

# Child Support Report

Vol. 37 No. 10 December 2015

## COMMISSIONER'S VOICE


**VOICE | BLOG**

## Another busy year

This year is the child support program's 40<sup>th</sup> anniversary. For four decades, the program has fostered a culture of performance, innovation, and change. When I talk with child support professionals across the country, I hear a strong commitment to service, a deep engagement in the daily work of the program, and a willingness to do what it takes to accomplish our mission: collecting child support for children. We are always trying to do better. I think the phrase I hear most often from child support employees is that "The work is never boring!"

And indeed, it is not, for we are in the business of helping families succeed. Change has been our constant theme. Changes in the family structure, job market, and customer demographics since 1975 have required us to steadily adapt our services to the realities of today's diverse families. From the beginning, we've looked to changing technologies for more effective and efficient processing of our caseloads. But behind the technologies, behind the dollars, behind the performance numbers are real families, families struggling to make ends meet, families trying to keep it together, families who are doing their best to raise their children.

National Public Radio ran three stories in November that provide a good backdrop for understanding program change. [How America's Child Support System Failed to Keep Up with the Times](#) gives a historical perspective, summarizing child support's challenges with the social changes occurring in the country in the last 40 years. Two other NPR articles focus on child support debt, explaining the reasons for billions of dollars in accrued arrears and how the Administration's proposed rule can help minimize future accruals through realistic, right-sized orders. See [Child support in the news](#) on page 10.

Family mobility across state, tribal, and international borders requires even stronger coordination with other jurisdictions. With the expansion of our intergovernmental workload, [Putting the "Uniform" back in UIFSA](#) chronicles efforts to strengthen interstate and international case processing with a common set of operating guidelines.

As the program evolved from a welfare cost-recovery model to one of the most significant income support programs for families, child support professionals have shifted their service mindset. We now strive for a more individualized approach, deploying a range of tools and strategies to "enforce, engage, and enable," so that we do not leave any families behind. Our goal is to help all children receive the support and care they need from their parents. And it's working. Our success at change management is a win-win for children, families, and agencies.

*(continued)*

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COMMUNICATION STRATEGIES

 for **COURTS**


The Center for Court Innovation has a new report, [Procedural Justice: Practical Tips for Courts](#). Perceived fairness may increase compliance with court orders.

Are you using these strategies in your court?



Jan 15 - Last day to [enroll or change plans](#) for coverage to start Feb 1.

Jan 31 - Open enrollment for 2016 coverage ends.

Subscribe to the *Child Support Report*. Sign up on the newsletter homepage



Be sure to read the first article in a new four-part change management series, [Do healthy families initiatives conflict with performance measures?](#) In this series, retired Oklahoma director Gary Dart explores the impact of “Healthy Families” principles on the five federal child support program indicators. He explains how an approach that aims for the best possible outcomes for each case can also “reward” agencies with performance incentives. All of the articles in the change management series are available on our [Managing Change in the Child Support Program web page](#).

While diversifying the program’s service delivery approaches, we are also experiencing change in the physical workplace. Staff turnover, leader successions, telework, consolidated offices, and different office layouts are just a few of the adjustments we are making in our daily work lives. OCSE’s recent moves to smaller, redesigned spaces give us a real appreciation of how environmental changes can affect the way we think and work.

After 40 years of service, you continue to dedicate yourselves to better serving our child support customers, one person at a time. As we move into the future, we’ll continue to learn and use the evidence of “what works” to improve the program. Thank you for your commitment and hard work. Happy 40<sup>th</sup> anniversary!

Vicki Turetsky

## Territory launches mobile app in Spanish

The Puerto Rico Administration for Child Support (ASUME) has launched a Spanish-language application that the public can download from the [Apple App Store](#), or [Google Play](#). The app is a user-friendly tool customers can use to easily obtain services.

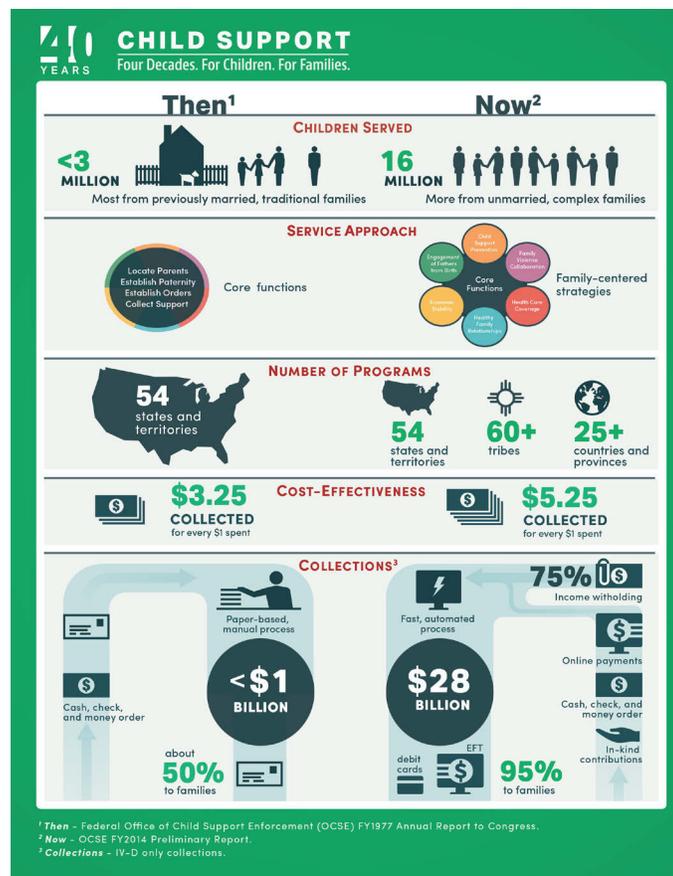
Through the app, registered users can:

- make child support payments online,
- verify payments have been made and received,
- track balances,
- request individual or employer certifications,
- make a rough guideline calculation of a child support payment, and more.

The app will also send notifications and alerts for customers who choose this option.

ASUME services over 227,000 cases. In fiscal year 2014, the administration collected and distributed almost \$335 million in child support. The Spanish-language application and other technology helped ASUME become the nation’s third most cost-effective child support agency.

For additional information, watch this [video about the application](#) or visit the [ASUME website](#).



Child support has come a long way in the last 40 years. This [infographic](#) highlights several significant milestones the program has achieved and the changes that have occurred through the years. Visit our [researchers page](#) for state and tribal child support agency data. Our annual [reports to Congress](#) highlight program achievements and statistics.

## Putting the ‘Uniform’ back in UIFSA

Margaret Campbell Haynes, *Center for the Support of Families*

Child support cases can be difficult enough, but when the parents live in different states or countries, the cases can get quite complicated. The Uniform Law Commission (ULC) first developed the Uniform Interstate Family Support Act (UIFSA) in 1992 to replace the prior model law governing interstate support cases. The ULC wanted to end the practice of courts issuing new orders every time a noncustodial parent moved. Instead, they wanted to ensure there would be only one order in a case controlling current support.

The ULC amended UIFSA in 1996. That same year the [Personal Responsibility and Work Opportunity Reconciliation Act](#) (PRWORA) required that all states adopt UIFSA 1996 as a condition of receiving federal child support funds. The ULC amended UIFSA again in 2001. Some states received an exemption from OCSE to enact those amendments while other states chose not to enact UIFSA 2001. As a result, states have been processing intergovernmental cases under different UIFSA versions. Soon, under UIFSA 2008, all states will be using the same rules.

*Child support cases can be difficult enough, but when the parents live in different states or countries, the cases can get quite complicated*

### Relationship of international and UIFSA 2008

Starting in 2003, more than 70 countries held a series of meetings in The Hague, Netherlands, to forge a new [Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance](#). There was consensus among U.S. participants that the best way to implement the terms of the treaty in the United States would be through UIFSA 2008 (see [Information Memo \(IM\) 15-01 Uniform Interstate Family Support Act \(2008\) and Hague Treaty Provisions](#)). When the convention concluded in 2007, the ULC formed a new UIFSA Drafting Committee to integrate the treaty into state law, but not revise

*As of December 22, 52 of 54 states and jurisdictions have enacted or passed UIFSA 2008*



UIFSA 2001 in any substantive manner. The Drafting Committee developed a new Article 7 to implement the 2007 Hague Child Support Convention. UIFSA 2008 also amended some existing definitions and added new ones, changed some modification provisions related to international support cases, and limited direct income withholding to state support orders and income withholding orders.

In 2014, the [Preventing Sex Trafficking and Strengthening Families Act](#) authorized U.S. ratification of the treaty. It also required states to enact UIFSA 2008 within a certain timeframe as a condition of receiving federal child support funds. As of December 22, 52 of the 54 states and jurisdictions have enacted or passed UIFSA 2008. The two remaining jurisdictions anticipate enactment by April 1, 2016. Once all jurisdictions have enacted UIFSA 2008, the United States can ratify the Hague Convention. IM-15-01 has details about the implementation process.

## Below are the major provisions within UIFSA 2008 that affect intergovernmental case processing.

### Modification jurisdiction

UIFSA limits modification jurisdiction to the state with continuing, exclusive jurisdiction. A state has continuing, exclusive jurisdiction if it has issued an order and the obligor, individual obligee, or child resides there.

UIFSA contains two exceptions to continuing, exclusive jurisdiction:

- Parties can consent to have the issuing state modify its order, even though no one lives there. This will help residents of bordering states who have an order from one jurisdiction but now live in another.
- A state retains jurisdiction to modify its own order — even if no one lives in that state — if one party resides in a different state and the other party resides outside the United States. This means that a U.S. resident continues to have a U.S. forum to hear the modification request.

UIFSA also provides a U.S. forum for modification of a foreign order. For example, even if a country has continuing, exclusive jurisdiction under UIFSA rules, if the other country cannot or will not modify its order under its laws, a U.S. state can modify that foreign order.

### Improved evidentiary provisions

UIFSA requires a tribunal to allow a nonresident party or witness to testify by telephone, audiovisual means, or other electronic means at a location designated by the tribunal.

### Change in the payment location

One of UIFSA's goals is to expedite support payments to a relocated custodial parent while ensuring an accurate accounting record. When everyone has left the state that issued the controlling order, UIFSA allows — but does not require — a support enforcement agency to request a change in the payment location to a support enforcement agency in the state now providing child support services to the obligee.

### Direct income withholding

A U.S. employer is no longer required to honor a foreign income withholding order sent directly from a foreign country.

### International cases

Under UIFSA 2008, a state legislature can choose between two alternatives for providing services in international cases:

- The support enforcement agency must, upon request, provide services to any petitioner, regardless of where the petitioner lives; or
- The support enforcement agency must provide services to a petitioner who requests services through a Central Authority of a Hague Convention country or a country with which the U.S. has a bilateral agreement. The agency may exercise discretion regarding whether it provides services to a petitioner who (1) lives in a Hague Convention country or a bilateral country but does not request services through a Central Authority, or (2) lives in a country that is not a Convention country or bilateral country.

*For information on UIFSA or international case processing, contact Anne Miller at [anne.miller@acf.hhs.gov](mailto:anne.miller@acf.hhs.gov).*

### Proposed intergovernmental forms

OCSE convened a federal-state work group in 2014 to study options for revising the current intergovernmental forms. In its discussions, the group had three goals:

- 1 Ensure compliance with UIFSA 2008;
- 2 Address modern family structures, such as parents in a same-sex marriage; and
- 3 Balance the need to update the forms with the impact any change may have on state and federal systems.

In August 2015, OCSE issued proposed new intergovernmental forms and revisions to current forms through this [Notice of Open Comment Period – Standard](#)

[Intergovernmental Forms](#). OCSE is reviewing the correspondence it received during the 60-day comment period and will issue final forms in 2016.

Once all states have enacted UIFSA 2008 and the U.S. has ratified the Hague Maintenance Convention, there will be standard procedures for processing intergovernmental cases. Such procedures will result in more U.S. children obtaining financial support, regardless of where their parents live; improved efficiency and timeliness; and an expansion of the number of countries that will recognize and enforce U.S. child support orders.

## Do healthy families initiatives conflict with performance measures?

Gary W. Dart, retired director, *Oklahoma Child Support Services*

*Editor's Note: This is the first article adapted from a four-part Change Management series that explores the impact of Oklahoma's "Healthy Families" principles on the five federal child support program performance indicators. Guest author Gary Dart wrote the original series for the Oklahoma Child Support Services newsletter before his retirement.*



Not long ago, one of my staff asked the question, "Aren't there competing interests in reference to implementing 'Healthy Families' versus meeting performance measures and audit requirements?" Another person was more direct, "We don't have time for all this

'Healthy Families' stuff; they are not child support activities anyway. We just want to enforce orders and collect money."

I think a lot of people wonder about this conflict so it's an issue well worth exploring.

Oklahoma has discussed many ways of getting better performance results and OCSE has elaborated on how we can work through community partners to accomplish all the things we can't do directly with federal child support funds (see [Policy Interpretation Question 12-02, Partnering with other programs, including outreach, referral, and case management activities](#)). So what about the notion that we are hurting our performance measures by spending time on "Healthy Families" concerns?

Let's talk about it, but let's define what we mean first. When we say "Healthy Families," we use that phrase to describe the whole body of ideas that will hopefully help increase customer understanding of the program and their buy-in, make support more dependable, and give children the best chance of growing up with more of their needs met even if they do not live in a two-parent home. In the Oklahoma Child Support Services Strategic Plan, we say these are "outcomes" that we want to create for our customers and our program, but how do they align with the federal performance measures?

### Outcomes and performance incentives

State child support programs have five federal performance measures that are tied to incentives that states can earn. For Oklahoma, incentives account for about 10 percent of our budget. We share our performance numbers with the public and our parent agency and OCSE publishes them in the [annual reports to Congress](#). Although these

measures do not account for very much of our funding, they are the only indicators so far of how well we deliver child support services. I say "so far" because eventually we will have ways to measure the immediate, short-term, and longer-term outcomes that we help families achieve.

For now, what about the question that our staffer proposed: if we focus on doing things that give children in our caseload the best long-term outcomes instead of just giving all of our attention to "moving the needles" on our federal performance measures, will we be hurting ourselves and our program in the process? In this and future issues of the *Child Support Report*, let's look at each of the measures and how they would fare if we focus on "Healthy Families" principles in our work. We'll start with Current Support.

### Part one: Current support

This one is a no-brainer. Regular, reliable, dependable, current support is the ultimate goal of all that we do in the context of seeking "Healthy Families". The Current Support performance measure is the percentage of current support that is paid. It is determined by comparing the amount of current support that is paid to the amount of current support that is due in our caseload; it is not figured on the total dollars collected. As such, anything we do to make current support more regular will ensure we improve this federal performance measure and achieve our goal of dependable income for children.

To the extent that our goal of "Healthy Families" leads us to setting more individualized orders based on the particular circumstances of the parties — instead of using imputed income constantly — we should see that orders become more realistic and affordable. This should lead to more current support being paid of what is due. In addition to using actual income and justified guideline deviations when they are appropriate to achieve "right-sized orders," we have other tactics we should use.

We should work with customers through settlement conferences, provide child support information resources, and send predictive dialing reminders to help reduce defaults and increase customer buy-in. Intervening early when customer circumstances change will keep current support realistic. Resources from our Employer Services Center should help employers minimize mistakes and delays. For those who have problems in areas outside of our control, we can ask our Court Liaison for assistance. Help from community partners may also remove impediments to reliable support payments. All told, whatever we can do to make current support orders "correct" and affordable, as well as increase customer buy-in and understanding, should help both our performance measure and the futures of those we serve.

Our "Healthy Families" project is all about outcomes, and the best possible outcome is to make current support regular, reliable, and dependable for Oklahoma's children. Making

orders “right-sized” just means that we want them to be realistic and affordable, so that income withholding orders become second nature to both noncustodial parents and their employers. It shouldn’t matter whether we are making single orders or collaborating with other offices so that all affected families share equitably in the maximum amount that an obligor can afford to pay under the law. We have to make individualized decisions based on the particular circumstances of the parties because it’s our best way to help parents succeed. When they succeed, we all do and our performance measures will reflect that success.

Tune in next month for my thoughts on applying “Healthy Families” principles to Support Order Establishment.



NYC child support program Executive Deputy Commissioner Frances Pardus-Abbadessa gives closing comments.



Young parents who work as peer educators in NYC’s ‘No Kidding: Teen Pregnancy Prevention’ program stand with panelists and officials.



## COMMUNITY PERSPECTIVE

# NYC child support focuses on helping young families

Judi Albury, OCSE

Representatives of over 120 different organizations came together in Manhattan on October 6, 2015, for the latest in a popular series of policy conferences sponsored by the New York City (NYC) Office of Child Support Enforcement. This year’s conference, “Child Support: Forging Positive Partnerships with Young Families,” was co-sponsored by the City University of New York’s School of Professional Studies. The planners broke new ground by asking attendees to think of ways the NYC child support program could better serve young families, those headed by parents between 18 and 24 years old.

“There’s been a lot said about families, but not a lot of focus on young families,” said NYC Human Resources Administration (HRA) Commissioner Steven Banks in his opening remarks. As Lisa Fitzpatrick, HRA’s chief program officer, explained, “At the end of the day, it’s about the children, and how we can help forge a bond between parents and help break the cycle of poverty.”

A panel discussion on the challenges facing young parents featured four custodial and noncustodial parents and a subject matter expert from a NYC Department of Education program that provides early childhood education to the children of student parents. The discussion was so lively and honest that the audience gave the panel a standing ovation.

Three of the young parents also joined a representative of the Youth Development Initiative on a second panel. They discussed the practical application of some of the ideas conference attendees developed during breakout sessions, such as expanding alternatives to

court. Participants agreed that young families are more likely to be engaged when programs recognize their strengths. NYC child support program Executive Deputy Commissioner Frances Pardus-Abbadessa summed it up this way, “Meeting young people where they are now can help them have long-term success with the program and have better outcomes for their children.”

*For more information about the conference, contact Judi Albury at [judith.albury@acf.hhs.gov](mailto:judith.albury@acf.hhs.gov).*



## North Dakota's employer tutorial

Lee Bjerklie, *North Dakota Child Support Division*

In 2014, with North Dakota's economy booming and many new businesses starting up, the Child Support Division wanted to make sure employers knew what is required of them. We launched a web-based [tutorial for employers](#) in September 2014 to make it easy for them to learn the rules and comply with the requirements.

The [Employer Tutorial](#) — a slide presentation with audio — provides a general overview of child support and step-by-step instructions for conducting business with our office. The information is available in six different modules.



Each one can stand alone so employers can review a single module at a time. The programs allow them to advance through the material at their own pace and they can go back to previously reviewed material at any time.

The division has heard positive comments from the employer community, including one person who indicated the screenshots in the tutorial were particularly helpful when the employer changed from paper to electronic new hire reporting.

A significant number of employers are reporting new hires and remitting payments electronically even though state law only requires larger employers (those with 25 or more employees) to do so. Currently, 95 percent of new hires are reported electronically and almost 55 percent of payments are remitted electronically. Consistently high compliance rates show that the tutorial successfully reached the intended audience, even when the number of businesses increased significantly.

We even saw a side benefit. Thanks to the tutorial, CSD receives fewer calls from employers with questions.

In North Dakota, we see our relationship with employers as a partnership so employer education is a priority. We believe that when they know the requirements, the vast majority will comply and support our mission to help families.

For further information, contact Sam Witkowski at [sewitkowski@nd.gov](mailto:sewitkowski@nd.gov) or 701-328-7528.

## County outreach efforts garner award

Chris Gaal, Prosecutor, *Office of the Monroe County Prosecuting Attorney*

The Monroe County, Indiana, Child Support Division staff has had a busy year looking for and implementing new ways to improve and expand its child support services. The work has not gone unnoticed. In October, the program received an award for "Outstanding Outreach Efforts" from the Indiana Department of Child Services Child Support Bureau.

To pursue child support payments in difficult cases more effectively, the program has been supplementing traditional enforcement with a more community-based and family-centered approach over the past few months. In October, they held a ribbon cutting to welcome the public to its new facility. "What we hope to achieve, and what the research indicates, is that approaches that involve the community can actually lead to an increase in collections in many of those difficult cases where the traditional approach fails and is not effective," says Amy Colgan Clark, the new supervising deputy in child support.

This spring, the *Child Support Report* will feature articles about the county's improvement initiatives as well as an update on its Parenting Time Opportunities for Children grant work. Until then, the staff has several [press releases on its website](#). It also has a [YouTube announcement](#) explaining its new community partnerships for job training and employment assistance as well as mental health and addiction treatment.

For more information, contact Chris Gaal at [cgaal@co.monroe.in.us](mailto:cgaal@co.monroe.in.us).



Monroe County child support division staff help cut the ribbon at the opening ceremony of their new family-centered facility.

## COLLECTION SUCCESSES

# Pilot study: Improving new hire reporting

Lynnetta Thompson, OCSE

OCSE and seven state child support agencies launched the New Hire Reporting Compliance Pilot this summer. The pilot targets employers who might not be reporting new hires. It tests whether employers are more likely to respond to the federal office of child support enforcement versus the state child support office when contacted about their non-compliance in reporting new hires.

## Method

OCSE compares two sequential quarterly wage records on the National Directory of New Hires (NDNH). Employees listed in the later quarter, but not found in the earlier quarter, are considered *possible* new hires. These new hires are compared to 24 months of new hire records on the NDNH. If the employer did not report those individuals as new hires, then the employer is considered *potentially* non-compliant in reporting new hires.

Over the summer, OCSE mailed approximately 600 letters to employers identified through the quarterly wage/new hire comparison. The letter says the employer appears to be non-compliant based on a comparison of quarterly wage records and New Hire data reported to the State Directory of New Hires (SDNH). The letter urges the employer to report new hires to the SDNH.

## Results

Although results from the pilot are not available because the pilot ended November 30, OCSE has already received positive feedback from states. South Dakota reported a 50 percent increase in reporting by the targeted employers. Some employers that received the letter have reached out to state employer services units and OCSE to get more information about reporting, acknowledge non-compliance issues, and confirm that states are receiving their new hires.

Pilot states will provide feedback to OCSE regarding actions taken by each employer. The results will help inform future employer outreach strategies and explore additional ways to improve compliance using NDNH data.

*Stay tuned for an update on the results of the pilot in a future edition of the Child Support Report. For more information about the pilot, contact Lynnetta Thompson at [lynnetta.thompson@acf.hhs.gov](mailto:lynnetta.thompson@acf.hhs.gov).*

## New Hire Reporting Websites

For information about your state's new hire reporting process, visit the [New Hire Reporting](#) webpage.



## ERICSA to host 2016 Employer Symposium

Robyn Large, OCSE

The Eastern Regional Interstate Child Support Association (ERICSA) is hosting the next Child Support Employer Symposium on May 5 in conjunction with the association's annual training conference. The employer symposium — the fourth in more than 10 years — will give attendees a forum to discuss program innovations and improvements.

OCSE and the National Child Support Enforcement Association (NCSEA) hosted the first employer symposium in 2005 to demonstrate that our private and public sector employers are important partners who play a key role in the success of the child support program. Participants included employers and representatives from child support agencies, the judiciary, OCSE, and other stakeholder organizations. They exchanged practical ideas and approaches on various topics. In many cases, they expressed a need to implement changes to their programs and processes based on information they learned during the discussions.

In 2011 and 2014, NCSEA and ERICSA hosted symposiums so experts from various child support, employer, judicial, and other organizations could discuss ways to improve operations and communication. They identified short- and long-term solutions that they have considered implementing.

Go to the [ERICSA](#) website to find out more information and to register for the 2016 Symposium in Myrtle Beach, South Carolina.

## Behavioral Interventions for Child Support Services (BICS)

You can now learn more about OCSE's BICS project. The lead BICS evaluator, MDRC, has launched a [BICS project page](#) highlighting the agenda and scope of the evaluation. Additionally, the BICS project was mentioned in the recent Behavioral Interventions to Advance Self-Sufficiency (BIAS) newsletter, the [Behavioral Buzz](#). The September 2015 edition shared information on Washington State's BIAS intervention to increase order modifications for incarcerated noncustodial parents.

Contact Lauren Antelo at [lauren.antelo@acf.hhs.gov](mailto:lauren.antelo@acf.hhs.gov) for more information.

## Child support in the news

In November, National Public Radio's Jennifer Ludden featured the child support program in two stories that focused on child support debt. One story included a quote by Commissioner Turetsky. The articles explain the reasons behind the billions of dollars in arrearages and how the Administration's proposed rule can help minimize future accruals through realistic, right-sized orders. You can listen to the stories at the following links, [From Deadbeat To Dead Broke: The 'Why' Behind Unpaid Child Support](#) and [Some States Are Cutting Poor Dads A Deal On Unpaid Child Support](#).

A companion article written by Maureen Pao, [How America's Child Support System Failed to Keep up with the Times](#), provides a historical perspective, summarizing the program's challenges with the social changes occurring in the country in the last 40 years.

## Passport denial

The Wenatchee, Washington, child support office recently had a large arrearage collection with an unusual outcome. A noncustodial parent had a \$6,500 monthly order and was \$120,000 in arrears. He wanted the child support office to release its hold on his passport so he could attend a cannabis conference in Jamaica on behalf of his marijuana business. He said he would be receiving a settlement from another state agency shortly that the child support office could apply to the arrearage.

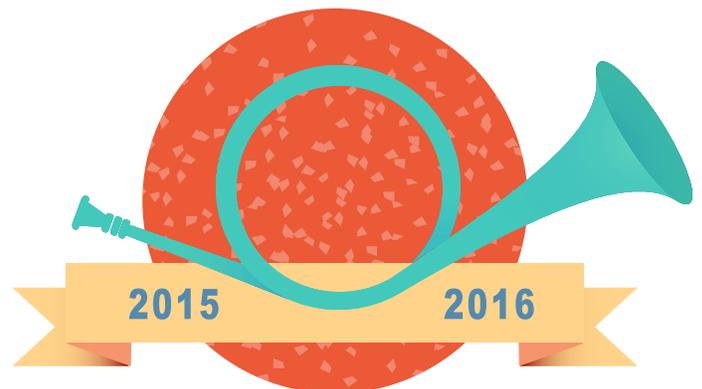
In August, the child support office received four payments totaling \$105,000 from the agency. The child support staff wondered if this was correct because they were only legally entitled to receive half of the \$105,000 settlement.

Staff from the Child Support Special Collections Unit in Olympia, WA, contacted the agency to confirm that the department intended to transfer the entire \$105,000

settlement amount. After several contacts, the agency realized its mistake and asked the child support program to return the other half of the settlement. Unfortunately, child support had disbursed all four payments onto the custodial parent's electronic payment card. Luckily, the child support staff was able to reverse the last two payments or the agency would have had to absorb the loss.

When the child support staff called the noncustodial parent to tell him his passport hold had been released, no one had anticipated the outcome that followed. The parent was so happy that he would be able to attend the conference that he told them the custodial parent could keep the extra settlement money erroneously sent the child support office. This would pay down most of his remaining child support debt. Once the child support office got this approval in writing, it released those other two payments back to the custodial parent!

[Find your state child support agency passport denial program contact.](#)



**We wish you a happy, healthy  
and safe holiday season**

## Child Support Report

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