ERICSA

EASTERN REGIONAL INTERSTATE CHILD SUPPORT ASSOCIATION

UIFSA WARS!

Rob Velcoff

Kelly Micka

Intergovernmental Training Event, September 27, 2023

How many days does the initiating state IV-D agency have to notify the responding agency that the IJ has closed its case, along with the basis for the case closure?




A: 10 working days

B: 20 working days

C: 30 working days

D: 666 working days – my favorite number!
(Probably more info about me than you needed to know!)

ANSWER 1

A

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(c)(11) – Initiating State IV-D agency responsibilities

The initiating State IV-D agency must:
(11) Notify the responding agency within 10 working days of case closure that the initiating State IV-D agency has closed its case pursuant to § 303.11 of this part, and the basis for case closure.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

For the tri-annual federal audit, a state must have and use required procedures in at least what percentage of the interstate cases reviewed?

A: 60%

B: 75%

C: 90%

D: The federal auditors are the type of statisticians who say they can have their head in an oven and their feet in ice, and say that on the average they feel fine.

ANSWER 2

B

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 308.2(g) – Required program compliance criteria

(g) Intergovernmental services. A State must have and use procedures required under this paragraph in at least 75 percent of the cases reviewed. For all intergovernmental cases requiring services during the review period, determine the last required action and determine whether the action was taken during the appropriate time frame.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-308

OCSS currently offers six interstate training sessions on their website. Which of these is <u>not</u> one of the offerings?

A: interstate longarm provisions

B: interstate payment processing

C: interstate case closure

D: Totally unrelated joke, just because I think it's funny:
"A cement mixer collided with a prison van. Motorists are asked to be on the lookout for 16 hardened criminals."

ANSWER 3

A

Interstate Case Processing Training Materials

The six training sessions are:

- Session 1: Interstate 101
- Session 2: Interstate 201
- Session 3: Interstate Scenarios
- Session 4: Interstate Payment Processing
- Session 5: Interstate Case Closure
- Session 6: OCSS Interstate Tools and Resources

https://www.acf.hhs.gov/css/training-technical-assistance/interstate-case-processing-training-materials

Which one of these is a question on the Intergovernmental Reference Guide (IRG) state profile section?




A: Does your state recoup confinement/birthing expenses from either the CP or the NCP?

B: Can your state calculate another jurisdiction’s interest rate on arrears?

C: Will your state establish support orders for prior periods?

D: Who’s buried in Grant’s Tomb?

ANSWER 4

C

OCSS Intergovernmental Reference Guide (IRG), Profile

View state, tribal, and international policy guidance and contact information. State profile questions include:

1. General Program-At-A-Glance
2. Duration Of Support
3. Statute Of Limitations
4. Support Details
5. Paternity/Parentage
6. Support Order Establishment
7. Income Withholding
8. Distribution
9. Enforcement
10. Modification And Review/Adjustment
11. Lump Sum Payments
12. Cost Recovery And Fees
13. Insurance Match
14. Family Violence
15. CSENet
16. Copies Of Orders And Payment Records
17. Uniform Interstate Family Support Act (UIFSA)
18. International - Reciprocity
19. International Information For Hague Convention Countries
20. International Payments
21. Tribal Non IV-D

https://ocsp.acf.hhs.gov/irg/profile.html

How many days does a IV-D agency have to provide any order and payment record information requested for a controlling order determination and reconciliation of arrearages?

A: 10 working days

B: 30 working days

C: 60 working days

D: I know of one jurisdiction who apparently thinks the answer is 365 days (FYI – they're WRONG!) !!!

ANSWER 5

B

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(a)(6), Provision of services in intergovernmental IV-D cases

Provision of services in intergovernmental IV-D cases. (a) *General responsibilities.* A State IV-D agency must: (6) Within 30 working days of receiving a request, provide any order and payment record information requested by a State IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the State IV-D agency when the information will be provided.

https://www.ecfr.gov/cgi-bin/text-idx?SID=f4bc1b07cb2d1b98709cf996a7cb493b&mc=true&node=se45.3.303_17&rgn=div8

In early 2020 the United Kingdom withdrew from the European Union. Where does the U.K. currently stand as far as child support is concerned?

A: The U.K. is no longer considered a reciprocating country, so the U.S. no longer works international cases with them.

B: The U.K. is no longer a Hague child support country, but they are still a reciprocating country under an old bilateral agreement with the U.S.

C: The U.K. is once again a Hague child support country as they have since independently ratified the Hague agreement.

D: Speaking of foreign countries, did you read the lengthy article about Japanese sword fighters? If not I can Samurais it for you.

ANSWER 6

C

United Kingdom’s Ratification of the Hague Child Support Convention, IM-21-01, published January 29, 2021

This Memorandum updates procedures for processing child support cases with the United Kingdom following the U.K.’s withdrawal from the European Union, and the U.K.’s independent ratification of the Hague Child Support Convention, effective January 1, 2021. The United Kingdom withdrew from its membership of the European Union on January 31, 2020, and entered into a Withdrawal Agreement in respect of its continuing obligations toward the EU until December 31, 2020. During the period of the Withdrawal Agreement, and until the U.K. independently ratified the Hague Convention, the Convention was not in effect between the U.S. and the U.K. (England and Wales, Scotland, and Northern Ireland). IM-20-02 provided temporary instructions to states for child support cases with the U.K. during the period of the Withdrawal Agreement. In September 2020, the United Kingdom independently ratified the Hague Child Support Convention. The Convention took effect between the U.S. and the U.K. on January 1, 2021.

https://www.acf.hhs.gov/css/policy-guidance/united-kingdoms-ratification-hague-child-support-convention

Which one of these is an exception to the "Play Away" rule of UIFSA §611?

UIFSA

A: The CP and NCP agree in writing or in open court for the petitioner's state to exercise modification jurisdiction.

B: Where the individual parties reside in the same state, that state may modify the controlling order of another state.

C: The issuing tribunal has authority to modify its order if one party now resides in another state and the other party resides outside the United States.

AOTA

D: AOTA, a new acronym because the child support program doesn't have enough of them, which means "all of the above."

ANSWER 7

D

UIFSA § 611, Modification of Child-Support Order of Another State

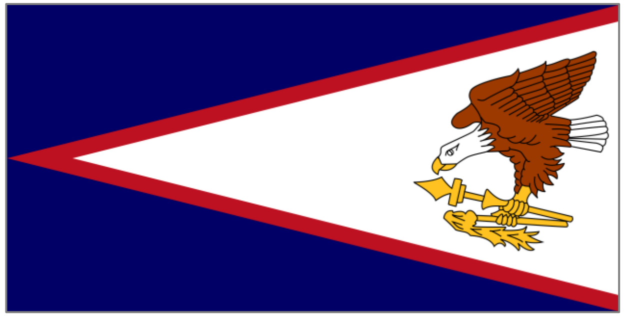
(a) If Section 613 does not apply, upon [petition] a tribunal of this state may modify a child-support order issued in another state which is registered in this state if, after notice and hearing, the tribunal finds that: (1) the following requirements are met: (A) neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state; (B) a [petitioner] who is a nonresident of this state seeks modification; and (C) the [respondent] is subject to the personal jurisdiction of the tribunal of this state; or (2) this state is the State of residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of this state, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of this state to modify the support order and assume continuing, exclusive jurisdiction.

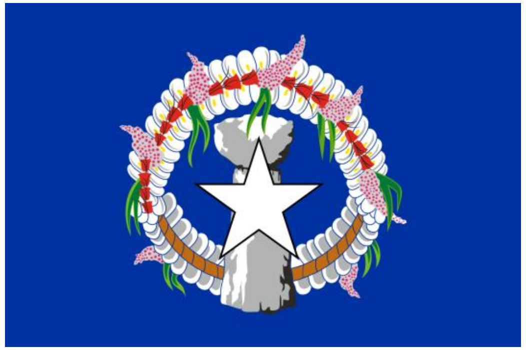
https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

Which of these territories has a IV-D child support office?

A: Virgin Islands

B: American Samoa





C: Northern Mariana Islands

D: The Shire

ANSWER 8

A

Intergovernmental Reference Guide – IRG

U.S. Virgin Islands Department of Justice, Paternity and Child Support Division, 8000 Nisky Shopping Center, Suite 500, 2nd floor, St. Thomas, VI, 00802-5844.

The other U.S. territories/districts that have IV-D offices are Guam, Puerto Rico, and Washington DC. American Samoa and the Commonwealth of the Northern Mariana Islands are U.S. territories that do not have IV-D offices.

https://ocsp.acf.hhs.gov/irg/welcome.html

Which one of these actions is federally mandated of a state Central Registry?

A: Provide copies of a requested Voluntary Acknowledgment of Paternity to another state.

B: Respond to inquiries from initiating agencies within 5 working days of receipt of a request for a case status review.

C: Provide requested clarification regarding their state's intergovernmental policies such as their Interest Rates, Age of Emancipation, Statute of Limitations on Arrears, etc.

D: That they hire a bunch of pigeons to overthrow the government. They would call it a "coo".

HISS!!

BOO!!!

ANSWER 9

B

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(b)(4) – Central registry

(4) The central registry must respond to inquiries from initiating agencies within 5 working days of receipt of the request for a case status review.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

What must the Initiating State IV-D agency notify the responding agency of, at least annually or upon request?

NOTIFY

A: Interest charges, if any, owed on overdue support under an initiating state order being enforced in the RJ.

B: When a child of an initiating state support order emancipates under the laws of the issuing state.

C: Whenever the initiating state statute of limitations would come into effect if the order was issued by the IJ.

D: The IJ must notify the RJ that 4,653,237 people got married last year. (Not to cause trouble, but shouldn't that be an even number?)

ANSWER 10

A

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(c)(7) – Initiating State IV-D agency responsibilities

The initiating State IV-D agency must:

(7) Notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating State order being enforced in the responding jurisdiction.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

Per UIFSA, under what circumstances can the physical presence of a nonresident party be required in a tribunal of another state for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child?

A: If there is an allegation of fraud made by the other party to the action.

B: If a guardian ad litem has been brought into the case due to extraordinary circumstances of the child.

C: Whenever a court magistrate or judge believes it would be in the best interests of the child to require an appearance.

D: The host is being tricky and evil, because there are no circumstances where such an appearance would be mandatory.

ANSWER 11

D

UIFSA § 316(a), Special Rules of Evidence and Procedure

(a) The physical presence of a nonresident party who is an individual in a tribunal of this state <u>is not required</u> for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child. (underline added)

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

UIFSA section 502 is perhaps the most important part of the entire statute, as it constituted a major change in child support case processing from all previous laws. What is this section of UIFSA called?

A: It's entitled "Telephonic or electronic testimony."

B: It's entitled "Registration of a foreign order."

C: It's entitled "Employer's compliance with income withholding order of another state."

D: It's entitled "Most people are shocked when they find out how bad I am as an electrician."

ANSWER 12

C

UIFSA § 502, Employer's Compliance With Income Withholding Order of Another State

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of this state.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

When IV-D child support agencies send outgoing applications to Hague Convention countries and FRCs, must they translate any forms and accompanying documents and orders?

A: Yes, the application and all accompanying documents & orders must be translated into the appropriate language.

B: No, the country in question must accept all documents and orders in English, as per Article 7 of UIFSA.

C: Only court orders need to be translated into the requested language; other Hague forms can be in English.

D: NCP #1: “Imagine, I have love letters in six different languages!”
NCP #2: “So what? I pay child support in eight different currencies.”

ANSWER 13

A

Translation in Outgoing International Cases, PIQ-21-01, published August 26, 2021

In general, when sending an outgoing application to a Convention country or an FRC, the IV-D agency must translate the application and all accompanying documents and orders into an official language of the requested country, or into a language that the country will accept. Some countries have stated that they will accept applications in English. The agency must also include the original language versions of the documents and orders. For translation requirements for Convention countries, review the country-specific information in the Hague Convention Country Profile Visit disclaimer page and on OCSS's Hague Convention Requirements page. For translation requirements specific to each FRC, review the country-specific Caseworker Guide on OCSS's International page. OCSS's Hague Convention Requirements page contains links to translations of the Convention forms in many different languages. Bilingual or multilingual forms for outgoing FRC cases are included in the country-specific Caseworker Guides. If you need a Convention form or an FRC form in a language that's not on our website or in a Caseworker Guide, please contact OCSSinternational@acf.hhs.gov for help.

https://www.acf.hhs.gov/css/policy-guidance/translation-outgoing-international-cases

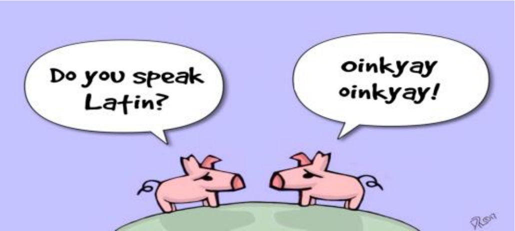
Can a state IV-D agency require an applicant for IV-D services to advance the cost of translation as a condition of providing services in an outgoing international IV-D case to a Hague Convention country or to an FRC?

A: Yes, as this expense is allowable due to the high cost of translation services.

B: No, the applicant cannot be required to pay for these.

C: No, but IV-D agencies may require applicants to obtain their own translated documents and court orders.

D: Try translating everything into Pig Latin. I do speak it, but I'm not really fluent or anything, although I'm sure if I ever went there, I could get by.



ANSWER 14

B

Translation in Outgoing International Cases, PIQ-21-01, published August 26, 2021

A state IV-D agency cannot require an applicant to provide their own translated documents or to advance the costs of obtaining translations as a condition of receiving IV-D services in an outgoing international IV-D case. Federal regulations at 45 CFR 303.7(c)(5) require an initiating state IV-D agency to provide the responding agency sufficient, accurate information to act on the case by submitting any necessary documentation and intergovernmental forms required by the responding agency. Translation of orders and documents in an outgoing case to a Convention country or an FRC is a necessary IV-D service if the requested country requires translation. The cost of translations in international IV-D cases qualifies for federal financial participation (FFP).

https://www.acf.hhs.gov/css/policy-guidance/translation-outgoing-international-cases

Within how many days of receipt of the request for information must the initiating state IV-D agency provide the requested information/documentation to the RJ?

A: 10 working days

B: 20 working days

C: 30 working days

D: Speaking of government actions, I don’t know what was wrong with my television last night, but I was getting C-Span and the Home Shopping Network on the same station, and I actually bought a congressman.

ANSWER 15

C

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(c)(6) – Initiating State IV-D agency responsibilities

The initiating State IV-D agency must:
(6) Within 30 calendar days of receipt of the request for information, provide the responding agency with an updated intergovernmental form and any necessary additional documentation, or notify the responding agency when the information will be provided.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

In an interstate case, which jurisdiction pays the costs for genetic testing?

A: The responding state.

B: The initiating state.

C: The responding state pays for the costs of parties in their state, and the initiating state pays for the costs of parties in their state.

D: On an unrelated note, the paternity test came back negative.

ANSWER 16

A

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(e)(1) – Payment and recovery of costs in intergovernmental IV-D cases

(1) The responding IV-D agency must pay the costs it incurs in processing intergovernmental IV-D cases, including the costs of genetic testing. If paternity is established, the responding agency, at its election, may seek a judgment for the costs of testing from the alleged father who denied paternity.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

On an intergovernmental case which state must impose and report the annual $35 fee?

A: The initiating state.

B: The responding state.

C: Both the initiating state and the responding state may impose the fee separately.

D: Speaking of charging fees, college is the opposite of kidnapping. They demand $100,000 from you or they'll send your kid back.

ANSWER 17

A

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.7(f) – Imposition and reporting of annual $35 fee in interstate cases

The title IV-D agency in the initiating State must impose and report the annual $35 fee in accordance with § 302.33(e) of this chapter.

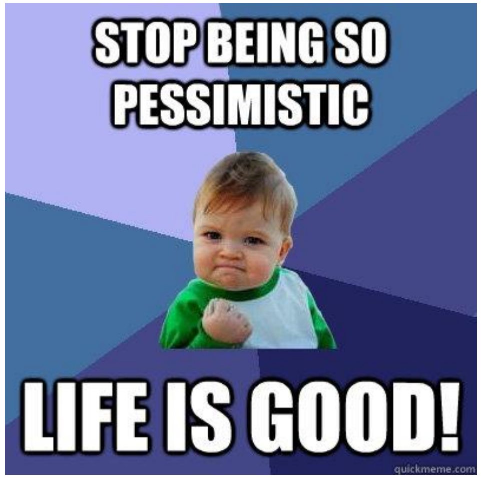
https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

How many states/territories charge interest on child support arrears?

A: 16

B: 26

C: 36



D: Speaking of money, if you ever need to borrow some, borrow it from a pessimist. They never expect to get it back.

ANSWER 18

C

NCSL, Interest on Child Support Arrears

Thirty-four states, Guam and Puerto Rico authorize interest charges for child support arrears. Many charge interest at set rates per year:

- 12% per annum: Colorado, Kentucky and Washington
- 10% per annum: Arizona, Arkansas, California, Iowa and Wyoming
- 9% per annum: Illinois, New York and Oregon
- 6% per annum: Alaska, Guam, Maine, Tennessee, Texas, Vermont, Virginia and Wisconsin
- 4% per annum: Minnesota and New Mexico
- Dependent on Market Factors: Florida, Michigan, Nebraska, Nevada, North Dakota, Ohio and Puerto Rico.
- Other: Alabama, Georgia, Indiana, Massachusetts, Missouri, Oklahoma, Rhode Island, South Dakota and West Virginia.

https://www.ncsl.org/human-services/interest-on-child-support-arrears

What is the OCSS Communications Center?

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

A: A way to view all OCSS training modules, including interstate and international training.

B: The section of the IRG that contains contact information for all the states, territories, and tribal child support agencies.

C: An application on OCSS's Child Support Portal that supports secure message and document exchanges among stakeholders.

D: Speaking of communicating, back in my day we didn't watch TV while we ate dinner. We actually talked to each other. It was awful.

ANSWER 19

C

Communication Center, current as of December 20, 2021.

Our stakeholders often face the challenge to exchange personally identifiable information safely. Communication Center is an application on OCSS's Child Support Portal that supports secure message and document exchanges among these stakeholders:

- OCSS
- Child support agencies
- Federal agencies
- Employers, insurers, financial institutions

What can employers communicate with child support agencies and OCSS about? An employer can exchange messages and documents with child support agencies and OCSS. An employer can exchange information about these communication types:

- e-IWO/IWO/termination
- General case/program questions
- Lump sums
- New hire/multistate employer reporting/quarterly wage
- Verification of employment
- Medical support/terminations
- Payment inquiry

https://www.acf.hhs.gov/css/employers/child-support-portal/communication-center

How many copies of a court order must to sent to the responding jurisdiction by the IJ when requesting registration?

A: two copies, one of which must be certified

B: three copies, one of which must be certified

C: three copies, all of which must be certified

D: I love to tell the other state worker that if they didn't receive enough photocopies of the order, that they should stand up, walk to the copy machine, input the number of extra copies they need, then press Start. It's really not that difficult!

ANSWER 20

A

UIFSA § 602(a)(2), Procedure to Register Order for Enforcement

(a) Except as otherwise provided in Section 706, a support order or income-withholding order of another state or a foreign support order may be registered in this state by sending the following records to the appropriate tribunal in this state:

(2) two copies, including one certified copy, of the order to be registered, including any modification of the order.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

What UIFSA forms are required when requesting the action "registration for modification and enforcement"?

A: CSET #1, Child Support Agency Confidential Information form, and the Letter of Transmittal Requesting Registration.

B: All of the forms in A, as well as the Uniform Support Petition and the General Testimony.

C: All of the forms in A, as well as the Uniform Support Petition, the General Testimony, and the Personal Information Form for UIFSA § 311.

D: Regardless of the answer it's just too many forms, so I recommend not allowing CP's to request this action.

Um, no!!!

ANSWER 21

C

Understanding the Child Support Enforcement Intergovernmental Forms, Intergovernmental Forms Matrix

Action Requested	Federal Forms Required
For cases with existing orders from another jurisdiction (not the responding state): • Register, modify, and enforce • Register, modify, then close the intergovernmental IV-D case	1. Child Support Enforcement Transmittal #1 – Initial Request (Check action 4.B or 4.C) 2. Child Support Agency Confidential Information Form 3. Letter of Transmittal Requesting Registration 4. Uniform Support Petition 5. General Testimony 6. Personal Information Form for UIFSA § 311

https://www.acf.hhs.gov/css/training-technical-assistance/understanding-child-support-enforcement-intergovernmental-forms
and https://www.acf.hhs.gov/sites/default/files/documents/OCSS/intergovernmental_forms_matrix.pdf

There are currently 21 case closure criteria that states may use to close a child support case, but only three of these may be used by a responding jurisdiction to close an interstate case. Which of these is not one of those criteria?

A: The responding agency documents failure by the initiating agency to take an action that is essential for the next step in providing services.

B: The noncustodial parent or alleged father is deceased and no further action can be taken.

C: The initiating agency has notified the responding state that the initiating state has closed its case.

D: A new case would be your 1000th, and you can only manage a triple digit caseload.

NOT A VALID ANSWER!

ANSWER 22

B

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.11 – Case closure criteria

(17) The responding agency documents failure by the initiating agency to take an action that is essential for the next step in providing services;
(18) The initiating agency has notified the responding State that the initiating State has closed its case under § 303.7(c)(11);
(19) The initiating agency has notified the responding State that its intergovernmental services are no longer needed;

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

Can a state request assistance with genetic testing from another state without opening an intergovernmental IV-D case?





A: Yes, if they do so as a limited service request.

B: No, genetic testing for the establishment of paternity requires a full two-state case.

C: No, although the two-state case can be closed immediately upon completion of the genetic tests.

D: Speaking of genetics and children, they say that mental illness is genetic. I know my kids make me crazy.

ANSWER 23

A

Updated Interstate Child Support Policy, AT-20-14, published November 18, 2020

Question 9: Can a state request assistance with genetic testing from another state without opening an intergovernmental IV-D case?

Answer 9: Yes. If an initiating state IV-D agency wants to establish paternity against a nonresident using a one-state long arm proceeding, the initiating state agency may request assistance with genetic testing from the assisting state agency as a limited service request under 45 CFR 303.7(a)(8), without opening an intergovernmental IV-D case.

https://www.acf.hhs.gov/css/policy-guidance/updated-interstate-child-support-policy and https://www.acf.hhs.gov/sites/default/files/documents/OCSS/interstate_child_support_policy.pd

In a proceeding for arrears under a registered support order, which state's statute of limitations should be applied?




A: the order issuing state

B: the enforcing state

C: either the order issuing state or the enforcing state, whichever is longer

D: Is it really "Statute of Limitations", or is it actually "Statue of Limitations" like Kramer said on Seinfeld?

ANSWER 24

C

UIFSA § 604(b), Choice of Law

(b) In a proceeding for arrears under a registered support order, the statute of limitation of this state, or of the issuing state or foreign country, whichever is longer, applies.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

Can a party who had signed a Voluntary Acknowledgment of Paternity form claim nonparentage as a defense in an intergovernmental IV-D case?

A: Yes, nonparentage is one of the defenses allowable under UIFSA.

B: No, nonparentage is not one of the defenses allowable under UIFSA.

C: Maybe, as each state may individually determine whether nonparentage is a defense under their version of UIFSA.

D: Speaking of parentage and genetics, are you scared of eating genetically modified fruit? Grow a pear.

ANSWER 25

B

Updated Interstate Child Support Policy, AT-20-14, published November 18, 2020

Question 11: Can a party who had signed a paternity acknowledgment claim nonparentage as a defense in an intergovernmental IV-D case?

Answer 11: UIFSA section 315, Nonparentage as Defense, provides that a “party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense” in a UIFSA proceeding.

https://www.acf.hhs.gov/css/policy-guidance/updated-interstate-child-support-policy and https://www.acf.hhs.gov/sites/default/files/documents/OCSS/interstate_child_support_policy.p

If there is a New York child support order but all the parties to the case currently reside in New Jersey, since there is no “play-away” state, which state has jurisdiction to modify?

A: New York

B: New Jersey

C: Both states have continuing exclusive jurisdiction (CEJ) to modify, so either state may do so.

D: Whichever state wins at thumb-wrestling.

ANSWER 26

B

UIFSA § 613(a), Jurisdiction to Modify Child Support Order of Another State When Individual Parties Reside in this State

(a) If all of the parties who are individuals reside in this state and the child does not reside in the issuing state, a tribunal of this state has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

On a case with the controlling order from California, if the CP resides in Texas and the NCP resides in England, if the CP wants an upward modification of the order, under UIFSA which jurisdiction has CEJ to hear the modification?

TEXIFORNIALAND

A: California

B: Texas

C: England

D: You need to invent a new state called "Texifornialand", then let them modify it.

ANSWER 27

A

UIFSA § 611(f), Modification of Child Support Order of Another State

(f) Notwithstanding subsections (a) through (e) and Section 201(b), a tribunal of this state retains jurisdiction to modify an order issued by a tribunal of this state if:

(1) one party resides in another state; and

(2) the other party resides outside the United States.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

Regarding child support, what does MSER stand for?

M
S
E
R

A: Management State Employees Retirement: where states agencies can view a list of recent federal government retirees for possible wage withholding.

B: MultiState Employer Registry: where employers in multiple states can report their New Hires to just one state.

C: Maximum Systems Evaluation Requirements: a checklist for OCSS auditors when determining whether a state's system meets all federal mandates and requirements.

D: Mostly Stupid and Extremely Rotten: an acronym to describe the humor in the choice D options in this workshop.

ANSWER 28

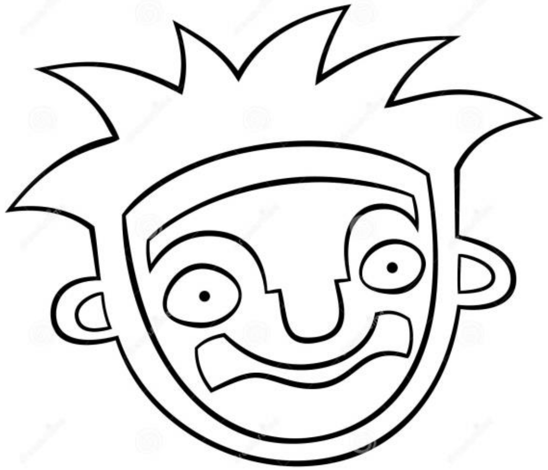
B

New Hire Reporting for Employers

Multistate Employer Registry (MSER): Multistate employers that report all new hires to a single state must register with HHS to designate the state to receive all new and rehires. The National Directory of New Hires maintains a list of multistate employers that have opted to use single-state notification, which is available to all states.

https://www.acf.hhs.gov/css/outreach-material/new-hire-reporting-employers

Which of these countries has not adopted the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, also known as the Hague Child Support Convention?



Absurdistan

A: Brazil

B: New Zealand

C: Mexico

D: Absurdistan – I know that's not a real country, but if I ever win the lottery and buy my own country I think that would be a cool name!

NOT A VALID ANSWER!

ANSWER 29

C

Child Support Professionals, International

List of participating Hague Convention countries:
Albania, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Croatia, Cyprus, Czech Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Honduras, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Philippines, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom

https://www.acf.hhs.gov/css/partners/international

What is the Interstate Driver License Compact?

A: A tool used by child support agencies to share NCP address information obtained from other states' DMVs.

B: A mechanism for IV-D agencies to place liens on motor vehicles that are registered in other states.

C: An agreement among the states to exchange information concerning license suspensions in order to simultaneously suspend driver's licenses in multiple states.

D: When I die, I want to die peacefully in my sleep like my grandfather. Not screaming like all the passengers in his car.

ANSWER 30

C

National Center for Interstate Compacts, The Council of State Governments, Driver License Compact

The Driver License Compact is an interstate compact used by states (not GA, MA*, MI, NV*, WI) to exchange information concerning license suspensions and traffic violations of non-residents and forward them to the state where they are licensed known as the home state. Its theme is One Driver, One License, One Record. The home state would treat the offense as if it had been committed at home, applying home state laws to the out-of-state offense. The action taken would include, but not be limited to, points assessed on a minor offense such as speeding and suspension of license or a major violation such as DWI/DUI. It is not supposed to include non-moving violations like parking tickets, tinted windows, loud exhaust, etc.

https://apps.csg.org/ncic/Compact.aspx?id=56

Minnesota has jurisdiction to modify another state's order, and does so. The original state charged 6% interest on arrears. Must MN now charge that interest rate?

A: Yes, the interest accrues at the interest rate of the original order state.

B: No, since MN charges 4% interest it would use that % when modifying another state's order.

C: Yes, but only if the original arrears amount had been reduced to a money judgment.

D: Speaking of money and the law, my law professor recently told me that I was failing his ethics class. I slid him $50 and said, "How about now?"

ANSWER 31

B

UIFSA § 604(d), Choice of Law

(d) After a tribunal of this state or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of this state shall prospectively apply the law of the state or foreign country issuing the controlling order, <u>including its law on interest on arrears</u>, on current and future support, and on consolidated arrears. {underline added}

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

Which state conducts the Review and Adjustment, or COLA, of an order on an interstate case?

A: always the initiating jurisdiction

B: always the responding jurisdiction

C: always the court order state

D: Play eeny, meeny, miny, moe, and whichever state wins gets to adjust the order.

ANSWER 32

C

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.8(f)(1)(2) – Review and adjustment of child support orders

(f) Interstate review and adjustment.

(1) In interstate cases, the State with legal authority to adjust the order must conduct the review and adjust the order pursuant to this section.

(2) The applicable laws and procedures for review and adjustment of child support orders, including the State guidelines for setting child support awards, established in accordance with § 302.56 of this chapter, are those of the State in which the review and adjustment, or determination that there be no adjustment, takes place.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

When an out-of-state IV-D agency requests direct income withholding, the employer is required to apply the income withholding laws of which state?




A: the state of the NCP’s principal place of employment

B: the state that issued the interstate IWO

C: the state that issued the controlling order

D: the state with the lowest unemployment rate – I have a few jokes about unemployed people, but none of them work.

ANSWER 33

A

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 303.100(f)(2) – Procedures for income withholding, interstate withholding

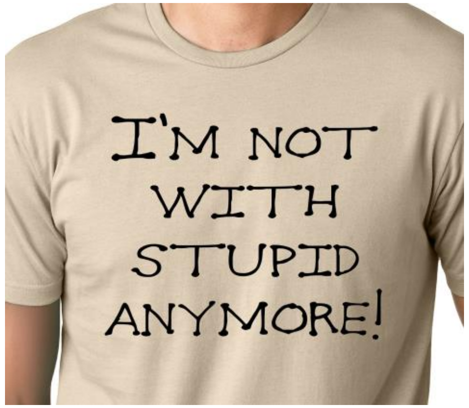
When an out-of-State IV-D agency requests direct withholding, the employer must be required to withhold funds as directed in the notice but to apply the income withholding laws of the noncustodial parent's principal place of employment.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-303

Are non-IV-D orders included in the Federal Case Registry (FCR)?

A: Yes, the FCR includes all orders, IV-D and non-IV-D.

B: No, only IV-D orders are included in the FCR.



C: Maybe, as each state determines whether to send their non-IV-D orders to the FCR.

D: Speaking of orders and divorce orders, why are divorces so expensive? BECAUSE THEY'RE WORTH IT!!!

ANSWER 34

A

Federal Case Registry

Effective October 1, 1998, all support orders issued or modified must be reported to the SCR. Non IV-D order information is included to assist states in processing interstate cases. The information will assist in locating parents across state lines by acting as a "pointer system" to other states, and helping states determine legal jurisdiction. Maintaining information about non IV-D court orders also allows for faster service, should there be a request for full child support services through a state child support office.

https://www.acf.hhs.gov/css/training-technical-assistance/federal-case-registry

Which of the following are IV-D workers <u>not</u> able to do using the Electronic Document Exchange – EDE?



A: view EDE reports (restricted to a supervisor)

B: obtain case status information

C: download unsolicited documents

NOT A VALID ANSWER!

D: Tell how that other state's child support worker really feels about you! Something like, "You're such a pain in the a

ANSWER 35

B

Overview of Electronic Document Exchange (EDE)

In response to states' requests, OCSS developed a way for states to exchange child support documents and Uniform Interstate Family Support Act (UIFSA) forms electronically to improve the efficiency of child support case processing. After extensive discussions with states about their document sharing needs, OCSS developed the EDE application.

What can I do in EDE?

- Request documents from another state participating in EDE
- Respond to requests
- View and download responses
- Send unsolicited documents to an EDE participant in support of a CSENet transaction to open a case or to update documents for an existing case
- Download unsolicited documents
- View reports (restricted to a supervisor)

https://www.acf.hhs.gov/css/training-technical-assistance/overview-electronic-document-exchange-ede

When calculating the "Cost-Effectiveness Performance Level", which type of distributed collections are included for interstate cases?

A: incoming interstate collections only

B: outgoing interstate collections only

C: both incoming and outgoing collections

D: Speaking of collecting money, my daughter wanted to be really scary this past Halloween, so instead of a costume she carried a school fundraising packet to every door.

ANSWER 36

C

Code of Federal Regulations, Title 45, Subtitle B, Chapter III, Part 305.2(a)(5) – Performance measures

(5) Cost-Effectiveness Performance Level. Interstate incoming and outgoing distributed collections will be included for both the initiating and the responding State in this measure.

https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III/part-305

Regarding an interstate wage withholding order, who is responsible for providing a copy of the IWO to the NCP?

A: The state IV-D agency that issued the IWO.

B: The NCP’s home state IV-D office.

C: The employer.

D: Speaking of employment, I recently gave up my seat to a blind person on the bus. That’s how I lost my job as a bus driver.

ANSWER 37

C

UIFSA § 502(a), Employer's Compliance with Income Withholding Order of Another State

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

Which of the following agencies has the authority to declare foreign countries to be reciprocating countries for the purpose of providing child support services?




A: The Federal Office of Child Support Enforcement

B: The Secretary of State

C: The Assistant Secretary for Consular Affairs

D: The Department of Redundancy Department

ANSWER 38

B

42 U.S.C. 659A, International Support Enforcement, Authority for Declarations

(1) DECLARATION. The Secretary of State, with the concurrence of the Secretary of Health and Human Services, is authorized to declare any foreign country (or a political subdivision thereof) to be a foreign reciprocating country if the foreign country has established, or undertakes to establish, procedures for the establishment and enforcement of duties of support owed to obligees who are residents of the United States, and such procedures are substantially in conformity with the standards prescribed under subsection (b).

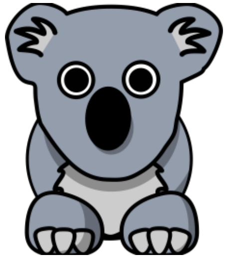
https://www.law.cornell.edu/uscode/text/42/659a

As per UIFSA Article 7, what is the official United States Central Authority?

A: the Secretary of the United States Department of Health and Human Services

B: the federal Office of Child Support Enforcement

C: the Central Registry of the appropriate state



D: I applied for the job of Central Authority in Australia, but they said I did not have the right koalafications.

ANSWER 39

A

UIFSA § 701(7), Definitions

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

https://www.uniformlaws.org/viewdocument/final-act-161?CommunityKey=71d40358-8ec0-49ed-a516-93fc025801fb&tab=librarydocuments

What is one of the main differences between the intergovernmental Child Support Agency Confidential Information Form and the Personal Information Form for UIFSA § 311?

A: The CSACIF gets filed with the tribunal and the PIF gets filed with the IV-D agency.

B: The CSACIF gets filed with the IV-D agency and the PIF gets filed with the tribunal.

C: The CSACIF gets sent to the NCP unless there is a nondisclosure finding, while the PIF does not.

D: There are different words in the titles of the forms.

ANSWER 40

B

Using the Intergovernmental Forms for Case Processing, PIQ-20-01, published February 13, 2020

The Child Support Agency Confidential Information Form is intended to safeguard the privacy of individuals and is for child support (IV-D) agency use only. It should not be filed with a tribunal or provided to the other party. The Personal Information Form for UIFSA § 311 is intended to safeguard the privacy of individuals by providing a means to record the required UIFSA § 311 personal information on a separate document. The information in this form must be filed with the tribunal, unless accompanied by a nondisclosure finding/affidavit. Because the form contains personally identifiable information (PII), the form should not be filed in a public access file.

https://www.acf.hhs.gov/css/resource/using-the-intergovernmental-forms-for-case-processing

THANK YOU!

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