



*Bridging Bright
Futures for Families*

**ERICSA
2024**

Grand Rapids

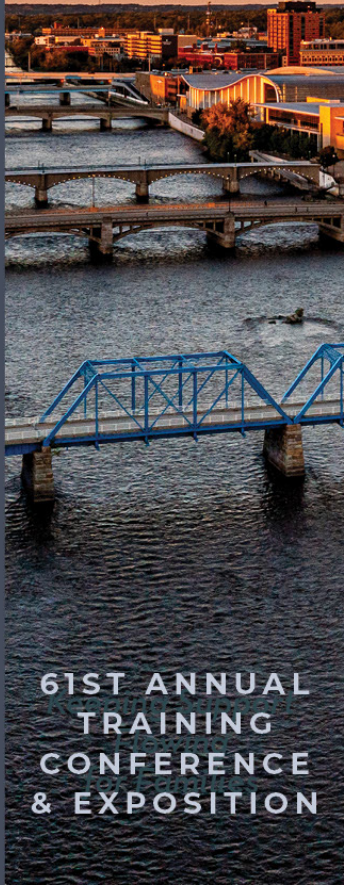
**ERICSA 61ST ANNUAL
TRAINING CONFERENCE & EXPOSITION
APRIL 7-11, 2024**

Rise to the Challenge: Advanced UIFSA Scenarios

Speakers: Diane Potts, Rob Velcoff
Moderator: Brandy Williams



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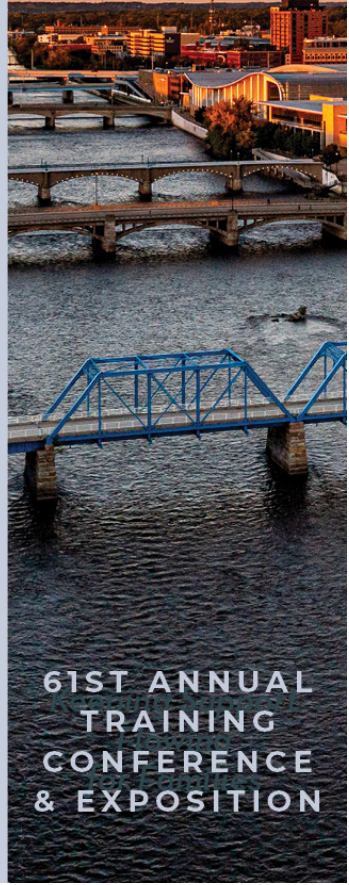
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Long-Arm

- Adam and Alexa met while on vacation in Maine. Intercourse occurred.
- Adam returned home to Vermont.
- Alexa returned home to New Hampshire.
- Nine months later Alexa gave birth to Adam's child in NH.
- While visiting the hospital in NH, Adam signed a Voluntary Acknowledgment of Paternity form. He also bought her a crib for the baby.
- The relationship ended one month later.
- After the baby was born Alexa applied for services in NH.
- Based solely on these facts, is establishment of an order in NH using long-arm criteria an option?



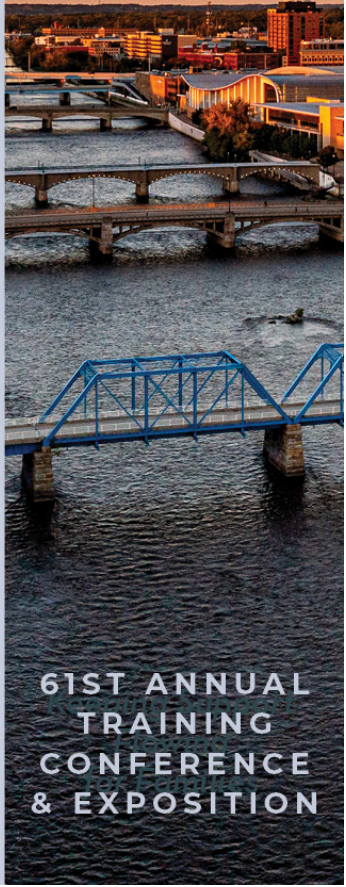
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Valid vs Invalid Modifications

- Barbara brings her caseworker in Georgia a copy of a 2020 South Carolina order for Bradley to pay her \$600/month in support. She requests registration of the order in North Carolina, which is where the father Bradley resides.
- This is a direct pay order, and Bradley has never paid support.
- After being served notice in NC, Bradley objects to the registration of the SC order because he has a 2022 default NC modification of the SC order, ordering payments of \$300/month.
- Barbara claims she was never served with paperwork from NC regarding the modification hearing and knows nothing about it.
- What should NC do?

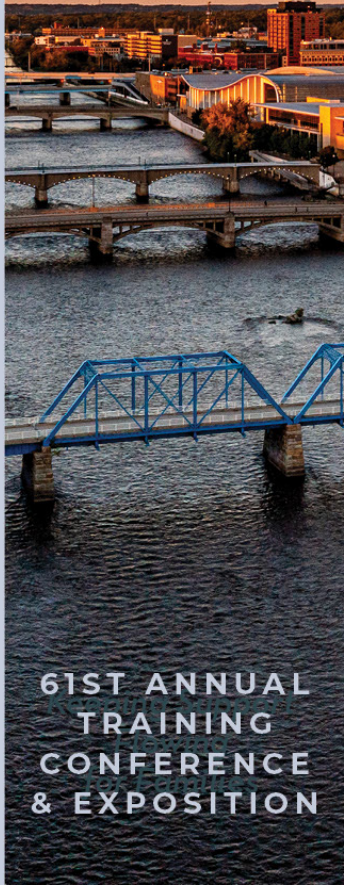


Change of Custody

- There is a Tennessee child support order for Charles to pay Carrie \$400/month for son Chris.
 - Chris goes to live with grandma in Kentucky.
 - KY requests payment forwarding from TN so grandma can receive the child support. TN says no because grandma is not a party to the case.
 - KY then requests modification of the TN order in TN to make grandma the payee. TN again says no because grandma cannot request modification of an order that she is not a party to.
- What should KY do?
 - What should TN do?



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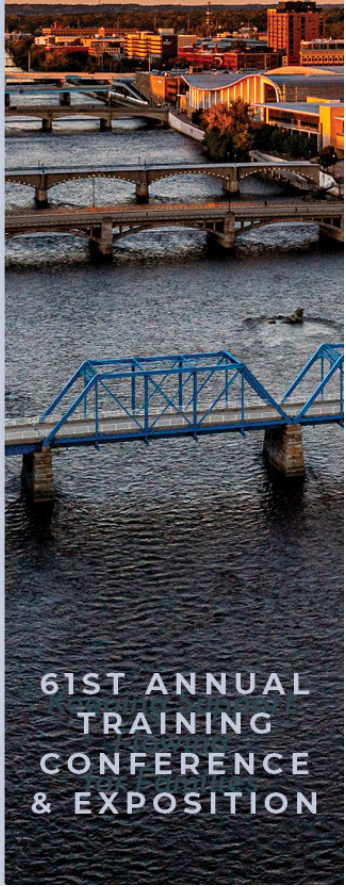
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Enforcement of Only One of Two Orders

- There is a Pennsylvania child support order for Debbie to pay David \$500/month for their two children.
- David applies for services in PA.
- PA registers their order in Delaware for enforcement, as that is where Debbie resides.
- There is another case in PA for Debbie to pay Donald \$250/month in support for their one child. A different county child support office in PA is working this case, and this order is never registered in DE for enforcement.
- DE has an IWO in place with Diane's employer, and payments are being sent by DE to PA for the David case.
- The PA SDU is splitting payments between the two cases, applying 2/3 of the payment to the David case and 1/3 of the payment to the Donald case.
- This results in DE having a different arrears amount on their case than PA.
- What should DE do about this issue? What should PA do?



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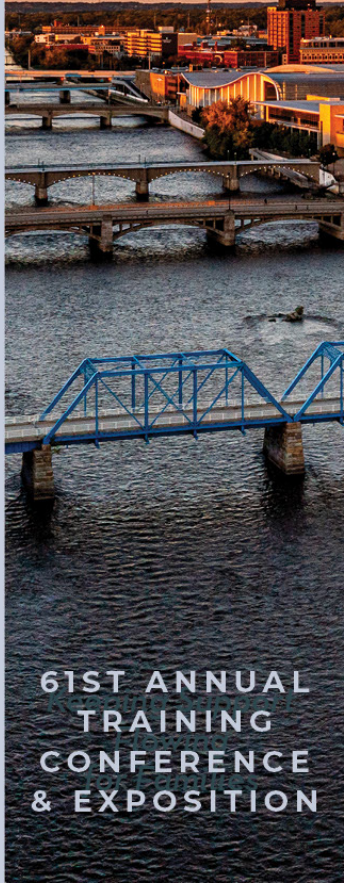
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Tribal Jurisdiction

- There is a Michigan child support order for Edward to pay Edna \$700/month for their three children.
- Edna and the children move in with her tribal family and live as members of Lac Courte Oreilles tribal nation.
- Edward moves to Illinois.
- The MI IV-D agency continues to enforce the order against Edward administratively via an interstate IWO and sends payments to Edna.
- Edna now wants an increase in child support and applies for services with the Lac Courte Oreilles IV-D agency.
- Which tribunal has jurisdiction to modify the MI order?



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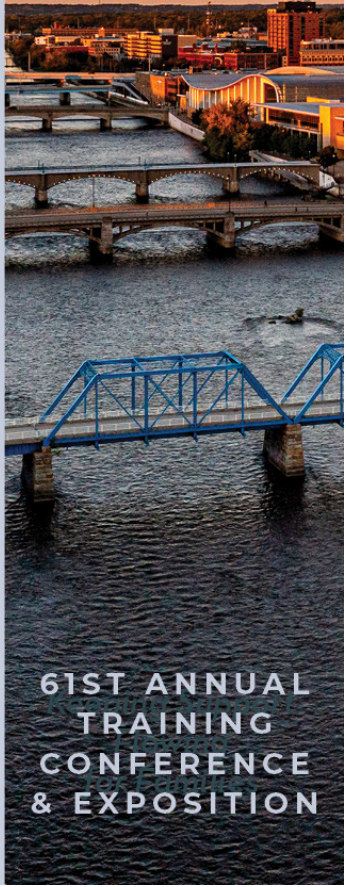
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Lack of International Reciprocity

- Fiona resides in Florida. She becomes pregnant, and Francis is the father. Francis is in the U.S. on a student visa from the Dominican Republic.
- Just before the baby is born Francis returns home to the D.R.
- After the baby is born Fiona applies for child support services.
- What are FL's options regarding establishment and enforcement of a child support order?
- Assume there is not a state-level child support reciprocity agreement between FL and the D.R.



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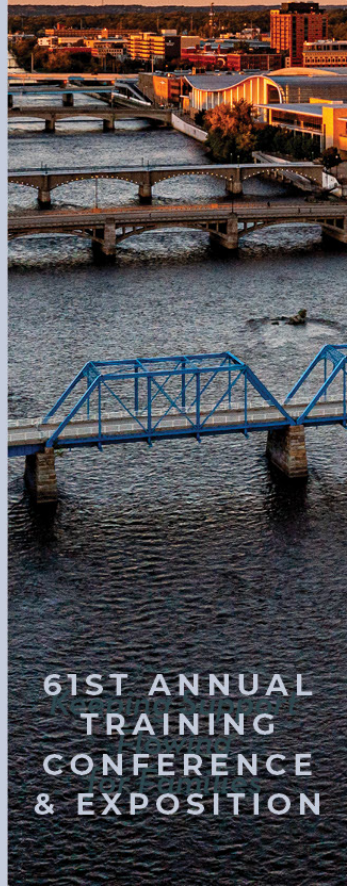
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Interstate Hearings

- There is a Wisconsin child support order for Glenda to pay Greg \$800/month for their two children.
- Glenda moves to Minnesota and stops paying support.
- The WI order is registered in MN for enforcement.
- MN brings the case into court for judicial enforcement, seeking a professional license suspension and other remedies.
- Glenda's attorney wants Greg to appear in person so he can directly examine him about some alleged direct payments. He believes he has a better chance of proving his case with direct examination, not telephonic or electronic.
- Greg lives less than one hour from the court, but says it will still be an inconvenience for him to appear in person.
- What are MN's options here regarding the enforcement petition?



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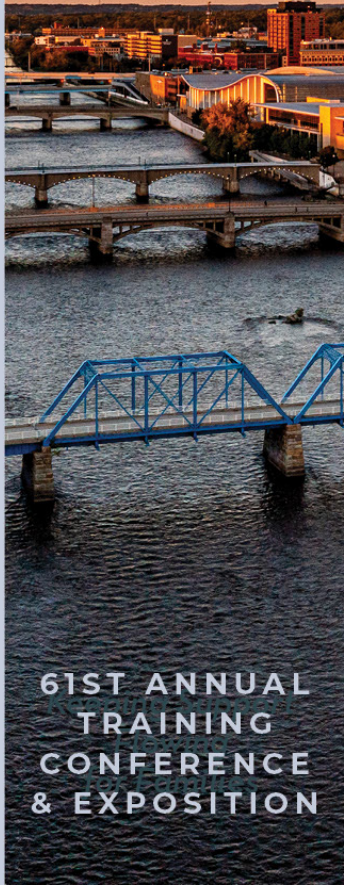
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Multiple Enforcing Jurisdictions

- There is a New Jersey child support order for Harold to pay Harriet \$200/month for their child. Harriet resides in NJ.
- Harold moves to New York and stops paying, so the NJ order is registered there for enforcement.
- Harold becomes employed, and NY issues an IWO.
- NJ finds some property in Ohio that Harold owns, and since the arrears are quite large they register their order in OH for enforcement to put a lien on the property.
- OH registers the NJ order and sends an IWO to the employer in NY. Harold's employer is now sending \$200/month plus an arrears amount to NY, and the same to OH.
- What went wrong here? What should be done to fix this?



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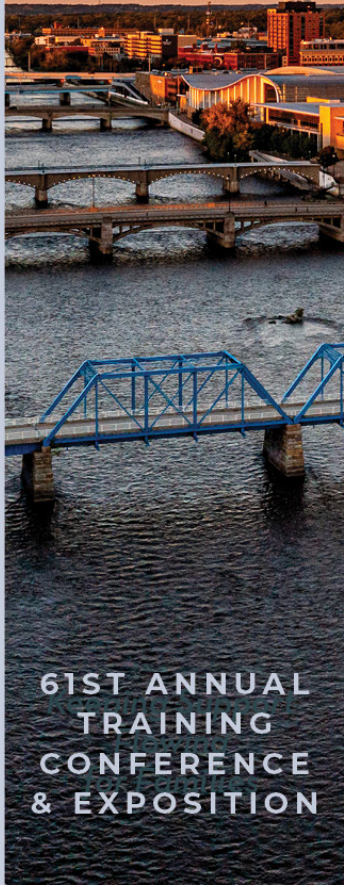
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Contest of Registration

- Ira and Irene were divorced in Virginia, and Irene was ordered in the divorce decree to pay \$900/month in child support for their three children.
- Irene moves to West Virginia, never having paid anything toward the support obligation.
- Irene contests the registration of the order, saying she and Ira had agreed to only \$600/month in support, but the order was changed without her knowledge. She also says the arrears should be less based on this same error.
- What should WV do? Should they register the VA order?
- What should VA do?



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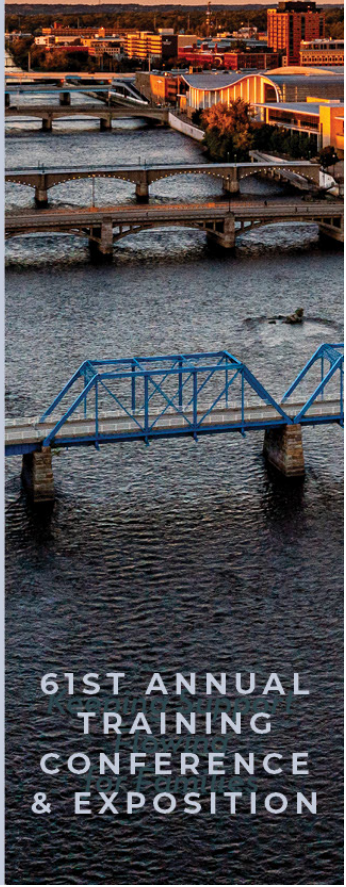
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Statute of Limitations

- Jessica and Jack have a 1985 Indiana child support order for Jack to pay \$750/month in support for their infant child.
- Nineteen later the child becomes emancipated, and a judgment for arrears in the amount of \$20,000 is issued by the court in 2004. Twenty more years pass, and arrears are still owed.
- Jack is finally located in Texas, so IN sends their judgment there to be registered for enforcement.
- TX refuses to accept the judgment for registration, saying that their statute of limitations is ten years for judgments.
- The IN statute of limitations is 20 years for judgments, and they want their order registered.
- What should TX do?



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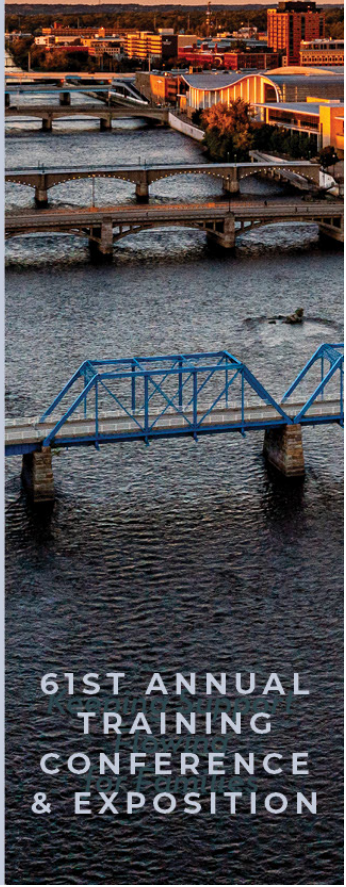
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Parentage

- Karen gives birth to child Kiki in Oklahoma.
- During the time of conception and birth, Karen is married to Kevin.
- Karen moves to Nebraska to live with Kurt, who is the biological father of Kiki.
- Karen goes on Public Assistance in NE, so there is a mandatory referral to family court.
- Genetic testing by the family court proves that Kurt is the biological father of Kiki.
- What actions should be taken by NE?
- What actions should be taken by OK?



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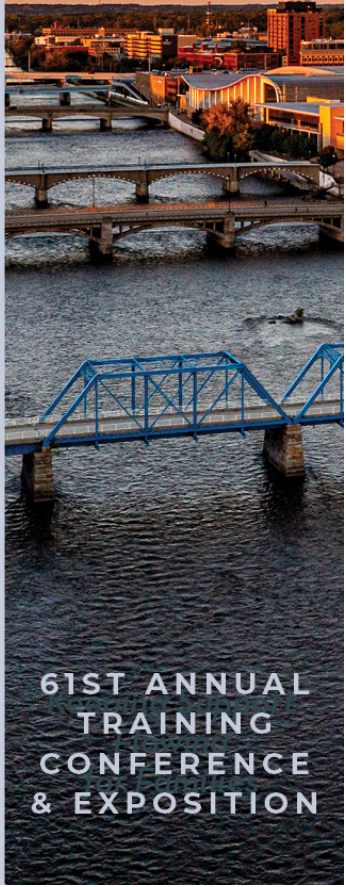
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Case Processing

- There is a Connecticut order for Leonard to pay Lani \$100/month for support of their one child.
- Leonard moves to Massachusetts and is not paying support, so CT sends a request to the MA Central Registry to register their child support order for enforcement.
- MA reviews the interstate packet and informs CT that they require a certified copy of the Voluntary Acknowledgment of Paternity form to show that parentage was adjudicated.
- CT replies to MA saying that since a child support order exists, that means that paternity has already been dealt with and that the requirement for a copy of the VAP form is inappropriate.
- The MA Central Registry says that without the VAP form they cannot proceed.
- What should CT do? What should MA do? Who is right/wrong here?



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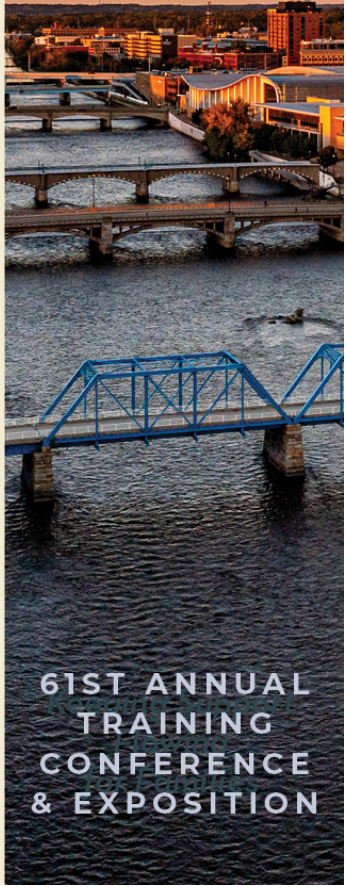
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