

**DIVISION OF CHILDREN AND FAMILY SERVICES
ADMINISTRATIVE MEMO #4-2011**

To: Child Support Enforcement Staff and County/Authorized Attorneys

From: Edward H. Matney, Policy Section Administrator 
Division of Children and Family Services

Approved by: Todd L. Reckling, Director 
Division of Children and Family Services
Department of Health and Human Services ("DHHS")

Date: March 21, 2011

RE: Child Support Enforcement Program;
Intergovernmental Child Support;
Final Rule, 45 CFR Parts 301, 302, 303, 305, and 308

Effective: Immediately

Duration: Until Regulation Issuance

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Purpose: The purpose of this memo is to inform county/authorized attorneys and Child Support Enforcement staff of the implementation of a federal regulation which will affect the processing of intergovernmental (formerly known as interstate) cases.

Background: The intergovernmental regulations that appeared in 45 CFR 303.7 prior to the publication of the final rule were originally effective on February 22, 1988. The final rule extensively reorganizes the 1988 intergovernmental regulations to clarify and streamline case-processing responsibilities in intergovernmental cases, incorporating both optional and required procedures under the Personal Responsibility and Work Opportunity Reconciliation Act and enhanced technology, particularly in the area of communications.

Process:

INTERGOVERNMENTAL CENTRAL REGISTRY:

The Intergovernmental Central Registry is responsible for receiving, transmitting, and responding to inquiries on all incoming intergovernmental IV-D cases. The Intergovernmental Central Registry, within ten working days of receipt of an intergovernmental IV-D case, must:

1. Ensure that the documentation submitted with the case has been reviewed to determine completeness;
2. Forward the case for necessary action either to the central State Parent Locator Service (SPL) for location services or to the appropriate agency for processing;
3. Acknowledge receipt of the case and request any missing documentation; and
4. Inform the initiating agency of the location and phone number of the child-support-enforcement office to which the case will be forwarded and then send the case to the proper child-support-enforcement office for necessary action.

PAYMENT AND RECOVERY OF COST IN INTERGOVERNMENTAL CASES:

In intergovernmental cases, the following criteria apply:

1. The responding agency must pay the costs it incurs in processing intergovernmental cases, except as provided in 466 NAC 10-004, numbers 2 and 4;
2. The responding agency must pay the costs of genetic testing in paternity cases;
3. If paternity is established in the responding state, the responding state must seek a judgment for the costs of the genetic testing from the alleged father who denied paternity;
4. Each agency may recover its costs of providing services in intergovernmental non-ADC cases in accordance with federal regulations; and
5. The responding agency must identify any fees or costs deducted from support payments when forwarding payments to the initiating state.

NOTIFICATION OF CONTROLLING ORDER DETERMINATION:

Notify the initiating state agency, the controlling-order state, and any state where a support order in the case was issued or registered of the controlling-order determination and any reconciled arrearages within 30 calendar days of receipt of the determination from the tribunal.

CASE CLOSURE:

Request from initiating agency: except as provided in 466 NAC10-003.06B, the DHHS or County/Authorized Attorney must only close a case when requested by the initiating agency. Within ten working days of receipt of instructions for case closure from an initiating state agency, terminate the income-withholding order and close the intergovernmental IV-D case.