchart



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