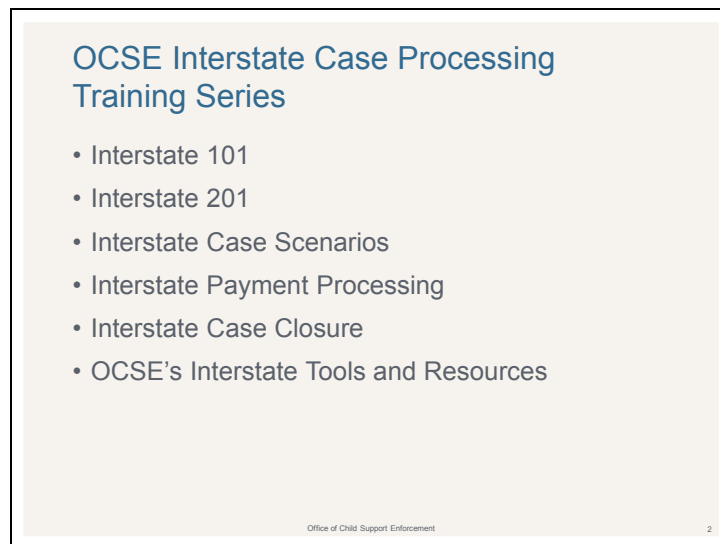


Notes:

Good afternoon and welcome! Today we are going to cover several scenarios related to topics covered in the Interstate 101 and 201 trainings. We will be referencing both federal regulations and UIFSA. Remember that UIFSA is the acronym for the Uniform Interstate Family Support Act, which all states are required to have in their state statutes. UIFSA provides uniform rules and a framework for child support cases when the parties live in different states.

We are using real state names in the scenarios to help with our discussion, but they are randomly chosen and not a comment on any state. This is a general training and your state may have additional procedures for interstate cases. We will give you an opportunity to ask questions several times during this session.

[You'll be asked to provide your response after each scenario is presented. The possible responses will appear on the right side of your screen. If you are viewing the slides in the full screen mode, you may want to exit the full screen mode so that you can view the poll and the scenario. Select your response by clicking on the button next to the answer you believe is the most appropriate and then clicking on the submit button. If you are listening as a group, provide the most popular answer in your group. After the responses are received, we will discuss each scenario. We'll be able to see how many people selected each response, but your responses are anonymous.]

A presentation slide with a light beige background and a dark border. The title "OCSE Interstate Case Processing Training Series" is at the top in blue. Below it is a bulleted list of six items. At the bottom, there is a small footer with the text "Office of Child Support Enforcement" and a small number "2".

**OCSE Interstate Case Processing Training Series**

- Interstate 101
- Interstate 201
- Interstate Case Scenarios
- Interstate Payment Processing
- Interstate Case Closure
- OCSE's Interstate Tools and Resources

Office of Child Support Enforcement 2

Notes:

These are the six training modules in this series. We have done both Interstate 101 and Interstate 201 with basic materials on the laws and processes for interstate cases.

Today's session will focus on interstate case scenarios. Future trainings include:

- Interstate payment processing
- Interstate case closure and
- Interstate tools and resources

All of these trainings are intended to complement, rather than repeat, OCSE's training on the revised intergovernmental forms and international case processing.

### Slide 3



### Notes:

Let's begin with a scenario related to receiving an application for IV-D services.

### Scenario 1

- Clarisse walks into your office in IL and says she needs child support for her two children.
- The family lived in HI when they separated but she isn't sure if there was ever a child support order.
- Howard, her ex-husband, lives in MT.

#### **What is your next step?**

- a. Establish an order, since Clarisse can't provide a copy of an order.
- b. Require Clarisse to find out if there is an order before accepting her application fee.
- c. Use QUICK or make an FCR query to determine if there is an order or a case in another state.

#### Notes:

[Trainer—Read through the scenario.]

[The poll is now open. You might notice a timer above the question with a 5 minute maximum for responses. This is a program default that can't be changed. We'll give you a maximum of 2 minutes for each question and when we see that most of you have responded, we'll close the poll.]

[As a reminder, click on the button next to a, b, or c, depending on which answer you feel is the most appropriate, and then click the submit button.]

### Scenario 1 – Response

- Clarisse walks into your office in IL and says she needs child support for her two children.
- They lived in HI when they separated but she isn't sure if there was ever a child support order.
- Howard, her ex-husband, lives in MT.

**What is your next step?**

- a. Establish an order, since Clarisse can't provide a copy of an order.
- b. Require Clarisse to find out if there is an order before accepting her application fee.
- c. **Use QUICK or make an FCR Query to determine if there is an order or a case in another state.**

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Notes:

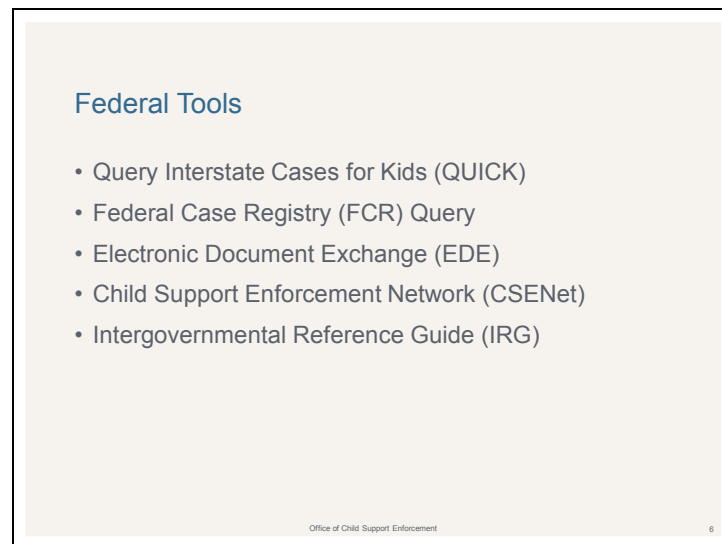
[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

Let's review the correct response. Whenever a child support agency receives an application for services, an important first step is to analyze and research the case. Before taking action on the case, it is critical to know if there was ever a child support order issued or if any other state has a case for these parties.

If you learn that an order or a IV-D case exists, you will most likely have to contact the other state's worker or Central Registry for specific information and a copy of any order that was issued.

Doing these searches before determining the appropriate action on a case can prevent potential problems. You do not want to establish an order when one already exists or enforce an order when another state is already enforcing the same order.

There are several federal tools – such as QUICK or FCR Query, as mentioned here – that help with this research. Before we move on to the next scenario, let's review these federal interstate communication tools in case you are not familiar with them.



Notes:

QUICK is the acronym for a federal tool available through the OCSE Child Support Portal called Query Interstate Cases for Kids. QUICK provides a real-time look into cases – both IV-D and non-IV-D – in other states.

Another great tool is the Federal Case Registry (FCR). An FCR query is also available on the portal. When a support order is established or a IV-D case opened, the state must send information about these activities to the Federal Case Registry. The FCR query allows you to find information on cases and orders in other states.

Electronic Document Exchange or EDE allows you to send forms and documents to other states – and receive them – through a secure system. You wouldn't use EDE to look up interstate information, but you can use it to send an intergovernmental transmittal requesting information or documents from another participating state.

The Child Support Enforcement Network (CSENet) is another communication tool that transmits information through an automated batching system.

Lastly, the Intergovernmental Reference Guide (IRG) on the OCSE website and the portal has a wealth of information on states' laws and procedures, as well as contact information. It also has information on tribes with IV-D programs and foreign countries that have joined the Hague Child Support Convention or have reciprocating agreements with the United States.

OCSE's Interstate Tools and Resources, session six of this interstate training series, is devoted to providing a more comprehensive look at these important interstate tools.

Slide 7



Notes:

Let's move on to scenarios involving the establishment of parentage and support in interstate cases.



### Scenario 2

- Martha applies for IV-D services in MD.
- Child Joseph lives in MD with Martha.
- There is no order.
- Father Roger is in GA.
- IV-D agency files child support case in MD court.

**Which of the following is *not* a basis for long-arm jurisdiction when establishing an order?**

- a. The child was conceived in MD.
- b. Roger sent money to Martha for the child while he was living in GA.
- c. Roger was in MD visiting his parents and was personally served with a summons while he was in MD.
- d. Roger filed a response with the court in MD, stating that he doesn't think he is the child's father.

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Notes:

[Trainer—Read through the scenario and ask the audience to click on the most appropriate response.]

[The poll is open. Click on the button next to the answer you feel is the most appropriate and then click the submit button.]

### Scenario 2 – Response

- Martha applies for IV-D services in MD.
- Child Joseph lives in MD with Martha.
- There is no order.
- Father Roger is in GA.
- IV-D agency files child support case in MD court.

**Which of the following is *not* a basis for long-arm jurisdiction when establishing an order?**

- a. The child was conceived in MD.
- b. Roger sent money to Martha for the child while he was living in GA.**
- c. Roger was in MD visiting his parents and was personally served with a summons while he was in MD.
- d. Roger filed a response with the court in MD, stating that he doesn't think he is the child's father.

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The only one of the four responses that cannot be used as a basis for long-arm jurisdiction under UIFSA is number two – the noncustodial parent sent money to the custodial parent while he was living in Georgia. This does not prove any minimum contact of the noncustodial parent with the forum state of Maryland, which is required to establish personal jurisdiction. However, if Roger sent money to the custodial parent to help support the child while he lived in Maryland, this would be a basis for long-arm jurisdiction.

The other three answers are facts that provide a basis for long-arm jurisdiction under UIFSA. Remember that if Roger enters a general appearance or files a responsive document – unless the response is to claim that the court does not have personal jurisdiction – he submits to the personal jurisdiction of the state.

So, if there is no basis for personal jurisdiction, what is the next step for the Maryland IV-D agency? If you are thinking that the agency should prepare and refer an interstate case to Georgia requesting establishment and enforcement of an order, you are correct. Let's review the forms that are needed.

References: UIFSA Section 201

### Federal Intergovernmental Forms for Establishment

- Child Support Enforcement Transmittal #1 – Initial Request
- Child Support Agency Confidential Information Form
- Uniform Support Petition
- General Testimony
- Personal Information Form for UIFSA § 311

If parentage needs to be determined, include:

- Declaration in Support of Establishing Parentage (for each child)

Office of Child Support Enforcement 10

Notes:

These are the federal forms Maryland will need to include to refer an interstate case for establishment:

The Child Support Enforcement Transmittal #1 – Initial Request and the Child Support Agency Confidential Information Form must both be included with any referral asking another state child support agency to open an interstate case. The Child Support Agency Confidential Information Form is intended for agency use only. Because of the personally identifiable information it contains, it should not be provided to the parties or filed with the tribunal. In many states, the Child Support Enforcement Transmittal #1 is not filed with the tribunal. However, in some states the Transmittal #1 may be filed with the tribunal and disclosed to the parties in the case, unless accompanied by a nondisclosure finding or affidavit.

The Uniform Support Petition is a legal pleading that is filed with the tribunal. The Personal Information Form for UIFSA § 311 is also filed with the tribunal, along with the petition. These forms, along with the General Testimony, may be provided to the other party in the case unless there has been a nondisclosure finding or an affidavit requesting nondisclosure of information.

If parentage needs to be determined, the agency must also include a Declaration in Support of Establishing Parentage for each child.

There are also other documents the responding agency might require, such as a copy of the child's birth certificate, the custodial parent's pay stubs and tax returns, and documentation of ongoing expenses, including child care and extraordinary medical expenses.

The resource slide at the end of this presentation, contains a link to the Intergovernmental Forms Matrix, designed to assist you in determining which forms to include with an interstate case.

### Scenario 3

- Open IV-D case in PA.
- Order issued in PA.
- Child Jesse is 18, still living with CP Florence and no longer in high school, so has reached the age of majority under PA law. Arrears are still due.
- NCP William lives in NY.
- Florence knows that the age of majority in NY is 21. She wants PA to ask NY to issue a new order so that William will owe current support until Jesse is 21. After all, she is still supporting him.

**PA should agree to do this.**

- a. True
- b. False

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Notes:

[Trainer—Read through the scenario.]

Please note that whenever we say that a specific state can or should take an action, we are referring to the IV-D agency.

[The poll is open, so enter your response and then click the submit button.]

### Scenario 3 – Response

- Open IV-D case in PA.
- Order issued in PA.
- Child, Jesse, is 18, still living with CP Florence and no longer in high school, so has reached the age of majority under PA law. Arrears are still due.
- NCP William lives in NY.
- Florence knows that the age of majority in NY is 21. She wants PA to ask NY to issue a new order so that William will owe current support until the child is 21.

**PA should agree to do this.**

- a. True
- b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The answer in this scenario is false. UIFSA prohibits a state from changing an aspect of another state's order that is not modifiable in the issuing state, which typically includes the duration of support. That means that although a state may have jurisdiction to modify an order, the duration of support remains set by the law of the state that issued the initial controlling order. In addition, UIFSA prohibits a state from establishing any further child support obligation once the child has reached the age of majority under the original order.

References:

UIFSA Section 604, 611

### Scenario 4

- Dorothy and child, age 2, live in LA.
- Scott lives in VT.
- They are not married but both signed an Acknowledgment of Paternity in LA.
- LA refers a case to VT requesting support establishment.
- Scott claims that he is not the father and should not have to pay support.

**VT can allow Scott to relitigate paternity.**

- a. True
- b. False

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Notes:

[Trainer—Read through the scenario.]

[The poll is open, click on the button next to “True” or “False” and then click the submit button.]

### Scenario 4 – Response

- Dorothy and child, age 2, live in LA.
- Scott lives in VT.
- They are not married but both signed an Acknowledgment of Paternity in LA.
- LA refers a case to VT requesting support establishment.
- Scott claims that he is not the father and should not have to pay support.

**VT can allow Scott to relitigate paternity.**

a. True

**b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The answer to this is false; Vermont does not have the authority to relitigate paternity. UIFSA states that “A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this Act.” If Scott wants to raise the issue of parentage, that must be done in Louisiana, where his parentage was established by signing the Voluntary Acknowledgment.

How the case is handled in Vermont at that point depends largely on state procedures and statutes. Many tribunals will issue a support order based on the acknowledgment. UIFSA also allows the tribunal to issue a temporary support order if the individual ordered to pay is an acknowledged father. A temporary order would allow time for resolution in the state with the acknowledgment. Some tribunals might issue a time-limited stay of the proceeding, again to allow time to resolve the issue in the state with the acknowledgment.

The important point is that Vermont cannot relitigate parentage that was established in another state.

References: UIFSA Sections 315 and 401



### Scenario 5

- Grandma Joan has custody of Sally and Rick's twins and applies for services in CO.
- There is an AL order for Rick to pay child support to Sally.
- Rick and Sally are both in CO.

**CO should establish a new order, as there is no order for Rick to pay Grandma Joan.**

- a. True
- b. False

Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to a or b and then click the submit button.]

### Scenario 5 – Response

- Grandma Joan has custody of Sally and Rick’s twins and applies for services in CO.
- There is an AL order for Rick to pay child support to Sally.
- Rick and Sally are both in CO.

**CO should establish a new order, as there is no order for Rick to pay Grandma Joan.**

a. True

**b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

While some people might believe Colorado should establish a new order with a new custodial party, this is incorrect because UIFSA prohibits the establishment of a new order when there is an existing order involving the same obligor and child.

Obviously the goal is for Grandma Joan to receive support payments. However, from the facts, we don't know if there's been a legal change of custody or if the change of physical custody is long-term. States will handle this fact pattern in different ways. Some states may be able to administratively change the payee to the Grandma. Other states may believe that the proper way to proceed is through modification. Because neither the custodial parent, noncustodial parent, or children reside in the order-issuing state (Alabama), no state has continuing, exclusive jurisdiction (CEJ) to modify the order. However, because all of the parties live in Colorado, the order can be registered there and modified, if necessary. Still other states may ask Alabama for guidance.

The important thing to remember is that Rick cannot be obligated twice for current support for the same child.

References: UIFSA Sections 401, 613



Notes:

Before we move on to a few scenarios covering interstate enforcement, are there any questions on interstate establishment?

Remember that you can submit questions using the Q&A box or over the phone. Operator, please open the phone lines now.



Notes:

Now let's talk about scenarios involving enforcement in interstate cases.

### Scenario 6

- CP Sarah lives in NV and has applied there for IV-D services.
- CP says DE issued order, but she lost it moving to NV.
- NCP Robert lives in OH.
- In its case analysis, NV sends a Transmittal #3 to DE requesting copies of the order and payment records.

**Is DE required to cooperate with this request?**

- a. Yes
- b. No

Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to “Yes” or “No” and then click the submit button.]

### Scenario 6 – Response

- CP Sarah lives in NV and has applied there for IV-D services.
- CP says DE issued order, but she lost it moving to NV.
- NCP Robert lives in OH.
- In its case analysis, NV sends a Transmittal #3 to DE requesting copies of the order and payment records.

**Is DE required to cooperate with this request?**

- a. Yes
- b. No

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The correct answer is yes, Delaware must cooperate with the request received on the Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery. As we talked about in Interstate 201, federal regulations require states to cooperate with each other and provide assistance in certain types of limited services requests. These are:

- Quick locate
- Service of process
- Assistance with discovery and genetic testing
- Teleconferenced hearings
- Administrative reviews
- High-volume automated administrative enforcement
- Copies of court orders and payment records

In the spirit of cooperation and to ensure success in interstate cases, states are encouraged to honor requests for other types of limited services.

References: 45 CFR 303.7

### Scenario 7

- Ruth lives in AK with her 3 children and applies for IV-D services there.
- Father Howard lives in CA.
- AK divorce includes child support order.

**If AK refers a IV-D case to CA to register and enforce the order, can CA reject the case because AK could have enforced the order directly?**

- a. Yes
- b. No

Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to “Yes” or “No” and then click the submit button.]

### Scenario 7 – Response

- Ruth lives in AK with her 3 children and applies for IV-D services there.
- Father Howard lives in CA.
- AK divorce includes child support order.

**If AK refers a IV-D case to CA to register and enforce the order, can CA reject the case because AK could have enforced the order directly?**

- a. Yes
- b. No**

### Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The answer to this is no, California cannot reject the case even if they believe that Alaska could have enforced the order through direct income withholding. Remember that this is a decision that the initiating state makes based on the facts of the case.

### References:

45 CFR 303.7



### Scenario 8

From the previous scenario, AK refers a IV-D case to CA to register and enforce the order.

**CA must register the order with the court.**

- a. True
- b. False

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Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to “True” or “False” and then click the submit button.]

### Scenario 8 – Response

From the previous scenario, AK refers a IV-D case to CA to register and enforce the order.

**CA must register the order with the court.**

- a. True
- b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

This is false. California, as the responding state, will make the decision whether to register the order or enforce it administratively. This is allowed under UIFSA, which, in fact, states that the support enforcement agency “shall consider and, if appropriate, use” any administrative procedure authorized by state law. However, if the noncustodial parent contests administrative enforcement or if the agency decides a judicial enforcement proceeding is more appropriate, the agency must register the order with the appropriate tribunal.

References:

UIFSA Section 507

### Federal Intergovernmental Forms for Registration and Enforcement of Another State's Order

- Child Support Enforcement Transmittal #1 – Initial Request
- Child Support Agency Confidential Information Form
- Letter of Transmittal Requesting Registration

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Notes:

When referring a IV-D case asking a state to enforce another state's order, you must include these required federal forms – the Child Support Enforcement Transmittal #1 – Initial Request, the Child Support Agency Confidential Information Form, and the Letter of Transmittal Requesting Registration.

In this situation, you must also include two copies (one certified) of the order, including any modification of the order, and any payment histories or arrears affidavits.

### Scenario 9

From the previous scenario, CA is enforcing the AK order at the request of AK.

**Which one of these enforcement remedies is *not* an appropriate option for CA?**

- a. Income withholding
- b. Driver's license suspension
- c. Certification for federal tax refund offset
- d. Credit bureau reporting of unpaid amount

Notes:

[Trainer—Read through the scenario.]

[Again, click on the button next to the answer you feel is the most appropriate and then click the submit button.]

**Scenario 9 – Response**

From the previous scenario, CA is enforcing the AK order at the request of AK.

**Which one of these enforcement remedies is *not* an appropriate option for CA?**

- a. Income withholding
- b. Driver's license suspension
- c. Certification for federal tax refund offset**
- d. Credit bureau reporting of unpaid amount

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

In an interstate case, the responding agency is responsible for most of the enforcement actions. Federal regulations require the responding agency to process and enforce orders referred by an initiating agency using remedies it would apply in its own intrastate cases. The exception is that the initiating state is responsible for submitting the case for federal tax refund offset.

Communication between caseworkers is critical to ensure that these remedies are used appropriately and that both states understand the actions of the other state to avoid duplicative enforcement actions.

References:

45 CFR 303.7

### Scenario 10

- SD receives a referral from MN to register and enforce a MN order.
- SD sends Notice of Registration to NCP.

**Which of the following is *not* a defense to registration of the order?**

- a. Issuing tribunal lacked personal jurisdiction over NCP
- b. Order was obtained by fraud
- c. Monthly obligation of support order is too high
- d. Full or partial payment has been made

Notes:

[Trainer—Read through the scenario.]

[Again, click on the button next to the answer you feel is the most appropriate and then click the submit button.]

### Scenario 10 – Response

- SD receives a referral from MN to register and enforce a MN order.
- SD sends Notice of Registration to NCP.

**Which of the following is *not* a defense to registration of the order?**

- a. Issuing tribunal lacked personal jurisdiction over NCP
- b. Order was obtained by fraud
- c. Monthly obligation of support order is too high**
- d. Full or partial payment has been made

### Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

UIFSA details the valid defenses when contesting the registration of an order. The only one in this list that cannot be used as a defense is that the monthly obligation of the support order is too high. If the issuing state had jurisdiction to enter the order, no substantive part of the order, such as the monthly obligation, can be contested during registration.

The noncustodial parent can, of course, request a modification of the order, especially if his or her circumstances have changed. However, the modification request must be made in a state with jurisdiction to modify the order.

### References:

UIFSA Section 607

### Scenario 11

- ID is enforcing its order issued in 2012 for CP Marti and NCP Rusty.
- ID central registry receives a case from AZ with a request to enforce a 2015 AZ order for the same parties.
- Rusty lives in ID.
- Marti lives in AZ.

**ID should:**

- a. Return the interstate packet and tell AZ that their order is void.
- b. Inform AZ about the ID order and request their assistance in having their court vacate the AZ order.
- c. Open the interstate case but enforce the ID order, as the AZ order is void.

Notes:

[Trainer—Read through the scenario.]

[Click on the button next to the answer you feel is the most appropriate and then click the submit button.]



### Scenario 11 – Response

- ID is enforcing its order issued in 2012 for CP Marti and NCP Rusty.
- ID central registry receives a case from AZ with a request to enforce a 2015 AZ order for the same parties.
- Rusty lives in ID.
- Marti lives in AZ.

**ID should:**

- a. Return the interstate packet and tell AZ that their order is void.
- b. Inform AZ about the ID order and request their assistance in having their court vacate the AZ order.**
- c. Open the interstate case but enforce the ID order, as the AZ order is void.

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

Both the Full Faith and Credit for Child Support Orders Act (FFCCSOA) and UIFSA prohibit the establishment of a new order if a valid order already exists. This sometimes occurs in interstate cases, though, as a second order might be established by an agency or court that has no knowledge of the first order. The key to preventing this situation is a thorough investigation at the time a case is opened to identify the existence of an order or a IV-D case in another state.

The correct answer here is that the Idaho central registry should contact Arizona to discuss the issue and request their assistance in having their court vacate the Arizona order. A tribunal must make the determination on the validity of a subsequent order, not the IV-D caseworker. There might also be other facts that they aren't aware of; for example, the parties were both in Arizona and the Arizona order is actually a modification of the Idaho order.

As with all areas of interstate case processing, communication is the key to success, and the goal is to provide support for the children.

References: UIFSA Section 401

28 U.S.C. 1738B – Full Faith and Credit for Child Support Orders Act



Notes:

Before we move on to modification, are there any questions on interstate enforcement?

Remember that you can submit questions using the Q&A box or over the phone. Operator, please open the phone lines now.



Notes:

This leads us into scenarios related to interstate modification.

### Scenario 12

- CP Mary has a TN support order.
- Mary still resides in TN with the children, applies for IV-D services, and requests a modification.
- NCP Alex resides in OK.

**TN should:**

- a. Proceed with modification of its order since Mary resides in TN.
- b. Refer a IV-D case for modification to OK, since Alex is there and OK is the non-requesting party's state.
- c. Tell Mary she must apply in OK, as TN cannot modify the order.

Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to the answer you feel is the most appropriate and then click the submit button.]

### Scenario 12 – Response

- CP Mary has a TN support order.
- Mary still resides in TN with the children, applies for IV-D services, and requests a modification.
- NCP Alex resides in OK.

**TN should:**

- a. Proceed with modification of its order since Mary resides in TN.**
- b. Refer a IV-D case for modification to OK, since Alex is there and OK is the non-requesting party's state.
- c. Tell Mary she must apply in OK, as TN cannot modify the order.

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

The correct answer is that Tennessee should process the request for modification because Mary lives in Tennessee at the time of the request. Let's review the rules of CEJ for a moment. When a modification is requested, you must determine which state has CEJ to modify. The first question to ask yourself is – do any of the parties or the children live in the order-issuing state? If that answer is yes, as it is in this scenario, that state has CEJ to modify the order, absent a consent filed with the order-issuing tribunal for another state to modify the order and assume CEJ.

If the parents and child live in states other than the order-issuing state, that state no longer has CEJ with one exception. The parties can consent to the order-issuing state retaining jurisdiction to modify the order.

References:

UIFSA Section 205

### Scenario 13

- CP Randolph and child Rudolph live in TX.
- Child support order was issued by CO.
- No IV-D agency enforcing.
- NCP Suzanne lives in NE and applies for services in NE to request a modification.

**NE should:**

- a. Register and modify the CO order, since the NCP requested it.
- b. Establish a new order, since none of the parties now lives in CO.
- c. Tell the parties they have to get the modification done privately, since CO has no IV-D case.
- d. Refer an interstate case for registration and modification to TX since that is where the other party resides.

Notes:

[Trainer—Read through the scenario.]

[Click on the button next a, b, c, or d and then click the submit button.]

### Scenario 13 – Response

- CP Randolph and child Rudolph live in TX.
- Child support order was issued by CO.
- No IV-D agency enforcing.
- NCP Suzanne lives in NE and applies for services in NE to request a modification.

**NE should:**

- a. Register and modify the CO order, since the NCP requested it.
- b. Establish a new order, since none of the parties now lives in CO.
- c. Tell the parties they have to get the modification done privately, since CO has no IV-D case.
- d. Refer an interstate case for registration and modification to TX since that is where the other party resides.**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

If no one lives in the order-issuing state and there is no consent for the order-issuing state to retain CEJ, the modification must be requested in the non-requesting party's state, called the "play away rule." Nebraska must refer an interstate case to Texas to register and modify the Colorado order. When there is an existing support order, UIFSA prohibits entry of a new order. It certainly is not appropriate to tell the parties that they have to obtain the modification on their own.

References:

UIFSA Section 611

### Federal Intergovernmental Forms for Registration and Modification of Another State's Order

- Child Support Enforcement Transmittal #1 – Initial Request
- Child Support Agency Confidential Information Form
- Uniform Support Petition
- General Testimony
- Personal Information Form for UIFSA § 311
- Letter of Transmittal Requesting Registration

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Notes:

This slide lists the federal forms needed for Nebraska to refer a IV-D case to Texas for registration and modification of another state's order. They are:

- Child Support Enforcement Transmittal #1 – Initial Request
- Child Support Agency Confidential Information Form
- Uniform Support Petition
- General Testimony
- Personal Information Form for UIFSA § 311
- Letter of Transmittal Requesting Registration

Note the need for the additional form titled Letter of Transmittal Requesting Registration, since the order must be registered prior to being modified.

UIFSA also requires two copies, one certified, of the order to be registered and any modification of that order, as well as a sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage.

Again, there are other documents the responding agency might require, such as the noncustodial parent's pay stubs and tax returns and proof of any changed circumstances that may be the basis for the modification request.





### Scenario 14

In the previous scenario, TX modifies the CO order.

**This changes the duration of support from 19 under CO law to 18 under TX law.**

- a. True
- b. False

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Notes:

[Trainer—Read through the scenario.]

[Click next to “True” or “False” in the poll and submit.]

**Scenario 14 – Response**

In the previous scenario, TX modifies the CO order.

**This changes the duration of support from 19 under CO law to 18 under TX law.**

- a. True
- b. False**

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

This statement is false. Remember that the duration of support is set by the law of the state that issued the original controlling order. No matter how many different states modify that order, the duration of support will continue to follow Colorado law.

Information about each state's duration of support, or age of majority, can be found on the IRG.

References:

UIFSA Sections 604, 611

### Scenario 15

- CP Sheldon and his 2 children live in OR.
- NCP Cindy is in WA.
- At OR's request, WA is enforcing an OR order issued 1 year ago.
- Sheldon requests a modification from the OR IV-D agency because Cindy has received a promotion at work.

**OR should:**

- a. Refer an interstate IV-D case for modification to WA, as that is the non-requesting party's state.
- b. Review the case for modification in OR.
- c. Deny the request, as it hasn't been 3 years since the order was issued.

Notes:

[Trainer—Read through the scenario.]

[The poll is open. Click on the button next to the answer you feel is the most appropriate and then click the submit button.]

### Scenario 15 – Response

- CP Sheldon and his 2 children live in OR.
- NCP Cindy is in WA.
- At OR's request, WA is enforcing an OR order issued 1 year ago.
- Sheldon requests a modification from the OR IV-D agency because Cindy has received a promotion at work. .

**OR should:**

- a. Refer an interstate IV-D case for modification to WA, as that is the non-requesting party's state.
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- c. Deny the request, as it hasn't been 3 years since the order was issued.

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Notes:

[Trainer – After the poll closes, comment on the responses and the percentage of correct responses.]

As we talked about in a previous scenario, since Sheldon and the children still live in the order-issuing state (Oregon), then Oregon is the state with CEJ to modify the order. The other important point here is that a party's request for a modification is sometimes incorrectly denied by the IV-D agency if the order was issued less than 3 years ago. Federal regulations provide that if there is a change in circumstances, a modification may be warranted, depending on the thresholds set by the state with jurisdiction to modify the order. For example, some states require at least a 10% change in the monthly support obligation in order to modify the order. Others may have higher or lower thresholds.

A common error in interstate cases is thinking a modification request must always be sent to the non-requesting party's state. Remember that the play-away rule only applies if there is no state with CEJ. It is important for Oregon to keep Washington informed about the modification and provide the new order if the previous order is modified.

References: UIFSA Section 205

### Interstate Resources

- [OCSE Website](#)
- [Interstate Case Processing Training](#)
- [Code of Federal Regulations, Title 45, Part 303.7](#)
- [UIFSA 2008](#)
  - Specifically Sections 201, 205, 315, 401, 507, 604, 607, 611, 613
- [AT-17-07 – Interstate Payment Processing](#)

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Notes:

These are links to resources that you may find helpful in processing interstate cases.

The OCSE website has a wealth of information for you.

The Code of Federal Regulations, Title 45, Part 303.7 is specifically about interstate cases.

Every state has UIFSA in its state statutes and it is best to access your own state's statutes, but we have provided a link to a copy of UIFSA. In this training, we have covered scenarios related to Sections 201, 205, 315, 401, 507, 604, 607, 611, and 613.

The final link is to the Action Transmittal on interstate payment processing.

### Interstate Resources – Forms

- [Federal Intergovernmental Forms](#)
- [Federal Intergovernmental Forms Training](#)
- [Intergovernmental Forms Matrix](#)

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Notes:

These are resources related to the federal intergovernmental forms.

The forms and training on the forms, as well as the Forms Matrix, are on the OCSE website.

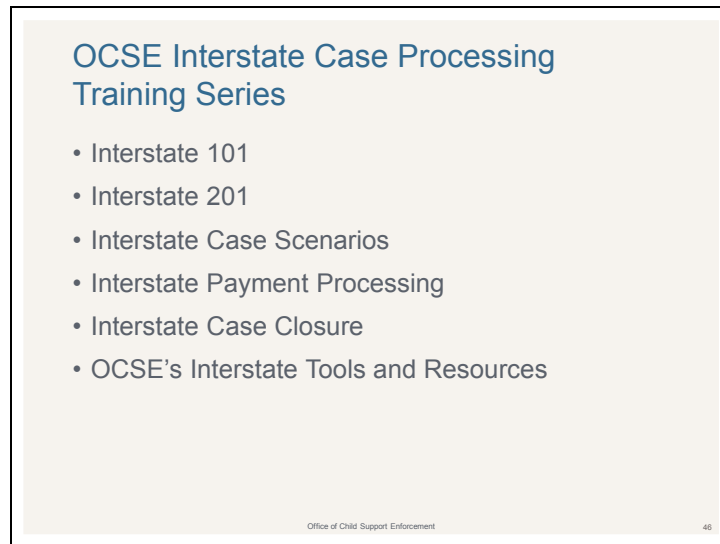


Notes:

We have time now for a few more questions on any of the topics we have discussed.

Remember that you can submit questions using the Q&A box or over the phone. Operator, please open the phone lines now.



A presentation slide with a light beige background and a black border. The title "OCSE Interstate Case Processing Training Series" is at the top in blue. Below it is a bulleted list of six items. At the bottom, there is a small footer with the text "Office of Child Support Enforcement" and the number "46".

**OCSE Interstate Case Processing Training Series**

- Interstate 101
- Interstate 201
- Interstate Case Scenarios
- Interstate Payment Processing
- Interstate Case Closure
- OCSE's Interstate Tools and Resources

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Notes:

This concludes our Interstate Scenarios training. We have 3 more interstate training sessions for you.

OCSE will post the recordings and PowerPoints—including trainer notes—from all these sessions on the OCSE website for your future use and to share with colleagues.



Notes:

Thanks so much for participating. Please use the email on this slide to send additional questions.