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**Merrillville, Indiana**

**Indiana Child Support Conference**

# Incoming UIFSA

Michelle DeWitt, Vanderburgh County

Kim Sullivan, Elkhart County

Stephanie Diehl, Greene County

# Incoming UIFSA

- Basic steps of Incoming UIFSA
- UIFSA filings
- Incoming UIFSA and Case Closure
- Scenarios

# Incoming UIFSA

- Case sent by another jurisdiction to Indiana
- Typically the CP resides in the other state and the NCP resides in Indiana
- Coded RESP in ISETS
- Initial UIFSA packet is sent to ICRU, Indiana Central Registry Unit
- Forwarded to the County IVD office

# Central Registry

- Review the Transmittal #1 to verify that IN can enforce the case
- Review the supporting documentation
- Request additional information if necessary
- Create/update the case in ISETS
- Sends an acknowledgement within 10 business days to the Initiating State with the county contact information and ISETS case number

# County Initial Steps

- Review the ISETS for accuracy
- Enter “Y” acknowledgement and update Interstate case information
- Verify the other state’s FIPS code on CP Participant screen
- Send CSENet Acknowledgement and request additional information if necessary
  - AADIN- Acknowledgement - Additional information needed
  - ANOAD-Acknowledgement- No additional information needed

# Verifying Non Custodial Address

- Not known at address
  - Put NCP in Locate and advise Initiating State address is needed
- NCP has moved to another county
  - Transfer case to the county where NCP resides and mail UIFSA packet
  - Mail transfer form & copy of Acknowledgement to ICRU as well as the other state
  - If IN order, case will stay in original order county
- NCP does not live in Indiana
  - Send Transmittal #2 along with postal verification to the Initiating State and request permission to close the case

# Filing a UIFSA-Elkhart County

- Once all information is confirmed, case is set for hearing
- Documents filed
  - Chronological Case Summary
  - Order to Show Cause
  - Notice to NCP
  - Notice to CP c/o Initiating State
  - Appearance form
  - Redacted copies of the UIFSA packet (original non-redacted copy remains in IVD file)
  - If request is for paternity/support order establishment, a Petition to Establish Paternity or Petition for Entry of Support is filed

# Filing a UIFSA-Elkhart County

- Cases are filed under “RS” cause number unless request is to enforce an existing Elkhart County cause
- IV-D Court has a Commissioner that hears all IV-D cases
- All orders are signed by the Commissioner and a Judge reviews and signs all orders
- Teleconference hearings are allowed for the party that resides in the other state
- DNA testing is completed on participant in our state and GT Lab makes arrangements for participant in the Initiating State

# Filing a UIFSA-Elkhart County

- If case involves more than one child and paternity is in question for at least one child, separate petitions are filed. One for paternity/order for each child needing paternity established and another for children needing support order only established.
- Once paternity is confirmed the causes are consolidated and one order is entered for all children in one ISETS case
- If paternity is excluded, a Motion to Dismiss the paternity cause is filed
- Orders are entered by County Clerk within 30 days of the hearing date

# Filing the UIFSA for Establishment-Greene County

- Prior to Court
  - File a Verified Petition to Establish Paternity, signed by Elected Prosecutor
  - File an Appearance & Motion to Intervene for DPA
  - NCP is notified by mail that a Paternity has been filed and he may request Genetic Testing prior to the hearing
- Submitted into Evidence at Hearing
  - Uniform Support Petition
  - General Testimony
  - Affidavit in Support of Establishing Paternity
  - Genetic Test results

# Filing the UIFSA for Enforcement-Greene County

- Prior to Court
  - File a Petition to Register a Foreign Support Order, with copies of the order attached to the Petition
  - File Appearance form for DPA
  - Send Summons and Notice of Hearing to NCP once hearing is set
- Submit into Evidence at Hearing
  - Registration Statement
  - Copy of the Other State Orders
  - Other State Payment History

# Filing the UIFSA for Modification-Greene County

- ❖ Neither party resides in the original order state and participant requesting modification is CP residing in the Initiating State
- Prior to Court
  - File a Petition for Modification of Child Support Pursuant to Child Support Guidelines
  - An Order to Appear is sent out for the Non-Custodial Party when a hearing is set
- Submit into Evidence at Hearing
  - Uniform Support Petition
  - General Testimony
  - Income Information for the Non Custodial Party

# SCENARIO ONE

CP and Child reside in Georgia

NCP resides in Indiana

Indiana has an established paternity and child support order

Indiana receives a UIFSA request for enforcement of the Indiana order and redirection of payments to Georgia

How do you proceed?

# SCENARIO ONE

## ➤ Initial steps

- Enter “Y” in paper received field & verify other state information is updated
- Send CSENet acknowledgement (AADIN or ANOAD)
- Send Child Support acknowledgement to Initiating State
- Verify GA FIPS code is added to CP supplemental screen

## ➤ Begin/Continue with enforcement remedies

## ➤ No UIFSA documents are filed with the court

# SCENARIO TWO

CP/Child reside in Minnesota

NCP resides in Indiana

Minnesota has established a support order

Indiana receives a UIFSA from Minnesota requesting Indiana register the order for enforcement and redirect payments to Minnesota

How do you proceed?

# SCENARIO TWO

- Send postal verification for NCP address
- File a Petition to Register a Foreign Support order with a RS cause
- Once the MN order has been registered, add the MN order to ISETS using RS cause number but entering MN in the Issuing State field
- Begin enforcement of the order
- Send Transmittal #2 with copy of the Registration order to MN

# SCENARIO THREE

CP and child live in Michigan

NCP resides in Indiana and an Indiana support order exists

CP believes NCP has a new job with a significant increase in pay and requests a modification of her support

Michigan sends a UIFSA request for modification on the Indiana order

How do you proceed?

# SCENARIO THREE

- If the case was NIVD prior to receiving the request, file a Motion to Intervene in the existing cause
- File the UIFSA documents from Michigan with the Court – Transmittal #1, Uniform Support Petition, General Testimony with a Petition to Modify
- NCP will be served with Notice of Court and Summons and CP will receive Notice of Court c/o Michigan agency

# SCENARIO FOUR

CP lives in New Jersey with 2 children

Both children allegedly have the same father who reside in Indiana

The NCP signed a paternity affidavit for the first child but did not sign for the second child

Indiana receives a UIFSA from New Jersey requesting establishment of paternity & child support, enforcement of the order and redirection of payments to New Jersey

How do you proceed?

# SCENARIO FOUR

- Would expect to receive 2 UIFSA packets and 2 ISETS cases
- Send a postal to verify NCP address
- File each case separately under RS cause
- CCS Entry that indicates UIFSA being filed at request of NJ and attach the NJ UIFSA packet
- File Paternity petition for the paternity case
- File Petition to Establish Support for the case where paternity is not a question
- Send Order to Show Cause and Summons to the NCP
- Notice to CP c/o the NJ agency

# SCENARIO FOUR

- Cases would be heard at the same court date and NCP would be given the option to acknowledge paternity or request DNA
- If DNA is requested, set up testing on NCP in IN and have lab make arrangements for CP/child in NJ
- Once paternity is established, establish child support order for both children and consolidate the causes
- If paternity is not established, the paternity cause would be dismissed and would establish order for the other case only

# Closing RESP cases

- Important to determine what closure process is required
- Close case entirely in ISETS
  - Registered another state's order for enforcement
  - ISETS case type is CLSD
- Close case to IVD services
  - No case in ISETS prior to UIFSA or case was NIVD
  - Indiana order
  - OPEN NIVD
- Close UIFSA but leave open IVD
  - IN order
  - IVD case prior to UIFSA
  - OPEN IVD but remove UIFSA code
- Codes specific to RESP cases
  - CRSP, CSNR and CINT