



CSSD Policy			
Subject:	General Interstate Establishment Policy	Number:	2012-5
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Approved by:	Benidia A. Rice, Director	Revision	#2

- I. **PURPOSE:** To provide a comprehensive overview and guidance and procedures on the processing of intergovernmental establishment cases in accordance with the Uniform Interstate Family Support Act of 2001. The policy will address the various aspects of intergovernmental establishment case processing including the establishment of intergovernmental cases, registration of intergovernmental cases, the handling of initiating and responding cases, and the utilization of the Central Registry.

- II. **AGENCY IMPACT:** This policy impacts the Intake Interstate Unit.

- III. **REFERENCES:** 42 U.S.C. 666, Requirement of statutorily prescribed procedures to improve effectiveness of child support enforcement; D.C. Official Code § 46-302.03, Initiating and Responding Tribunal of the District; D.C. Official Code § 46-303.04, Duties of Initiating tribunal; D.C. Official Code § 46-303.05, Duties and powers of Responding tribunal; D.C. Official Code § 46-303.07, Duties of support enforcement agency; D.C. Official Code § 46-303.11, Pleadings and accompanying documents; D.C. Official Code § 46-303.16, Special rules of evidence and procedure; D.C. Official Code § 46-304.01, Petition to establish support order; D.C. Official Code § 46-305.02, Employer’s compliance with income-withholding order of another state; D.C. Official Code § 46-305.07, Administrative enforcement of orders; D.C. Official Code § 46-306.01, Registration of order for enforcement; D.C. Official Code § 46-306.02, Procedure to register order for enforcement; D.C. Official Code § 46-306.03, Effect of Registration for enforcement; D.C. Official Code § 46-306.04, Choice of Law; D.C. Official Code § 46-306.05, Notice of registration of order; D.C. Official Code § 46-306.06, Procedure to contest validity or enforcement of registered order; D.C. Official Code § 46-306.10, Effect of registration for modification; 45 CFR § 303.4, Establishment of support obligations; 45 CFR § 303.7, Provision of Services in Interstate IV-D Cases; 45 CFR § 303.11, Case closure criteria.

- IV. **DEFINITIONS:**
 - A. **IV-D case.** A case in which the child support agency provides services to establish, modify and/or enforce paternity/support based on a referral from the IV-A (Family Assistance) or IV-E (Child Welfare Agency, Foster Care and Adoption Assistance) agencies, a request from another child support agency, or an application for services by a non-TANF Custodial Parent (CP).

- B. CSENET. Child Support Enforcement Network Electronic Transfer. (CSENET).** CSENET is a nationwide communications network (not a database) that relays child support case data between states. CSENET is an intergovernmental case processing tool.
- C. District of Columbia Child Support Enforcement System (DCCSES).** CSSD's child support enforcement automated database case management system.
- D. Foreign Reciprocating Country.** A foreign country with which the United States has signed a bilateral agreement ensuring the foreign country grants certain privileges in child support enforcement.
- E. Jurisdiction.** The legal authority which a court or administrative agency has over particular persons and certain types of cases.
- F. Initiating Jurisdiction.** The entity ,(e.g. state, county, court, administrative agency or country) that sends a request for action to another administrative agency or court, asking that agency or court to establish/enforce a child support order on behalf of the custodial parent (CP) residing in the requesting jurisdiction. In such cases, the requesting jurisdiction does not have long-arm jurisdiction over the non-custodial parent and must file a two-state action under the Uniform Interstate Family Support Act (UIFSA) guidelines.
- G. International IV-D Case.** A case under the state's IV-D program received from, or referred to, a foreign country (a Foreign Reciprocating Country or FRC) that has entered into an agreement under section 459A of the Social Security Act with the United States. This creates an intergovernmental case in the District of Columbia. International cases also include IV-D cases in which there is an application for services from an individual who resides in a foreign country, creating a local case in the District of Columbia.
- H. Intergovernmental IV-D case.** A IV-D case in which the NCP lives and/or works in a different jurisdiction than the CP and child(ren) that has been referred by an initiating agency to a responding agency for services. An intergovernmental IV-D case may include any combination of referrals between States, Tribes, and countries. An intergovernmental IV-D case also may include cases in which a State agency is seeking only to collect support arrearages, whether owed to the family or assigned to the State.
- I. Interstate IV-D case.** A IV-D case in which the NCP parent lives and/or works in a different State than the CP and child(ren) that has been

referred by an initiating state to a responding state for services. An interstate IV-D case also may include cases in which a State is seeking only to collect support arrearages, whether owed to the family or assigned to the initiating state.

- J. Interstate Central Registry.** The unit in each state's IV-D agency that is responsible for receiving, processing and responding to inquiries on all intergovernmental IV-D cases.
- K. Long-Arm Jurisdiction.** Legal provision that permits one state to claim personal jurisdiction over someone who lives or resides in another state. There must be some meaningful connection between the person and the state or county that is asserting jurisdiction in order for a court or agency to reach beyond its normal jurisdictional border.
- L. Obligee.** The person, state, or other entity to which child support is owed, also referred to as the CP when the money is owed to the person with primary custody of the child).
- M. Obligor.** The person who is obligated to pay child support also referred to as the NCP.
- N. Petitioner.** The person, state agency or other entity initiating a petition or motion.
- O. Reciprocal State Initiating (RSI) case.** A IV-D case opened where the custodial parent is the customer of the District of Columbia Office of the Attorney General-Child Support Services Division District of Columbia (CSSD) and the non-custodial parent resides in another jurisdiction or foreign country sharing reciprocity with the District. CSSD will send a request to that jurisdiction or foreign country's child support agency for establishment/modification/enforcement of a child support order.
- P. Reciprocal State Responding (RSR) case.** A IV-D case opened where the custodial parent lives in another jurisdiction or foreign country with reciprocity and that jurisdiction or foreign country's child support agency has sent a request to CSSD for establishment/modification/enforcement of an order because the non-custodial parent resides in the District.
- Q. Reciprocity.** The process by which one jurisdiction grants certain privileges to another jurisdiction on the condition that it receives the same privileges.
- R. Registration.** The formal filing process by which an order of one jurisdiction is recognized in another jurisdiction. After registration, an

action can be taken in a tribunal of the responding jurisdiction as if the order was issued in that jurisdiction. An order may be registered for enforcement or modification, or both.

- S. **Respondent.** The party answering the petition or motion.
 - T. **Responding Jurisdiction.** The entity (e.g. state, county, court, administrative agency or country) that receives a request for action from another administrative agency or court, asking that agency or court to establish/enforce a child support order on behalf of the CP residing in the requesting jurisdiction. In such cases, the requesting jurisdiction does not have long-arm jurisdiction over the non-custodial parent and must file a two-state action under the Uniform Interstate Family Support Act (UIFSA) guidelines.
 - U. **Tribunal.** The court, administrative agency, or quasi-judicial agency authorized to establish or modify support orders, and/or determine parentage.
 - V. **Two-State Action.** A request for action that a state must file under the Uniform Interstate Family Support Act (UIFSA) when that state is the residence of the CP but does not have long-arm jurisdiction over the non-custodial parent and is requesting the NCP's jurisdiction do the following: establish paternity or establish/enforce a child support order.
 - W. **Uniform Interstate Family Support Act (UIFSA).** The Federal law that governs the establishment, enforcement, and modification of child support in intergovernmental cases when one parent/custodian and the child(ren) live in a different state than the other parent.
 - X. **QUICK.** Query Interstate Cases for Kids (QUICK). An application that resides on the OCSE Network; allows child support enforcement workers to view financial, case status, and case activities information in real-time.
- V. **INQUIRIES:** Direct all inquiries to Policy, Outreach & Training Section, (202) 724-2131; Intake Unit 1, (202) 724-5594; Intake Unit 2, (202) 724-5192.
- VI. **POLICY:** CSSD is the agency responsible for the administration of the District's child support cases and, if one of the parties lives outside of the District of Columbia, the Intake Unit is responsible for processing these cases for the agency. Moreover, the Intake Unit is responsible for initiating the establishment of paternity, medical and child support orders where one of the parties lives in another jurisdiction (e.g. other states, U.S. territories or foreign countries with

which we have reciprocity agreements). This policy provides a comprehensive approach to processing intergovernmental establishment cases.

- VII. **PROCEDURES:** The following procedures address processing of interstate cases: establishment of orders where the District of Columbia is the initiating or responding jurisdiction, enforcement of orders where the District of Columbia is the initiating or responding jurisdiction, registration of orders, and Central Registry,.

Interstate Overview

The governing rule of the Uniform Interstate Family Support Act (UIFSA) is “one order/one time/one place.” UIFSA and the Full Faith and Credit for Child Support Orders Act (FFCCSOA) prohibit any tribunal from entering a new support order if one already exists. UIFSA governs most intergovernmental child support actions throughout the nation and with foreign countries.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) contains requirements for the implementation of UIFSA. Federal and state regulations delineate how cases are processed under UIFSA.

In general, the state that is the residence of the custodial parent is considered the initiating jurisdiction and that state sends an intergovernmental request to the non-custodial parent’s jurisdiction for establishment, registration, modification or enforcement of a child support order. The responding state then follows UIFSA and their state laws to establish paternity, establish orders, enforce orders, modify orders, redirect payments/change of payee, and register a Foreign Support Order. When the District of Columbia is the state where the CP resides, and long-arm jurisdiction cannot be established over the non-custodial parent, the District of Columbia sends an intergovernmental request to the non-custodial parent’s jurisdiction and the District becomes an initiating jurisdiction. In these cases, the purpose of CSSD is to provide child support services to the CP/DC Foster Care Agency. CSSD is the point of contact for the responding state.

Conversely, the state that is the residence of the non-custodial parent is considered the responding jurisdiction and that state receives the initiating jurisdiction’s intergovernmental request for establishment, registration, modification or enforcement of a child support order. When the NCP lives in the District of Columbia and the CP lives in a different jurisdiction, the District of Columbia receives the intergovernmental request from the custodial parent’s jurisdiction and the District becomes the responding jurisdiction. In these cases, the purpose of CSSD is to provide child support services by processing incoming petitions/intergovernmental requests from other states.

Note, in addition, the law requires that each state have a designated Central Registry that acts as the central location for states to communicate with each other

regarding intergovernmental cases. The Central Registry receives intergovernmental requests sent by other states' child support enforcement agencies. For CSSD, the District of Columbia's Central Registry is located within the Intake Unit.