



EASTERN REGIONAL INTERSTATE CHILD SUPPORT ASSOCIATION

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Comments by the Eastern Regional Interstate Child Support Association On the Proposed Changes to the Federal Standard Intergovernmental Forms OMB control number 0970-0085

I. Introduction

The Eastern Regional Interstate Child Support Association (ERICSA) is a not-for-profit organization of child support professionals from government agencies, the private sector, the bench, and the bar. Its mission is to build a stronger intergovernmental child support community by developing and advocating effective policy, facilitating communication, and delivering innovative professional training to enhance the well-being of families.

Founded in 1963, ERICSA historically has drawn its membership from tribes and states that border on, or are east of, the Mississippi River. ERICSA holds an annual training conference and provides policy positions on key issues affecting child support.

The Federal Office of Child Support (OCSE) proposes changes to the Federal Standard Intergovernmental Forms posted to the Federal Register, on page 28304, Volume 84, Number 117. ERICSA provides comments herein to the forms.

II. ERICSA'S Comments on the Federal Standard Intergovernmental Forms

On all "Instructions":

ERICSA Comment:

In the instruction box concerning CSENet transactions:

Change "should" in the first paragraph, fourth sentence, "If certified copies are needed, hard copies should also be sent by mail", to a "may" because if a certified order is sent through EDE a hard copy is not required to be sent.

Also, split the first paragraph in that same instruction box into two beginning with the sentence, "Supporting documentation should be sent..." to clarify to the worker that CSENet cannot be used to send documentation.

Child Support Agency Confidential Information Form

1. Instructions, page 1: Under "Purpose of the Form", addition of two new sentences at the end of the paragraph to describe when this form should be used.
2. Instructions, page 1: Insertion of new paragraphs 2 and 3 to add missing instructions corresponding to the form headings about the handling of sensitive information.
3. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of "(Pub. L. 104-13)."

ERICSA Comment:

No Comment

Child Support Enforcement Transmittal #1 – Initial Request

1. Section 1. Action, introductory paragraph: Revision of parenthetical instruction from "return the acknowledgment form" to "acknowledge receipt of the Transmittal #1" to clarify that electronic acknowledgment is permissible.
2. Instructions, page 1: Replacement of paragraph 2 with appropriate instructions corresponding to the form headings about the handling of sensitive information.
3. Instructions, page 2, bullet "Nondisclosure Finding/Affidavit attached": Addition of a sentence, prior to the last sentence, clarifying that, if there is a finding/affidavit prohibiting disclosure, the information must be sealed and may not be disclosed to the other party or the public.
4. Instructions, page 3, top paragraph under "Section I. Action": Addition of a sentence clarifying that the Transmittal #1 form may be acknowledged by CSENet or by returning the Transmittal #1 Acknowledgment form.
5. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of "(Pub. L. 104-13)."

ERICSA Comment:

On the Form, Section VII, add as #5 "Other Orders Regarding Family". Some states are using the "Other Attachments" mostly for this reason, and there is limited space to describe "other"; could remove "other" or keep it as #6.

On the Form, Section 1.3, would like "modify" as an option; in the alternative, use instructions to state that "modify and close" refers to closing the action to modify, and the responding state should not close any other related IV-D case upon this selection.

On Instructions, Section 1, Box 3, need clarification by defining new terms with old terminology.



On Instructions, there is nothing on the Transmittal #1 that allows for the initiating state to request a modification of a previously registered order. There is not a consensus on whether a state needs to re-register an order for modification purposes. Clarity should be in the instructions.

On Instructions, under Section I, 3. E, there is confusion as to when that box should be checked and what is the intent of that box. Or, if there could be further instructions for box 3.A.

Child Support Enforcement Transmittal #1 – Initial Request Acknowledgment

1. Form heading and corresponding heading in instruction: Deletion of the parenthetical “Return this form to the initiating jurisdiction” to clarify that electronic acknowledgment is permissible.
2. “Acknowledgment” section: Deletion of “Return this form to the initiating jurisdiction” to clarify that electronic acknowledgment is permissible.
3. Instructions, page 1: Addition of a sentence clarifying that receipt of the Transmittal #1 form may be acknowledged by CSENet or by returning the Transmittal #1 Acknowledgment form.
4. Instructions, page 1: Insertion of new paragraphs 2 and 3 to add missing instructions corresponding to the form headings about the handling of sensitive information.
5. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment

Child Support Enforcement Transmittal #2 – Subsequent Actions

1. Instructions, page 1: Insertion of new paragraphs 2 and 3 to add missing instructions corresponding to the form headings about the handling of sensitive information.
2. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment



Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery

1. Section 1. Action, introductory paragraph before item 11: clarification that item 11 may be a request for “information” as well as a request for an action.
2. Section 1. Action: Addition of a new item 11(a) requesting the Remittance ID for the case in order to facilitate payment processing for a direct income withholding order.
3. Section 1. Action: Revision of the request for payment forwarding (previously 11(a) but renumbered as 11(b)) to clarify that payments should be sent to the requesting state’s SDU and to include information about the Remittance ID and SDU address in the requesting state, rather than the Payment Locator Code in the requesting state.
4. Instructions, page 1: Insertion of new paragraphs 2 and 3 to add missing instructions corresponding to the form headings about the handling of sensitive information.
5. Instructions, page 5: Revision of instructions for item 11, to explain the new item 11(a) and revised item 11(b).
6. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

On Form, Section 1.11(b), states have trouble with referrals requesting this action; there is an option in some states for payors to pay payees directly with no record or accounting by the SDU. If a state requests only 11(b) relief and it is a "direct pay" order, those states cannot open a IV-D case for this "accounting" purpose; in order for those states to use the SDU, the State would have to open a case for a IV-D core function (mod, enforcement, etc.). A suggestion would be to add language on F or I that states if there is no case in the responding state's SDU, then you must request ENFO or MOD for payments to go through that state’s SDU.

Maybe another check box on the acknowledgment that "action cannot be taken due to no payments ordered through the SDU. "

Child Support Locate Request

1. Instructions, page 1: Revision of the second paragraph under “Purpose of the Form” to explain the forms, procedures, and resources for international locate requests.
2. Instructions, page 1: Under the heading “This Form Contains Sensitive Information,” replacement of the first sentence with two new paragraphs corresponding to the form headings about the handling of sensitive information.
3. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”



ERICSA Comment:

No Comment

Declaration in Support of Establishing Parentage

1. Section V. Declaration: Revision of the declaration signature section to also allow a representative of an agency or a tribunal to sign the form, which is consistent with the Declaration of the General Testimony.
2. Instructions, page 1: Insertion of new paragraphs 2 and 3 to add missing instructions corresponding to the form headings about the handling of sensitive information. 2
3. Instructions, page 2, under Item 1: Before the bullets, revision of one sentence and addition of two new sentences to: a. clarify that a Foster Care or IV-D agency worker is an example of a non-parent completing the form; and b. instruct, if “other” is checked, to explain in Section IV the basis for alleging the respondent is the parent, and to see Section II for examples of the type of information needed.
4. Instructions, page 5, Section V. Declaration: Revisions to clarify that the person seeking to establish parentage and signing the declaration may be an individual petitioner and/or an agency or a tribunal representative.
5. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

For the Form, there is a concern with caseworkers signing a declaration to information that they have no personal knowledge of.

Revise the structure of the existing form **to take into consideration cases where there either is a Caretaker, or a Caretaker-Agency involved. The feeling is that a lot of the questions on the Declaration could not be completed by those parties. So, some IV-D workers skip completion of the form altogether or do not complete it in whole. Which in turn causes responding states to reject the whole petition because not all the required documents are attached.**

General Testimony

No changes



General Testimony Instructions

1. Instructions, page 1: Under the heading “This Form Contains Sensitive Information,” replacement of the first sentence with a new paragraph corresponding to the form headings about the handling of sensitive information.
2. Instructions, page 2, bullet “Nondisclosure Finding/Affidavit attached”: Addition of a sentence, prior to the last sentence, clarifying that, if there is a finding/affidavit prohibiting disclosure, the information must be sealed and may not be disclosed to the other party or the public.
3. Instructions, Section XI. Declaration: Edits to clarify that the person providing the testimony and signing the form may be a representative of a tribunal as well as an agency representative or an individual petitioner.
4. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment

Letter of Transmittal Requesting Registration

1. Instructions, page 1: Under the heading “This Form Contains Sensitive Information,” replacement of the word “can” with “may” to be consistent with the text on other form instructions.
2. Instructions, page 2, bullet “Nondisclosure Finding/Affidavit attached”: Addition of two sentences at the end of the paragraph to clarify that: a. if there is a finding/affidavit prohibiting disclosure, the information must be sealed and may not be disclosed to the other party or the public, and b. the address of the IV-D agency may be provided as a substitute address for the protected party.
3. Instructions, Section VI. Declaration: Revision of the declaration signature section to clarify the petition must be signed under penalty of perjury and dated. 3
4. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment



Notice of Determination of Controlling Order

1. Instructions, page 1: Insertion of new paragraphs 3 and 4 to add missing instructions corresponding to the form headings about the handling of sensitive information.
2. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment

Personal Information Form for UIFSA § 311

1. Instructions, page 1: Under “Purpose of the Form,” replacement of the last sentence in the paragraph and the addition of two new sentences to describe when this form should be used and how the form should be filed.
2. Instructions, page 1: Under the heading “This Form Contains Sensitive Information,” revision of the second sentence to clarify the form is filed with the petition or pleading.
3. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

On the Form, page 2, Section III, asks for the child(ren) information: the wording in the section where it states Nonmarital Birth [] yes [] no.

If “no” date of marriage and then if “yes” fill out the following on how parentage was established.

Not sure if it was done to save space but it would make more sense to state

“Child Born of the Marriage [] yes [] no if “yes”, date of marriage _____

if “no”, complete the following...

Request for Change of Support Payment Location Pursuant to UIFSA § 319

1. Instructions, page 1: Replacement of paragraph 2 with appropriate instructions corresponding to the form headings about the handling of sensitive information.
2. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment



Uniform Support Petition

1. Instructions, Section V. Declaration: Revision of the declaration signature section to conform with UIFSA, clarifying the petition must be signed under penalty of perjury and dated, and explaining that by the signature the person is confirming the information and facts in the petition are true to the best of his/her knowledge and belief.
2. Paperwork Reduction Act of 1995 heading at the end of the form: Addition of “(Pub. L. 104-13).”

ERICSA Comment:

No Comment

