

GLOSSARY OF COMMON CHILD SUPPORT TERMS

2007



**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Office of Child Support Enforcement**

PREFACE

The purpose of the **Glossary of Common Child Support Terms** is to provide a listing of acronyms and definitions of terms used by child support workers. The Glossary is intended to be a reference tool to those who are new to child support. It will serve to break down the barriers of communication with other professional child support workers. Communication among the caseworkers, state-to-state and nationwide, is a major key to successfully processing cases and collecting payments for child support. In addition, it will be a useful tool to both the custodial and noncustodial parent in communicating with the caseworker and the public at large who desire to understand child support better.

Acronyms

| | |
|----------------|---|
| ACF | Administration for Children and Families |
| AFDC | Aid to Families with Dependent Children |
| AT | Action Transmittal |
| CCPA | Consumer Credit Protection Act |
| CEJ | Continuing Exclusive Jurisdiction |
| CP | Custodial Party |
| CSE | Child Support Enforcement |
| CSENet | Child Support Enforcement Network |
| DCL | Dear Colleague Letter |
| DNA | DNA or deoxyribonucleic acid |
| DOB | Date of Birth |
| DOD | Department of Defense |
| EDI | Electronic Data Interchange |
| EFT | Electronic Funds Transfer |
| E-IWO | Electronic Income Withholding Order |
| EVS | Enumeration and Verification System |
| FCR | Federal Case Registry of Child Support Orders |
| FEIN | Federal Employer Identification Number |
| FFCCSOA | Full Faith and Credit for Child Support Orders Act |
| FFP | Federal Financial Participation |
| FIDM | Financial Institution Data Match |
| FMS | Financial Management Service |
| FOP | Federal Offset Program |
| FPLS | Federal Parent Locator Service |
| FRC | Foreign Reciprocating Country |
| FSA | Family Support Act |
| FVI | Family Violence Indicator |
| GSA | Government Services Administration |
| HHS | United States Department of Health and Human Services |
| ICR | Interstate Case Reconciliation |
| IM | Information Memorandum |
| IRG | Intergovernmental Referral Guide |
| IRS | Internal Revenue Service |
| IV-A | Title IV-A of the Social Security Act |
| IV-D | Title IV-D of the Social Security Act |
| IV-E | Title IV-E of the Social Security Act |
| IWO | Income Withholding Order |
| MAO | Medical Assistance Only |
| MSFI | Multistate Financial Institution |
| MSFIDM | Multistate Financial Institution Data Match |
| MSO | Monthly Support Obligation |
| NACHA | National Automated Clearing House Association |
| NCP | Noncustodial parent |
| NDNH | National Directory of New Hires |
| NH | New Hire |
| NMSN | National Medical Support Notice |
| NPRC | National Personnel Records Center |
| NPRM | Notice of Proposed Rule Making |

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|---------------|---|
| OCSE | Federal Office of Child Support Enforcement |
| OPM | Office of Personnel Management |
| PF | Putative Father |
| PIQ | Policy Interpretation Question |
| PRWORA | Personal Responsibility and Work Opportunity Reconciliation Act of 1996 |
| QW | Quarterly Wage |
| RURESA | Revised Uniform Reciprocal Enforcement of Support Act |
| SCHIP | State Child Health Insurance Program |
| SCR | State Case Registry of Child Support Orders |
| SDNH | State Directory of New Hires |
| SDU | State Disbursement Unit |
| SESA | State Employment Security Agency, now called “State Workforce Agency” |
| SPLS | State Parent Locator Service |
| SSA | Social Security Administration |
| SSN | Social Security Number |
| SVES | State Verification Enumeration Service |
| SWA | State Workforce Agency |
| TANF | Temporary Assistance for Needy Families |
| TCSE | Tribal Child Support Enforcement |
| UDC | Undistributed Collections |
| UI | Unemployment Insurance |
| UIFSA | Uniform Interstate Family Support Act |
| UPA | Uniform Parentage Act |
| URA | Unreimbursed Public Assistance |
| URES | Uniform Reciprocal Enforcement of Support Act |

Glossary

Adjudication

The entry of a judgment, decree, or order by a judge or other decision-maker such as a master, referee, or hearing officer, based on the evidence submitted by the parties.

Administration for Children and Families (ACF)

The agency in the Department of Health and Human Services (HHS) that houses the Office of Child Support Enforcement (OCSE).

Administrative Offset— The process of withholding all, or part, of administrative payments (any non-tax related payment) that is paid by the Federal government to a person or entity that owes an outstanding delinquent non-tax debt to the government, and applying the funds to reduce or satisfy the debt.

Administrative Procedure

A method by which support orders are made and enforced by an executive agency rather than by courts and judges.

Affidavit

A written statement, usually notarized, that is signed under oath or by affirmation.

Aid to Families with Dependent Children (AFDC)

Former entitlement program that made public assistance payments on behalf of children who did not have the financial support of one of their parents by reason of death, disability, or continued absence from the home; known in many States as AFDC (Aid to Families with Dependent Children). Replaced with Temporary Aid to Needy Families (TANF) under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).

(See also: Personal Responsibility and Work Opportunity Reconciliation Act)

Alleged Father

A person who has been named as the father of a child born out of wedlock, but who has not been legally determined to be the father. Also referred to as putative father.

Allowable Disposable Income

This is the maximum amount available for child support withholding, calculated by applying a State's limitations or the Consumer Credit Protection Act (CCPA) limits to the noncustodial parent's disposable income. *(See also: disposable income)*

Arrearage

Past due, unpaid child support owed by the noncustodial parent. If the parent has arrearages, s/he is said to be "in arrears."

Assignment of Support Rights

The legal procedure by which a person receiving public assistance agrees to turn over to the State or Tribe any right to child support, including arrearages, paid by the noncustodial parent in

exchange for receipt of a cash assistance grant and other benefits. States and Tribes can then use a portion of said child support to defray or recoup the public assistance expenditure.

Biological Father

The man who provided the paternal genes of a child. The biological father is sometimes referred to as the natural father.

Burden of Proof

The duty of a party to produce the greater weight of evidence on a point at issue.

Case

A legal action. Also the group of people associated with a particular child support order, court hearing and/or request for IV-D services. This typically includes a Custodial Party (CP), dependent(s), and Noncustodial parent (NCP) and/or Putative Father (PF). Every child support case has a unique Case Identification (ID) number and, in addition to names and identifying information about its members, includes information such as CP and NCP wage data, court order details, and NCP payment history.

(See also: Child Support; IV-D Case; IV-A Case; IV-E Case)

Central Registry

A centralized unit, maintained by every State IV-D agency, that is responsible for receiving, distributing, and responding to inquiries on interstate IV-D cases. Tribal programs currently do not have a centralized unit.

Child Support

Financial support paid by parents to help support a child or children of whom they do not have custody. Child support can be entered into voluntarily or ordered by a court or a properly empowered administrative agency, depending on state or tribal laws. Child support can involve:

- **IV-A case:** A case in which a State provides public assistance under the State's IV-A Program, which is funded under Title IV-A of the Social Security Act where the child(ren) have been determined to be eligible for Temporary Assistance for Needy Families (TANF). The children's support rights have been assigned to the State or Tribe, and a referral to the child support agency has been made.
- **IV-D case:** A case in which a State currently provides child support services as directed by the State or Tribal IV-D Program that is authorized by Title IV-D of the Social Security Act. A IV-D case is comprised of:
 - a dependent child or children;
 - a custodial party who may be a caretaker relative or other custodian, including an entity such as a foster care agency; and
 - a non-custodial parent (NCP) or parents, a mother, a father, or a putative father, whose paternity has not been legally established.
- **IV-E case:** (Foster Care and Adoption Assistance) A case in which a State currently provides benefits or services for foster care maintenance to children entitled to foster care maintenance under the State's IV-E Program authorized under Title IV-E of the Social Security Act. These cases are also eligible for IV-D services.

- **Non-IV-D case:** A case where the order is privately entered into and the CSE agency is not providing locate, enforcement, or collection services; often entered into during divorce proceedings. Non-IV-D cases are for payment processing only.

Current Assistance IV-D (Child Support) Case

A case where the children are: (1) recipients of Temporary Assistance for Needy Families (TANF) under Title IV-A of the Social Security Act or (2) entitled to Foster Care maintenance payments under Title IV-E of the Social Security Act. In addition, the children's support rights have been assigned by a caretaker relative to a State or Tribe, and a referral to the state or tribal IV-D agency has been made. Also a **TANF IV-D Case** or **Foster Care IV-D Case**.

Never Assistance IV-D Case

A case where the children are receiving services under the Title IV-D program, but are not currently determined to be eligible for and have not previously received assistance under Titles IV-A or IV-E of the Social Security Act. A child support case is set up when a person requests a child support office to help them get child support money. The case file will have important papers such as birth certificates, court orders, information on the absent parent, etc.

A never assistance case includes cases where the family is receiving IV-D services as a result of a written application for IV-D services, including cases where the children are receiving state (not Title IV-E) foster care services, or a case in which they are Medicaid recipients not receiving additional assistance. Tribal and international cases are considered never assistance cases if the case status is unknown.

Former Assistance IV-D Case

A case where the children formerly received Title IV-A (AFDC or TANF) or Title IV-E Foster Care services.

Child Support Enforcement (CSE) Agency

Agency that exists in every State or Tribe to locate noncustodial parents (NCPs) or putative fathers (PF), establish, enforce, and modify child support orders, and collect and distribute child support money. It is operated by the State, Tribal or local government according to the Child Support Enforcement program guidelines as set forth in Title IV-D of the Social Security Act. Also known as a "IV-D Agency".

Child Support Order

The document that sets: (1) an amount of money that is to be provided by a parent for the support of the parent's children and/or (2) the responsibility to provide health insurance and/or medical support for those children. This amount or responsibility must be established by court order or administrative process, voluntary agreement (in States or Tribes where such agreements are filed in the court or agency of the administrative process as an order and are legally enforceable) or other legal process. It may include a judgment for child support arrears.

Child Support Pass-Through

Provision by which States can disburse part of a child support payment collected on behalf of a public assistance recipient instead of keeping the funds to reimburse the State and disregard the payment in determining eligibility for assistance. Tribal programs also have a choice in adopting pass-through. Also known as child support “disregard.”

(See also: Public Assistance)

Complaint

The formal written document filed in a court which sets forth the names of the parties, the allegations, and the request for relief sought. Sometimes called the initial pleading or petition.

Consent Agreement

Voluntary written admission of paternity or responsibility for child support.

Consumer Credit Protection Act (CCPA)

Federal law that limits the amount that may be withheld from earnings to satisfy child support obligations and other garnishments. State or tribal law may further limit the amount that can be withheld from a person’s paycheck.

Continuing Exclusive Jurisdiction (CEJ)

The authority that only one tribunal has to modify an order for support.

Controlling Order

The one order that must be used by all States and Tribes for enforcement and modification actions from the present time forward. In cases involving multiple orders issued prior to the enactment of UIFSA, UIFSA provides rules for determining the controlling order, the one order to be prospectively enforced. UIFSA does not apply to Tribes.

Cost of Living Adjustment (COLA)

Modification of the amount of a support obligation, based on the economy’s increasing or decreasing cost of the necessities of life, such as food, shelter, and clothing.

Criminal non-support

Criminal charges that can be brought when an NCP willfully fails to pay child support. There are criminal offenses for failure to support at both the State and Federal levels.

Federal actions require some interstate activity.

- **Child Support Recovery Act (CSRA) (1992)**

This Act makes it a Federal crime to willfully fail to pay a past due child support obligation for a child living in another State. The past due child support obligation must be either greater than \$5,000 or must have remained unpaid for more than one year.

- **Deadbeat Parents Punishment Act (DPPA) of 1998**

A Federal law that imposes criminal penalties on parents who repeatedly fail to support children living in another State or who flee across state lines to avoid supporting them; the Deadbeat Parents Punishment Act established felony violations for the willful failure to pay legal child support obligations in interstate cases.

Custodial Parent (CP)

The person who has primary care, custody, and control of the child(ren). Can also be custodial party-- a relative, or other person with legal custody of the child(ren).

Custody Order

Legally binding determination that establishes with whom a child shall live. The meaning of different types of custody terms (e.g., Joint Custody, Shared Custody, Split Custody) varies from State to State and Tribe to Tribe.

Debt Check

A program, developed by the Treasury Department's Financial Management Service, which allows agencies and outside lenders to determine whether applicants for Federal loans, loan insurance or loan guarantees owe delinquent child support or delinquent non-tax debt to the Federal government. Federal agencies are required to deny loans, loan insurance, or loan guarantees to individuals who owe delinquent child support if those debts have been referred to the Treasury Offset Program (TOP) for administrative offset.

Default

The failure of a defendant to file an answer or appear in a civil case within the prescribed time after having been properly served with a summons and complaint. The tribunal hearing the case can enter an order based on information presented without any challenge if the responding party does not answer the claim or appear in court as requested. This is called a default order. .

Defendant

The person against whom a civil or criminal proceeding is begun.

Dependent

A person who is under the care of a parent, relative or other caretaker and cannot live on his/her own. Most children who are eligible to receive child support must be dependents. The child ceases to be a dependent when he or she reaches the "age of emancipation" as determined by state or tribal law but, depending on the State 's or Tribe's provisions, may remain eligible for child support for a period after he or she is emancipated, or reaches the age of "majority."

Disbursement

The process of money being sent out to the custodial parent once child support has been received; the paying out of collected child support funds.

Disposable Income

The portion of an employee's earnings that remains after deductions required by law (e.g., taxes, Social Security, FICA) and that is used to determine the amount of an employee's pay subject to a garnishment, attachment, or child support withholding order. Also, the money due an employee after taxes and other required deductions.

(See also: Garnishment)

Distribution

The allocation of child support collected to the various types of debt within a child support case, as specified in 45 CFR 302.51, (e.g., monthly support obligations, arrears, ordered arrears, etc.) 45 CFR 309.115 specifies procedures governing Tribal IV-D programs; the process of how the total amount of child support payment is divided between all those owed under the support orders, including reimbursement for public assistance.

DNA testing

The analysis of human cells to facilitate the establishment of paternity.

Due Process

The principle of fairness in legal proceedings so that a person has a right to know what action is being taken and has an opportunity to be heard.

Electronic Disbursement

Process by which a child support payment is electronically transmitted to an account. The most common forms of electronic disbursement are direct deposit to a bank or other financial institution or through an electronic payment card (stored value card). The process when child support payment or any other payments are sent to banks accounts by computer systems.

Electronic Funds Transfer (EFT)

Process by which money is transmitted electronically from one bank account to another.

Enforcement

The application of remedies to obtain payment of a child or medical support obligation contained in a child and/or spousal support order. Examples of remedies include garnishment of wages, seizure of assets, liens placed on assets, revocation of licenses (e.g., drivers, business, medical, etc.), denial of U.S. passports, contempt of court proceedings, etc. The processes that can be used to get payments from the non custodial parent or to require compliance with some other provision of the order.

Emancipation

A child ceases to be a dependent upon reaching the “age of majority” as determined by State or tribal law, however, depending on the State’s provisions, may remain eligible for child support for a period after emancipation. The age a person is no longer considered a minor (child) under government laws. This law is different from State to State, and Tribe to Tribe.

Establishment

The process of determining legal paternity and/or obtaining a court or administrative order to put a child support obligation in place.

Family Violence (FV) Indicator

A designation that resides in the Federal Case Registry (FCR) placed on a participant in a case or order by a State or Tribe that indicates a person is associated with child abuse or domestic violence. It is used to prevent disclosure of the location of a party and/or a child believed by the State or Tribe to be at risk of family violence.

Federal Case Registry (FCR)

A national database of information on individuals in all IV-D cases, and all non-IV-D orders entered or modified on or after October 1, 1998. The FCR receives this case information on a daily basis from the State Case Registry (SCR) located in every State, and proactively matches it with previous submissions to the FCR and with employment information contained in the National Directory of New Hires (NDNH). Any successful matches are returned to the appropriate State(s) for processing. The FCR and the NDNH are both part of the expanded FPLS, which is maintained by OCSE.

Federal Financial Participation (FFP)

The portion of a State's child support expenditures that are paid by a Federal Government match. Most child support costs are matched two to one. In other words, the Federal share of most child support costs is 66 percent.

Federal Offset Program (FOP)

The program that provides several enforcement tools for the collection of past due child support from non-custodial parents (NCPs), including Federal income tax refund and administrative offset, Passport Denial Program, MSFIDM and Debt Check.

Federal Parent Locator Service (FPLS)

A computerized national location network operated by the Federal Office of Child Support (OCSE) of the Administration for Children and Families (ACF), within the Department of Health and Human Services (DHHS). FPLS obtains address and employer information, as well as data on child support cases in every State, compares them and returns matches to the appropriate States. This helps State and local child support enforcement agencies locate noncustodial parents and putative fathers for the purposes of establishing custody and visitation rights, establishing and enforcing child support obligations, investigating parental kidnapping, and processing adoption or foster care cases. The expanded FPLS includes the Federal Case Registry (FCR) and the National Directory of New Hires (NDNH).

Federal Tax Refund Offset Program

The process that collects past due child support amounts from NCPs through the interception of their Federal income tax refund.

Financial Institution Data Match (FIDM)

A process whereby information on accounts held by banks, savings & loan companies, brokerage houses, and other financial institutions is matched against those child support obligors who owe arrears (past-due support).

Financial Management Service (FMS)

Acting as the U.S. government's money manager, FMS provides centralized payment, collection, and reporting services for the government, and using a centralized process, collects delinquent debts (e.g., Federal student, mortgage, or small business loans, Federal salary or benefit overpayments, fines or penalties assessed by federal agencies) owed to the United States government, as well as income tax debts owed to States and overdue child support payments owed to custodial parents.

Foreign Reciprocating Country

A foreign country with which the United States has signed a bilateral agreement ensuring reciprocity in child support enforcement.

Foster Care

A Federal-State-Tribal program that provides financial support to people, families or institutions that are raising children that are not their own.

(See also: IV-E Case)

Full Faith and Credit

Doctrine under which a State or Tribe must honor an order or judgment entered in another State or Tribe and enforce it as if it were an order within its own territory, but may not modify the order unless properly petitioned to do so. This principle was specifically applied to child support orders in Federal law that took effect in 1994, under the Full Faith and Credit for Child Support Orders Act (FFCCSOA).

Full Faith and Credit for Child Support Orders Act (FFCCSOA) requires States and federally funded Tribal child support enforcement agencies to enforce child support orders made by other States or Tribes if: the issuing State or Tribe's tribunal had subject matter jurisdiction to hear and resolve the matter and enter an order; the issuing State or Tribe's tribunal had personal jurisdiction over the parties; and reasonable notice and the opportunity to be heard was given to the parties. FFCCSOA also sets limits on State and Tribal authority to modify another State's or Tribe's child support orders in instances when: the State or Tribe seeking to modify the order has jurisdiction to do so and the tribunal that originally issued the order no longer has continuing, exclusive jurisdiction over the order either because the child and the parties to the case are no longer residents of the issuing State, or the parties to the case have filed written consent to transfer continuing exclusive jurisdiction to the tribunal seeking to make the modification.

Garnishment

A legal proceeding under which part of a person's wages and/or assets is withheld for payment of a debt. This term is usually used to specify that an income or wage withholding is involuntary. *(See also: Income Withholding; Wage Withholding; Direct Income Withholding; Immediate Wage Withholding)*

Genetic Testing

Analysis of inherited factors to determine legal fatherhood or paternity. *(See also: Legal Father; Paternity; Putative Fathers; DNA testing)*

Good Cause

A legal reason for which a Temporary Assistance to Needy Families (TANF) recipient is excused from cooperating with the child support enforcement process, such as past physical harm by the child's noncustodial parent. It also includes situations where rape or incest resulted in the conception of the child and situations where the mother is considering placing the child for adoption.

(See also: Temporary Assistance to Needy Families; IV-A Case)

Guidelines--Child Support

A standard method for setting child support obligations, using a mathematical formula and based on the income of one or both parent(s) and other factors determined by State or Tribal law. The Family Support Act of 1988 requires States to use guidelines to determine the amount of support for each family, unless they are rebutted by a written finding that applying the guidelines would be inappropriate to the case.

(See also: Income; Disposable Income; Imputed Income)

Imputed income

Income that may be attributed to an individual who refuses to obtain employment, chooses not to work for personal reasons, or chooses to earn less than is typical for someone with the individual's training, education and skill. An individual cannot be forced to work but the court or decision-maker can attribute certain income levels to a person based on the person's education or training, skill, and work history. Some States consider assets, for example, if the obligor is self-employed or owns real estate. This also may be the amount of income the court/administrator determines that an obligor is capable of earning if he/she does not appear at a hearing after proper service. Some will also attribute income to a custodial parent who chooses to remain unemployed.

(See also: Disposable Income; Guidelines)

In-Kind Support

Non-cash support payments, for example, food or clothing, provided to a custodial parent or child in lieu of cash support payments.

Income

For child support purposes, any periodic form of payment to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker's compensation, disability, pension, or retirement program payments and interest; remuneration for work performed or any payment made in lieu of remuneration for work performed, such as social security benefits or retirement pay.

Income Withholding

An order that requires an employer to withhold support from a noncustodial parent's wages and transfer that withholding to the appropriate agency (the Centralized Collection Unit, the State Disbursement Unit or Tribal IV-D agency.) Sometimes referred to as a wage withholding or garnishment.

Direct Income Withholding --

A procedure, whereby an income withholding order from one State can be sent directly to the noncustodial parent's (NCP's) employer in another State, without the need to use the IV-D Agency or court system in the NCP's State.

Immediate Wage Withholding

An automatic deduction from income that starts as soon as the order for support is established and an income-withholding order/notice is received and implemented by the noncustodial parent's employer.

Indian Tribe

Any Indian or Alaskan Native Tribe, band, nation, pueblo, village, or community the Secretary of the Interior acknowledges to exist as an Indian Tribe and includes in the list of Federally-recognized Indian Tribal governments.

Initiating Jurisdiction

The state, tribal or county court; or administrative agency, which sends a request for action to another court or agency which can exercise legal authority against a party to an action. In cases where a State is trying to establish an initial child support order on behalf of a resident custodial parent, and does not have Long-Arm Jurisdiction (i.e., cannot legally claim personal jurisdiction over a person who is not a resident), it must file a Two-State Action under the Uniform Interstate Family Support Act (UIFSA) guidelines. (Tribes are not subject to UIFSA.)

(See also: Long Arm Jurisdiction; Two-State Action; Uniform Interstate Family Support Act)

Intercept

A method of securing child support by taking a portion of non-wage payments made to a noncustodial parent. Non-wage payments subject to interception include Federal tax refunds, State tax refunds, unemployment benefits, and disability benefits.

(See also: Federal Tax Refund Offset Program)

Intergovernmental Referral Guide (IRG)

An online compilation of questions and answers where State and Tribal Child Support Enforcement (CSE) agencies and the Federal Office of Child Support Enforcement (OCSE) provide updated State and Tribal CSE information.

Intergovernmental Cases

Cases in which the dependent child and noncustodial parent (NCP) live in different States, Tribes, Territories or Countries, or where two or more agencies or tribunals are involved in some case activity, such as enforcement. (Also called Interstate or Interjurisdictional Cases.)

International IV-D Case

A case under the State's IV-D program received from, or referred to, a foreign country that has entered into an agreement under section 459A of the Social Security Act with the United States (a Foreign Reciprocating Country or FRC) or a foreign country with which the State has entered a reciprocal agreement. International cases also include IV-D cases in which there is an application for services from an individual who resides in a foreign country.

Interstate

An action that takes place involving two or more States, typically where the order for support is in one State and one of the parties resides elsewhere. Can also be between two Tribes or a State and a Tribe; also called interjurisdictional or intergovernmental.

Interstate Case Reconciliation

An OCSE program that matches cases that two States may have in common, identifies missing or incorrect data, and provides corrected data back to the States. The data include case ID, case status, and participant information.

Interstate Central Registry

The unit in each State's IV-D agency that is responsible for receiving, distributing and responding to inquiries on all incoming interstate IV-D cases.

Interstate IV-D Case

A IV-D case in which the noncustodial parent lives and/or works in a different State from the custodial parent and child(ren). Unless otherwise specified, the term applies both to one State and two-State interstate cases.

Judgment

The official decision or finding of a judge or administrative agency hearing officer upon the respective rights and claims of the parties to an action; also known as a decree or order. It may include the "findings of fact and conclusions of law."

Judicial Process

The use of tribunals in determining child support legal obligations, including paternity establishment, order establishment, enforcement, and modifications of orders.

Jurisdiction

The legal authority which a court or administrative agency has over particular persons and over certain types of cases, usually in a defined geographical area. Also, a term used to signify a geographic location such as a State or Tribe with a tribunal that exercises such authority. *(See also: Initiating Jurisdiction; Long Arm Jurisdiction; Two-State Action)*

Legal Father

A man who is recognized by law as the male parent of a child. *(See also: Putative Father; Paternity; Genetic Testing, DNA testing)*

Levy

The seizure, and possible subsequent sale, of assets, including personal property, to satisfy a child support debt.

Lien

A claim upon property to prevent sale or transfer of that property until a debt is satisfied.

Litigation

An action in which a controversy is brought before the court.

Locate

Process by which a party or putative father (PF) is found for the purpose of establishing paternity, establishing and/or enforcing a child support obligation, establishing custody and visitation rights, processing adoption or foster care cases, and investigating parental kidnapping.

Locate Information

Data used to locate putative fathers (PFs), noncustodial parents (NCPs) or custodial parents (CPs). May include their Social Security Number (SSN), date of birth (DOB), residential address, and employer.

Long-Arm Jurisdiction

Legal provision that permits one State or Tribe to claim personal jurisdiction over someone who lives in another State or Tribe. There must be some meaningful connection between the person and the State, Tribe or district that is asserting jurisdiction in order for a court or agency to reach beyond its normal jurisdictional border. Also called Extended Personal Jurisdiction.

(See also: Initiating Jurisdiction; Two-State Action; Uniform Interstate Family Support Act)

Medical Assistance Only (MAO)

Form of public assistance administered by a State's IV-A program, which provides benefits to recipients only in the form of medical, rather than financial, assistance.

Medical Coverage

Medical coverage is any health coverage provided for a child or children, including: (1) private health insurance, (2) publicly-funded health coverage, (3) cash medical support, or (4) payment of medical bills (including dental or eye care). Medical coverage may be provided by the custodial parent, noncustodial parent or other person, such as a stepparent.

(See also: Medical Support)

Medical Support

Medical coverage provided for a child or children pursuant to an order. This includes: (1) private health insurance, (2) publicly-funded health coverage if a parent is ordered by a court or administrative process to provide cash medical support payments to help pay the cost of Medicaid or State Child Health Insurance Program (SCHIP), (3) cash medical support, including payment of health insurance premiums, and (4) payment of medical bills (including dental or eye care). Indian Health Service and Tricare are acceptable forms of medical support. Medical support may be provided by the custodial parent, noncustodial parent or another person, such as a stepparent.

(See also: Medical Coverage; National Medical Support Notice (NMSN))

Motion

An application to the court requesting an order or ruling in favor of the party that is filing the motion. Motions are generally made in reference to a pending action and may address a matter in the court's discretion or concern a point of law.

Monthly Support Obligation (MSO)

The amount of money a non-custodial parent or party is required to pay each month for child and/or spousal support.

Multistate Employer

A multistate employer conducts business in two or more States. As with single-state employers, multistate employers are required by law to report all new hires to the State Directory of New Hires (SDNH) operated by their State government. However, unlike single-state employers, they

may report all of their new hires to the SDNH of only one State in which they do business rather than to each of them.

Multistate Financial Institution (MSFI)

A financial institution conducting business in two or more States.

Multistate Financial Institution Data Match (MSFIDM)

Process by which delinquent child support obligors are matched with accounts held in Financial Institutions (FI) doing business in more than one State.

National Automated Clearing House Association (NACHA)

The association that establishes the standards, rules, and procedures that enable financial institutions to exchange payments on a national basis. The Electronic Funds Transfer and the child support Electronic Data Interchange formats are established by NACHA. NACHA also establishes rules and procedures that govern use of the stored value cards.

National Directory of New Hires (NDNH)

A national database containing New Hire (NH) and Quarterly Wage (QW) data from every State Directory of New Hires (SDNH) and Federal agency and Unemployment Insurance (UI) data from “State Workforce Agencies.” OCSE maintains the NDNH as part of the expanded FPLS. (Tribes can choose to obtain access by agreements with a State.)

(See also: New Hire Data; Quarterly Wage Data; Unemployment Insurance Claim Data)

National Medical Support Notice (NMSN)

The form sent to employers from the State child support enforcement agency ordering the employer and its health care plan administrator to enroll a noncustodial parent’s child in health care coverage when such coverage is available through the employer and required as part of a child support order. When properly completed, the NMSN constitutes a Qualified Medical Child Support Order, a document necessary for health care plans to enroll dependents who are not residing with the covered parent. The NMSN is designed to simplify the work of employers and plan administrators by providing uniform documents requesting health care coverage.

New Hire (NH) Reporting

Program under which employers submit data on a new employee within 20 days of hire to the State Directory of New Hires (SDNH) in the State in which they do business. Minimum information must include the employee’s name, address, and Social Security Number (SSN), as well as the employer’s name, address, and Federal Employer Identification Number (FEIN). Some States request additional data. Multistate employers have the option of reporting all of their newly hired employees to only one State in which they do business. The data are then submitted to the National Directory of New Hires (NDNH), and compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. New hire data may also be used at the state level by other agencies to detect fraud, for example, to find new hires that have been receiving unemployment insurance or other public benefits for which they may no longer be eligible. Federal agencies report the data directly to the NDNH. . (Tribal programs can have access to NDNH data per agreement with a State.)

(See also: State Directory of New Hires; National Directory of New Hires)

Noncustodial Parent (NCP)

The parent who does not have primary care, custody, or control of the child, and who may have an obligation to pay child support. Also referred to as the obligor.

(See also: Custodial Party; obligor)

Non-IV-D Orders

A child support order handled by a private attorney or parties representing themselves as opposed to an order where the action was brought by the State /local child support enforcement (IV-D) agency. A non IV-D order is one where the State:

- 1) Is not currently providing service under the State's Title IV-A, Title IV-D, Title IV-E, or Title XIX programs.
- 2) Has not previously provided State services under any of these programs.
- 3) Has no current application or applicable fee for services paid by either parent.

Non-IV-D orders established or modified in the State on or after October 1, 1998 must be included in the State Case Registry (SCR) for transmission to the Federal Case Registry (FCR) and wage-withholding payments on non IV-D cases must be made through the State Disbursement Unit (SDU). A non-IV-D case is usually entered into a State child support system for the purpose of payment processing only.

A non-IV-D case becomes a IV-D case when a parent applies for IV-D services and pays the application fee, or when the custodial parent begins receiving Title IV-A services for the benefit of the child(ren).

Nondisclosure Finding

A finding that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of identifying information. Interstate petitions must include certain identifying information regarding the parties and child(ren) unless a tribunal makes a nondisclosure finding by ordering that the address or identifying information not be disclosed. In such cases the finding would be identified by a Family Violence Indicator (FVI). The procedures for obtaining a nondisclosure finding vary from State to State.

Obligation

The amount of money to be paid as support by a parent or spouse in the form of financial support for the child support, medical support, or spousal support.

Obligee

The person, State or tribal agency, or other entity to which child support is owed (also referred to as custodial party when the money is owed to the person with primary custody of the child).

Obligor

The person who is obligated to pay child support (also referred to as the noncustodial parent or NCP).

Office of Child Support Enforcement (OCSE)

The Federal agency responsible for the administration of the Child Support Enforcement program. Created by Title IV-D of the Social Security Act in 1975, OCSE is responsible for the development of child support policy; oversight, evaluation, and audits of State and Tribal Child Support Enforcement programs; and providing technical assistance and training to those programs. OCSE operates the Federal Parent Locator Service, which includes the National Directory of New Hires (NDNH) and the Federal Case Registry (FCR). OCSE is part of the Administration for Children and Families (ACF), which is within the Department of Health and Human Services (HHS).

The following documents provide guidance, information, and direction to State and Tribal child support enforcement programs:

Action Transmittal (AT)

Document sent out by the Federal Office of Child Support Enforcement, which instructs state or federally funded tribal Child Support Enforcement programs on the actions they must take to comply with new and amended Federal laws. Has basis in Federal law and regulation.

Dear Colleague Letter (DCL)

Letter sent out to those in the child support community, and interested partners, that conveys information on child support enforcement program activities.

Information Memorandum (IM)

Document that provides State and Tribal child support enforcement agencies with information on program practices that can be useful to program improvement.

Policy Interpretation Question (PIQ)

An official reply by the Federal Office of Child Support Enforcement (OCSE) to an inquiry submitted by a State or tribal Child Support Enforcement agency concerning application of policy. Although questions often arise from a specific practice or situation, the responses are official statements of OCSE policy on the issue.

The Federal government, through the child support program, shares the cost of the State program with **FFP, Federal financial participation.**

Offset

The process of reducing funds that are paid by the Federal government to an obligor and applying the funds toward the balance of the delinquent debt. Also, the amount of money that is intercepted from an obligor's State or Federal income tax refund, or from an administrative payment, such as Federal retirement benefits, in order to satisfy a child support debt..

Order

A legally binding decision that sets forth the responsibilities of the parties to an action. It can include a determination of parentage and a support obligation, and set forth other rights of the parties. It can be issued by a judge, master or other administrative entity authorized to enter orders. It can also be a consent agreement between the parties that has been ratified by an appropriate official.

Order/Notice to Withhold Child Support

The form to be used by all States that standardizes the information used to request income withholding for child support by an employer from a noncustodial parent's earnings.

(See also: Direct Income Withholding; Income Withholding; Garnishment)

Passport Denial Program

Program created by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 that is operated under the auspices of the Federal Offset Program (FOP). Under the Passport Denial Program, cases in which an obligor owes child support arrearages that are greater than the Federally mandated threshold and are submitted to the FOP are forwarded to the U.S. Department of State, which flags the obligor's name and refuses to issue a passport in the event he or she applies for one. After the obligor makes arrangements to satisfy the arrears, States can notify OCSE to request the State Department remove him/her from the program. This program is automatic, meaning that any obligor who is eligible will be submitted to the State Department unless the State submitting the case for Tax Refund Offset specifically excludes him/her from the Passport Denial Program. (Tribes can choose to have access based on an agreement with the State.)

(See also: Federal Offset Program)

Paternity

The legal establishment of fatherhood for a child, either by court determination, administrative process, tribal custom or voluntary acknowledgment. A *paternity acknowledgment* involves the legal establishment of fatherhood for a child through a voluntary acknowledgment signed by both parents as part of an in-hospital or other acknowledgement service.

Payee

Person or organization in whose name child support money is paid.

Payor

Person who makes a payment, usually noncustodial parents or someone acting on their behalf.

Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)—

Legislation that provides a number of requirements for employers, public licensing agencies, financial institutions, as well as State, Tribal and Federal child support agencies, to assist in the location of noncustodial parents and the establishment, enforcement, and collection of child support. This legislation created the New Hire Reporting program and the State and Federal Case Registries. Otherwise known as Welfare Reform.

(See also: Aid to Families with Dependent Children)

Petitioner

The person, State or Tribal agency initiating a petition or motion.

Plaintiff

A person who brings an action; the party who complains or sues in a civil case.

Pleadings

Statements or allegations, presented in logical and legal form, which constitute a plaintiff's cause of action or a defendant's grounds of defense.

Presumption of Paternity

A rule of law which permits a court to assume a man is the father of a child if certain facts exist. This rule may be rebutted by presenting factual information which shows the man could not be the father.

Private Case

Known as a non-IV-D case, it is a support case where the custodial party to whom child support is owed is not receiving IV-A benefits or IV-D services.

Proactive Matching

Process in which child support case data newly submitted to the Federal Case Registry (FCR) is automatically compared with previous submissions, as well as with the employment data in the National Directory of New Hires (NDNH). The resulting locate information is then returned to the appropriate State(s) for processing.

Proceeding

The conduct of business before a judge or administrative hearing officer.

Public Assistance

Benefits granted from State, tribal or Federal programs to aid eligible recipients (eligibility requirements vary between particular programs). Applicants for certain types of public assistance (e.g., Temporary Assistance to Needy Families or TANF) are automatically referred to their State or tribal IV-D agency, which will identify and locate the noncustodial parent, establish paternity, and, where appropriate, obtain child support payments. This allows the State or Tribe to recoup or defray some of its public assistance expenditures with funds from the noncustodial parent **and may enable the custodial party to become self-sufficient.**

Putative Father (PF)

The person alleged to be the father of the child but who has not yet been medically or legally declared to be the legal father.

(See also: Legal Father; Paternity; Genetic Testing)

Qualified Medical Child Support Order (QMCSO)

An order, decree, or judgment, including approval of a settlement agreement, issued by a court or administrative agency of competent jurisdiction that provides for medical support for a child of a participant under a group health plan. A QMCSO must contain specific information to meet the requirements of the Employee Retirement Income Security Act (ERISA) which allows a plan administrator to enroll a child in the parent's health plan. The National Medical Support Notice (NMSN), when properly completed, is a QMCSO.

Quarterly Wage (QW) Data

Data on all employees that must be submitted by employers on a quarterly basis to the State Workforce Agency in the State in which they operate. The data is then submitted to the National Directory of New Hires (NDNH). Minimum information must include the employee's name,

address, Social Security Number (SSN), wage amount, and the reporting period as well as the employer's name, address, and Federal Employer Identification Number (FEIN). The data are then compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. Federal Agencies report the data directly to the NDNH.
(See also: National Directory of New Hires)

Quasi-Judicial

A framework or procedure under the auspices of a State's judicial branch or tribal court in which court officers other than judges process, establish, enforce and modify support orders, usually subject to judicial review. The court officer may be a magistrate, a clerk, master, or court examiner. He or she may or may not have to be an attorney, depending on the State or tribal law.

Reciprocity

The process by which one jurisdiction grants certain privileges to another jurisdiction on the condition that it receives the same privileges.

Recognized Order

The controlling order as identified by applying the rules of the Full Faith and Credit for Child Supports Orders Act (FFCCSOA) used for enforcement from the present time forward. *(See Full Faith and Credit)*

Referral

Request sent to a IV-D agency from another jurisdiction or a non-IV-D agent or agency asking that a child support case be established.

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, for modification, or both.

Respondent

The party answering a petition or motion.

Responding Jurisdiction

The court or administrative agency with authority over a noncustodial parent or child support order on which an initiating jurisdiction has requested action.

Review and Adjustment

Periodic process in which current information is obtained from both parties in a child support case and evaluated to decide if a support order needs to be adjusted.

Service of Process

The actual delivery of legal paperwork that requires a person to respond or appear to that person or his/her agent.

Service by Publication

Service of process accomplished by publishing a notice in a newspaper or by posting it on a bulletin board of a courthouse or other public facility, after a court determines that other means of service are impractical or have been unsuccessful. This method of service is not available in every jurisdiction.

Show Cause

An order directing a person to appear and bring forth any evidence as to why the remedies requested should not be granted. A show cause order is usually based on a motion and affidavit asking for relief.

Spousal Support

Court ordered support of a spouse or ex-spouse; also referred to as maintenance or alimony.

State Case Registry (SCR)

A database maintained by each State that contains information on individuals in child support cases. Information submitted to the SCR is transmitted to the Federal Case Registry, where it is compared to cases submitted to the FCR by other States, as well as the employment data in the National Directory of New Hires (NDNH). Any matches found are returned to the appropriate States for processing.

(See also: Federal Case Registry; IV-D Case; Non-IV-D Order)

State Directory of New Hires (SDNH)

A database maintained by each State, which contains information about individuals submitted by their employer within 20 days of the hire date. The data are transmitted to the NDNH, where they are compared to the employment data from other States as well as child support data in the Federal Case Registry (FCR). Any matches found are returned to the appropriate States for processing.

(See also: National Directory of New Hires; New Hire Reporting Program)

State Disbursement Unit (SDU)

The single site in most States where all child support payments should be sent and are processed.

(See also: Centralized Collection Unit)

State Parent Locator Service (SPLS)

A service provided by the State IV-D Child Support Enforcement Agencies to locate parents in order to establish and enforce child support obligations, visitation, and custody orders or to establish paternity. This information is accessible to Tribes per an agreement made with a State.

State/Tribal IV-D Case

A case under the State's IV-D program received from, or sent to, a tribal IV-D program for case processing.

State Workforce Agencies (SWA)

Agencies in each State that process unemployment insurance claims and maintain databases of employment information and quarterly wage data submitted by employers. Formerly called State Employment Security Agencies (SESAs).

Statute of Limitations

The cutoff point on the length of time a person has to take a legal action.

Stored Value Card

A form of electronic disbursement in which the child support payment is electronically transmitted to the Custodial Party via a debit card. Also referred to as Electronic Payment Card.

Subpoena

A process issued by a court compelling a witness to appear at a judicial proceeding. Sometimes the process will also direct the witness to bring documentary evidence to the court.

Summons

A notice to a defendant that an action against him or her has been commenced in the court and that a judgment will be issued against him or her if the complaint is not answered within a certain time.

Temporary Assistance to Needy Families (TANF)

Time-limited public assistance payments made to poor families, based on Title IV-A of the Social Security Act. TANF replaced Aid to Families with Dependent Children (AFDC-- otherwise known as welfare) when the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was signed into law in 1996. The program provides parents with job preparation, work, and support services to help them become self-sufficient. Applicants for TANF benefits are automatically referred to their State or tribal IV-D agency in order to establish paternity and child support for their children from the noncustodial parent. This allows the State or Tribe to recoup or defray some of its public assistance expenditures with funds from the noncustodial parent.

(See also: Personal Responsibility and Work Opportunity Reconciliation Act; Good Cause)

Third Party Liability

The responsibility that an entity, other than the parties to an action (CP and NCP, usually the parents), has to the State provider of health care coverage for reimbursement.

Tribal IV-A Program

A TANF program administered by a Federally recognized Indian Tribe or Tribal organization. (Tribal TANF).

Tribal IV-D Program

A Child Support Enforcement program administered by a Federally recognized Indian Tribe or Tribal organization **and funded under title IV-D of the Social Security Act.**

Tribe

Any Indian or Alaskan Native Tribe, band, nation, pueblo, village, or community the Secretary of the Interior acknowledges to exist as an Indian Tribe and includes in the list of Federally-recognized Indian Tribal governments.

(See also: Indian Tribe)

Tribunal

The court, administrative agency, or quasi-judicial agency authorized to establish or modify support orders or to determine parentage.

Two-State Action

Action a State must file under the Uniform Interstate Family Support Act (UIFSA) when it does not have Long Arm Jurisdiction (i.e., cannot legally claim personal jurisdiction over a noncustodial parent who lives in another State). This usually occurs in cases where a State is trying to establish paternity or an initial child support order on behalf of a custodial party.

(See also: Initiating Jurisdiction; Uniform Interstate Family Support Act)

Unclaimed Funds

Support payment that cannot be disbursed because the identity of the payor or the case information is unknown, or the address of the payee is unknown.

Undistributed Collections (UDC)

Child support payments that have been collected by child support agencies but have not yet been sent to custodial parents or other government agencies or returned to noncustodial parents.

Uniform Interstate Family Support Act (UIFSA)

Law enacted by all States that provides mechanisms for establishing and enforcing child support obligations in interstate cases (when a noncustodial parent lives in a different State from his/her child and the custodial party). Among the law's provisions is the ability of State IV-D agencies to send withholding orders to employers across State lines. (UIFSA does not apply to Tribes.)

(See also: Continuing Exclusive Jurisdiction; Two-State Action; Long Arm Jurisdiction: Direct Income Withholding)

Unreimbursed Public Assistance (UPA)

The cumulative amount of money paid to the family for all months which has not been repaid by assigned child support payments collected.

Wage Assignment

A voluntary agreement by an employee to transfer (or assign) portions of future wage payments to pay certain debts, such as child support.

Wage Attachment

An involuntary transfer of a portion of an employee's wage payment to satisfy a debt. In some States this term is used interchangeably with Wage or Income Withholding; in other states there are distinctions between an attachment and withholding. The most common terms used are Wage or Income Withholding.

(See also: Wage Withholding; Income Withholding)

Wage Withholding

A procedure by which scheduled deductions are automatically made from wages or income to pay an obligation, such as child support. . The provision dictates that an employer must withhold support from a noncustodial parent's wages and transfer that withholding to the appropriate agency (the Centralized Collection Unit or State Disbursement Unit). Also known as income withholding.

(See also: Income Withholding; Direct Income Withholding; Garnishment)