



ERICSA 63RD ANNUAL TRAINING CONFERENCE & EXPOSITION

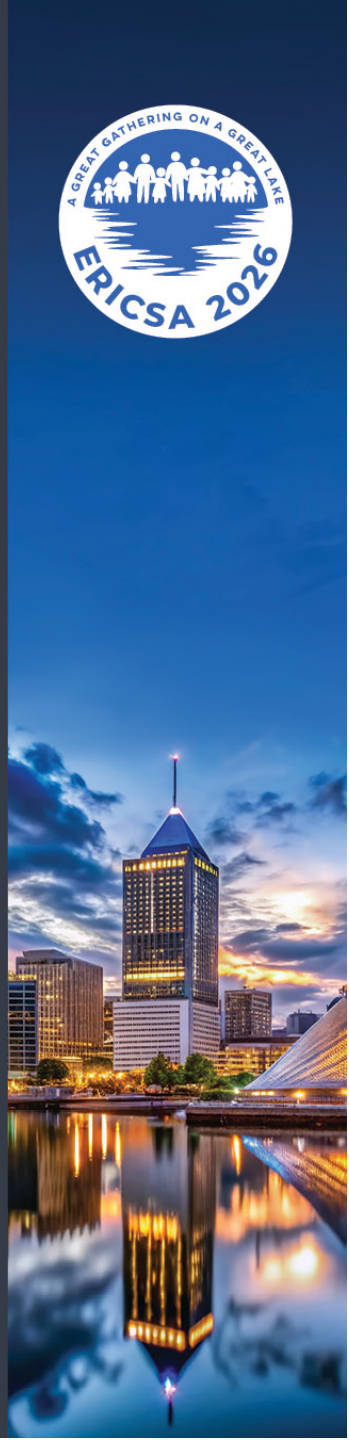
MAY 3-7, 2026

Milwaukee

WISCONSIN

Rise to the Challenge – Advanced UIFSA Scenarios

Speakers: Kelly Micka and Rob Velcoff
Moderator: Brandy Williams



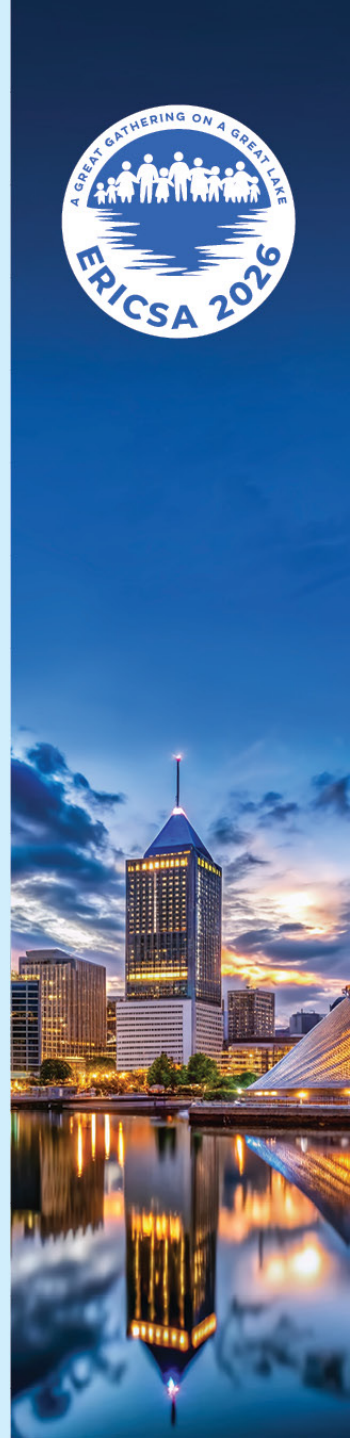
Legal v. Bio Dad

Marriage State and Year	Legal Dad	Mom
South Carolina, 2015	Scott	Susan

Year	Events
2017	Scott moves out to parts unknown, but there is never a divorce
2019	Susan gives birth, Scott listed as dad on the birth certificate
2020	Susan applies for IV-D services, names Steven as bio dad
2020	Steven located in South Dakota; SC asks SD to establish paternity and support

Questions:

- What should SD do with this case?
- What (if anything) would be different if Scott never moved out of the SC household but Susan is still saying that Steven in SD is the father?



Due Process?

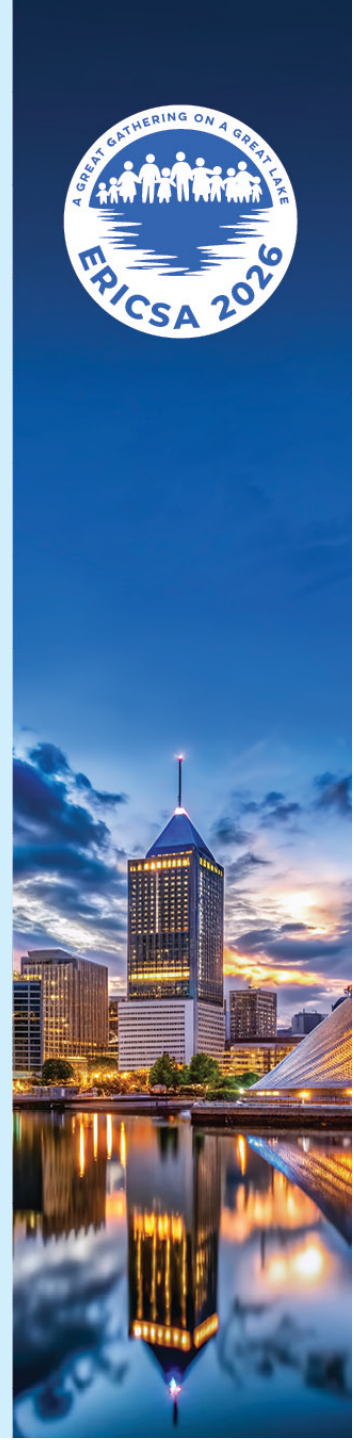


Order Issuing Country and Year	Dad and Payor State	Mom and Payee Country
Mexico, 2020	Xavier, Massachusetts	Xena, Mexico

Year	
2021	MA refuses to register the Mexico order for enforcement on the grounds that Mexico lacked personal jurisdiction over Xavier
	Xavier moves to Connecticut
Now	CT refuses to register the Mexico order because it gives full faith and credit to the MA order of dismissal

Questions:

- Assuming Xavier had no minimum contacts with Mexico, was MA correct in denying the registration?
- Is CT correct in their denial action?



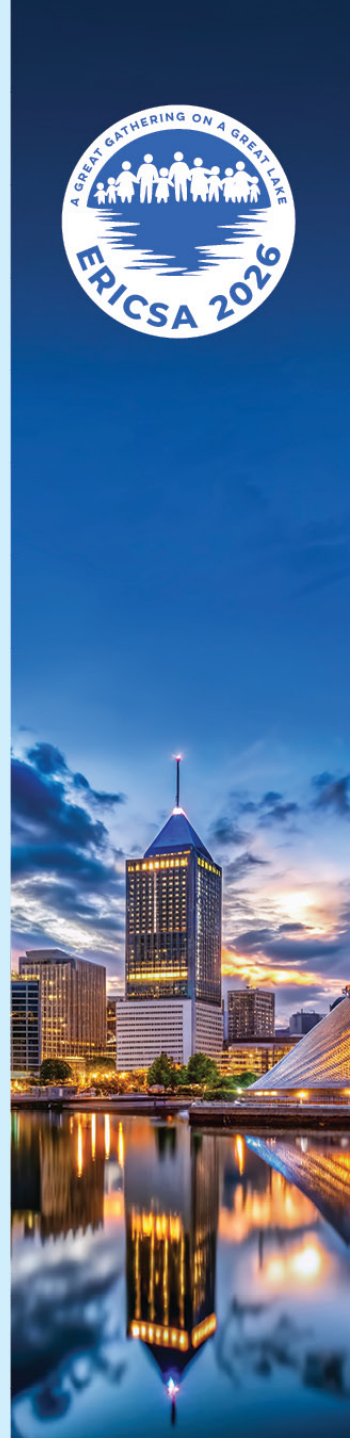
DV and Modifications

Order Issuing State & year	Payor	Payee	Amount
Alaska, 2018	Tony	Carmella	\$700

Year	
2019	Carmella moves to Hawaii and claims domestic violence
Now	Carmella applies for IV-D services and requests an upward modification
	Carmella requests all hearings take place in HI because she is afraid to return to AK

Questions:

- As the HI worker, what do you do?
- What action do you request, and to where?
- Is long-arm an option?



This Never Happens...



Order Issuing State	Payor & State	Payee & State	Amount
1. Oregon	Otto, Nevada	Olivia, OR	\$350
2. Oregon	Otto, Nevada	Ophelia, OR	\$350

Otto moves to NV

OR order #1 is registered in NV for enforcement, but OR order #2 is not (assume two different IV-D offices in OR are working the case).

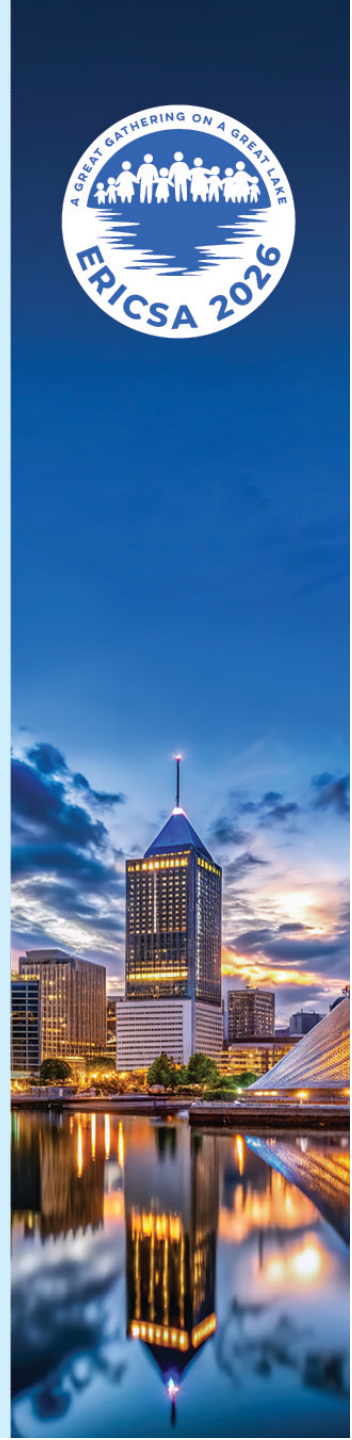
NV sends an IWO to Otto's employer, and \$350 is sent to the NV SDU, who forwards it to the OR SDU with the child support case # for Olivia's case.

OR splits the payment over Otto's two cases, \$175 per case. This continues for months.

NV shows Otto is current on his case with Olivia. OR shows arrears on both cases.

OR intercepts Otto's federal tax refund, splitting the refund to both cases. OR informs NV of the tax refund payment. NV shows Otto as being overpaid on the case with Olivia.

- What should be done to fix things on this case(s)?



Break Point!



Order Issuing State & year	Payor	Payee	Amount
Mississippi, 2019	Emma	Ethan	\$1000

Payor

Emma is a professional tennis player currently residing in Louisiana, although she travels nationally as well as internationally, playing in various tournaments. She is paid directly by the tournament organizers, often in different states and countries

MS sends their order to Louisiana for Registration for Enforcement, which LA does.

Question:

What enforcement remedies are available to LA?

Competing Arrears Payments

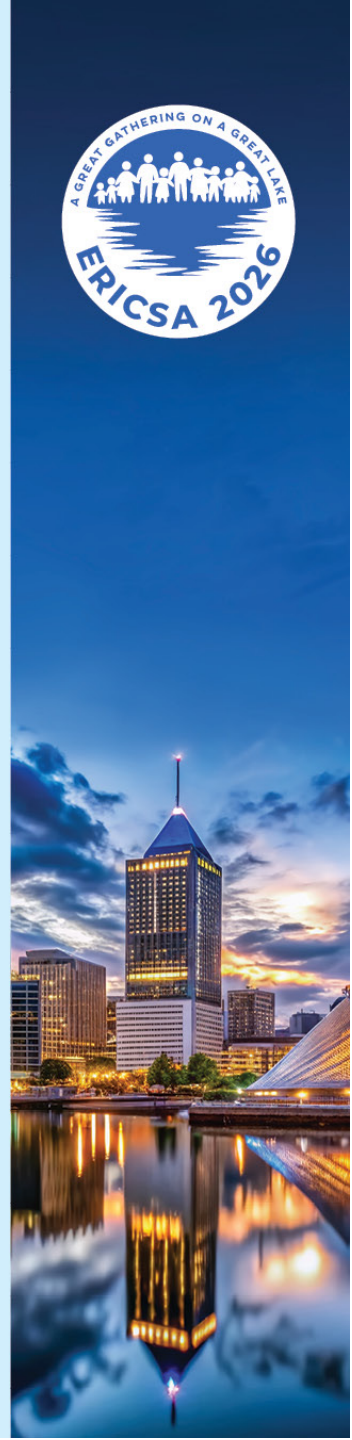


Order Issuing State & year	Payor	Payee	Amount	Other provisions
Texas, 2018	Tom	Terri	\$800	\$100 arrears repayment amount

Year	
2019	TX judgment for \$5,000 with repayment of \$100 per month
Now	Tom moves to Tennessee; order registered for enforcement in TN
Now	Tom gets a job and TN sends IWO for \$800 + \$200 per month due as TN regulations require an additional administrative amount of 25% of the current support obligation to recoup arrears

Questions:

- What should the correct repayment amount be?



Child Support and Incarceration



Order Issuing State & Year	Payor	Payee	Amount	Other provisions
Alabama, 2019	Artie	Annie	\$300	• Direct Pay from Artie to Annie • Law in AL that child support goes to \$0 if incarcerated for more than 6 months

Year	Payor	Payee
2020	Artie moves to Arkansas	
2021		Annie moves to Arizona
2026	Artie incarcerated in Arkansas for one year	

Questions:

- As the AL worker, would you have the order modified by operation of law?
- As the AZ worker, assuming Annie applies for IV-D services, you check with Annie and she wants the order enforced. What do you do?

Multiple Kids, Multiple Moves



Order Issuing State & year	Payor	Payee		Amount
Wisconsin, 2016	Wendy	Walter	3 children	\$900

Year	
2017	Child Will moves in with Grandma in Wyoming
2018	Child Willow moves in with Aunt in Washington
2019	Child Wyatt moves in with Wendy in Wisconsin
2020	Walter moves to West Virginia (childless)
Now	Wendy contacts the WI child support seeking retro and current support for Wyatt
Now	Grandma and Aunt also seeking support

Questions:

- As the WI worker, what actions do you take on this case, and where?
- What about the retroactivity?
- Are these modification petitions, or establishment?



So Many Repayments...



Order Issuing State & year	Payor	Payee	Amount
Oklahoma, 2019	Brad	Brenda	\$250

Year	
2020	Brenda moves to Nebraska and applies for services. Payments redirected by OK to the NE SDU
2020	Arrears accrue to \$2500
2021	NE receives a federal tax refund offset for Brad in the amount of \$500, which is disbursed from NE to Brenda.
2021	Two weeks after the tax refund offset, before OK is notified by NE about the \$500 tax offset payment, OK seizes a bank account belonging to Brad in the amount of \$2500. This payment is sent to NE, who forwards it to Brenda. Brenda spends the money.

Question:

- Who is responsible for repaying Brad the overpayment? OK? NE? Brenda?

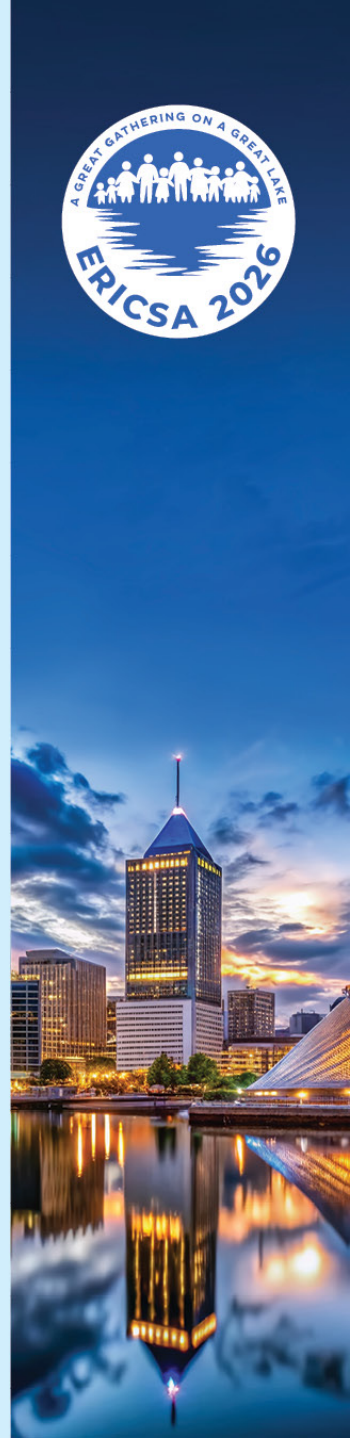
Tribal Transfer

Order Issuing State and Year	Payor	Payee	Amount
Wisconsin, 2018	Peter, Ho-Chunk Tribal Nation member	Lois	\$850

Year	Events
Now	Lois applies for IV-D services in WI
Now	WI determines the Ho-Chunk Nation IV-D agency would be best suited to enforce the order due to the circumstances of the case and Lois agrees.

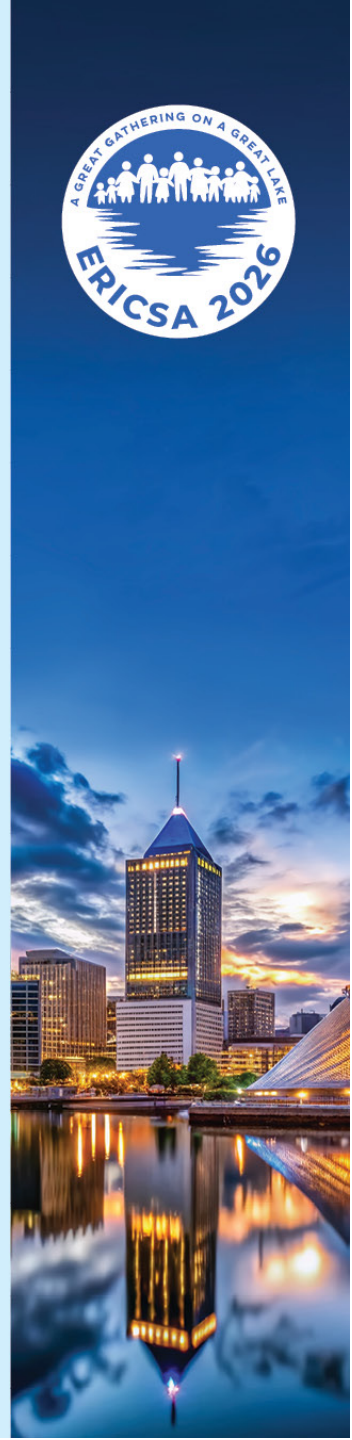
Questions:

- Can the WI IV-D agency transfer the case to the Ho-Chunk IV-D office and then close their own case?



To Close or Not To Close?

Order Issuing State & Year	Payor	Payee	Amount
Montana, 2019	Harold	Holly	\$650



Year	Events
2021	Holly and the children move to Utah and apply for IV-D services, so payments are forwarded by MT to UT
Now	Adam also moves to UT
	There are no arrears due MT DSS

Questions:

- Can MT close their IV-D case?

TANF Arrears Only?



Order Issuing State & Year	Payor	Payee	Amount
Virginia, 2015	Vinnie	Victoria	\$300

Year	
2017	Vinnie moves to Vermont and stops paying support and Victoria goes on public assistance in VA
2017	VA order registered in VT for enforcement
2019	Victoria moves to VT and the order is registered and modified there
2021	IWO sent to Vinnie's employer for current plus an amount toward arrears
Now	VA sends IWO to recover its TANF arrears

Questions:

- Is this permissible? Or is this considered double dipping?

Multiple State Arrears



Order Issuing State & year	Payor	Payee	Other info	Amount
Florida, 2019	Ingrid	Iris	Adopted child	\$600

Year		
2019	Iris goes on public assistance in Florida	FL TANF arrears accrue
2020	Ingrid moves to Georgia	FL order registered in GA
2021	Iris moves to Puerto Rico and goes on public assistance there	GA sends payments to PR SDU
2021	FL wants to close their case other than collection of their own TANF arrears to be paid through their SDU, but they do not want current support to go through their SDU on their case	FL sends a "Child Support Agency Request for Change of Support Payment Location Pursuant to UIFSA § 319" to PR to stop the FL SDU's involvement in the current support case and have all payments on the case go to the PR SDU

Questions:

- As the PR worker, is the FL request appropriate?
- Which state now becomes the official recordkeeper?

Two Orders, Different Case Closure Rules



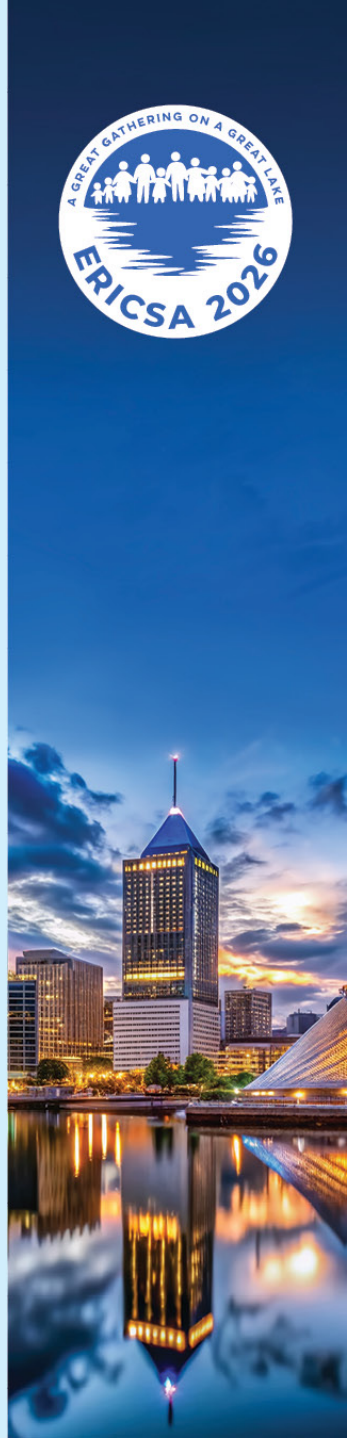
Order Issuing State and year	Payor	Payee	Amount
California, 2018	Charles	Carol	\$550

Order Issuing State and year	Payor	Payee	Amount
Colorado, 2020	Charles	Christine	\$450

Year	Payor	
2020	Colorado registers the CA order for enforcement	Carol applied for IV-D services in CA
2025	In CO, Charles receiving SSI and SSD	1. Case with Christine is closed per CO regs 2. CO requests a closure notice from CA 3. CA tells CO to keep their case open

Questions:

- As the CO worker, what do you do regarding the case for Carol with CA?
- Does Christine have any recourse to keep her child support case open?



Choice of Law - Duration

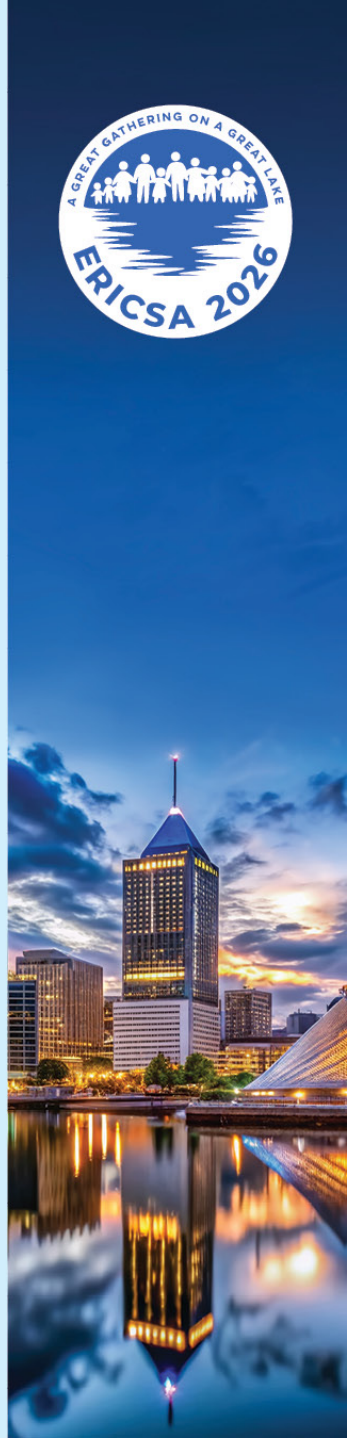


Order Issuing State and Year	Payor	Payee	Amount
New York, 2012	Fred	Wilma	\$400

Year	
2014	Parties reconcile, order terminates by operation of law
2016	Wilma moves to New Jersey
2017	NJ divorce entered for Fred to pay Wilma \$300 per month

Questions:

- Which state's age of emancipation should be used, NJ's age of 19 or NY's age of 21?
- Can the parties agree as part of the divorce that NY's age will apply?



Oops – New Order Entered

Order Issuing State and Year	Payor	Payee	Amount
Indiana, 2015	Adam	Eve	\$500



Year	Events
2016	Adam moves to Illinois
2020	Eve moves to Illinois and applies for IV-D services
2021	IL enters administrative order, unaware of the Indiana order

Questions:

- Is IL's order a modification of the IN order or a new order?
- Is the IL order valid and does it matter that it was administrative?
- What should happen to determine which is the controlling order?
Where?

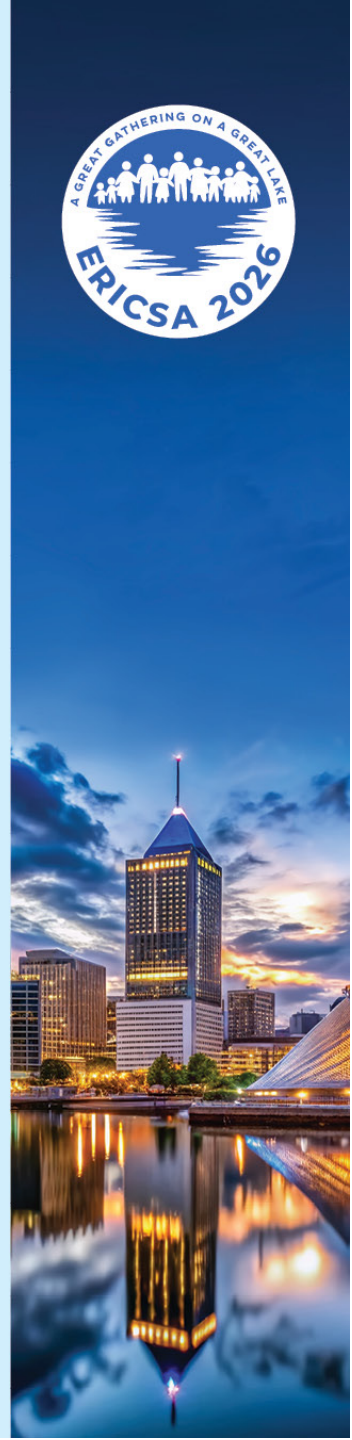
Long-arm?

State of Conception	Dad and state	Mom and state
Iowa	Ricky, Minnesota	Lucy, Missouri

Year	
2024	Ricky signs a Voluntary Acknowledgment of Paternity form at the hospital in MO when the child is born

Questions:

- Assuming no other case facts, does MO have long-arm jurisdiction under UIFSA to establish a child support order for Ricky to pay support? Which criteria may apply?
- Does it matter in which state Ricky signs the VAP (or similar) form?



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