



CSSD Policy			
Subject:	Fresh Start Program for Non-custodial Parents: Policy & Procedures	Number:	2011-14
Approval Date:	June 29, 2011	Pages:	1 of 12
Approved by:	Benidia A. Rice, Director	Revision	REVISION #2
<i>Benidia A. Rice</i>			

- I. **PURPOSE:** (1) To identify cases in which the non-custodial parent has a significant combination of non-TANF and TANF arrears or TANF Arrears Only due to his/her inability to pay; (2) To encourage non-custodial parents to pay child support to the family by offering forgiveness of TANF arrears in exchange for either a lump sum payment and/or compliance with their Fresh Start monthly payment agreement; and (3) To obtain payments towards arrears that would otherwise not be collectible.
- II. **AGENCY IMPACT:** This policy will impact all units/sections of CSSD, but will have major impact on the following units/sections: Enforcement Unit, Interstate Unit, First Response Unit, Locate, and Audit & Program Management.
- III. **REFERENCES:** PIQ-99-03; "Public Policy Supporting Two Parent Families/Compromise of Arrearages"; DCL-07-06, OCSE Project to Avoid Increasing Delinquencies (PAID); 42 U.S.C. § 666, Requirement of statutorily prescribed procedures to improve the effectiveness of child support enforcement; D.C. Official Code § 16-916, Maintenance of spouse and minor children; maintenance of former spouse; maintenance of minor children; enforcement.
- IV. **DEFINITIONS:**
- A. **Bad Faith:** Willful disregard of a support obligation on the part of a NCP.
- B. **Custodial Parent (CP):** the person to whom support is owed; the custodian of the dependent children.
- C. **Non-custodial Parent (NCP):** the person with a legal duty to pay support.
- D. **Non-TANF:** refers to a case in which the CP is not receiving Temporary Assistance To Needy Families (TANF) or to arrears owed solely to the CP.
- E. **Temporary Assistance to Needy Families (TANF):** Time-limited public assistance payments made to poor or needy families, based on Title IV-A of the Social Security Act. TANF replaced Aid to Families with Dependent Children (AFDC or welfare) when PRWORA was signed into

law into 1996. The program provides parents with job skills training and other support services to help them become self-sufficient.

V. **INQUIRIES:** Direct all inquiries to the Policy, Outreach & Training Section (202) 724-2131; or the Enforcement Unit, (202) 724-2316; Interstate Unit, (202) 442-4651; or the First Response Unit, (202) 724-8562; or the Locate Unit, (202) 724-6196; or the Audit and Program Management Unit, (202) 724-2431.

VI. **POLICY:** In order for a case to be accepted into the Fresh Start Program, it must meet the following requirements:

- A. IV-D local cases and IV-D Interstate Initiating Cases (with TANF arrears)¹ such as:
 - a) Arrears only case with only TANF obligation;
 - b) Arrears only case with TANF and non-TANF obligations;
or
 - c) Active non-TANF current support with TANF arrears obligation.
- B. Total arrears of more than \$1,000. For a NCP with multiple cases, the total arrears will be calculated based on all of the NCP's cases.
- C. No voluntary payments made in the last 12 months.
- D. Not previously considered for Fresh Start program within the last twelve (12) months. (Manager may override this restriction based on the circumstances.)
- E. Prior unsuccessful enforcement efforts.
- F. No bad faith in NCP's failure to pay support.
- G. Valid address for NCP.
- H. Valid address and/or distribution information for CP (e.g. electronic funds transfer).

Once the NCP's case has met the above eligibility criteria, **DCCSES** will print a Fresh Start Introduction Letter. The Fresh Start package will be mailed out by batch from the mailroom with the following items to the NCP—the Fresh Start Introduction Letter, a Fresh Start Cover Letter, and a Consent to Access Credit Report. For Interstate cases, Interstate staff should also send copies of these documents to the other state agency with an intergovernmental Transmittal #2, informing the other state that we are reviewing the case for this program. NCP has sixty (60) days from the date of the letter to respond and consent to a credit report. If the NCP is eligible, the SES will negotiate a payment plan agreement and/or lump sum agreement. After completion of the NCP's obligation under the agreement, CSSD will forgive the corresponding TANF arrears amount. The NCP will not be eligible for the Fresh Start Program for another twelve (12) months unless overridden by a Manager.

¹ Responding cases are ineligible because the CP received the assistance benefits from the other jurisdiction and CSSD cannot forgive TANF arrears owed in another jurisdiction.