



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

MAY 18-22, 2025

NORFOLK

VIRGINIA

Understanding International Case Processing

Moderator: Darlene Tompkins (NY)

Speakers:

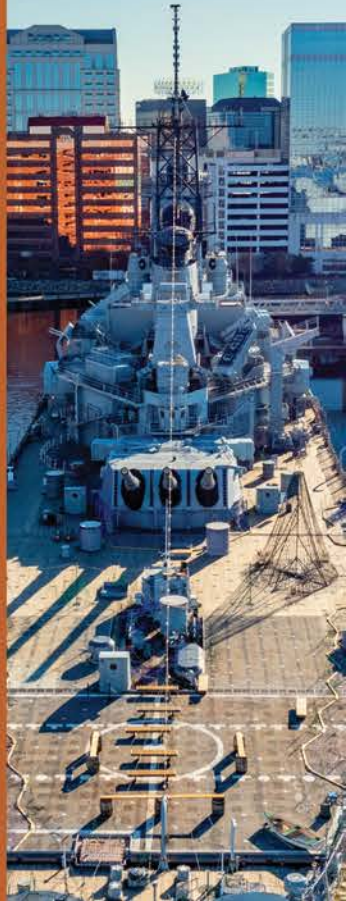
Margaret Campbell Haynes, JD

Latalya Stevens (FL)

Stefan Schlauss (Central Authority, Germany)



While you may have a solid understanding of your local and interstate cases, international cases — especially those involving Hague Convention countries — can present unique challenges. In this advanced workshop, panelists will discuss issues such as navigating service of process abroad, establishing paternity in countries with different legal requirements, determining which forms to use when sending cases internationally, understanding when foreign orders are entitled to recognition in the U.S., and much more.



Agenda

- Overview of the 2007 Hague Child Support Convention
- Overview of Foreign Reciprocal Arrangements
 - Federal
 - State
- Service of Process
- Establishment of Parentage
- Recognition of Foreign Support Orders in U.S.
 - Procedures for Hague Child Support Convention orders
 - Procedures for foreign orders from foreign reciprocating countries
 - Comity
- Resources
- Presentation from Germany



2007 Hague Child Support Convention



- The Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance was negotiated between 2003 and 2007.
- The Convention aims to streamline the establishment and enforcement of child support orders across borders.
- It became effective in the U.S. on January 1, 2017.
- As of January 2025, the Convention is in force in 54 countries, with more expected to join this year
 - 27 European Union Countries
 - Norway
 - Brazil & more



Key Components of Hague Convention

- Central Authorities in each country transmit and receive applications
- Additional specific obligations and functions
- Central Authorities can designate other public bodies to carry out the specific functions of the Hague Convention.
- Countries can object to another country's accession, preventing their mutual participation in the agreement.
 - U.S has objected to Botswana, Azerbaijan, & Guyana



What is UIFSA?

UIFSA – Uniform Interstate Family Support Act

- Developed as model law by Uniform Law Commissioners
- Federal law requires states to enact UIFSA 2008 as state law
 - Article 7 implements the Hague Child Support Convention
- No requirement for tribes to enact.
 - Tribes are not parties to the Hague Child Support Convention
- Applies to IV-D and non-IV-D cases



Foreign Reciprocal Arrangements under Federal Law



- Federal legislation passed in 1996 authorized the State Department, with HHS approval, to designate a country as a foreign reciprocating country if it met specific requirements.
- Four countries and 10 of the 13 Canadian provinces/territories are parties to a U.S. bilateral arrangement.



Key Components of Federal Foreign Reciprocal Arrangements

- Each Country has a designated Central Authority
- Case processing protocols depend on the arrangement and the country.
- Case processing times, responsiveness, and forms for each country varies.
- Arrangements are less prescriptive on the obligations of the Central Authority.

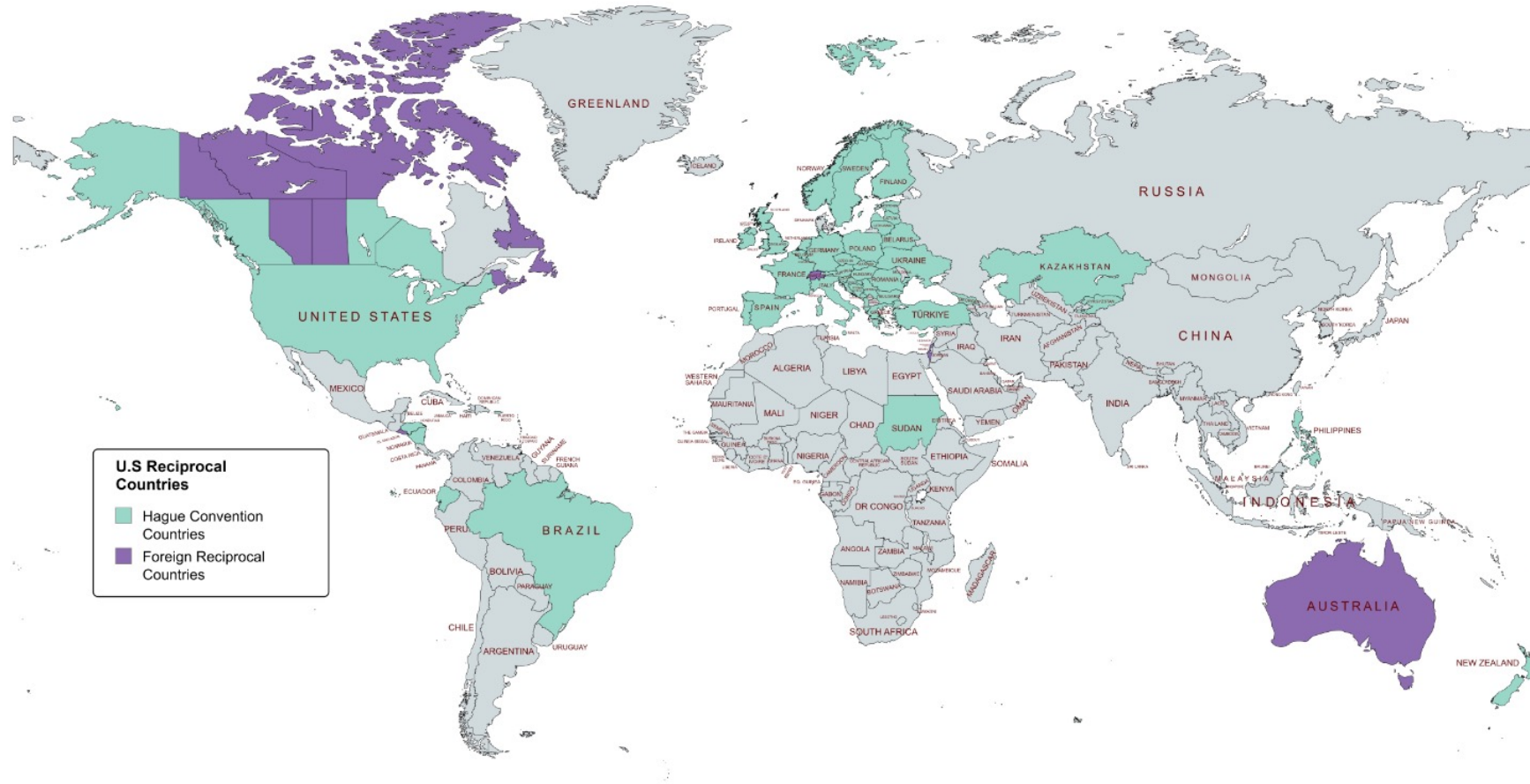


Importance of the Arrangements

- Foster cooperation between countries for case resolution
- Improve the likelihood of successful child support establishment and enforcement across borders
- Reduce jurisdictional disputes and simplify enforcement processes



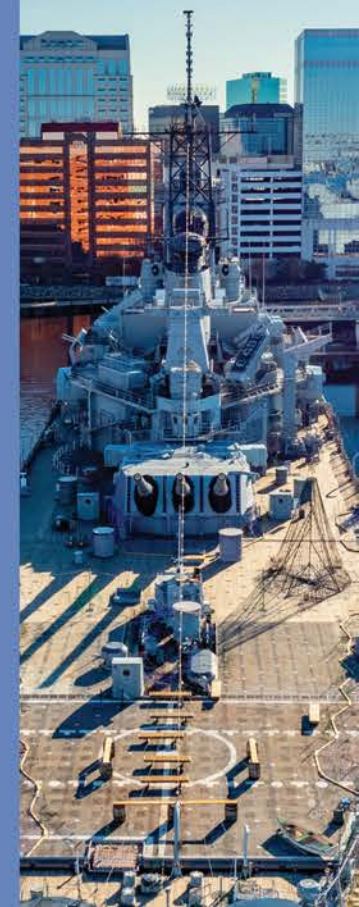
Foreign Reciprocal Countries with U.S.



State Reciprocal Arrangements



- Section 459A of the Social Security Act allows states to enter into reciprocal arrangements with countries not covered by a federal declaration.
- At the state level, this is implemented through Section 308(b) of UIFSA (2008).
- Examples of States with Reciprocity
 - California: Bermuda, Fiji
 - Kentucky: South Africa
 - Virginia: Zimbabwe



Key Points on State Reciprocal Arrangements

- Federal bilateral arrangements take precedence over state reciprocal arrangements.
- States report reciprocal arrangements in response to a question on the Intergovernmental Reference Guide (IRG), available on the OCSS website.
- Many state-level arrangements are outdated and less comprehensive than federal reciprocal arrangements or the Hague Child Support Convention.



Service of Process



- Hague Child Support Convention, Article 7
Request for Specific Measures
- Hague Convention on
Service of Process Abroad



Hague Child Support Convention, Art. 7 Request for Specific Measures

- Central Authority may request another Central Authority to take appropriate measures to facilitate service of documents when no Convention application is pending but service is necessary to assist a potential applicant make an application.
 - Ex. Service assistance needed in long-arm action when creditor plans to send an application for recognition and enforcement once support order is established
- Requesting Central Authority must provide reasons explaining why assistance is needed.
- Law of debtor's jurisdiction will apply.
 - Country's law may require use of another Convention such as 1965 Hague Service Convention



Request for Specific Measures



6.4. Provide assistance in establishing parentage where necessary for the recovery of maintenance (Art. 6(2) h))

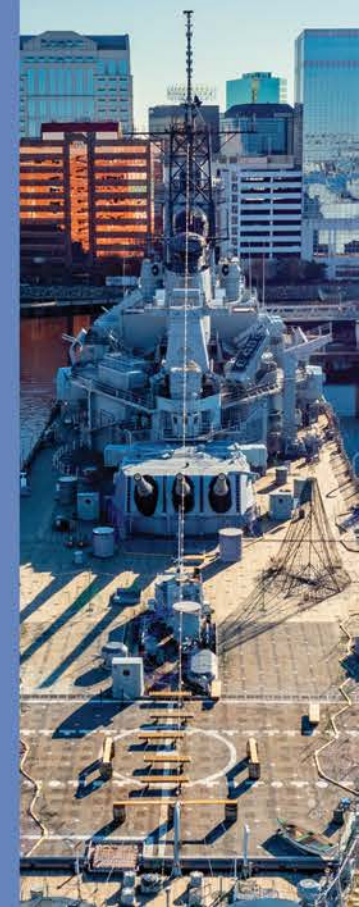
- ☐ Co-ordinate genetic testing
- ☐ Seek a voluntary acknowledgment of parentage
- ☐ Seek a legal determination of parentage
- ☐ Refer request to the appropriate competent authority
- ☐ Provide advice on the appropriate procedure(s)
- ☐ Other, please specify: _____

6.5. Initiate or facilitate the institution of proceedings to obtain any necessary provisional measures that are territorial in nature and the purpose of which is to secure the outcome of a pending maintenance application (Art. 6(2) i))

Please specify: _____

6.6. Facilitate service of documents (Art. 6(2) j))

Please specify and attach document(s): _____



1965 Hague Convention on Service Abroad

- U.S. and 83 other countries are parties to it.
- A country's Central Authority may differ from its Central Authority under Hague Child Support Convention.
- If a country is party to both Conventions, it's usually cheaper to make service request under Hague Child Support Convention.
 - Check Country Profile
 - Some countries view Service Convention as only way to serve documents



Procedure under 1965 Hague Service Convention

- Convention spells out three alternative methods of service:
 - Service according to the local law of the foreign jurisdiction to which the request was sent;
 - Service by a particular method specified in the request; or
 - Service by delivery to the addressee if they agree to voluntarily accept it.
- Complete the [Request for Service Form](#) online. Child support agency should state that the request is made pursuant to Rule 4(c)2(A), U.S. Federal Rules of Civil Procedure, and any other relevant federal or state law.
- Mail completed form and underlying documents to be served, with accompanying translations, if applicable, directly to the foreign Central Authority listed on Hague Service Convention website.



Establishing Paternity in International Cases

Legal recognition of fatherhood



Establishing in Your State: Long Arm Jurisdiction

- Allows U.S. courts to assert authority over individuals or entities in other states or countries in child support and paternity cases
- A parent or party must have “sufficient minimum contacts” with the state
- States can establish paternity and enforce child support against parents living outside the state.



Basis for Long Arm Jurisdiction Under UIFSA Section 201

- Nonresident agrees to the state's jurisdiction
 - By giving consent
 - By participating in the case
 - By responding to the case without challenging the court's authority
- Nonresident lived with the child in the state
- Nonresident lived in the state and helped with prenatal expenses or child support
- Child is living in the state because of the nonresident's actions or decisions
- Nonresident had sexual intercourse in the state, possibly leading to the child's conception
- Nonresident claimed parentage of the child in the state's putative father registry
- Any other reason consistent with state and U.S. Constitutions for the state to have jurisdiction



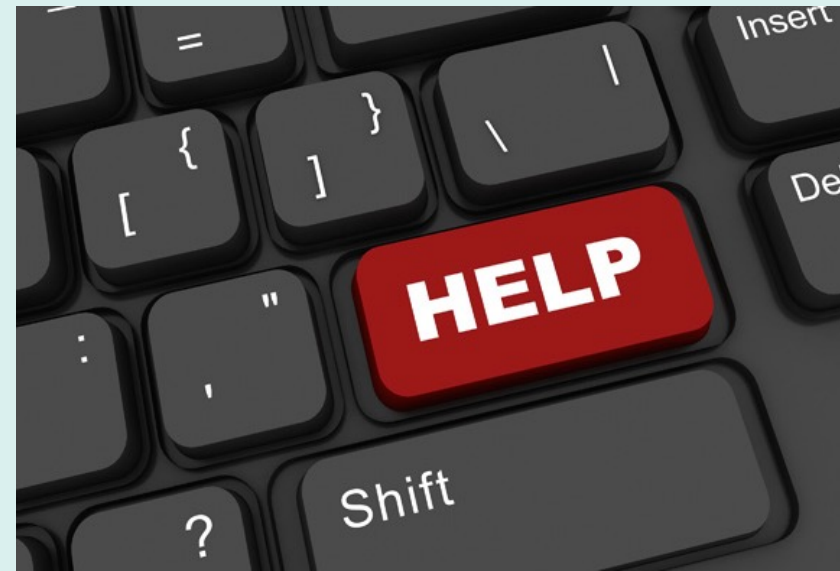
Benefits of Using Long-Arm in International Case

- Your state law applies:
 - Support guidelines
 - Duration of support
- Even if custodial parent and child later move, your state has continuing jurisdiction to modify so long as one party lives in the U.S. and other party lives abroad. UIFSA Section 611(f). Not exclusive jurisdiction.



Limitation of Using Long-Arm When Nonresident Parent is Abroad

- Might have trouble coordinating genetic testing of nonresident parent or serving process
 - If Convention country, Request for Specific Measures under Art. 7 of Hague Child Support Convention
 - If federal foreign reciprocating country, check Caseworker Guide for procedures



Establishing Paternity through International Reciprocal Arrangements



- The Hague Child Support Convention includes provision for assistance in establishing paternity where necessary for the establishment of support
- Federal Reciprocal Arrangements (FRA) include provision for assistance in establishing paternity
- Countries have varying legal definitions and methods for establishing paternity.



Convention Impact on Paternity Establishment

- Does not require a country to establish parentage unless it's a necessary prerequisite for establishing a support order (in many countries, it's not)
- Can use Article 7(1) Request for Specific Measures to seek genetic testing assistance
- Can send an Application for Establishment under Article 10(1)a) but there is no space for including parentage, would have to indicate it as "other information" on application



FRA Impact on Paternity Establishment

- Some FRCs require long-arm establishment before forwarding the request to their country, which may require a letter or documentation confirming this.
- Each country's caseworker guide includes instructions on how paternity establishment requests are handled.
- Some countries will accept the UIFSA forms for actions initiated
 - The forms still must be translated
 - UIFSA “alternative” forms available in the Caseworker guide



Paternity Testing Across Borders

- Neither the Hague Child Support Convention nor the FRAs require a country to perform genetic testing for establishing paternity.
- Depending on the legal system, the country may rely more on affidavits or testimony.
- Example:
Italy will request a voluntary acknowledgment from the debtor prior to forwarding to courts for genetic testing



Legal Presumptions of Paternity

- Legal presumptions vary: Marriage as a presumption of fatherhood vs. biological evidence
- Challenges in reconciling legal presumptions in cases involving cross-border disputes
- Example: In France, if a child is born to a married woman, the husband is automatically presumed to be the father, unless proven otherwise through legal proceedings or DNA testing. This presumption could conflict with a U.S. State request for paternity testing, as French law would prioritize the marital presumption, making it difficult to establish paternity through DNA without first overturning this presumption.



Judicial & Administrative Bodies

- Court involvement in paternity actions vary significantly by country
 - Family courts in some, administrative courts or tribunals in others
- Legal systems in some countries may take longer to process paternity cases due to bureaucratic delays or lack of resources
- Examples:

Germany family courts will establish parentage when parentage is not established as part of a support action. But they do not do an administrative establishment.

In Australia, parentage can be established through an administrative process rather than requiring a judicial decision.



Recognition of Foreign Support Orders in U.S.



- Procedures for Hague Child Support Convention orders
- Procedures for support orders from foreign reciprocating countries
- Comity



UIFSA Road Map – Section 105

- Tribunal must apply UIFSA Articles 1 thru 6, and, as applicable, Article 7, to a support proceeding involving:
 - A foreign support order;
 - A foreign tribunal; or
 - An obligee, obligor, or child residing in a foreign country
- Tribunal may apply Articles 1 thru 6 when asked to recognize and enforce a support order on basis of comity
- Article 7 applies only to Convention proceedings



UIFSA Definition of Foreign Country

- A country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:
 - Has been declared under U.S. law to be a foreign reciprocating country;
 - Has established a child support reciprocal arrangement with the state under UIFSA Section 308;
 - Has enacted a law or established procedures to issue and enforce support orders substantially similar to UIFSA; or
 - In which the Hague Child Support Convention is in force with U.S.

Section 201



Recognition and Enforcement of Hague Convention Order

Reviewed
by Central
Registry

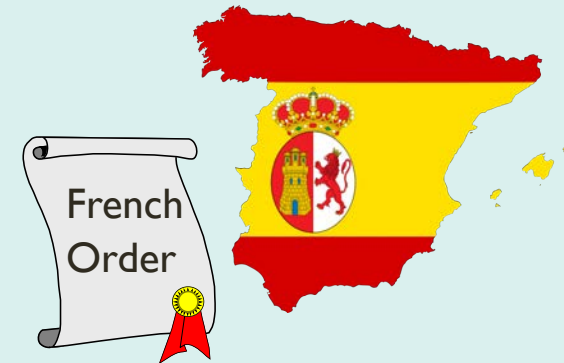
Processed
by Local
Office

Registered
with
Tribunal



Review: Was Order Issued by Hague Convention Country?

- If Convention application requests recognition and enforcement of an order, Convention requires that issuing country be a Contracting State
- A Contracting State may seek recognition and enforcement of its own order; or
- A Contracting State may seek recognition and enforcement of order issued by another Contracting State



Incoming Application for Recognition and Enforcement of Hague Convention Order



Required by UIFSA Section 706	When Used	Form/Document Used
Transmittal	Always	Convention Transmittal
Application	Always	Convention Application
	If risk of harm	Convention Restricted Information on the Applicant
Complete text of order	Always unless your state allows abstract or extract	Order itself or Convention Abstract, if acceptable
Record stating order is enforceable in issuing country	Always	Convention Statement of Enforceability



Incoming Application for Recognition and Enforcement of Hague Convention Order (cont'd)



Required by UIFSA Section 706	When Used	Form/Document Used
Record attesting to proper notice and opportunity to be heard	Always if respondent did not appear and was not represented	Convention Statement of Proper Notice
Record of arrears	Always if there are any	Domestic document showing amount and date calculated
Information about obligor	Always	Convention Financial Circumstances form (for applications by creditor only. Complete sections related to obligor)
Record showing reqt for automatic adjustment and explaining how to adjust or index support amount	Always if order provides for automatic adjustment or indexation	Domestic document



Application – Page 4

6. ☐ This is an application for recognition only; do not initiate enforcement measures
7. Bases for recognition and enforcement (Article 20) (please tick all relevant boxes)
Date of decision: _____ (dd/mm/yyyy) State of origin: _____
- ☐ The respondent was habitually resident in the State of origin at the time proceedings were instituted;
- ☐ The respondent has submitted to the jurisdiction either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity;
- ☐ The creditor was habitually resident in the State of origin at the time proceedings were instituted;
- ☐ The child for whom the maintenance was ordered was habitually resident in the State of origin at the time proceedings were instituted, provided that the respondent has lived with the child in that State or has resided in that State and provided support for the child there;
- ☐ There has been agreement to the jurisdiction by the parties in writing or evidenced by writing (except in disputes relating to maintenance obligations in respect of children);
- ☐ The maintenance decision was made by an authority exercising jurisdiction on a matter of personal status or parental responsibility and that jurisdiction was not based solely on the nationality of one of the parties; or
- ☐ In a case where the State addressed has made a reservation in accordance with Article 20(2), there are factual circumstances in which the law of that State in similar circumstances would confer or would have conferred jurisdiction on its authorities to make such a decision. Please specify:
- _____
- _____
8. Appearance of the respondent
- ☐ The respondent appeared or was represented in the proceedings in the State of origin
- ☐ The respondent did not appear and was not represented in the proceedings in the State of origin (see attached Statement of Proper Notice (Art. 25(1) c))
9. ☐ Financial Circumstances Form attached (Art. 11(2) a) and b))



UIFSA Article 7: Registration of Hague Convention Order

- Documents
- Review by registering tribunal
- Contest
- Recognition and enforcement of registered Convention order
- Partial enforcement
- Foreign support agreement



Longer Time to Challenge

- Hague Convention support order
 - Not later than 30 days after notice of registration
 - Not later than 60 days after notice if contesting party does not reside in U.S.



Defenses – UIFSA Section 708

- Recognition and enforcement of order is **manifestly incompatible with public policy**, including failure of issuing tribunal to observe minimum standards of due process
- Issuing tribunal **lacked personal jurisdiction** consistent with Section 201
- Order is **not enforceable** in issuing country
- Order was obtained by **procedural fraud**
- A record transmitted under Section 706 **lacks authenticity/integrity**



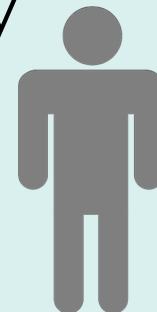
Defenses – UIFSA Section 708 (cont'd)

- **Pending proceeding filed first**
- **Order incompatible with more recent support order**, which is entitled to recognition and enforcement
- Alleged **arrears have been paid**
- If default order, there was a **lack of due process** regarding notice and opportunity to be heard
- Order was made in **violation of Section 711** (limitation on modification jurisdiction)



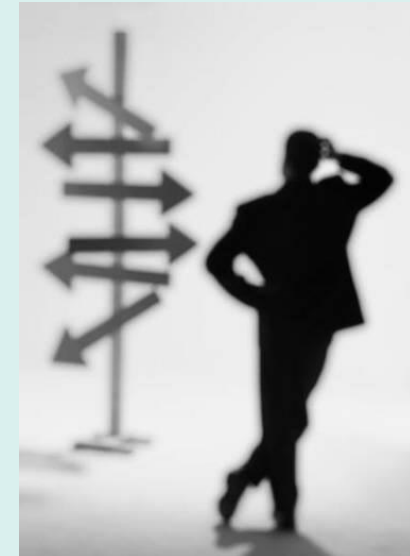
Are These Defenses Valid?

- Respondent challenges on basis that Convention order is not certified
- Respondent challenges on basis that support amount is too high
- Respondent challenges on basis that record stating that support order is enforceable in issuing country is not submitted under penalty of perjury
- Respondent challenges on basis that there is no support duty because state law only requires support to age 18 or graduation from high school and child is 20



Choice of Law – UIFSA Section 604

- Law of issuing foreign country governs:
 - Current support payments, including duration
 - Computation and payment of arrears, including interest accrual
 - Existence and satisfaction of other support obligations
- Law of responding state governs:
 - Enforcement procedures and remedies
- Law of issuing foreign country or responding state – whichever is longest – governs:
 - Statute of limitations on arrears



Non-Recognition of Convention Order – UIFSA Section 708

If a tribunal does not recognize a Convention order because of:

- Lack of personal jurisdiction
- Procedural fraud
- Pending proceeding that was filed first
- Default order issued without proper notice & opportunity to be heard



Non-Recognition (cont'd)

Then:

- Tribunal may not dismiss proceeding without allowing reasonable time for party to request establishment of new Convention support order; and
- The [governmental entity] must take all appropriate measures to request child support order for obligee if application for recognition and enforcement was received through Central Authority
- No Application for Establishment of a Decision required



Case Scenario

- Matilda met Jim, a servicemember, in Germany. They began a relationship, and a child was born after Jim had returned to U.S.
- Germany issued a default support order based on creditor jurisdiction - mom lived there.
- Germany sends application to Virginia, where Jim now lives, seeking recognition and enforcement of German order.
- Jim's lawyer challenges registration arguing that Germany's basis of jurisdiction over Jim violates U.S. due process.

Should challenge be successful?



Recognition and Enforcement of Order from FRC

- UIFSA Article 6 provisions apply
- Required forms
 - Transmittal requesting registration
 - Two copies of order, incl. certified copy
 - Sworn statement or certified public record re: any arrears
- Same process as used to register a U.S. order for enforcement
 - Challenge time frame
 - Defenses
 - Choice of law

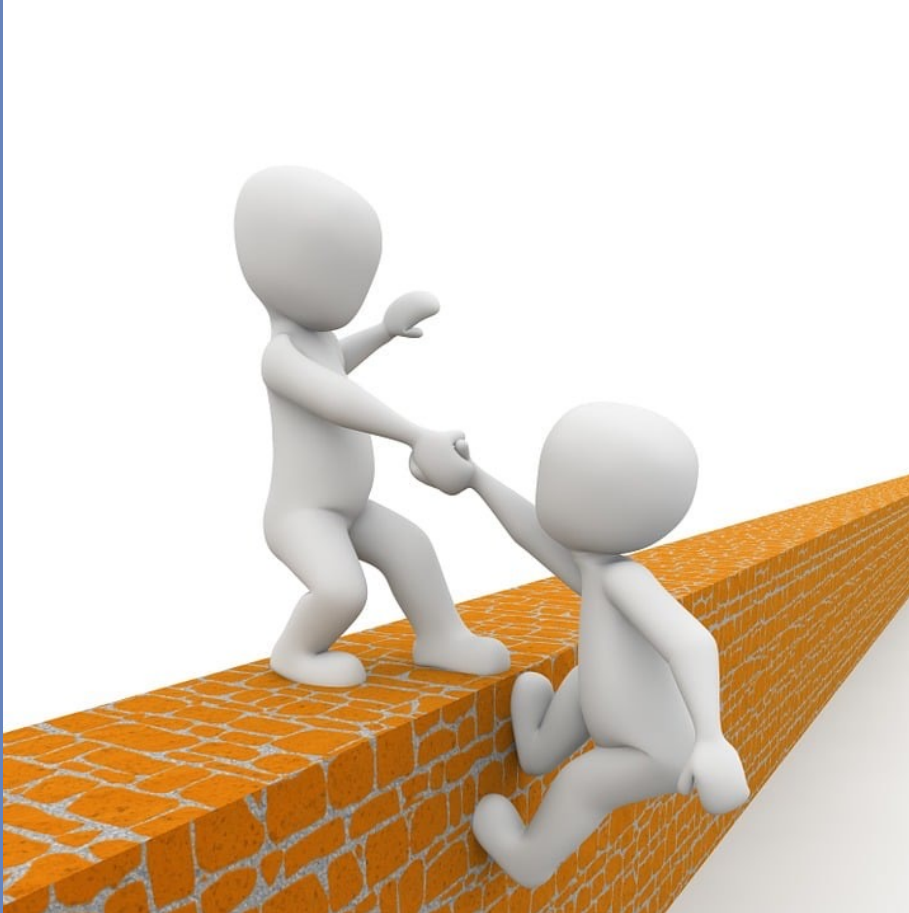


What if Country is not a Foreign Country under UIFSA?

- Order may be enforceable under comity.
 - UIFSA Sections 104, 105
- U.S. tribunal will consider whether parties in foreign jurisdiction had fair opportunity in an impartial forum to fully litigate the issues.
- It's a case-specific determination.
 - Does not mean tribunal will recognize and enforce a different order from same country
- Application of UIFSA Articles 1 through 6 is discretionary with tribunal.



Resources



- OCSS
- Permanent Bureau (HCCH)
- Other Resources



International Page of OCSS Website

Office of Child Support Services - International

Country specific entries

OCSS nine-part webinar series

OFFICE OF CHILD SUPPORT SERVICES

An Office of the Administration for Children & Families

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Tribal Agencies

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Current as of: October 16, 2023

OCSS is the U.S. Central Authority for international child support. We work with states and countries to provide assistance to families seeking support when family members live in different countries.

Child support reciprocity

U.S. states process cases with certain countries under different types of reciprocity arrangements, including:

- Hague Convention countries — countries that have joined the Hague Child Support Convention, and
- Foreign reciprocating countries (FRCs) — countries and Canadian provinces/territories that have bilateral arrangements with the U.S. government and have not joined the Hague Convention.

See the full list of Hague Convention countries and FRCs below. Click on the country name to access country-specific case processing and payments information.

For Hague Convention forms to other countries, see our [Hague Convention Requirements page](#).

List of countries

Select a countryGo

Hague Child Support Convention

Expand All

Hague Convention Forms in English (fillable PDFs)

Training - Processing Convention Cases

Essential Resources



OCSS International Policy

- PIQ-23-01 [Responding to Specific Measures Requests from Hague Convention Countries](#)
- DCL-23-02 [Enrollment in CAP Service for International Payments](#)
- PIQ-22-01 [Processing Incoming Cases under the 2007 Hague Child Support Convention](#)
- PIQ-21-01 [Translation in Outgoing International Cases](#)
- IM-19-02 [Provide Only U.S. State of Residence for International Locate Requests](#)



OCSS Training on Hague Child Support Convention

- OCSS developed a nine-part webinar series to help central registry staff and caseworkers process international child support cases under UIFSA 2008
 - First eight modules focus on the Hague Child Support Convention
- Accessible from OCSS International page

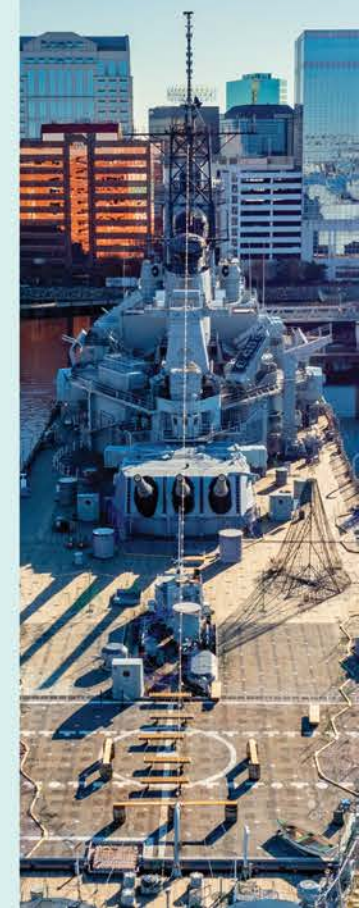


Convention Forms and Requirements

- Where to find them on OCSS website
 - [English pdf fillable forms](#)
 - [Language specific forms](#)
- [Convention Requirements Page](#)
 - Matrix with information for each Convention country
 - Languages for routine communication
 - Official language (for translation)
 - Forms and Documents required
 - Payment Information



Country-Specific Information



Austria

ROUTINE COMMUNICATION:

English

OFFICIAL LANGUAGE:

German

FORMS AND DOCUMENTS:

- [German Transmittal Form.docx](#) (DOCX)

Bilingual English/German forms:

- [Application for Recognition or Recognition and Enforcement.pdf](#) (PDF)
- [Abstract of a Decision.pdf](#) (PDF)
- [Statement of Enforceability of a Decision.pdf](#) (PDF)
- [Statement of Proper Notice.pdf](#) (PDF)
- [Application for Enforcement of a Decision Made or Recognized in the Requested State.pdf](#) (PDF)
- [Application for Establishment of a Decision.pdf](#) (PDF)
- [Application for Modification of a Decision.pdf](#) (PDF)
- [Financial Circumstances Form.pdf](#) (PDF)

PAYMENTS INFORMATION:

Austria does not accept child support payments by check. States should send wire payments.

Bank Account Details:

- **Name of Bank:** BAWAG - PSK
- **Address of Bank:** Wiedner Gürtel 11, 1100 Vienna, AUSTRIA
- **Name of Account Holder:** Ministry of Justice
- **Address of Account Holder:** Museumstraße 7, 1070 Vienna, AUSTRIA
- **Account Number:** 5490000
- **SWIFT / BIC Code:** BUNDATWW
- **IBAN Number:** AT100100000005490000

Contact Information for Payment Details:

- **Name of Contact Person:** Dr. Robert Fucik
- **Address:** Museumstraße 7, 1070 Vienna, AUSTRIA
- **Email Address:** robert.fucik@bmvrj.gv.at [visit disclaimer page](#)
- **Phone Number:** 011-43 1 52152 2731
- **Fax Number:** 011-43 1 52152 2829

[< Back to country list](#)

Where to Find Central Authority Contact information

- [Intergovernmental Reference Guide \(IRG\)](#)

CHILD SUPPORT PORTAL
Secured Environment

HOME PORTAL HOME EXCHANGE AGREEMENTS PROFILE QUERY DOWNLOADS RESOURCES FEEDBACK LOGOUT

Must make a selection to proceed

☐ State ☐ International ☐ Tribe ☐ OCSE

----Select-----

GO

Profile Contact

----Select-----

Foreign Reciprocating Country

- 036 - Australia
- 124 - Canada
- 222 - El Salvador
- 376 - Israel
- 756 - Switzerland

Foreign Treaty Country

- 008 - Albania
- 040 - Austria
- 112 - Belarus
- 056 - Belgium



Where to Find Additional Central Authority Information

- Convention country profiles
- OCSS [Hague Convention Requirements](#) page has link to Permanent Bureau (Hcch) [Country Profiles](#)



HCCH
HAGUE CONFERENCE ON
PRIVATE INTERNATIONAL LAW
CONFÉRENCE DE LA HAYE
DE DROIT INTERNATIONAL PRIVÉ

complete or modify the country profile	
Available Country Profiles	Last modified
Austria: html (en fr es) - pdf (en fr es)	2014-05-16
Bosnia and Herzegovina: html (en fr es) - pdf (en fr es)	2022-04-13
Belgium: html (en fr es) - pdf (en fr es)	2020-10-12
Bulgaria: html (en fr es) - pdf (en fr es)	2015-04-07
Brazil: html (en fr es) - pdf (en fr es)	2021-09-17
Belarus: html (en fr es) - pdf (en fr es)	2018-06-01
Cyprus: html (en fr es) - pdf (en fr es)	2019-11-22
Czech Republic: html (en fr es) - pdf (en fr es)	2014-04-28



Federal Reciprocating Countries

- OCSS Caseworker Guides
 - [Caseworkers Guide to Processing Cases with Australia](#)
 - [Caseworkers Guide to Processing Cases with Israel](#)
 - [Caseworkers Guide to Processing Cases with El Salvador](#)
 - [Caseworkers Guide to Processing Cases with Switzerland](#)
 - [Caseworkers Guide to Processing Cases with Canada](#)



Completing UIFSA Forms for Canada*

- Great resource: [Desk Aids](#) (prepared by Washington state)
 - [Directions for Outgoing Applications to Canada](#)
 - [Required Forms and Supplemental Documents for Outgoing Applications to Canada](#)
 - [Canadian Age of Majority Table](#)

Required Forms and Supplemental Documents for Outgoing Applications to Canada		
Action Required	Documents Required	Supplemental Documents as Necessary
Establish Support	Child Support Enforcement Transmittal #1 – Initial Request Child Support Agency Confidential Information Form Uniform Support Petition General Testimony Personal Information Form for UIFSA § 311 Birth Certificate, official birth record, or Acknowledgment of Paternity *ISO Request for Support Order Form D	Optional financial documents, for example:** • Three most recent pay stubs from current employer. • Most recent income tax return. • Child care expenses. • Ongoing medical expenses. • Unreimbursed medical expenses.
Instructions	• Forms packages must include at least one original and two copies of all documents. • The package should be sent to the Designated Authority shown in the IRG. • Custodial parent's financial information is required only if the custodial parent is seeking reimbursement for child care expenses or medical expenses. See the attached instructions for completing ISO Request for Support Order Form D	

* Not B.C., Ontario, or Manitoba



Resources for Attorneys and Judges

- Judicial Guide and Bench Cards
 - [Hague Child Support Convention: Judicial Guide](#)
 - [Judicial Bench Cards for UIFSA and Hague Convention cases](#)
 - [U.S. Ratification of Hague Child Support Convention](#)
 - [Uniform Interstate Family Support Act \(2008\) and Hague Treaty Provisions](#)
 - [Federal Register Notice: Designating State IV-D Agencies as “Public Bodies” under the 2007 Hague Convention](#)



Other OCSS Legal Resources

- [Essentials for Attorneys in Child Support Enforcement | The Administration for Children and Families \(hhs.gov\)](#)
 - See Chapter 13 “International Child Support Cases”
 - Convention and non-Convention Countries



OFFICE OF CHILD SUPPORT ENFORCEMENT
An Office of the Administration for Children & Families

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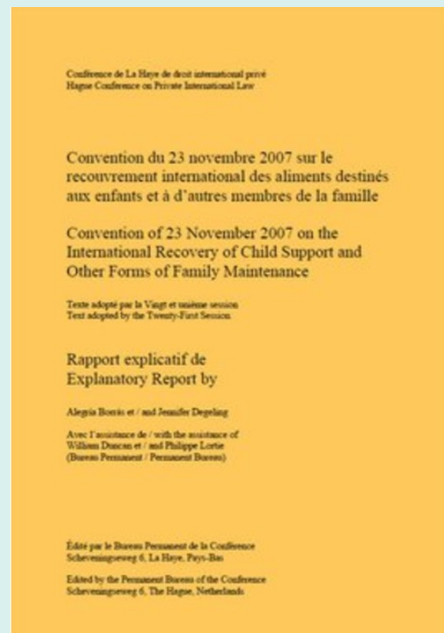
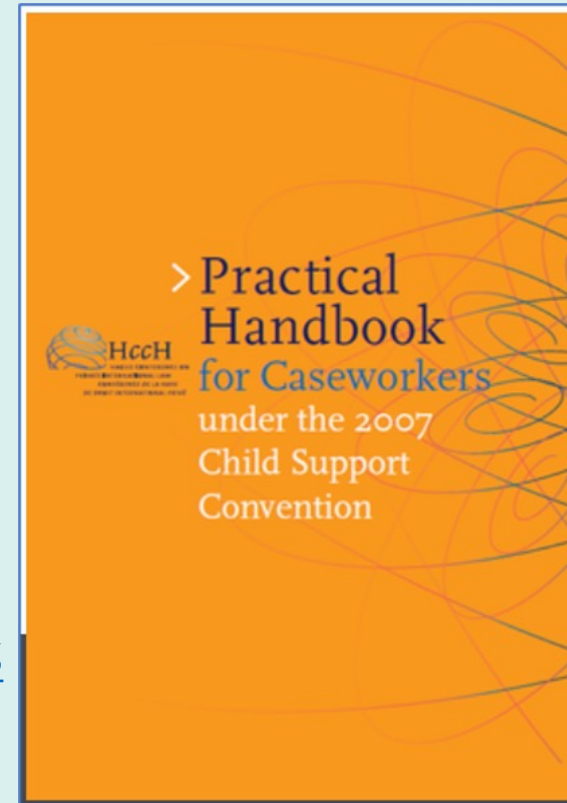
[Home](#) > [Office of Child Support Enforcement \(OCSE\)](#) > [Training & Technical Assistance](#) > [Essentials for Attorneys in Child Support Enforcement](#)

Essentials for Attorneys in Child Support Enforcement

PRINT

HCCH Resources

- Child Support Section
 - Text of the Convention
 - Member State Country Profiles
 - Practical Handbook for Caseworkers
 - Explanatory Report



Other Resources

- European Justice Portal – [Family maintenance](#)
- Individual Country Webpages
 - E.g., [Switzerland](#), [Germany](#), [Brazil](#), [Norway](#)
- Presentations from NCSEA/ERICSA/WICSEC Conferences



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Bundesamt
für Justiz

Processing Complex International Cases

Stefan Schlauss

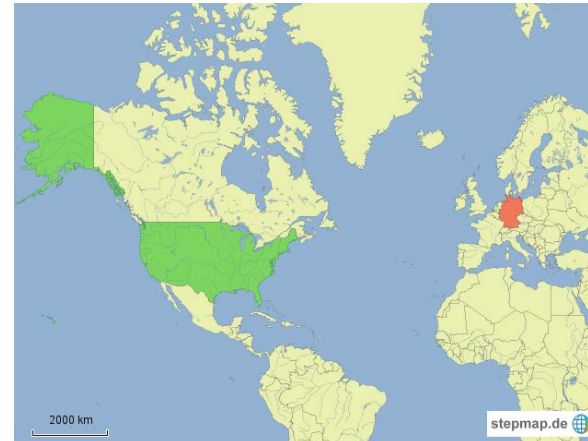
Head of Directorate „International Civil Law“
Federal Office of Justice, Bonn/Germany

ERICSA – Norfolk/VA – May 20, 2025



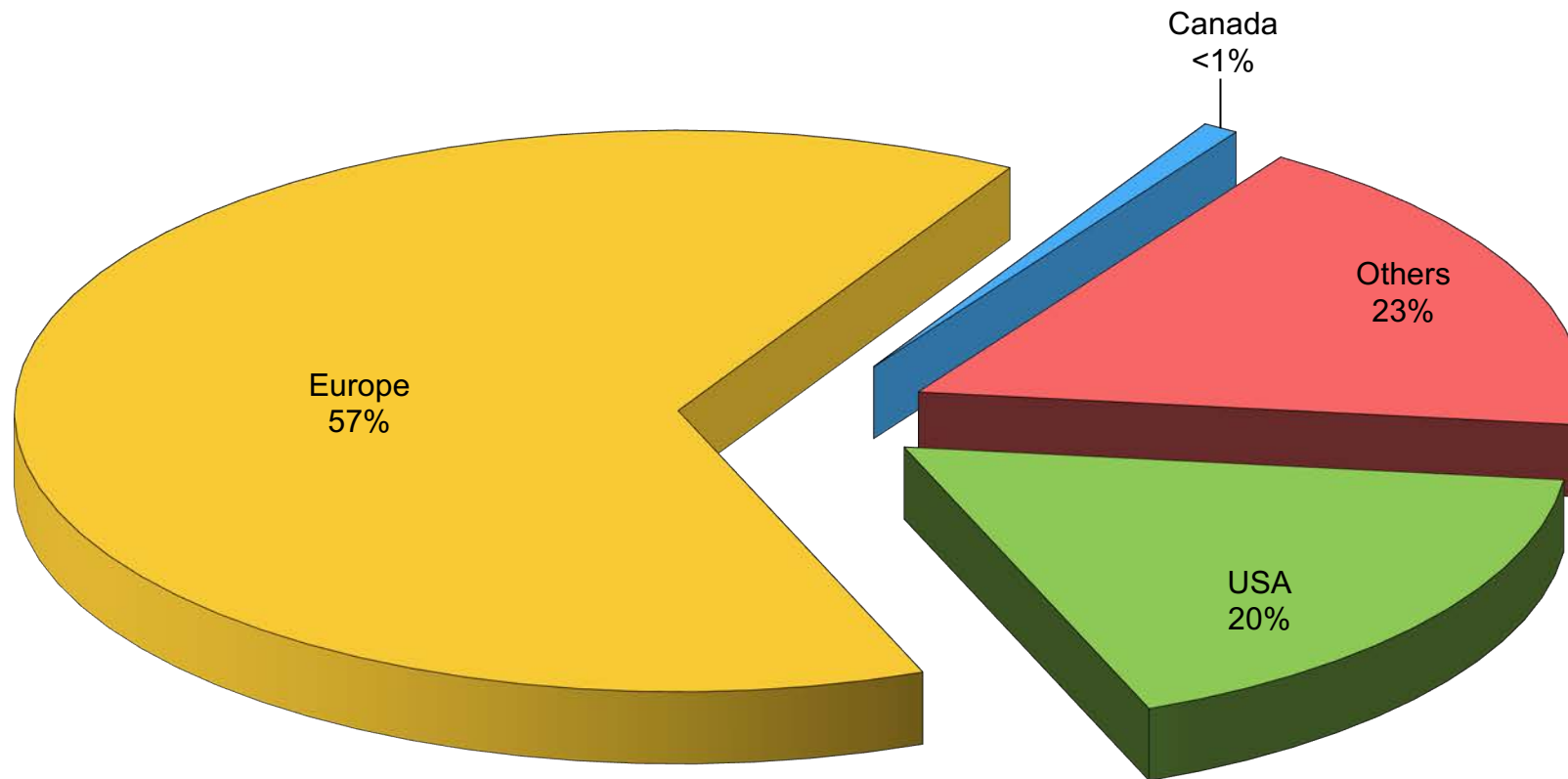
Germany's Central Authority

- A single Central Authority – International cases only
- Co-operation with 130 countries worldwide
- EU Maintenance Regulation, Hague Convention, UN Convention, Reciprocity
- Over 10,000 active cases – More than 1,600 new cases each year
- US most important partner for outgoing applications
- First US partner using “CAP”



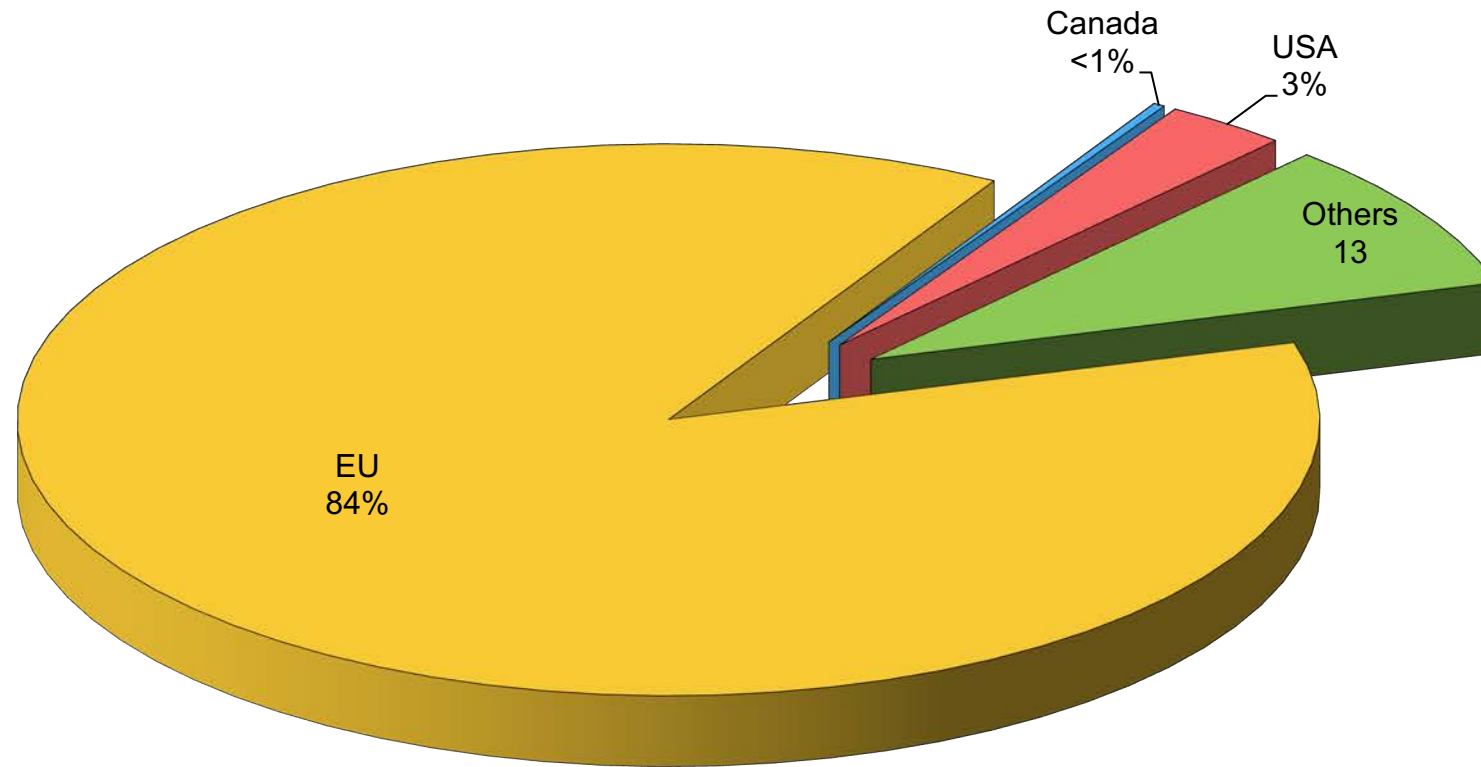


Outgoing Applications 2024 (from Germany)





Incoming Applications 2024 (to Germany)





Incoming applications to Germany

- **Germany's Central Authority is authorized by law**
to take extrajudicial action or to initiate court action on behalf of the applicant, e.g.
 - ✓ to help locate the debtor or to help to obtain information on the income and financial circumstances of the debtor
 - ✓ to encourage amicable solutions (e.g. payment in installments)
 - ✓ to facilitate the establishment or the recognition and enforcement of a decision before the courts
 - ✓ to provide assistance in establishing parentage where necessary
 - ✓ to facilitate the collection and transfer of payments
- **Specialized family courts** (local courts at the seat of the Higher Regional Courts)
- **Free legal assistance** (according to Hague Child Support Convention)



(Multilingual) Forms

- www.hcch.net (child support section)
- www.bundesjustizamt.de/maintenance
- www.acf.gov/css/partners/international



Service of Documents

- In US proceedings for the establishment of a child support order (without the involvement of German Central Authority):
 - cross-border service of court documents in Germany > 1965 Hague Service Convention (specific transmitting and receiving agencies)
 - German Central Authority under the 2007 Hague Child Support Convention may assist in determining the address of the debtor in Germany
- Service of documents in proceedings for the cross-border establishment of a child support order or for recognition and enforcement in Germany under the Hague Child Support Convention (Art. 10):
 - German Central Authority submits applications on behalf of the foreign applicant
 - service is effected by the German court



Establishment of a court order, Art. 10 (1) c)

- Habitual residence of the debtor in Germany?
- Out of court, the Central Authority examines whether an agreement on voluntary maintenance payments can be reached
- If debtor cooperates, a child support deed at the Youth Welfare Office can be drawn up (enforceable document; may include acknowledgement of paternity)
- If debtor does not cooperate: German Central Authority will initiate court proceedings on behalf of the foreign applicant (before specialized family courts)
- German Central Authority takes action itself or a lawyer is appointed, if necessary
- Foreign Central Authority will be informed on the progress
- If applicable, establishment of parentage



Establishment of Parentage

- In US proceedings for the establishment of a child support order (without the involvement of German Central Authority):
 - DNA testing? cross-border taking of evidence in Germany > 1970 Hague Evidence Convention (specific transmitting and receiving agencies)
- Establishing Paternity in proceedings for the cross-border establishment of a child support order in Germany under the Hague Child Support Convention, Art. 10 (1) c):
 - German Central Authority first attempts to establish paternity on a voluntary basis (acknowledgment of parentage at the Youth Welfare Office)
 - German Central Authority initiates court proceedings on behalf of the foreign applicant, if there is no voluntary cooperation in establishing paternity (a lawyer is mandatory here)
 - Application for establishment of paternity in connection with application for child support
 - Evidence will be taken by the German court



Recognition and Enforcement

- Registration/Recognition of US orders in Germany
 - Application via Central Authority (specialized family courts)
 - Full text of the decision
 - German translation
 - Proof of enforceability
 - Service of process / statement of proper notice?
 - Enforcement in Germany (under national law), e.g.
 - ✓ Income withholding
 - ✓ Garnishment of bank accounts
 - ✓ Deductions from social security payments
 - ✓ Seizure and sale of assets
- Not: Suspension of driving license
- Limitations: debtor protection rules



Major Challenge: Digitalization

- EU:
 - all communication between Central Authorities will be digitized (e-CODEX)
- Worldwide:
 - iSupport (HCCH) – current Pilot Project (Germany-Sweden)
 - ✓ Electronic Case Management System
 - ✓ Secure international Communication via e-CODEX between Central Authorities



Bundesamt
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www.bundesjustizamt.de/maintenance



**more information:
Germany's Country Profile
under hcch.net!**