



**ERICSA 62ND ANNUAL
TRAINING CONFERENCE & EXPOSITION**

MAY 18-22, 2025

NORFOLK

VIRGINIA

UIFSA Basics & Beyond

Moderator: Stacie Alexander

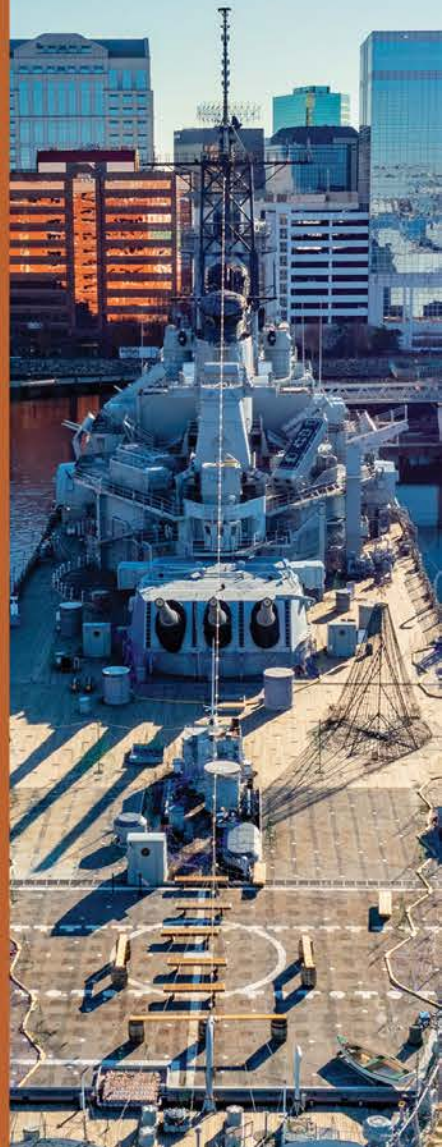
Speakers:

Margaret Campbell Haynes, JD

Kelly Micka, JD



Whether you are new to interstate child support or want a UIFSA refresher, this workshop is for you. Following an overview of the Act's main concepts, the session will focus on how to use UIFSA for one-state case processing and how to use its provisions for establishing, enforcing, or modifying support in another state. Speakers will also discuss the federal intergovernmental forms and common case processing issues.



Agenda

- Federal Regulations and Forms
- UIFSA's Main Concepts
- UIFSA One State Procedures
 - Parentage and Support Establishment
 - Enforcement
 - Modification
- UIFSA Two State Procedures
 - Parentage and Support Establishment
 - Registration for Enforcement
 - Registration for Modification
- Resources



Definition of Intergovernmental Case

- A IV–D case in which the noncustodial parent lives and/or works in a different jurisdiction than the custodial parent and child(ren) that has been referred by an [initiating agency](#) to a [responding agency](#) for services.
- An intergovernmental IV–D case may include any combination of referrals between [States](#), Tribes, and countries.
- An intergovernmental IV–D case also may include cases in which a [State](#) agency is seeking only to collect support arrearages, whether owed to the family or assigned to the [State](#).

45 CFR § 301.1



Services in Intergovernmental Cases

- 45 CFR 303.7
 - (a) General Responsibilities
 - (b) Central Registry
 - (c) Initiating State IV-D Agency Responsibilities
 - (d) Responding State IV-D Agency Responsibilities
 - (e) Payment and Recovery of Costs
 - (f) Annual fee in Interstate Cases
- Federal regulations govern IV-D agencies.
- UIFSA is not a federal regulation.



Intergovernmental Forms Matrix

- https://www.acf.hhs.gov/sites/default/files/documents/ocse/intergovernmental_forms_matrix.pdf

INTERGOVERNMENTAL FORMS MATRIX	
Requests to Open an Intergovernmental IV-D Case	
Intergovernmental forms: https://www.acf.hhs.gov/css/resource/uifsa-intergovernmental-child-support-enforcement-forms	
Intergovernmental forms requirements are listed below. Additional documents may be required, depending on the case circumstances and responding state requirements. Check the Intergovernmental Reference Guide (IRG), contact the responding state, or do both to determine requirements before sending a case. International cases with Hague Child Support Convention countries require different forms. See AT-17-06 for information about Hague Convention forms.	
Action Requested	Federal Forms Required
Establish parentage* and establish and enforce a support order for • Current support • Retroactive child support • Medical support only	1. Child Support Enforcement Transmittal #1 – Initial Request (Check action 1; also check 2.A and/or B or C.) 2. Child Support Agency Confidential Information Form 3. Uniform Support Petition 4. General Testimony 5. Personal Information Form for UIFSA § 311 6. Declaration in Support of Establishing Parentage (for each child)
Establish and enforce a support order for • Current support • Retroactive child support • Medical support only	1. Child Support Enforcement Transmittal #1 – Initial Request (Check action 2.A and/or B or C.) 2. Child Support Agency Confidential Information Form 3. Uniform Support Petition 4. General Testimony 5. Personal Information Form for UIFSA § 311
For cases with existing responding tribunal orders: • Enforce • Enforce arrears only • Change person/entity entitled to receive funds and enforce	1. Child Support Enforcement Transmittal #1 – Initial Request (Check action 3.A, D, or E.) 2. Child Support Agency Confidential Information Form



What is UIFSA?

UIFSA – Uniform Interstate Family Support Act

- Developed as model law by Uniform Law Commissioners
- Initially approved 1992
- Amended three times
- Federal law requires states to enact UIFSA 2008 as state law
- No requirement for tribes to enact
- Applies to IV-D and non-IV-D cases



What is FFCCSOA?

FFCCSOA – Federal Full Faith and Credit for Child Support Orders Act

- Enacted by Congress in 1994
- Federal law that applies to states and tribes
- Based on UIFSA so same one order goal



Goal of UIFSA

- One controlling order for current support
 - Same obligor and child(ren)
- If there is no support order entitled to recognition
 - Establish
- If there is a support order entitled to recognition
 - Enforce
 - Modify



Controlling Order



- Governs current support
- Remains enforceable even if everyone has left the issuing state
- Can be registered for enforcement in any state
- Initial controlling order locks in nonmodifiable terms



Case Scenario #1

- SC issues divorce order awarding \$0 support
- Obligor moves to NC
- Obligee applies for IV-D services in NC, seeking support

How should NC proceed?

- a. Establishment
- b. Modification
- c. Need more information



Case Scenario #1

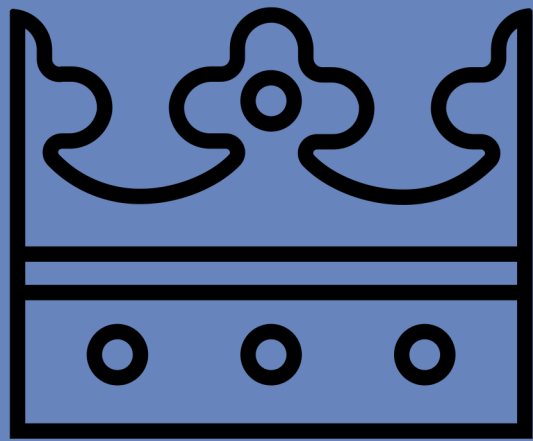
- SC issues divorce order awarding \$0 support
- Obligor moves to NC
- Obligee applies for IV-D services in NC, seeking support

How should NC proceed?

- a. Establishment
- b. Modification**
- c. Need more information



Continuing Exclusive Jurisdiction



CEJ CROWN!

- Specifically pertains to modification
- Relevant only when a party wants to modify the controlling order
- If a state/tribe has CEJ, no other state/tribe can modify the child support order absent the consent of the parties



Evidence and Tribunal Cooperation

- Improved ability for parties to present evidence even if not physically present – UIFSA § 316
 - Physical presence of nonresident party not required
 - Affidavit and federal intergovernmental forms, not excluded under hearsay rule if given in person, are admissible if given under penalty of perjury by party or witness outside the state
 - No exclusion of documentary evidence based solely on how it was transmitted
 - Tribunal must permit a party or witness residing outside the state to testify by phone, audiovisual means, or other electronic means at a designated tribunal or other location
- Communication between tribunals – UIFSA §§ 317, 318
 - Information about laws, legal effect of a judgment, status of proceeding
 - Assistance with discovery



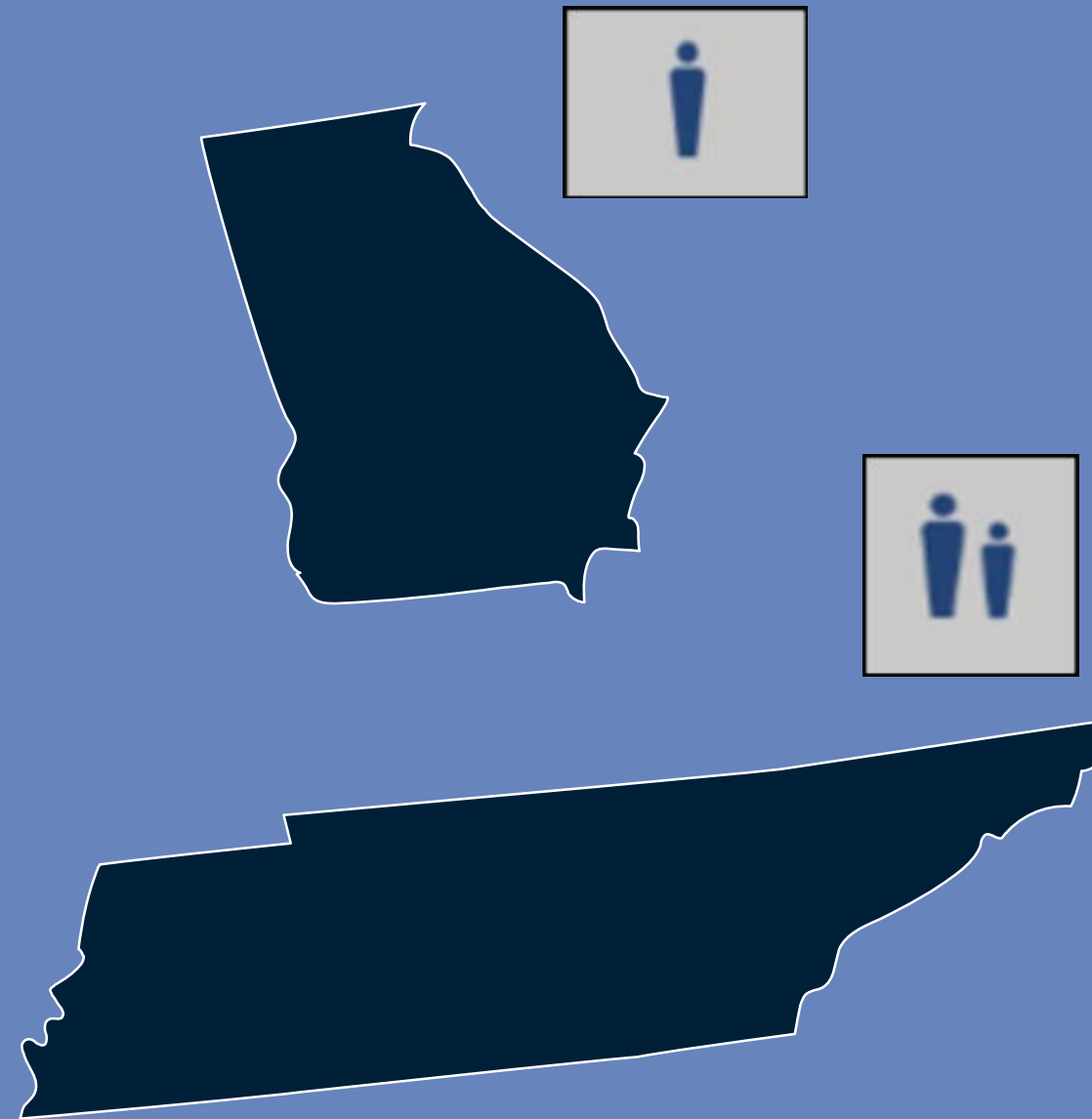
One State or Two State Case?

- When parents live in different jurisdictions, decide whether to:
 - Work case without involving other jurisdiction, or
 - File interstate/intergovernmental case
- When possible, keep case in your state



UIFSA One-State Proceedings

- Establishment
 - Long Arm Jurisdiction
- Enforcement
 - Direct Income Withholding
- Modification
 - State with CEJ



One-State Establishment



- Is long-arm jurisdiction available?
 - Sufficient contacts to permit a tribunal to assert personal jurisdiction over someone who lives in another state
- Is long-arm jurisdiction appropriate?



Bases for Long-Arm Jurisdiction – UIFSA § 201

- Nonresident submitted to jurisdiction of the state
 - By consent
 - By entering a general appearance
 - By filing a responsive document having the effect of waiving any contest to personal jurisdiction
- Nonresident lived with the child in the state
- Nonresident lived in the state and provided prenatal expenses or support for the child



Long-Arm Jurisdiction (cont'd)

- Child is living in the state due to directives or acts of nonresident
- Nonresident had sexual intercourse in the state, possibly resulting in conception of the child
- Nonresident asserted parentage of the child in the [putative father registry] maintained in the state
- There is any other basis for personal jurisdiction consistent with state and U.S. Constitutions



Benefits of Using Long-Arm

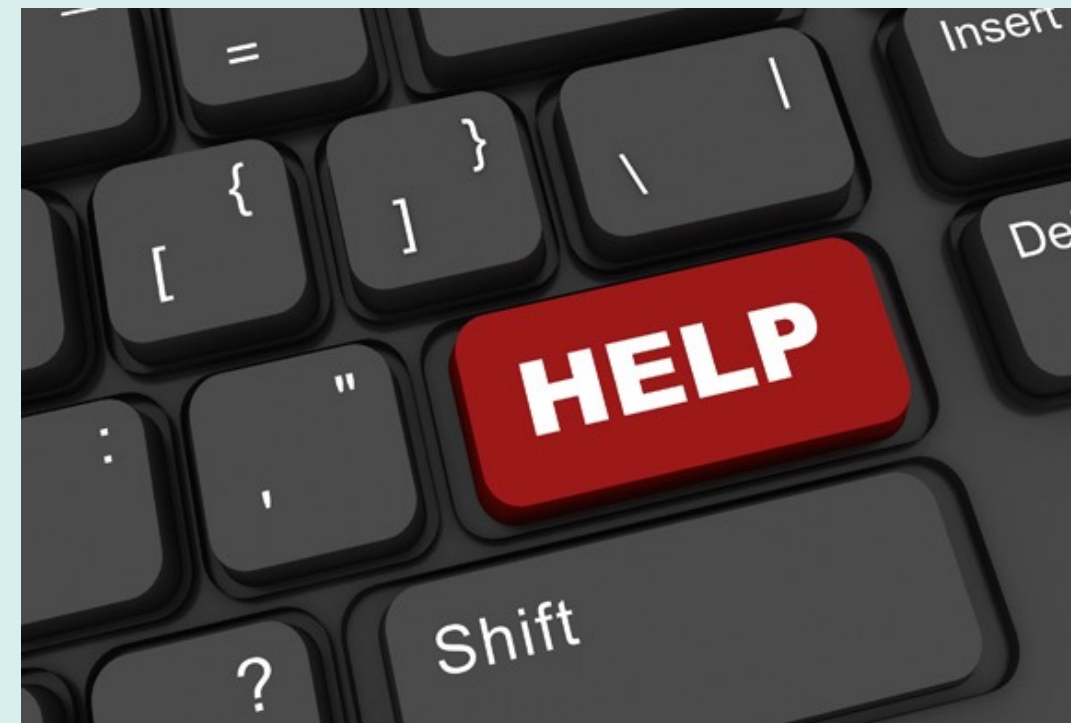
- Saves time – no need to involve another agency
- Your state law applies:
 - Support guidelines
 - Duration of support
- Once order established, your state has CEJ to modify so long as a party or child lives in the state*
- Enforcement stays within your control

* Unless parties agree to shift modification jurisdiction



Limitation of Using Long-Arm

- Might have trouble locating nonresident parent or serving process
 - Limited Services Request using CSE Transmittal #3
- Might need agency where parent lives or has assets to enforce order



CSE Transmittal #3

Section I. Action:

The requesting agency asks for the following required limited service(s):

1. ☐ Copy of:
 - ☐ Support order(s)
 - ☐ Must be certified
 - ☐ Payment record(s)
 - ☐ Must be certified
2. ☐ Assistance with service of process
3. ☐ Assistance with genetic testing
4. ☐ Assistance with teleconference for hearing or deposition
5. ☐ Assistance with administrative review
6. ☐ Assistance with discovery
7. ☐ Assistance with AEI

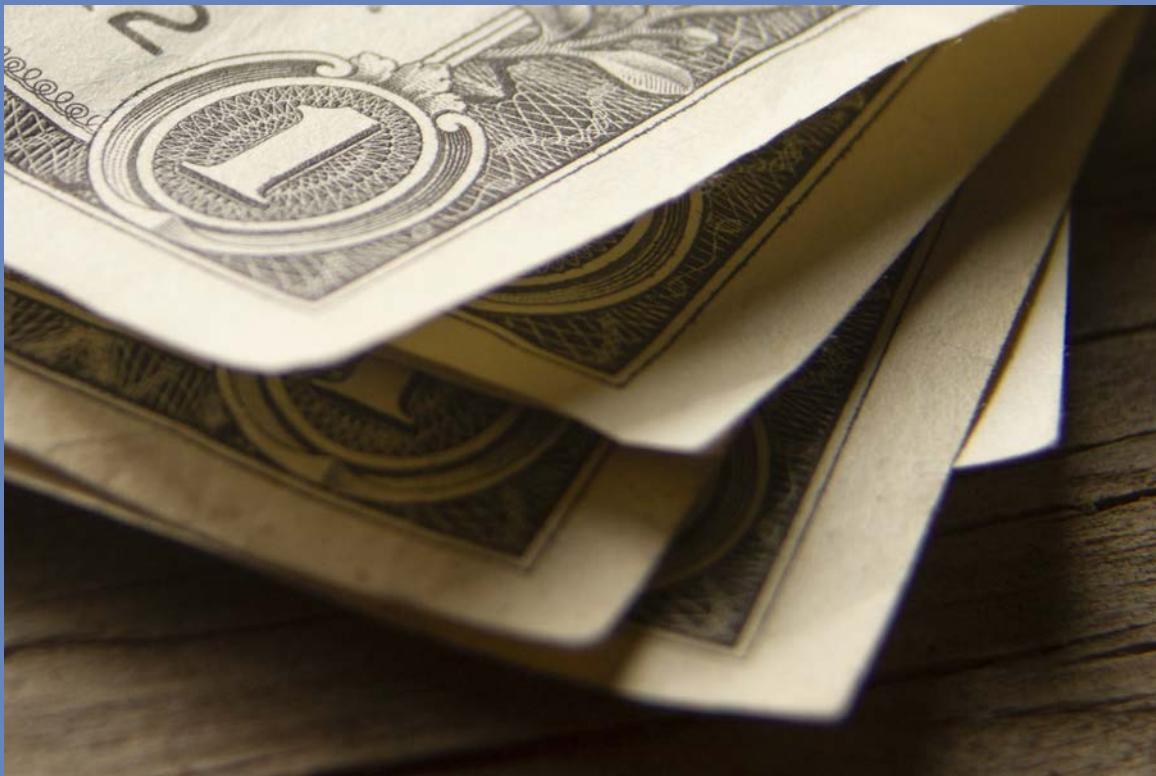
The requesting agency asks for the following limited service(s), which may be provided at state option:

8. ☐ Assistance with a lien
9. ☐ Financial data/proof of respondent's income
10. ☐ Other: _____

- Must a requesting agency try to serve process itself before using CSE Transmittal #3 to ask for help with service?
- No. Federal regs do not require a state to attempt service of process itself before requesting the limited service of service of process. Source: PIQ-20-01



One-State Enforcement



- Are there assets in your state?
 - Bank accounts
 - Property
- Is direct income withholding appropriate?



Direct Income Withholding

- Not available for foreign support orders
- Can use if your state or another state issued the order
- Use federal IWO form
 - Can't change payment SDU in order
 - Keep issuing state informed of payments
- OCSS Action Transmittal on Interstate Payment Processing,
https://www.acf.hhs.gov/sites/default/files/documents/ocse/at_17_07_a.pdf



Benefits and Limitations of Direct Income Withholding

Benefits

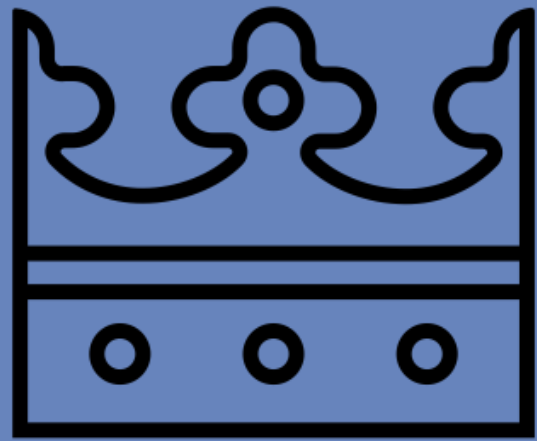
- Faster
- You continue to control other enforcement

Limitations

- Ineffective if obligor is job hopper or self-employed
- Can lead to complications if there's an open IV-D case in another state



One-State Modification



- Your state has CEJ



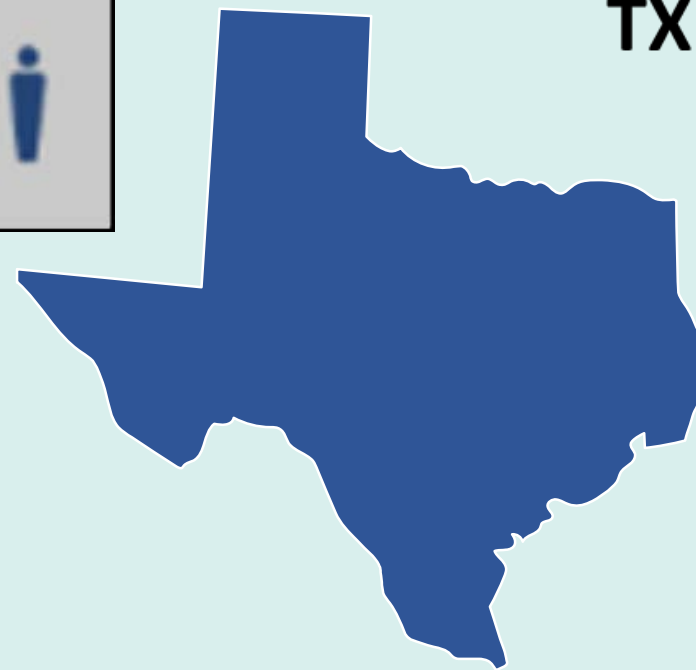
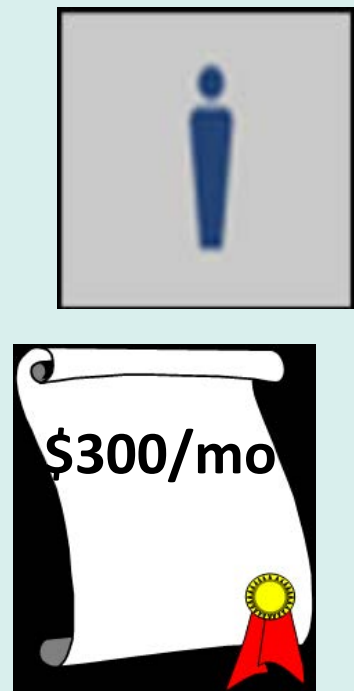
CEJ Definition – UIFSA § 205(a)(1)

- CEJ = controlling order + obligor, individual obligee, or child lives in issuing state
- Residence at time of modification request is what matters



Case Scenario #2

- MI issues support order for \$300/month
- Oblige and child now live in TX
- Obligor moved from MI but has returned.
- Oblige applies for IV-D services in TX, seeking modification



Case Scenario #2 (cont'd)

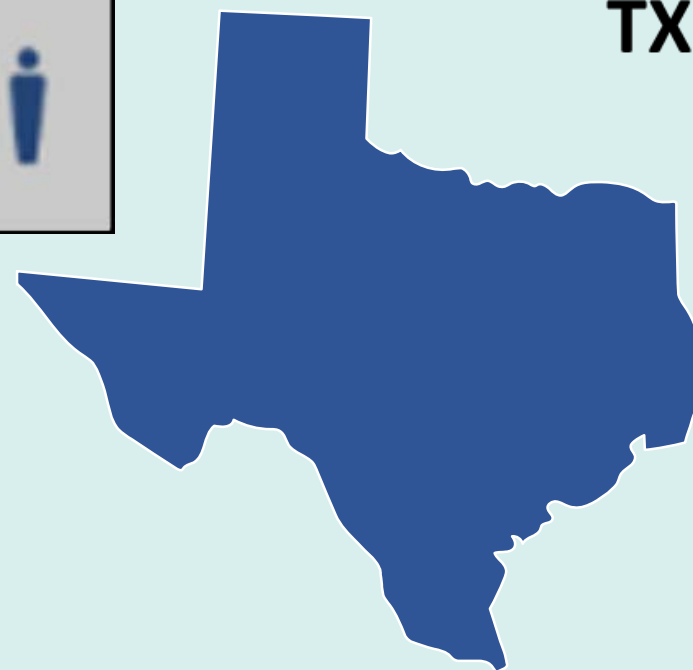
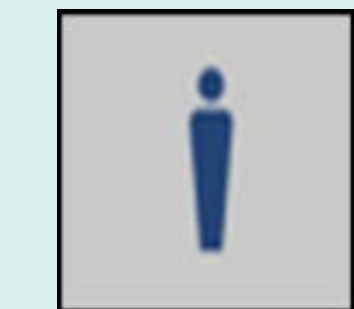
Which state has CEJ to modify the MI order?

- a. MI
- b. TX
- c. Need more information



Case Scenario #2 (cont'd)

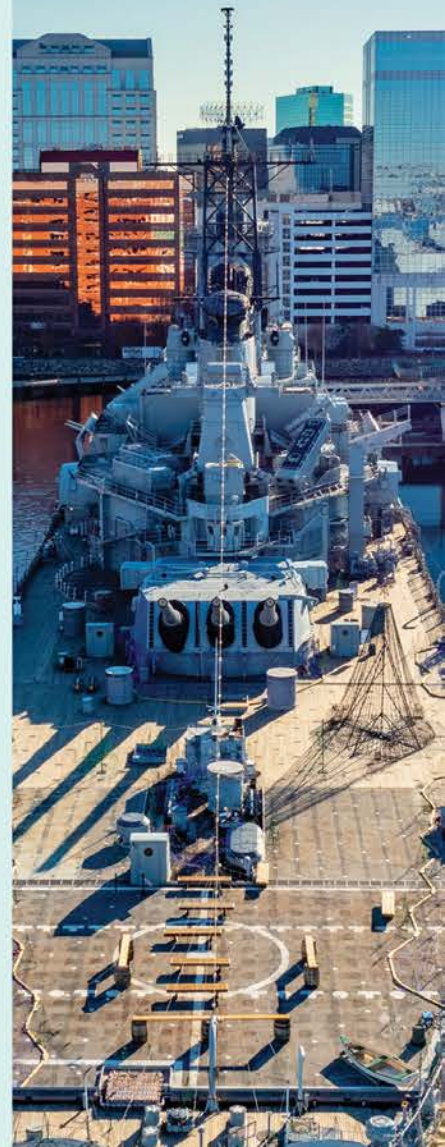
- MI has CEJ to modify
 - Controlling order
 - Obligor resides there at time of modification request



CEJ Definition – UIFSA § 205(a)(2)

- CEJ = controlling order + consent to retain CEJ
- Issuing tribunal may modify even in no party or child resides there, if:
 - Parties consent in a record or open court for the tribunal to continue to exercise jurisdiction to modify its order

- DC Order
- Obligee and child move to MD
- Obligor moves to VA
- Parties want DC to retain jurisdiction



Case Scenario #3

- TN support order
- Obligee lives in SC with child
- Obligor lives in GA

Can obligee seek modification in TN?

- a. Yes, because TN is issuing state
- b. No, because no party lives there
- c. Yes, if both parties consent for TN to retain jurisdiction to modify its order



Case Scenario #3

- TN support order
- Obligee lives in SC with child
- Obligor lives in GA

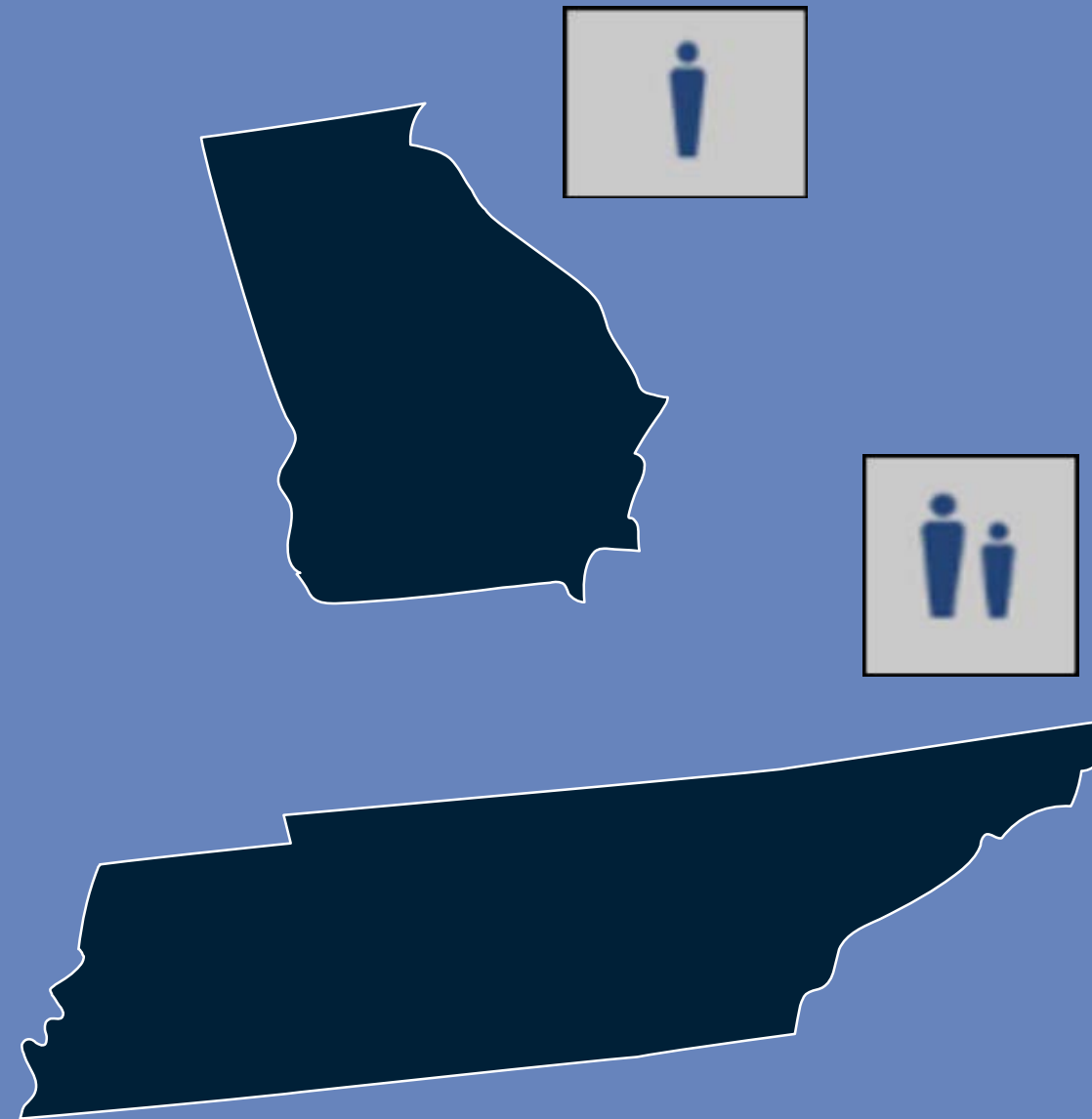
Can obligee seek modification in TN?

- a. Yes, because TN is issuing state
- b. No, because no party lives there
- c. **Yes, if both parties consent for TN to retain jurisdiction to modify its order**



UIFSA Two-State Proceedings

- Establishment
- Enforcement
 - Registration for Enforcement
- Modification
 - Registration for Modification and Enforcement
 - Registration for Modification



Two-State Establishment

INTERGOVERNMENTAL FORMS MATRIX	
Requests to Open an Intergovernmental IV-D Case	
Intergovernmental forms: https://www.acf.hhs.gov/css/resource/uifsa-intergovernmental-child-support-enforcement-forms	
Intergovernmental forms requirements are listed below. Additional documents may be required, depending on the case circumstances and responding state requirements. Check the Intergovernmental Reference Guide (IRG), contact the responding state, or do both to determine requirements before sending a case. International cases with Hague Child Support Convention countries require different forms. See AT-17-06 for information about Hague Convention forms.	
Action Requested	Federal Forms Required
Establish parentage* and establish and enforce a support order for - Current support - Retroactive child support - Medical support only	- Child Support Enforcement Transmittal #1 – Initial Request (Check action 1; also check 2.A and/or B or C.) - Child Support Agency Confidential Information Form - Uniform Support Petition - General Testimony - Personal Information Form for UIFSA § 311 - Declaration in Support of Establishing Parentage (for each child)
Establish and enforce a support order for - Current support - Retroactive child support - Medical support only	- Child Support Enforcement Transmittal #1 – Initial Request (Check action 2.A and/or B or C.) - Child Support Agency Confidential Information Form - Uniform Support Petition - General Testimony - Personal Information Form for UIFSA § 311
Enforce existing support order	Child Support Enforcement Transmittal #1 – Initial Request

- Check Intergovernmental Forms Matrix for required federal intergovernmental forms
 - Establish parentage & support order
 - Establish support order
- Check IRG to learn about responding state’s laws and procedures



Declaration in Support of Establishing Parentage

- **Can an agency representative or a custodial party who is not the parent sign the Declaration under penalty of perjury if the person does not have first-hand information about conception of the child?**
- Yes. The declaration does not require that the signer have personal knowledge of the facts. By signing the declaration, the person is stating they have knowledge **or** information that supports the statements on the form. Source: PIQ-20-01



Declaration Section

Section V. Declaration:

Under penalty of perjury, all information and facts stated in this Declaration are true to the best of my knowledge, information, and belief. I agree to submit myself and, if I am the custodian, the child to genetic testing as may be necessary to establish parentage.

Date

Petitioner (Name)

Signature

or

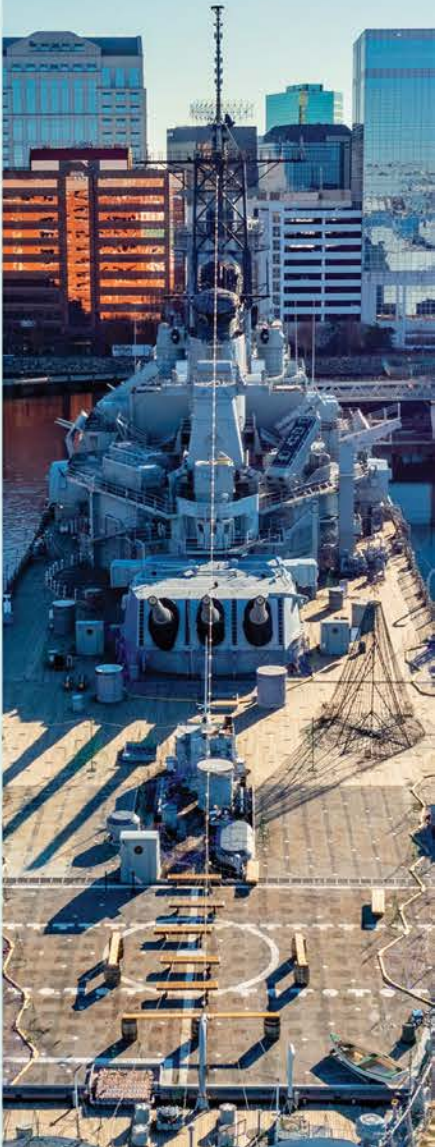
Date

Name/Title, Agency or Tribunal Representative

Signature

Section V. Declaration:

The person seeking to establish parentage – the individual petitioner or agency or tribunal representative – must sign under penalty of perjury and date the Declaration in Support of Establishing Parentage at the bottom of the page. An agency or tribunal representative (such as a Foster Care or IV-D agency worker) may complete and sign the form if no parent or custodian is available or cooperative. By this signature, the individual petitioner or agency or tribunal representative is confirming that the information and facts provided in the Declaration are true to the best of his/her knowledge, information, and belief.

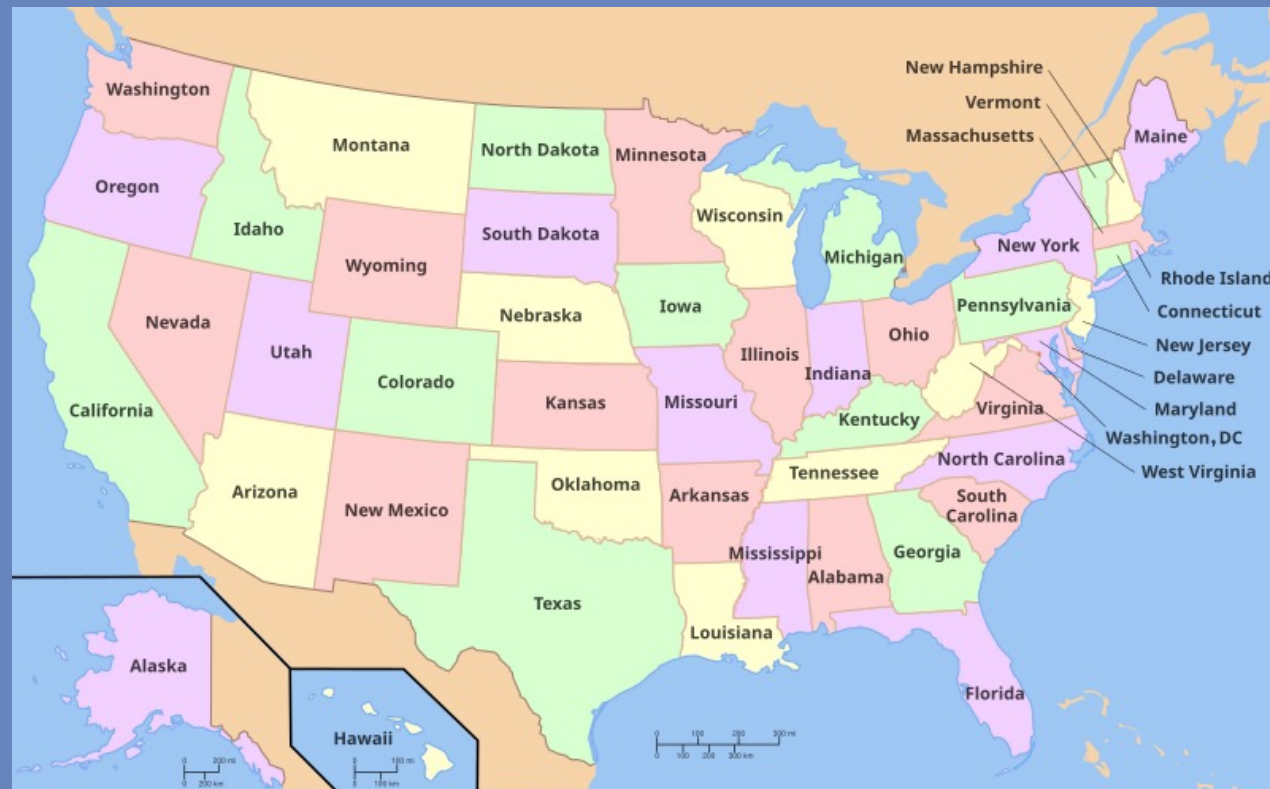


Choice of Law

- Responding state's law governs
 - Establishment of parentage and support obligation
 - Support guidelines
 - Duration of support
 - Accrual of interest on arrears
- Responding state assumes CEJ once order established



Two-State Enforcement



- Check Intergovernmental Forms Matrix for required federal intergovernmental forms
 - Registration for enforcement
- Check IRG to learn about responding state's enforcement laws and procedures



Required Forms

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



Section I. Case Summary: (Background of this matter: court / administrative actions)		
Date of support order: _____	State and county/tribe issuing order: _____	Tribunal number: _____

Current Obligation	Amount	Frequency (per)
Current child support	\$	
Current medical support	\$	
Current spousal support	\$	
Other: _____	\$	

Type of Arrears	Amount
Total child support arrears	\$
Total medical support arrears	\$
Total spousal support arrears	\$
Total interest	\$
Other: _____	\$

Total amount of arrears:	\$	Period of computation: from _____ to _____
Assigned arrears only: \$	_____	(Attach documentation of TANF time periods.)

Section II. Obligatee Information: ☐ Parent ☐ Caretaker

Obligatee's legal name (first, middle, last, suffix): _____

Obligatee's address: _____

If caretaker, relationship to child(ren): _____ ☐ Has legal custody/guardianship of the child(ren)

Section III. Obligor Information:

Obligor's legal name (first, middle, last, suffix): _____

Obligor's address: _____

SSN: _____ Employer Name: _____

Employer address: _____

A large, modern Japanese battleship, the Yamato, is docked in a harbor. The ship is white with a complex superstructure featuring multiple masts, radar domes, and gun turrets. It is positioned in front of a city skyline with various high-rise buildings. The ship's hull number '16' is visible on the side. The foreground shows the ship's deck with various equipment and structures.

- Only complete the “Assigned arrears only” field if you are requesting enforcement of assigned arrears exclusively. In this situation, enter the total amount of assigned arrears and also complete the “Period of Computation” field. Leave the other arrears fields blank. Attach documentation showing the time period that the obligee received TANF.

Registration for Enforcement

- Responding state may administratively enforce without registration
- If register, send party Notice of Registration
- Limited defenses that party must timely raise
- If no challenge, order and arrears confirmed by operation of law



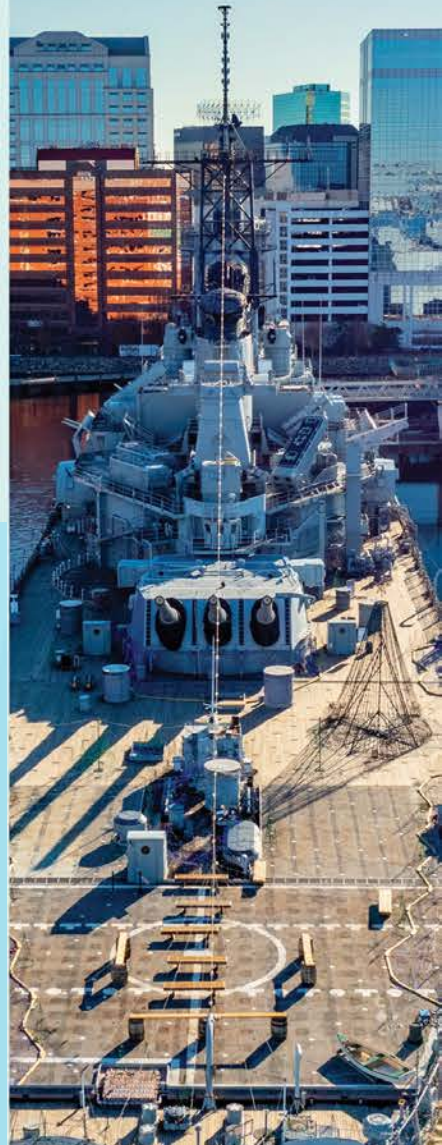
Valid Defenses - UIFSA § 607

- Issuing tribunal lacked personal jurisdiction
- Order obtained by fraud
- Order has been vacated, suspended, or modified
- Issuing tribunal stayed order pending appeal
- There's a defense to remedy sought under law of registering state
- Full or partial payment
- Statute of limitations precludes enforcement of some or all arrears
- Alleged controlling order is not controlling order



Invalid Defenses

- I'm not the father of the child.
- I'm not allowed to see my child.
- The order amount is too high. It exceeds my ability to pay.



Choice of Law

Order Issuing State

- Amount of support
- Duration of support
- Interest rate
- Nature of order (step down, global vs. per child)
- What counts as support (e.g., Social Security payments)

Enforcing State

- Enforcement remedies (e.g., license suspension, contempt)
- Judicial registration or administrative enforcement

Statute of limitations for enforcing arrears is governed by law of issuing state or enforcing state, whichever is longer.



Two-State Modification



- Check Intergovernmental Forms Matrix for required federal intergovernmental forms
 - Registration for modification
- Check IRG to learn about responding state's enforcement laws and procedures



Required Forms – Registration for Modification

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



Registration for Modification – No CEJ State

- If no state has CEJ and parties live in different states:
 - UIFSA §§ 609 – 611
- If no state has CEJ and all parties live in the same state:
 - UIFSA § 613



No CEJ State – UIFSA § 611(a)(1)

- Registering tribunal must find all requirements are met:
 - There is no CEJ state;
 - The petitioner is a nonresident of the state in which modification is sought; and
 - The respondent is subject to the personal jurisdiction of the registering tribunal.
- Known as “play away”



Case Scenario #4

- FL support order
- Obligee lives in GA with child. Obligor owns land in GA.
- Obligor lives in TN

Can obligee seek modification in GA?

- a. Yes, because FL does not have CEJ and child is in GA.
- b. No, because FL issued the order so modification must be in FL.
- c. Yes, because FL does not have CEJ and obligor owns land in GA.
- d. No, because if FL does not have CEJ, obligee must "play away."



Example – UIFSA § 611(a)(1)

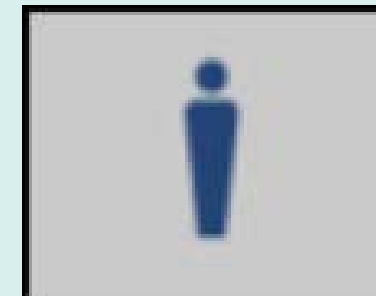
FL



GA



TN



Case Scenario #4

- FL support order
- Obligee lives in GA with child. Obligor owns land in GA.
- Obligor lives in TN

Can obligee seek modification in GA?

- a. Yes, because FL does not have CEJ and child is in GA.
- b. No, because FL issued the order so modification must be in FL.
- c. Yes, because FL does not have CEJ and obligor owns land in GA.
- d. No. If FL does not have CEJ, obligee must "play away."**



No CEJ State – UIFSA § 613

- Tribunal must find all requirements are met:
 - All individual parties reside in registering state; and
 - Child does not reside in issuing state.
- UIFSA Articles 3, 4, 5, 7, and 8 do not apply to these proceedings.

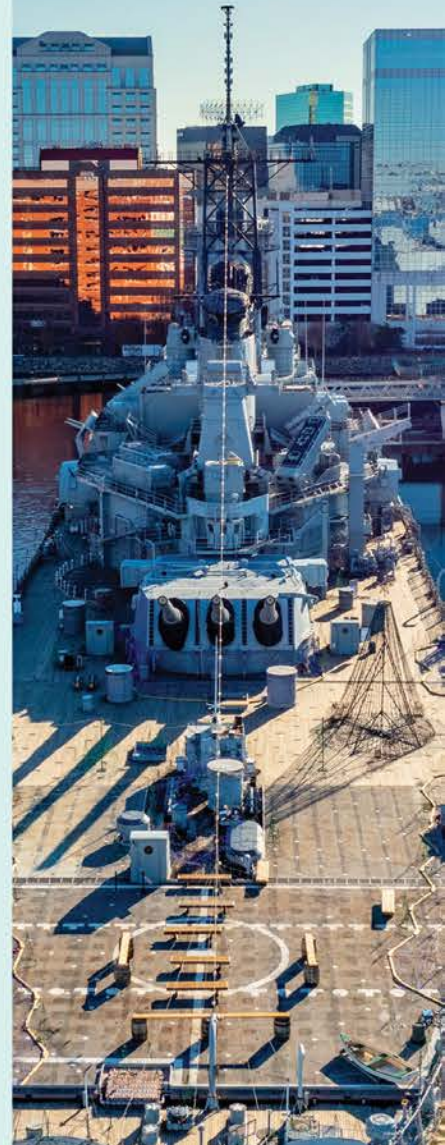
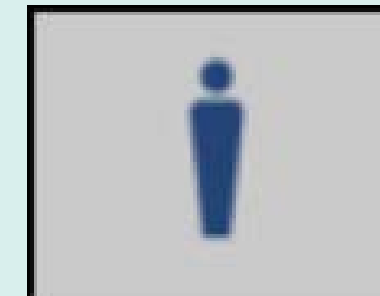


Example – UIFSA § 613

FL



GA



Registration for Modification – CEJ State

- UIFSA § 611(a)(2)
- If there is a CEJ state, another state can register and modify the order only if:
 - It is the state where the child resides or it has personal jurisdiction over one of the parties; and
 - All the parties have filed consents in a record in the issuing tribunal for the registering tribunal to modify the support order and assume CEJ



Case Scenario #5

- TN support order
- Obligor lives in TN
- Obligee lives in FL with child

Can obligee seek modification in FL?

- a. No, because TN has CEJ
- b. Yes, because child lives in FL
- c. Yes, if both parties consent for FL to modify the order and assume CEJ



Case Scenario #5

- TN support order
- Obligor lives in TN
- Obligees live in FL with child

Can obligee seek modification in FL?

- No, because TN has CEJ
- Yes, because child lives in FL
- Yes, if both parties consent for FL to modify the order and assume CEJ**



Example – UIFSA § 611(a)(2)



Choice of Law

Order Issuing State

- Calculation of arrears prior to modification, including interest rate
- Nonmodifiable terms, which usually include duration
- If obligor has fulfilled support duty under law of issuing state, modifying state can't impose a new support duty

Modifying State

- Grounds for modification
- Support guidelines
- Interest rate on arrears after the order is modified (arrears under both prior and modified orders). See OCSE-AT-20-14



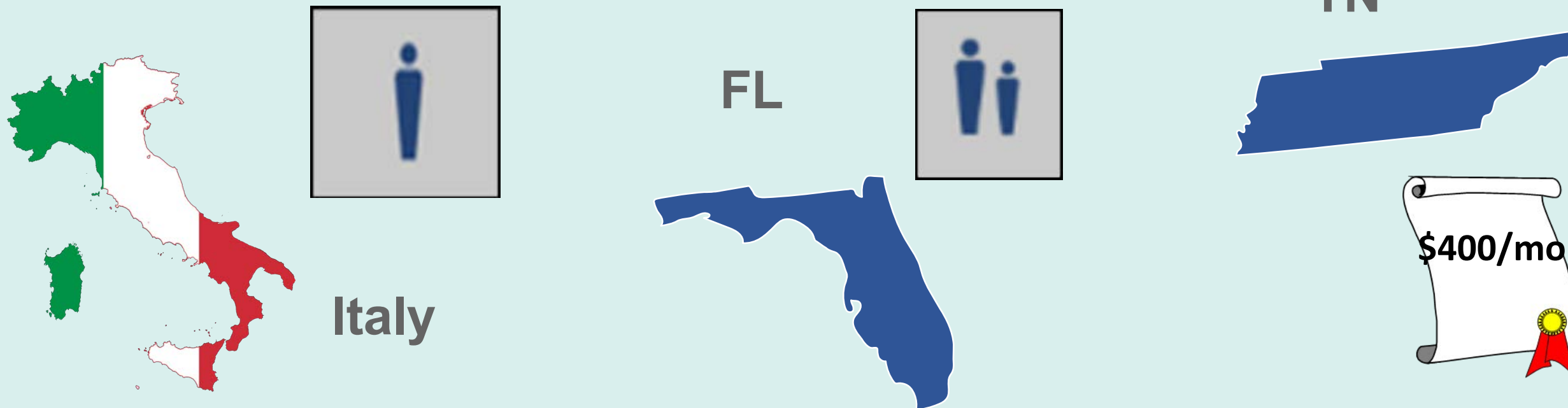
Issuing Tribunal Retains Modification Jurisdiction – International Case but U.S. Order

- A U.S. tribunal retains jurisdiction to modify an order it has issued if:
 - One party resides in another U.S. state (as defined by UIFSA); and
 - The other party resides outside the U.S.
- Not exclusive modification jurisdiction
- UIFSA § 611(f)

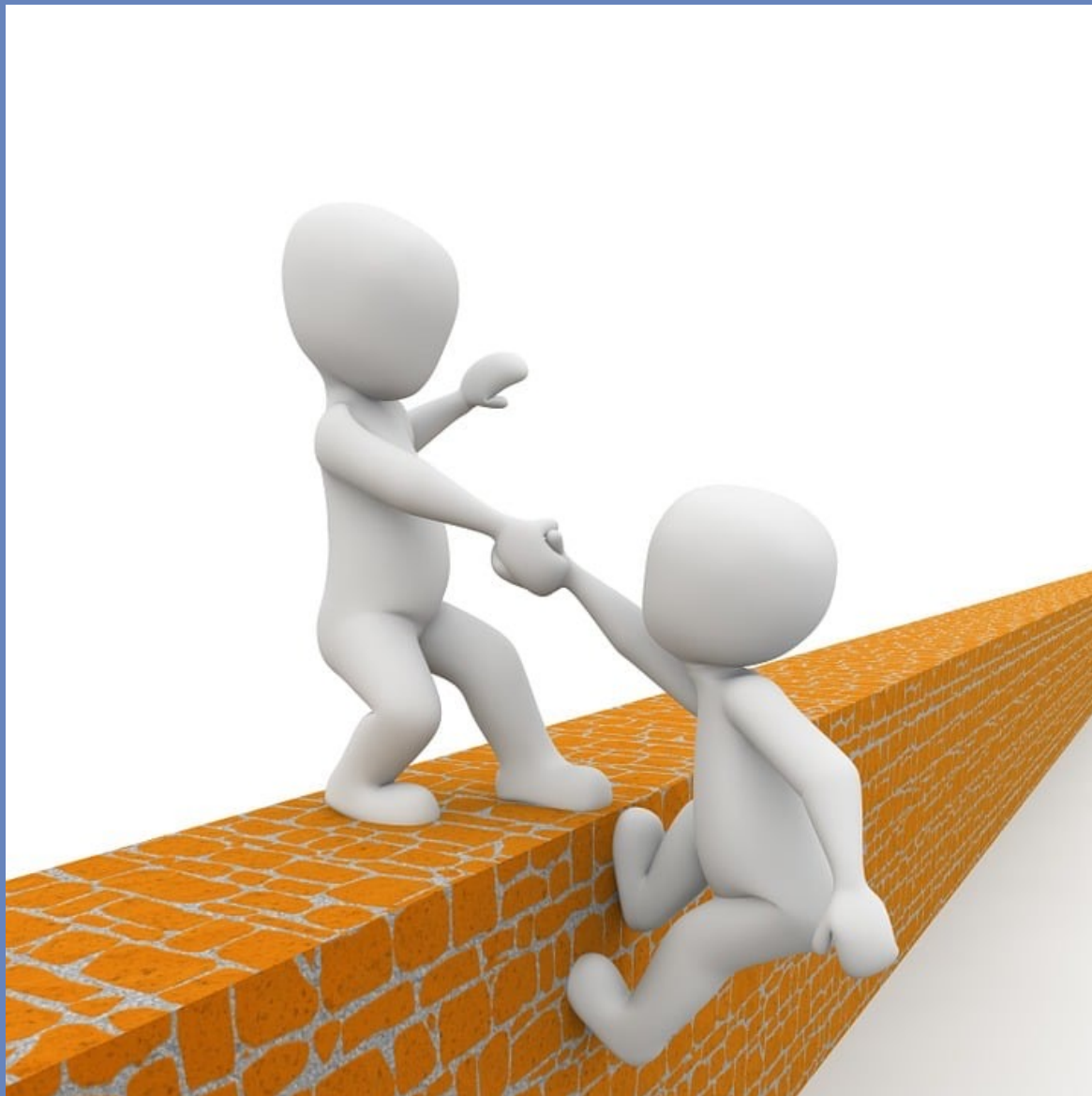


Example – UIFSA § 611(f)

- TN has jurisdiction to modify
 - TN issued controlling order
 - Obligor resides outside U.S., and obligee and child reside in U.S.



Resources



Electronic Tools

- IRG – Intergovernmental Reference Guide
- QUICK
- Federal Case Registry (FCR) Query
- CSENet
- Electronic Data Exchange (EDE)



Resources - UIFSA

- UIFSA 2008: Model Act version of UIFSA 2008 with comments,
<https://www.uniformlaws.org/committees/community-home?communitykey=71d40358-8ec0-49ed-a516-93fc025801fb>
- OCSE-AT-23-02: OMB-Approved Standard Intergovernmental Child Support Enforcement Forms,
<https://www.acf.hhs.gov/css/policy-guidance/standard-intergovernmental-child-support-enforcement-forms-expire-feb-28-2026>
- OCSE-PIQ-20-01: Using the Intergovernmental Forms for Case Processing,
<https://www.acf.hhs.gov/css/policy-guidance/using-intergovernmental-forms-case-processing>
- OCSE Intergovernmental Forms Matrix,
https://www.acf.hhs.gov/sites/default/files/programs/css/intergovernmental_forms_matrix.pdf



Resources – Legal

- Essentials for Attorneys in Child Support Enforcement, 4th Ed. (July 2021), Ch. 13: Intergovernmental Child Support Cases, <https://www.acf.hhs.gov/css/training-technical-assistance/essentials-attorneys-child-support-enforcement>
- Hague Child Support Judicial Guide, <https://www.acf.hhs.gov/css/policy-guidance/hague-child-support-convention-judicial-guide>



Resources – Helpful Links/Policy

- Office of Child Support Services (OCSS), The Administration for Children and Families,
<https://www.acf.hhs.gov/css>
- Updated Interstate Child Support Policy, AT-20-14,
<https://www.acf.hhs.gov/css/policy-guidance/updated-interstate-child-support-policy>
- Interstate Child Support Payment Processing,
<https://www.acf.hhs.gov/css/resource/interstate-child-support-payment-processing>
- Interstate Case Processing Training,
www.acf.hhs.gov/css/resource/interstate-case-processing-training-materials



Contact Information

Kelly.Micka@nttdata.com

m.campbell.haynes@gmail.com

Stacie.Alexander@tn.gov

