ERICSA Intergovernmental Webinar
Federal Case Closure Criteria: the Good, the Bad, and the Ugly – Intergovernmental Edition

Responses to Q&A and Answers to Scenarios, prepared by Rob Velcoff

1. Several viewers asked about what to do when a responding state says they are closing the case because of the failure by the initiating agency to take an action that is essential for the next step in providing services, but no such failure actually occurred. First, request to know what failure actually occurred. If possible, supply them with the requested information. If that doesn't help, and if you still believe the RJ is wrong to close their case for this reason, provide them with the following information:

Federal OCSS's AT-20-14 and the attachment, Interstate Child Support Policy: https://acf.gov/css/policy-guidance/updated-interstate-child-support-policy, contains an entire section on Interstate Case Closure. Specific to this scenario is Question 73:

Question 73: Can a responding state close the interstate case under 45 CFR 303.11(b)(17), for failure of the initiating state to take an action essential for the next step, if the initiating state is unable to provide an employer or a residential address for the noncustodial parent?
Answer 73: No. The inability of the initiating state to provide a current employer or residential address for the noncustodial parent does not constitute a failure to take an action essential for the next step in providing services. The responding state cannot close its case for this reason. The responding state, typically the state in which the noncustodial parent lives, has access to more locate resources within its state, such as records from courts, the driver's license bureau, and unemployment office, and is, therefore, in the best position to search for the noncustodial parent.

Please share this information with the RJ worker and request that they keep their case open. If they still refuse, you should contact a supervisor or the Central Registry in the other state for assistance.

2. Question: "Some states make it very difficult to contact their local offices directly."

For any issues contacting other jurisdictions, the federal OCSS Intergovernment Reference Guide through the Child Support Portal should be the first step to finding contact information. If you cannot contact the local office working the case, the Central Registry should be able to assist you. I will also put out a free plug for the Child Support Pledge, something started by our sister organization WICSEC. ERICSA has joined in, as well as Tribal – NTCSA. Here is information about that item, from our website:

WICSEC - ERICSA - NTCSA Interjurisdictional Pledge
ERICSA has joined WICSEC's interjurisdictional cooperation efforts! The Intergovernmental Fair in an event held at the annual conference along with mini virtual fairs throughout the year. The purpose is to encourage contact and collaboration between states, local jurisdictions, and tribes in an effort to work together to improve service to our customers. Attendees of this Fair are encouraged to "**Take the Pledge**" – a process by where contact information is shared with other pledge takers – all of whom agree to work collaboratively by sharing direct contact information and agreeing to support and respond to inquiries from fellow child support professionals.
In short, participating in the Fair means "Let's break down barriers and red tape, and help each other."
You don't have to wait until the conference to sign the pledge though, you can **sign it** anytime!
Sign the Pledge

3. Other viewers said that they sometimes have to close their case because the initiating state did not provide the proper or requested information. This is correct, although it also depends on what information you are requesting. If it is indeed "… essential for the next step in providing services", then

case closure criteria #17 covers this. Regarding this item, please make sure that all required timeframes are met, as per federal regulations.

   a. CFR § 303.7(c)(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;
   b. 303.11(d)(2): In an intergovernmental case meeting the criteria for closure under paragraph (b)(17) of this section, the responding State must notify the initiating agency, in a record, 60 calendar days prior to closure of the case of the State's intent to close the case.

4. And attendee noted that other states use criterion #17 all the time for case closure because no one is in their state. They should not be doing this. If you fail to make headway with the local office then you should contact the state office and the Central Registry for assistance. I will add that there should be a reason for the responding state to keep the case open. For example, if an order is registered in the RJ because that is where the NCP is residing, and he/she moves to another state and is not paying, the correct course of action for the IJ is to request that the RJ close their case and they should then register the order in the new home state of the NCP. Still, the IJ determines when the RJ can close, and you might have to go up the chain of command to ensure that this is what is happening. Lastly, states should add OCSS's AT-20-14 and the attachment, Interstate Child Support Policy: https://acf.gov/css/policy-guidance/updated-interstate-child-support-policy, to all intergovernmental training. It details (among many other things) when states can, and cannot, close their intergovernmental cases. Don't give up on these cases! It may take a lot of time and effort, but states will keep these cases open if you contact the higher-ups in that state and request assistance.

5. One viewer requested where the CFR references can be found. Here is the link to view the child support provisions in the Code of Federal Regulations (CFR): https://www.ecfr.gov/current/title-45/subtitle-B/chapter-III.

6. Question: "I am in initiating state with emancipation age of 21. NCP is living in a state where emancipation age is 18. The child on my case is 18. What closure code should I, can I use? No order has been established."

This would be case closure criterion #6.
(6) Paternity cannot be established because:
(i) The child is at least 18 years old and an action to establish paternity is barred by a statute of limitations that meets the requirements of § 302.70(a)(5) of this chapter.

7. Question: "NV states they are a full service state and they consider our request to establish a medical order only as a limited service. Is this correct?"

No, establishment of a medical support only order is NOT a limited service. Limited services are listed on CSET #3. Establishment of a medical support only order is listed on CSET #1. Under Section I. Action, it can be found under option 2.C. If the appropriate state office will not assist you, you can contact your federal regional OCSS office for assistance.

8. Question: "Can states set their own closure criteria in addition to the federal ones?"

No. Only the 21 criteria listed in the federal regulations can be used. These are optional – states can pick and choose which one(s) they want to use. But states cannot change these, nor can they add any new ones.

9. Question: "Why do the feds allow some states to not be on EDE and/or to not provide a local office contact to other interstate workers? It is beyond frustrating to try to contact some other states."

The use of EDE by states, while not mandatory, is highly recommended. Approximately 45 states/territories are currently using EDE. Regarding contact information, federal OCSS requires that states verify the information on the IRG every 30 days. If individual states are verifying incorrect information, it should be brought to the attention of the state office first, and then federal OCSS second.

10. Questions: "Can you clarify initiating/responding agency. I was told whoever established the order is the I/A. Is this regardless of where the client resides and regardless of if a redirect was done? Does that change if the new state registered & modified the order, then it becomes the new state emancipation age?

The initiating state is the state where the application for child support services was made. It is usually the home state of the custodial parent. It is not necessarily the controlling order state. The initiating state would not change if the order is modified in another state; it remains the state where the application was made. And remember, the age of emancipation cannot be changed even if a child support order is modified by another state. It <u>always</u> remains the age of the original court order state.

11. Question: "We get a lot of initiating states requesting we give them permission to close, if it is our state's order even though we are the responding state. Can you please clarify?"

Those states are doing it backwards. If the application for services was filed in their state, regardless of whose order is being enforced, they have to keep their case open. The RJ cannot tell the IJ to close their case. One of the other criteria, often criterion #12, must come into play:

"The non-IV-A recipient of services requests closure of a case and there is no assignment to the State of medical support under 42 CFR 433.146 or of arrearages which accrued under a support order."

But the CP determines which state she/he applies for services in, and that state must keep their case open unless a different case closure criteria applies.

12. There was a question about why certain jurisdictions do not release specific caseworker contact information. Remember that states do things differently. Some states or counties do not assign specific caseworkers to a case. They are worked by units, or different offices, based on various criteria. Please be patient with these jurisdictions and cooperate with them so both states can work the case optimally. There is no one "right" way to work a case. Communications is the key.

13. Question: "If we are transferring a case to a tribe in our state due to lack of jurisdiction what are the closure criteria?"

This is case closure criteria #21. It is the longest of the federal case closure criteria, and it provides a great deal of information about what needs to be done when a state transfer a case to a tribe, including timeframes. Please review this section of law for additional information.

14. Question: "Can you give an example of why you would leave a case open if neither party resides in your state and it is a non-paying case."

Well, since there is no federal case closure criteria that covers this, the case would have to remain open. Reasons for this vary depending on whether your state is the IJ or RJ. If your state is the IJ, if the court order is from your state then you would have to maintain the official determination of arrears. And just because the parties don't reside in your state does not mean that you cannot enforce the order. However, if you are the RJ and the NCP moves out of your state, hopefully the IJ would allow you to close your case. This is really a case-by-case decision.

15. Question: "Can you use long arm jurisdiction instead of UIFSA for establishment of the order?"

Absolutely. If one of the 8 long-arm criteria are met, then your jurisdiction should absolutely use long-arm to establish an order locally. You should not get another state involved unless you have to. Please review section 201 of UIFSA for additional information about long-arm.

16. Question: "So how can states refuse cases where the PF is requesting paternity establishment but the CP is refusing to cooperate?"

If the CP is served a petition to appear for a paternity establishment proceeding, she would have to appear (in person, electronically, etc.). Good cause / domestic violence might be an issue that would have to be addressed. And remember, if the child support unit is involved it should be mandatory that not only is paternity established, but a child support order should be established as well.

17. Question: "Do we know when the additional closure reasons will have CSENet transaction codes established for them?"

This is an issue for OCSS. You should contact your federal OCSS representative for this information, as they should be able to tell you about future changes to CSENet or anything else having to do with the federal tools available on the Portal.

18. Question: "Is there team contact info available?"

I am not really sure what you mean by "team." For this presentation, here is the contact information for the participants:

Rob Velcoff, Owner and Independent Consultant
Intergovernmental Support Services
robvelcoff@intergovernmentalsupportservices.com
https://intergovernmentalsupportservices.com

Ryan Morrow, Assistant Attorney General
Deputy Division Chief for Field Legal Practice
Office of the Attorney General of Texas
Ryan.Morrow@oag.Texas.gov

Petrina Travers, Assistant Division Director
Child Support Services
Ramsey County Attorney's Office, Minnesota
Petrina.Travers@co.ramsey.mn.us

19. Question: "Why do we leave cases open when the NCP/CP is incarcerated for years? How can we close those cases?"

Case closure criteria #8 might be applicable here:
(8) The IV-D agency has determined that throughout the duration of the child's minority (or after the child has reached the age of majority), the noncustodial parent cannot pay support and shows no evidence of support potential because the parent has been institutionalized in a psychiatric facility, is incarcerated, or has a medically-verified total and permanent disability. The State must also determine that the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support. (underline added)

Per the new final rule, if the NCP is incarcerated for more than 180 days the order can be suspended or modified. However, this is not a case closure criteria. I realize that the NCP might be incarcerated for many years and the case would have to remain open. When the NCP is released, assuming the child has not yet emancipated, the order can be reactivated or modified at that time, and enforcement can begin again.

That being said, the NCP being incarcerated for “years” is insufficient to close a case. The incarceration must be for longer than the child is a minor.

20. Question: “If a state has an interstate case open with no parties in their state and the NCP requests a modification, does the CP have to request services from the state they reside in to have the order reviewed for modification?”

No, the CP does not have to apply for services in her/his new state of residence. Let’s make this into a scenario. CP resides in Maryland, NCP resides in Pennsylvania, and the court order was established in Delaware. The NCP can apply for child support services in PA and request that the child support order be registered in MD for modification only. PA opens a child support case based on the NCP’s application. MD may or may not have to open a IV-D case based on PA’s request. MD would conduct a hearing and (let’s assume) they modify the order. Even though this is now a MD order, MD still has options. If the CP does not want their services, they could close their IV-D case. Remember, even if they do this, MD still has the official determination of arrears, so they should open a case that only keeps track of payments and interest (if any) and arrears. I realize that many states cannot do this due to systems limitations, but that is the federal policy. But if the CP wants her application to remain open in DE, that is her/his choice. Or she/he can apply in MD. Or she/he can request case closure. In either case, MD would still have to register the DE order for modification only. Unless the CP applies for services in MD, MD would then close their IV-D case.

One final note: I answered this question assuming that a modification was being requested. If the request were for a Review & Adjustment or COLA, that is considered an enforcement action, not a modification action (even though the dollar amount of the order might change), and as such, UIFSA modification requirements do not come into play. The state that issued the original order does the R&A/COLA, regardless of where the parties reside.

21. Question: “So if MD registers & modifies a NY order that had an emancipation age of 21 and MD's is 18 you are saying MD is supposed to honor the age 21 emancipation?”

Yes, that is correct. The age of emancipation of the original court order state remains in place even if that order is modified. The duration of support is an unmodifiable aspect of a child support order.

22. Question: “What are some examples of unenforceable under state law?”

This is from case closure criteria #1. Examples of this might include arrears that have passed the amount of years stated in the statute of limitations of a particular state, or any other process based on state law governing enforcement criteria, but not IV-D policy on case processing.

23. Question: “So the arrears under $500 part – this is more a heads up to let you know that the account is nearing $0 balance. It isn't permission to close out the account and waive the remaining balance if under $500, correct?”

Actually, it depends on the current enforcement tools that are currently being used on the case. If enforcement is ongoing due to an IWO on an arrears only case, then the enforcement should continue even after the arrears become less than $500. However, if there is currently no successful ongoing enforcement on the arrears only case, and the arrears are less than $500, then the child support case can be closed. Although the remaining arrears of less than $500 are not actually waived, since the child support case will be closed without ongoing enforcement, these arrears will likely never be collected.

24. Question: “Can a responding state refuse to establish any order based on NCP being incarcerated and not earning a minimum amount? (Can the responding state refuse to get a Health Insurance order and child support set to $0 order)?

States must accept requests to establish a child support order regardless of the incarcerated status of the NCP. But now comes the tricky part. If they are using case closure criteria #8, there is an interpretation that the state can then immediately begin case closure criteria. However, I believe that most states would first establish a minimal child support order based on their guidelines. This could be a $0 order, a basic needs of the child order, a non-financial order, or something like this. The case could be closed shortly thereafter. Remember, this is only if the NCP is scheduled to be incarcerated for the duration of the child’s minority. Anything less than this cannot result in case closure.

25. Question: “Can states stipulate that they won't close their case because the arrears under $500 are owed to the CP? For example, DE states that they can't close their case even if there is custodial arrears of even $.50 … CP has to forgive the arrears to close...”

States can pick and choose which case closure criteria they want to use. If a state chooses not to adopt case closure criteria #1, that is up to them. So in your scenario, yes, another state can keep a case open with a balance of less than $1. Still, it is my understanding that most states have adopted case closure criterion #1, and as such the case would be closed.

26. Question: “So what closure code would you use if the NCP is homeless and have been for years?”

You might be able to close the case based on case closure criteria #8, although there might be some variation on a case-by-case basis.
#8: The noncustodial parent's location is unknown, and the State has made diligent efforts using multiple sources, in accordance with § 303.3, all of which have been unsuccessful, to locate the noncustodial parent: …

27. Question: “We have a case here that we are the initiating state but the NCP is in CA and is on TANF. Does that qualify for closure under the SSI criteria ?”

No. SSI or SSDI are different than TANF. The NCP being on Public Assistance is not a valid reason for case closure. This is probably due to the (alleged) short period of time that someone gets to be on Public Assistance, as opposed to the permanency of SSI.

28. Question: “If there is a state that is not responding or cooperating, is there an oversight team or committee that caseworkers can go to for further assistance?”

Yes. Each state is federally mandated to have a Central Registry. Per CFR § 303.7(b)(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.

Central Registry contact information can be found on the IRG. Most Central Registries are extremely helpful in resolving such issues, although they generally require you to try to obtain an answer first from the appropriate local or regional office working the case.

29. Question: “This is not case closure however a problem we have with a new case. Parties have an order that was established in ID for oldest child. Mom and child now in WY and Dad in MI. MI now has an interstate case with WY. Parties now have a second child and request from WY to establish paternity on 2nd child and set support. Normally there should only be 1 case however due to different states

involved, do we keep them separate and set support for the 2nd child with a MI order and follow MI rules for the 2nd case? Or can these be combined? What state determines the emancipation?”

My recommendation would be to have the CP apply for child support services in WY, and then have the ID order sent to MI for registration and modification. The modification part would be to add the second child. MI would have to first establish paternity in order to add the second child. I believe that MI would have authority to establish paternity on the second child due to their having CEJ to modify the order. However, this is a gray area and states do things differently regarding this issue. Still, as this is the simplest course of action this is what I would try to do first. MI’s age of emancipation would apply. If the MI court refused to establish paternity, then whichever state has jurisdiction to establish paternity would do so. (I can’t tell from the case facts you provided which state this would be.) After that happens, MI would then be able to register the ID order for modification and enforcement and would now include the second child on the order and (presumably) increase the obligation amount based on two children on the order instead of one. As you said, having two orders for the two separate children on this case would be unfair to the NCP because two orders for one child each would come to more than one order for two children. As this is an intact household with the mother and both children, there should only be one child support order. Plus it is never a good idea to have different ages of emancipation of the two children on the case due to different states having each established a separate child support order.

30. Question: “The case is an arrears only case from California. We registered this case in 12/2022, then the NCP was arrested 02/2023 – he has been incarcerated since that time. His projected release date isn’t until 06/20/2033. We have asked on numerous occasions to close this case for that reason, however they will not give us permission to do so. No assets available. The child in the case has already emancipated, as the child is 32 years old. Any way to close this case?”

Unfortunately, the IJ (CA) makes the call on whether this case can be closed. If the local office in CA won’t allow you to close the case, contact the Central Registry and ask for assistance in getting the local office to close the case. Based on the stated facts, it makes no sense to keep this case open.

31. Question: “Does anyone know of a database that has POPs info for all states?”

I’m unfamiliar with the acronym ‘POPs’. (And I tried Googling it too!) The Federal Case Registry on the OCSS Portal contains court order information from all states. Please let me know if that is what you are looking for.

Question: “Does the office still keep a case open if it's a private order, like a divorce decree, where the order states that the custodial parent has primary custody of the child?”

As far as UIFSA and the Code of Federal Regulations are concerned, all orders are equal: divorce decrees, private orders, etc. As long as a tribunal established the order (as opposed to a simple agreement between the parties), all child support orders are treated the same. So to answer the question, yes, that case would have to remain open until one of the case closure criteria apply.

32. Question: “We were always told if using Statute of Limitations both states Statute of Limitation requirements have to be met. Is that true?”

As per UIFSA section 604, 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.”

So while technically the Statute of Limitation requirements of both states don't have to be met, since the state with the longer amount of years applies, the requirements of the shorter state would also be met. But I think it's more accurate to just say that the state with the longer statute of limitations applies.

33. Question: "Sometimes our system will automatically close the case because we show no arrears as the responding state but then the initiating state reaches out to us (sometimes many years later) that they still have arrears owed. Usually the difference is interest charged by the initiating state, or we stopped support based on our emancipation law (in error). In that case, do you just add the arrears back onto the case and send a letter to the NCP advising them of same?"

Individual state policy might vary here, so you should contact your state office for guidance. But generally speaking, it sounds like the case closure was done as part of an administrative error. Therefore, reopening the case administratively, and adding the arrears back onto your system, sounds like a viable option. As the NCP is notified of the new arrears amount, he/she has recourse to bring the case into court for clarification.

34. Question: "We have registered another state's order for enforcement and modification. Parties are contacting us stating they are all in Ohio now and child is going to live with the NCP. Would we not suspend the order? Only close with 45 CFR 303.11 (b) (5)?"

Your state should ask the IJ for permission to close. If none of the parties resides in your state, and if custody is in the process of being changed, the IJ should allow you to close your case. But it must be the IJ that makes this decision.

35. Question: "How is a case handled when there's a private order, such as a divorce decree, that names one parent as the custodial parent, but the child is actually living with the noncustodial parent?"

One of the parties should bring the case into court for modification, to terminate the child support order, or modify the court order to change the parties (CP/NCP). Until or unless the court order is modified, the IV-D agency should continue to enforce it. For those states that can petition for the modification of a child support order on their own (as opposed to states where only the parties to the action can request a modification), they should do so.

36. Question: "Does NCP's location is unknown 303.119b)(7) apply to both IR and RR?"

No, that criterion applies only to the IJ, not the RJ. Even if the RJ cannot locate the NCP they would still require permission from the IJ to close.

37. Question: "What happens if they are concurrent SSI and SSDI and the initiating state will not provide permission to close? Do you need to 60 day?"

If the NCP is receiving SSI and/or SSDI, and it is an interstate case, the RJ still needs permission from the IJ to close. The RJ cannot close otherwise. There are states that will close a case if the NCP is receiving SSI (which cannot be intercepted by the IV-D agency), but not if he/she is receiving SSDI (which can be intercepted by the IV-D agency). That is why it is the IJ that decides when the RJ can close. A 60 day case closure notice should not come into play here – the RJ should keep the case open until it receives permission from the IJ to close.

38. Question: "Can I use the NCP location unknown closure with a responding case?"

No. Only the IJ can use that particular case closure criteria to close the case. The RJ must have permission from the RJ to close their case. Remember, there are only three of the twenty-one case closure criteria that are available to the RJ in order to close their case:

(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;

39. Question: “We're talking PPS, right? If they can't pay, they can't pay. Case closes.”

Please clarify your question. If the person paying support (PPS), which is the NCP, can’t pay the child support ordered amount, generally speaking, this is not one of the case closure criteria and the IV-D case should remain open.

40. Question: “Does a PO Box address count as a good address?”

For establishment of a child support order, the party must reside in the state in order for the state to have jurisdiction. For this reason, a PO Box in and of itself is insufficient to establish jurisdiction over the party. The same would go for modifying a child support order, subject to the other rules of modification. Any state IV-D agency can register and/or enforce a child support order, as residence and jurisdiction do not come into play here, so a PO Box would not be a requirement for these actions. One more thing – you should be able to request the USPS to provide you with the boxholder’s physical address.

41. Question: “We have run into this and have tried the Central Registry and still are not getting a response.”

If the Central Registry is unresponsive after the federally mandated 5 working days, as per CFR § 303.7(b)(4), you should ask your IV-D Director to contact the IV-D director in the order state for assistance. After this, you should contact your federal OCSS representative for assistance.

42. Question: What if the only source of income is Veterans benefits? Can you use 303.11(b)(8)?”

No. An NCP in receipt of Veterans Benefits is not one of the case closure criteria, and the case should remain open. Certain types of VA benefits can be intercepted by a child support agency. Usually, if the VA gets an IWO they will determine if any of the benefits the NCP is receiving are eligible, and they will withhold as allowed. If the benefits are due to the NCP having “a medically-verified total and permanent disability.”, then the case may be closed as per case closure criterion #8. However, the rest of #8 might come into play: “The State must also determine that the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support;”. Even VA disability compensation might be garnished for child support if certain conditions are met. So while most cases where the NCP is receiving VA benefits would remain open, there might be some case-specific disability information that might allow for case closure.

Here is some additional information on this subject from Mitchell D. Broudy, Sr. Assistant Attorney General, Eastern Virginia Regional Legal Division, Division of Child Support Enforcement:

Can VA benefits be garnished for child support? It depends. As a general rule, you cannot garnish directly from the VA. There is an exception – if the former servicemember has waived his military retirement or a portion thereof, that portion is garnishable from the VA. You can garnish VA benefits directly from the former servicemember's bank account. Here are some additional thoughts.

Note: CRDP allows qualified military retirees to receive both their full military retirement pay and VA Disability Compensation without offset- waiver. The disability must be 50% or greater.

Here is the case on VA and garnishments.
In Rhone v. McDonough, No. 20-2370, 2021 U.S. App. Vet. Claims LEXIS 1176, at *11-12 (Vet. App. June 30, 2021), the court clarified the interaction between 38 U.S.C.S. § 5301(a)(1) and 42 U.S.C.S. § 659, emphasizing that while VA disability benefits are generally exempt from garnishment, an express statutory exception allows withholding for child support and alimony obligations. Under 42 U.S.C.S. § 659(a), payments from the federal government, including VA disability compensation, may be withheld to satisfy these obligations in the same manner as if the United States were a private employer. The ruling highlighted 42 U.S.C.S. § 659(h)(1)(A)(ii)(V), which explicitly includes VA disability payments when a veteran waives a portion of their military retirement pay to receive them, classifying such payments as remuneration for employment for garnishment purposes. As a result, the VA is authorized to withhold and allocate a portion of a veteran's disability benefits for child support or alimony pursuant to valid legal process.

43. Question: "I always clarify with the other state that we are just trying to establish paternity and possibly a zero support order for when they are released from incarceration(some will, some won't for zero support orders)."

Establishment of paternity only is not a IV-D function. Technically, on an interstate case, the RJ would have to establish a child support order even though the NCP is incarcerated in their state. It can be a $0 order, a non-financial order, or a minimal order. And while I realize that some states will establish paternity but not a child support order under these circumstances, establishment of a child support order is supposed to be mandatory on a IV-D child support case that requests paternity establishment only.

44. Question: "With incarceration closure, can the case be re-opened later (after emancipation) if the oblige re-applies and the obligor is no longer incarcerated?"

Yes, an arrears only case can be reopened after the NCP is no longer incarcerated.

45. Question: "Can a state require a postal verification or postal verification within a certain timeframe in order to open a case at the request of another state? I have some states rejecting for this reason or saying the postal verification is too old."

No. There is no requirement for states to provide a Postal Verification (regardless of the date of the document) for an interstate case to be opened. Contact the Central Registry when this happens and request their written policy on this issue. An address needs to be supplied on the Child Support Confidential Information Form, but a Postal Verification Letter is not a federal UIVSA form or other document required under UIFSA, so it should not be mandatory. Sill, it is a useful item and should be included if possible.

46. Question: NCP living on a reservation with a child support office, he owes over 65k. What can be done?"

For non-IV-D tribes, I would recommend that the CP apply for child support services in whatever state/county office she resides in. They will work the case like a non-tribal case. However, they might have to get the tribal court involved to establish a child support order, depending on which party or parties are, or are not, tribal members. Still, if there are arrears then there is presumably already a child support order in place. The order should be enforced by the state IV-D agency. If the NCP resides on tribal land, or works for a tribal company, the tribe should be contacted to see how the IV-D agency should proceed. For a IV-D tribe, an intergovernmental case should be opened between the state and the tribe.

47. Question: “If there is no judgment on arrears and the child is over the age of 23 the arrears are lost.”

That sounds like a state specific rule, and even then there might be some way to enforce the arrears. Contact the Central Registry in the state in question and request additional information. Generally speaking, the arrears should only be dismissed if a tribunal (not a IV-D agency) says that the statute of limitations applies.

48. “My understanding is you cannot request closure thru CSENET – maybe this is just my state?”

Generally speaking, there is no mandate about how to request case closure. CSENet, and other federal tools, may be used if the states involved allow it. However, if one of the states wants a letter or an email, the other state should comply.

49. Question: “Shouldn't the initiating state provide verification that the NCP is located in your state before initiating a UIFSA to establish or enforce an order? We are receiving more cases from other states with no verifying information to confirm the NCP's address. We find that NCP is not in our jurisdiction at all many times.

The IJ should attempt to provide a verified address for the NCP in the responding state, as that is a question on the Child Support Agency Confidential Information Form. However, the RJ should open a case and, if necessary, conduct a location investigation. If the NCP is located in the RJ, establishment/enforcement should take place. If the NCP is located in another jurisdiction, the IJ should be contacted and asked how to proceed. Most of the time the IJ will say to either return the case to them, or forward the case to the other jurisdiction where the NCP is located. Case closure criteria #7 might apply, the one that deals with when the NCP has an unknown location.

50. Question: “If the NCP has a medical opinion form that states they can never work for the "foreseeable future", what closing code can we use?”

That is a very vague statement. Case closure criterion #8 says that is the NCP has a “medically-verified total and permanent disability” that will last “throughout the duration of the child’s minority”, the case can be closed. I’m not sure that the “foreseeable future” qualifies. I think you might have to look at all of the medical documentation before making the decision as to whether the case qualifies for criterion #8.

51. Question: “Can I contact Rob for a case I have to NY that I'm not getting anywhere with? I'm asking NY to reopen their case to enforce their order.”

I’m no longer with the New York State Division of Child Support Services. Please email dcse.cseweb@dfa.state.ny.us for assistance.

52. Question: “How do we get around the issue of closing a case when the initiating state is administrative and the responding state is judicial?”

There should not be any difference, and the case should be closed the same as any other. If a judicial state needs to get their tribunal involved, they will contact them. But the federal case closure criteria apply the same, regardless of whether the states are administrative or judicial. The IJ IV-D agency should contact the RJ IV-D agency about closing the case. Remember, case closure does not mean the child support order is terminated; that is a completely different matter. IV-D agencies may close their child support case, but the child support order remains active and charging, as either Non-IV-D but payable through the SDU, or as direct pay.

53. Question: "When this webinar is posted, can the chat also be posted? There are a couple of threads I'm trying to follow but the chat keeps jumping around when new messages pop up and I'm not able to follow/find them all (may be a problem on my end). Thanks"

If you need a copy of the chat please email me at robvelcoff@intergovernmentalsupportservices.com and I'll send it to you. However, the version of the chat that I have is limited.

54. Question: "Will there be a training session on long arm and limited services?"

We are considering those topics for either another webinar, or for our Intergovernmental Training Event on October 16. Please refer to our website, www.ERICSA.org, for more information.

55. Question: "Is it okay for a CP to request services in my state because the state where she resides takes longer to process cases? Let's say it is for paternity and support and the alleged father resides in my state."

There is no residency requirement for providing child support services. Either party to the case can apply for child support services in any state they want, regardless of residence. This includes a CP who resides in a foreign country that is not a Hague country or that does not have a bi-lateral agreement with the U.S. She/he may apply directly to your state. The same goes for a CP residing in a different state.

56. Question: "I've not encountered it but can an NCP claim Good Cause to have a case closed?"

Good Cause is generally for IV-A (Public Assistance) applicants who do not want to pursue child support. I do not believe it is applicable for noncustodial parents. Still, if the NCP wants to claim domestic violence issues, he/she can request assistance from the court/tribunal during a hearing.

57. Question: "Some states use this one when they've never asked for any information and then never respond when I ask what information is needed. Is there any recourse I can take when they do this?"

I assume you are talking about case closure criterion #17. If the RJ closes this case using this particular criterion, if it cannot be resolved by contacting the RJ directly, then you should contact the Central Registry in the RJ and request that the case be reopened. If that doesn't work, you might want to have your IV-D Director contact the IV-D Director in the RJ and make this request. If that also fails to yield the desired result, you may contact your Federal OCSS representative and request that they get involved.

58. Question: "That's kind of like a case I had spoke to a case worker directly and asked if they received the UIFSA packet, and she told me yes. Then when I called weeks later for an update I was told by someone else that the UIFSA packet was not received, and the case worker that told me it was received narrated that no docs were on file.

For new interstate cases, you should be sending the documentation to the Central Registry in the RJ. It is that office you should be contacting. Please use the hierarchy I detailed in the preceding question.

59. Question: "Does this one count after a case has been opened and working, like if IJ won't send an updated case audit after they have received direct payments from the NCP for us to give credit and we've requested for months and months? I thought this was pretty much just when a case is getting set up.

Case closure criteria #17 reads "The responding agency documents failure by the initiating agency to take an action that is essential for the next step in providing services;". This can be a very gray area. Remember, it should not be your goal to close the case. If the case can proceed without the requested documents, the case should remain open. So that lack of an updated case audit would probably not be considered sufficient for case closure, as current support (and some arrears?) might still be enforceable without it. This might be something the Central Registry can assist with. Here is the applicable federal regulation for requesting assistance from a state child support Central Registry:

§ 303.7 Provision of services in intergovernmental IV-D cases. (b) 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.

Most Central Registries are an excellent resource, and should be contacted whenever the local office in the RJ fails to provide assistance or information to the IJ. And again, if the Central Registry does not assist then move up to the IV-D Director, and then to Federal OCSS for assistance.

There were many items in the Chat about certain states being unresponsive. My advice above covers all of those questions.

60. Question: "I have a case that was opened in DC. DC is the IJ, but the CP moved to VA and is on public assist benefits. VA has requested closure although they are the responding state. Can DC close?

I'm assuming the NCP is not in DC? Also, is there a child support order that was established in DC? If the answer to both of these questions is 'no', then VA should allow DC to close, as DC has no further involvement with the case. However, if the answer to either of these questions is 'yes', then DC should keep its case open, either for assistance with the NCP (if there is no court order) or for payment processing (if there is a court order).

61. Question: "Do responding states have a responsibility to retain certified orders, or must we send new certified orders every time we initiate to a state to whom we have already sent certified orders?"

If you sent your request via EDE, the other state should still have the certified copy. However, if we are talking about a paper certified copy of a court order, there are no federal regulations that say how long such a court order must be kept. States have their own rules regarding record retention. While it is a best practice that a state should retain certified copies of court orders, it is not in statute. Plus a state may want proof that the order is the most recent one issued. Record retention laws and rules and policies vary by state.

62. Question: "If the NCP is no longer living in the responding state and the responding state is unable to enforce the order (for years), the NCP doesn't live there or work there, doesn't it make sense for the responding state to request that they be removed from the case?"

Yes, that makes sense. However, it would still be up to the IJ to allow the RJ to close. The RJ should open a locate, and any results should be supplied to the IJ. The IJ may have multiple case closure criteria whereby this case should be closed on their end as well.

63. Question: "Does a TRANSFER instead of a closure require a 60 day notice, if it is being transferred to a IV-D tribal program due to lack of jurisdiction?"

This is case closure criterion #21, part of which says: "(B) The State IV-D agency notified the recipient of services of its intent to transfer the case to the Tribal IV-D agency and close the case with the State and the recipient did not respond to the notice to transfer the case within 60 calendar days from the date notice was provided;." So the parties to the case must be notified about the pending case closure. If the IJ is closing its case due to #21, and if there is another state involved, the IJ should give permission to the RJ to close. If the RJ wants to do the transfer, they still require the approval of the IJ before closing the case. If this is not an interstate case, as long as the parties to the case are provided with proper notification, that should be sufficient.

64. Question: "You are not required to provide copies of their own orders per the intergovernmental matrix. Sometimes, depending on where you are sending documents, they may not have access to the original orders or maybe having issues obtaining them and will ask for assistance."

The Intergovernmental Matrix on the OCSS website (https://acf.gov/sites/default/files/documents/ocse/intergovernmental_forms_matrix.pdf) says what UIFSA forms are needed for interstate cases. It does not list other required documentation, such as court orders or payment records. Under most circumstances a responding state would not require a copy of their own order when the IJ is requesting enforcement. However, there might be certain circumstances where the RJ would not be able to obtain copies of their own orders, such as a Supreme Court Divorce Decree. Under these circumstances, the IJ should contact the CP and ask her/him to provide copies.

65. Question: "CP in VA, NCP in NC. VA established a $0 order in 2024. They in turn sent a UIFSA packet to NC to register, modify and enforce. Can NC modify this order if the CP still resides in VA?"

Since the CP remains in VA, the only way NC can modify the VA order is if both parties agree in writing or in open court that VA is transferring CEJ to NC. Otherwise, VA retains CEJ to modify their own order.

66. Question: "But if we, a responding state, shows that the NCP is permanently disabled per medical documents but the IJ won't give us permission to close, what do we do then?"

Remember, the IJ might not use the applicable case closure criteria (#8) that would normally allow this case to be closed. As such, the RJ would have to keep the case open. However, if the IJ does use this particular case closure criterion, the RJ should ask why they what this case open when it meets the IJ's own case closure criteria. They should hopefully allow you to close.

67. Question: "For SSA dependent benefits in place of child support, does that apply to all 50 states?"

No. Each state determines on their own whether SSA dependent benefits can be used in lieu of child support. This is covered in the IRG, section 4. Support Order Details, questions 9 and 9.1:

9. Does your state IV-D agency grant the noncustodial parent credit toward child support for Social Security Administration (SSA) auxiliary benefits paid to the custodial parent on behalf of a child when those benefits are based on the noncustodial parent's SSA benefit?

9.1. If a child's auxiliary SSA benefit paid to the custodial parent is greater than the current child support obligation, do you credit the excess amount against arrearages, and if so, how?

Or you can contact the state office or Central Registry for clarification.

68. Question: "There seems to be quite a few states that require the postal verification. They say it's the court's requirement to file."

There is no child support requirement to provide a postal clearance letter. The Child Support Agency Confidential Information Form does have a section where the address of the NCP should be provided, and there is a "Date address confirmed" section as well. That being said, the child support agencies have virtually no control regarding what documents are required by the courts for them to hear a case.

69. Question: "What if the DA will not accept the UIFSA without the address verification?"

While communications between states is vital, the general rule is that if the other state requests certain documentation, you should provide it to them. You can certainly request written policy about why a certain form is needed. States that require a Postal Clearance Letter should reconsider this policy. First, there is no federal requirement for such a document. Second, it can take a great deal of time to get this information from the USPS. State policies vary regarding what constitutes a verified address. Some states will submit the case for Locate services without this form. It is my understanding that some states cite case closure criterion #17 when they do not receive this form. I do not believe this is appropriate, as the necessity of having this form does not mean that the IJ cannot "take an action that is essential for the next step in providing services." However, this is a gray area, and interpretations vary. If the other state says that their policy is to require this form, the easiest course of action might be to simply provide it to them.

<u>That being said, states should look for ways to keep their interstate case open, not look for ways to close it.</u>

70. Question: "Would it be appropriate to send a locate request to the other state's central locate unit?"

Not all states have a "central locate unit", and assisting with locate requests is <u>not</u> a federal requirement of Central Registries. It is best to send a CSENet request for location.

71. Question: "If PA is enforcing a NJ order, and PA no longer has an address for the NCP, can PA close if NJ can not provide PA with an address?"

No. This is clearly stated in OCSS' <u>Interstate Child Support Policy</u>, an attachment to AT-20-14. Question #73 in this documents covers this:

Question 73: Can a responding state close the interstate case under 45 CFR 303.11(b)(17), for failure of the initiating state to take an action essential for the next step, if the initiating state is unable to provide an employer or a residential address for the noncustodial parent?
Answer 73: No. The inability of the initiating state to provide a current employer or residential address for the noncustodial parent does not constitute a failure to take an action essential for the next step in providing services. The responding state cannot close its case for this reason. The responding state, typically the state in which the noncustodial parent lives, has access to more locate resources within its state, such as records from courts, the driver's license bureau, and unemployment office, and is, therefore, in the best position to search for the noncustodial parent.

72. Question: "Work through your normal locate process – if not able to locate after 2 years or 1 year or 6 months based upon how much PII you have on the NCP (DOB or SSN or Employer).

While this makes sense, remember that the RJ cannot use this particular case closure criterion (#7). This would still require approval from the IJ.

73. Question: "Is the Central Registry the appropriate office for sending a locate request?"

Actually, this is not a requirement of the Central Registry as per CFR § 303.7(b). CSENet is the appropriate method of submitting Quick Locate requests. If CSENet is not an option, like on a tribal or an international case, sending such a request to the Central Registry would be a best practice. But states should send Quick Locate requests to other states via CSENet.

74. Question: "I thought there was a residency requirement, that's definitely not something that is well known."

There is no residency requirement for apply for child support services. While it certainly makes sense for a CP (or NCP) to apply for services in their own state, this is not a requirement. That being said, modification and establishment jurisdiction requires the parties to be residing in certain states. While this still would not mandate that the parties apply for services in certain states, that would certainly be a best practice. I have seen custodial parents who reside in non-Hague/not-reciprocating countries apply for services in a U.S. state (usually the state of the NCP) because they do not have child support agencies in their own countries. Subject matter jurisdiction, and even personal jurisdiction, should not be a deterrent for such applications.

75. Question: "Can anyone advise on the best method(s) to contact states that have call centers with no specific caseworker working each case?"

Child support call centers are being used by more and more states. Before calling a call center, you should have all of the case specific information on hand, such as the other state's case number, as most call centers require the caller to first be *verified* before they will speak with you. Also, there is no correlation between a state having a call center and the same state not assigning a specific worker to a case. Some states have specific caseworkers assigned to a case, but still request that you contact the call center first. Other states do not assign a specific worker to a case, as there will be multiple offices that will each handle one specific aspect of a case, such as establishment, enforcement, payments, etc. The more information you can gather before contacting a call center or a unit that only handles a portion of a case, the better.

76. Question: "Can we request a copy of this PowerPoint?"

It will be available on the ERICSA website, or you can contact me at robvelcoff@intergovernmentalsupportservices.com.

77. Question: "If CP is receiving TANF and bypasses the state where she/he is receiving benefits, how does the state providing services get the payments if that CP "shops" states for an order?"

The CP is required to cooperate with the state that is providing her/him with Public Assistance benefits. If the CP obtains their own child support order from another state, that information should be available on the federal case registry. When this happens, the state providing services should either request the state that established the order (if they are enforcing their own order) to forward payments, or enforce the order themselves if the court order state does not have an open case.

78. Question: "The case is an arrears only case from California. We registered this case in 12/2022, then the NCP was arrested 02/2023. He has been incarcerated since that time. His projected release date isn't until 06/20/2033. We have asked on numerous occasions to close this case for that reason, however they will not give us permission to do so. No assets available. The child in the case has already emancipated, as the child is 32 years old. Is there any way to close this case?"

I am assuming that CA is the responding state on this case, although the information works the same (in reverse) if CA is the IJ. As previously stated, CA would be at the mercy of the IJ regarding case closure. CA should ask the other state if they use case closure criterion #8 on their own cases, because if so, the IJ should give CA permission to close. The state IV-D office and/or Central Registry in the IJ might be able to provide additional assistance.

79. Question: "Can an Administrative State use their amortization chart that exists in their Administrative Code to determine monthly arrears payback amounts rather than create a court payback order? Our state does not run the arrears back to court for just this purpose."

All states should have an administrative additional amount that they add to their IWO's to help collect the arrears. This should mean that they should not require a court order to include a repayment amount. However, if the other state insists on this, after verifying that this is the actual policy with the State office and/or Central Registry, I see no alternative other than doing what the other state requests and supply a court ordered repayment amount. But I agree that an administrative additional amount would be preferable.

80. Question: "Will any of the ERICSA conference sessions be online?"

While the 2025 ERICSA conference does not allow any virtual options, there is an Intergovernmental Training Event that ERICSA puts on every year. This year's date is October 16, from 10:00 – 4:30 ET. Topics are pending. This training is only available to ERICSA members, which means that you must have either attended our annual conference, or you can pay a $75 annual membership fee. The training event will include a short plenary and eight one-hour workshops over four timeslots. Our website, www.ERICSA.org, will have more information about this in the coming months.

81. Question: "It would be so nice if ERICSA sent out a monthly flyer with facts like this to help inform states of this info, because so many state workers are misinformed."

ERICSA has something called the ERICSA Bulletin Board. This new platform is your go-to source for the latest news, updates, and essential information in the child support community. Key features include upcoming events, State, Regional, Tribal, and International community insights, legislative updates, and much more. Our free webinars are available on our website for child support workers to view. And of course, we have our annual conference and our intergovernmental training event. So we do our best to get the word out!

82. Question: "So I have an NCP that provided his address but postal came back as no good. If we do not have verification of the address can the other state I am requesting to locate him still try and locate him for me?"

Before sending the case to the other state you should request that state do a Quick Locate; the request should be made via CSENet. But before the full case is sent to the other state you should attempt to verify the NCP's address first. The exception to this is international cases, where you may send the case even without a verified address as long as you believe the NCP is located in that country. The other country will then open a locate and try to find the NCP. But for interstate cases, states should send a Quick Locate request before sending a complete UIFSA packet.

83. Question: "The Responding closure criteria regarding initiating state uncooperative – I was always under the assumption this was when the case was getting set up – does it still apply when you need something when the case has been active and the other state will not get back to you (Ex. updated audits because you need to give credit, etc.)?

This criterion (#17) may be used at anytime, even when there is a court order that is being enforced. However, one piece of information generally does not qualify as "essential for the next step in providing services." This would only be used when there is no other action that can be done on a case if the required information is not received. The lack of an audit would usually not be a reason to close a case, because current support can still be enforced. However, arrears might be affected. Remember, case closure is not the desired result – cooperation is.

84. Question: "Yes, there are EDE states still trying to demand the physical certified copy of a court order." and "I think that if the state has joined EDE, then they are required to accept electronic certified copies of the orders as well."

The aforementioned OCSS *Interstate Child Support Policy* document covers this, question 29:

Question 29: May a child support agency transmit certified copies of orders or other documents through OCSE's Electronic Document Exchange (EDE) system?
Answer 29: Yes. Any documents, including certified copies, may be transmitted through EDE. UIFSA section 316(e) provides that documentary evidence transmitted from outside the state to a tribunal by electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission. See PIQ-18-01: Electronic Documents and Tribunals under UIFSA Section 316 for information about UIFSA requirements for electronic transmission of documents.

That being said, this is a requirement for child support agencies. Courts and tribunals may have their own rules. If a court requests a paper certified copy of a court order with either a wet signature or a physical stamp or seal, the best course of action is to supply this via the U.S. mail.

PowerPoint Scenarios

Scenario #1

- There is a California child support order for Adam to pay Alexandria $400/month for their two children.
- Alexandria and the children move to Utah and apply for IV-D services, so payments are forwarded by CA to UT.
- Now Adam also moves to UT.
- There are no arrears due CA DSS.

▪ Can CA close their IV-D case?

Answer: No. All parties leaving the state is not one of the federal case closure criteria. If UT modifies the CA order, and there are no arrears owed to CA, then CA can close their case using criterion #12 (assumes the CP no longer wants CA services). Without a modification in UT, CA should maintain at least a payment-only case to keep track of the arrears. I realize that many states do not have the ability to maintain a payment-only case on their systems, but this is the federal policy as per AT-17-07: "Interstate Child Support Payment Processing."

Scenario #2

- Florida sends Georgia an establishment packet, and a GA child support order is established for Barry to pay Bonnie $500/month for their two children.
- Bonnie remains in FL and Barry remains in GA.
- Barry becomes disabled, and his sole sources of income are now SSI and SSDI.
- GA wants to close their IV-D case because they have adopted case closure criteria #9.
- FL has not adopted this particular case closure criterion, and they want the case to remain open.

▪ Can GA close its intergovernmental case?

Answer: No. GA can only close their case using criteria #17 or #18 or #19. Unless FL allows GA to close, GA would have to keep their child support case open.

Scenario #3

- South Dakota has a child support order for Carla to pay Chuck $300/month for their child.
- Carla moves to North Dakota, and the SD order is registered there for enforcement.
- Two years pass, and ND cannot locate Carla.
- ND asks SD for location information on Carla, but they reply saying they don't have any.

▪ Under what circumstances can ND close their IV-D case?

Answer: ND may not close its case under these circumstances. They can ask for permission to close their case, but it would be up to SD as to whether this is allowable.

Scenario #4

- Vermont establishes a child support order on New Hampshire's request for David to Pay Diane $750/month for their three children.
- David resides in VT and Diane resides in NH.
- All three of the children emancipate, but there are $1099 in arrears owed to NH, so VT keeps their IWO for $100/month in place and active.
- Six more payments are made, and VT now wants to close their case and terminate the IWO.
- NH wants VT to continue to collect on the arrears.

▪ What should happen on this case?

Answer: VT should keep their IWO active until the arrears are paid in full. They cannot closure their case unless NH says they can.

Scenario #5

- In 2015 New Jersey requests that New York establish a child support order for Eve to pay Eric for their one child, and a $350/month order is established.
- Eric remains in NJ and Eve remains in NY.
- In early 2025 Eve is incarcerated in Pennsylvania for ten years.
- NY and NJ are both using case closure criteria #8, but PA does not.

▪ Can NY close its IV-D case?

Answer: Yes, assuming NJ allows them to, which they should. PA is not involved with this child support case, so their policies do not apply.

Scenario #6

- There is a Washington DC child support order for Felix to pay Francine $450/month in support of their child.
- Francine remains in DC, but Felix now moves to Kazakhstan.
- Felix does not work for the Federal government or a company with headquarters or offices in the United States, and has no reachable domestic income or assets.

▪ Can DC close its IV-D case?

Answer: No. Kazakhstan has ratified the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, a/k/a the Hague Child Support Convention. Therefore, case closure criterion #10 does not apply. There is a great deal of information on the OCSS website about international child support, and which foreign countries the U.S. would work child support cases with.

Scenario #7

- There is a North Carolina child support order for Gary to pay Georgiana $700/month in support for their children.
- Georgiana remains in NC.
- Gary moves to South Carolina, and the NC order is registered there for enforcement.
- An enforcement hearing is scheduled in SC because Gary is not paying. SC wants Georgiana to testify electronically, and requests that NC contact her about this.
- NC sends Georgiana a contact letter, but she does not respond.

▪ Can NC close its intergovernmental case

Answer: No. This would not constitute “an action that is essential for the next step in providing services;”. Plus, telephonic/electronic testimony is generally not mandatory. While this might affect the outcome of the court hearing, the interstate child support case should remain open in both states.