Q1 Name of State:

Answered: 53 Skipped: 0

#	Responses	Date
1	Wisconsin	2/18/2016 7:19 AM
2	State of Connecticut, Dept. of Social Services (DSS) – Bureau of Child Support Enforcement (BCSE)	2/12/2016 10:14 AM
3	Alabama	2/4/2016 2:08 PM
4	Oklahoma	2/1/2016 11:49 AM
5	Texas	1/29/2016 10:10 AM
6	Nebraska	1/28/2016 1:02 PM
7	District of Columbia	1/28/2016 10:52 AM
8	Kentucky	1/27/2016 2:35 PM
9	Maryland	1/27/2016 12:23 PM
10	Missouri	1/27/2016 10:18 AM
11	Washington	1/27/2016 7:04 AM
12	North Dakota	1/26/2016 11:42 AM
13	New York	1/25/2016 10:31 PM
14	Puerto Rico	1/25/2016 12:29 PM
15	Nevada	1/25/2016 10:01 AM
16	Guam	1/21/2016 6:20 PM
17	New Hampshire	1/21/2016 1:29 PM
18	Mississippi	1/21/2016 8:13 AM
19	South Carolina	1/21/2016 7:21 AM
20	Wyoming	1/20/2016 4:58 PM
21	North Carolina	1/20/2016 1:23 PM
22	Pennsylvania	1/20/2016 9:36 AM
23	State of Delaware	1/20/2016 8:34 AM
24	Vermont	1/20/2016 8:28 AM
25	ALASKA	1/19/2016 6:25 PM
26	Hawaii	1/19/2016 12:31 PM
27	Louisiana	1/19/2016 12:00 PM
28	Ohio	1/19/2016 10:34 AM
29	New Jersey	1/19/2016 9:13 AM
30	Arkansas	1/19/2016 8:22 AM
31	Michigan	1/19/2016 7:02 AM
32	Maine	1/19/2016 6:58 AM
33	New Mexico	1/18/2016 10:23 PM
34	Florida	1/18/2016 10:38 AM
35	Illinois	1/15/2016 7:09 PM

36	Oregon	1/15/2016 4:37 PM
37	California	1/15/2016 3:25 PM
38	Montana	1/15/2016 2:54 PM
39	Georgia	1/15/2016 2:22 PM
40	Colorado	1/15/2016 11:15 AM
41	Iowa	1/15/2016 7:27 AM
42	Utah	1/14/2016 7:47 PM
43	Arizona	1/14/2016 4:59 PM
44	Virginia	1/14/2016 2:55 PM
45	Tennessee	1/14/2016 11:42 AM
46	Massachusetts	1/14/2016 9:49 AM
47	Idaho	1/13/2016 5:27 PM
48	Kansas	1/12/2016 2:23 PM
49	Minnesota	1/12/2016 11:54 AM
50	Rhode Island	1/8/2016 2:41 PM
51	WV	1/8/2016 11:25 AM
52	South Dakota	1/5/2016 8:48 AM
53	Indiana	12/31/2015 9:50 AM

Q2 Name, email, and phone number of the person that NCCSD may contact with any follow-up questions:

Answered: 53 Skipped: 0

Answer Choices	Responses	
Name:	100.00%	53
E-mail:	100.00%	53
Phone number:	100.00%	53

#	Name:	Date
1	Connie Chesnik	2/18/2016 7:19 AM
2	Edgar Young, Program Manager	2/12/2016 10:14 AM
3	Lathesia S. Saulsberry	2/4/2016 2:08 PM
4	Amy Page, Managing Attorney, OK CSS Office of Impact Advocacy and Legal Outreach	2/1/2016 11:49 AM
5	Ruth Anne Thornton	1/29/2016 10:10 AM
6	Byron Van Patten	1/28/2016 1:02 PM
7	Benidia A. Rice	1/28/2016 10:52 AM
8	Maria Lewis	1/27/2016 2:35 PM
9	Erin Easton	1/27/2016 12:23 PM
10	Nancy Crocker	1/27/2016 10:18 AM
11	Ayanna Eagan	1/27/2016 7:04 AM
12	Paulette Oberst, Policy Administrator	1/26/2016 11:42 AM
13	Susanne Dolin	1/25/2016 10:31 PM
14	Rosabelle Padín-Batista	1/25/2016 12:29 PM
15	David Castagnola	1/25/2016 10:01 AM
16	Pauline R. Chaco	1/21/2016 6:20 PM
17	Susan Brisson	1/21/2016 1:29 PM
18	David Love	1/21/2016 8:13 AM
19	Steve Yarborough	1/21/2016 7:21 AM
20	Kristie Langley	1/20/2016 4:58 PM
21	Judy McArn	1/20/2016 1:23 PM
22	Robert Patrick	1/20/2016 9:36 AM
23	Ted Mermigos	1/20/2016 8:34 AM
24	Alicia Humbert	1/20/2016 8:28 AM
25	Autumn Short	1/19/2016 6:25 PM
26	Lynette Lau	1/19/2016 12:31 PM
27	Konitra Jack	1/19/2016 12:00 PM
28	Jeffrey Aldridge	1/19/2016 10:34 AM
29	Larissa Aspromonti	1/19/2016 9:13 AM

30	Barbara Morris-Williams	1/19/2016 8:22 AM
31	Julie Vandenboom	1/19/2016 7:02 AM
32	Jerry Joy	1/19/2016 6:58 AM
33	Laura L. Galindo	1/18/2016 10:23 PM
34	Patterson Poulson	1/18/2016 10:38 AM
35	Pamela Lowry	1/15/2016 7:09 PM
36	Vera Poe	1/15/2016 4:37 PM
37	Alisha Griffin	1/15/2016 3:25 PM
38	Chad Dexter or Ann Steffens	1/15/2016 2:54 PM
39	Tanguler Gray	1/15/2016 2:22 PM
40	Tracy Rumans	1/15/2016 11:15 AM
41	Carol Eaton	1/15/2016 7:27 AM
42	Liesa Stockdale	1/14/2016 7:47 PM
43	Corinne Bostick	1/14/2016 4:59 PM
44	Craig Burshem	1/14/2016 2:55 PM
45	Freda Cook	1/14/2016 11:42 AM
46	Andrew Cheng	1/14/2016 9:49 AM
47	Kandee Yearsley	1/13/2016 5:27 PM
48	Trisha Thomas	1/12/2016 2:23 PM
49	Jeff Jorgenson	1/12/2016 11:54 AM
50	Sharon santilli	1/8/2016 2:41 PM
51	Garrett Jacobs	1/8/2016 11:25 AM
52	Nichole Brooks	1/5/2016 8:48 AM
53	Angelica Carter	12/31/2015 9:50 AM
#	**E-mail:**	**Date**
1	connie.chesnik@wisconsin.gov	2/18/2016 7:19 AM
2	edgar.young@ct.gov	2/12/2016 10:14 AM
3	Lathesia.Saulsberry@dhr.alabama.gov	2/4/2016 2:08 PM
4	amy.page@okdhs.org	2/1/2016 11:49 AM
5	ruth.thornton@texasattorneygeneral.gov	1/29/2016 10:10 AM
6	Byron.VanPatten@nebraska.gov	1/28/2016 1:02 PM
7	Benidia.rice@dc.gov	1/28/2016 10:52 AM
8	maria.lewis@ky.gov	1/27/2016 2:35 PM
9	erinm.easton@maryland.gov	1/27/2016 12:23 PM
10	Nancy.J.Crocker@dss.mo.gov	1/27/2016 10:18 AM
11	eaganam@dshs.wa.gov	1/27/2016 7:04 AM
12	poberst@nd.gov	1/26/2016 11:42 AM
13	susanne.dolin@otda.ny.gov	1/25/2016 10:31 PM
14	rpadin@asume.pr.gov	1/25/2016 12:29 PM
15	dcastagnola@dwss.nv.gov	1/25/2016 10:01 AM
16	pauline.chaco@guamcse.net	1/21/2016 6:20 PM

17	Susan.Brisson@dhhs.state.nh.us	1/21/2016 1:29 PM
18	david.love@mdhs.ms.gov	1/21/2016 8:13 AM
19	stephen.yarborough@dss.sc.gov	1/21/2016 7:21 AM
20	kristie.langley@wyo.gov	1/20/2016 4:58 PM
21	judy.mcarn@dhhs.nc.gov	1/20/2016 1:23 PM
22	rpatrick@pa.gov	1/20/2016 9:36 AM
23	theodore.mermigos@state.de.us	1/20/2016 8:34 AM
24	alicia.humbert@vermont.gov	1/20/2016 8:28 AM
25	autumn.short@alaska.gov	1/19/2016 6:25 PM
26	Lynette.J.Lau@hawaii.gov	1/19/2016 12:31 PM
27	konitra.jack.dcfs@la.gov	1/19/2016 12:00 PM
28	jeffrey.aldridge@jfs.ohio.gov	1/19/2016 10:34 AM
29	larissa.aspromonti@dhs.state.nj.us	1/19/2016 9:13 AM
30	barbara.morris-williams@ocse.arkansas.gov	1/19/2016 8:22 AM
31	vandenboomj@michigan.gov	1/19/2016 7:02 AM
32	Jerry.Joy@maine.gov	1/19/2016 6:58 AM
33	laura.galindo@state.nm.us	1/18/2016 10:23 PM
34	poulsonp@dor.state.fl.us	1/18/2016 10:38 AM
35	Pamela.Lowry@illinois.gov	1/15/2016 7:09 PM
36	vera.l.poe@doj.state.or.us	1/15/2016 4:37 PM
37	Alisha.Griffin@dcss.ca.gov	1/15/2016 3:25 PM
38	cdexter@mt.gov or asteffens@mt.gov	1/15/2016 2:54 PM
39	tanguler.gray@dhs.ga.gov	1/15/2016 2:22 PM
40	Tracy.Rumans@state.co.us	1/15/2016 11:15 AM
41	ceaton@dhs.state.ia.us	1/15/2016 7:27 AM
42	lcorbri2@utah.gov	1/14/2016 7:47 PM
43	cbostick@azdes.gov	1/14/2016 4:59 PM
44	Craig.burshem@dss.virginia.gov	1/14/2016 2:55 PM
45	Freda.Cook@tn.gov	1/14/2016 11:42 AM
46	chenga@dor.state.ma.us	1/14/2016 9:49 AM
47	yearslek@dhw.idaho.gov	1/13/2016 5:27 PM
48	trisha.thomas@dcf.ks.gov	1/12/2016 2:23 PM
49	Jeffrey.J.Jorgenson@state.mn.us	1/12/2016 11:54 AM
50	Sharon.santilli@dhs.ri.gov	1/8/2016 2:41 PM
51	garrett.m.jacobs@wv.gov	1/8/2016 11:25 AM
52	Nichole.Brooks@state.sd.us	1/5/2016 8:48 AM
53	Angelica.carter@dcs.in.gov	12/31/2015 9:50 AM

#	Phone number:	Date
1	608-422-7040	2/18/2016 7:19 AM
2	860 424-5292	2/12/2016 10:14 AM
3	(334) 242-9320	2/4/2016 2:08 PM

4	918.439.2405	2/1/2016 11:49 AM
5	512-460-6662	1/29/2016 10:10 AM
6	402 471 1400	1/28/2016 1:02 PM
7	202-724-2131 (Office), 202-585-0451 (Fax)	1/28/2016 10:52 AM
8	(502) 564-2285, ext 4831	1/27/2016 2:35 PM
9	410-767-9679	1/27/2016 12:23 PM
10	573-526-5356	1/27/2016 10:18 AM
11	360-664-5337	1/27/2016 7:04 AM
12	701-328-7533	1/26/2016 11:42 AM
13	518-474-9833	1/25/2016 10:31 PM
14	(787) 767-1500; x. 2801	1/25/2016 12:29 PM
15	775-684-0694	1/25/2016 10:01 AM
16	671-475-3360 ext 1210	1/21/2016 6:20 PM
17	(603) 271-4812	1/21/2016 1:29 PM
18	769.798.2054	1/21/2016 8:13 AM
19	803-898-9402	1/21/2016 7:21 AM
20	3077776031	1/20/2016 4:58 PM
21	919.855.4431	1/20/2016 1:23 PM
22	717-772-4204	1/20/2016 9:36 AM
23	302 395 6520	1/20/2016 8:34 AM
24	802-769-6194	1/20/2016 8:28 AM
25	907-269-6800	1/19/2016 6:25 PM
26	808 692 7000	1/19/2016 12:31 PM
27	225-342-2148	1/19/2016 12:00 PM
28	614-728-5193	1/19/2016 10:34 AM
29	609-631-2760	1/19/2016 9:13 AM
30	501-682-6195	1/19/2016 8:22 AM
31	517-241-4453	1/19/2016 7:02 AM
32	2076244100	1/19/2016 6:58 AM
33	(505) 827-7728	1/18/2016 10:23 PM
34	850-617-8216	1/18/2016 10:38 AM
35	217/782-1820	1/15/2016 7:09 PM
36	503-947-4318	1/15/2016 4:37 PM
37	916-464-5300	1/15/2016 3:25 PM
38	406-444-1846	1/15/2016 2:54 PM
39	404-463-0992	1/15/2016 2:22 PM
40	3038665428	1/15/2016 11:15 AM
41	515-281-5767	1/15/2016 7:27 AM
42	801-536-8901	1/14/2016 7:47 PM
43	(602) 771-8728	1/14/2016 4:59 PM
44	804-726-7417	1/14/2016 2:55 PM

45	615-313-5283	1/14/2016 11:42 AM
46	(617)626-2398	1/14/2016 9:49 AM
47	208-334-0620	1/13/2016 5:27 PM
48	785-296-4188	1/12/2016 2:23 PM
49	651-431-4276	1/12/2016 11:54 AM
50	401-458-4408	1/8/2016 2:41 PM
51	304-558-0909	1/8/2016 11:25 AM
52	605-773-3641	1/5/2016 8:48 AM
53	317-234-7899	12/31/2015 9:50 AM

Q3 What guidelines model does your state use?

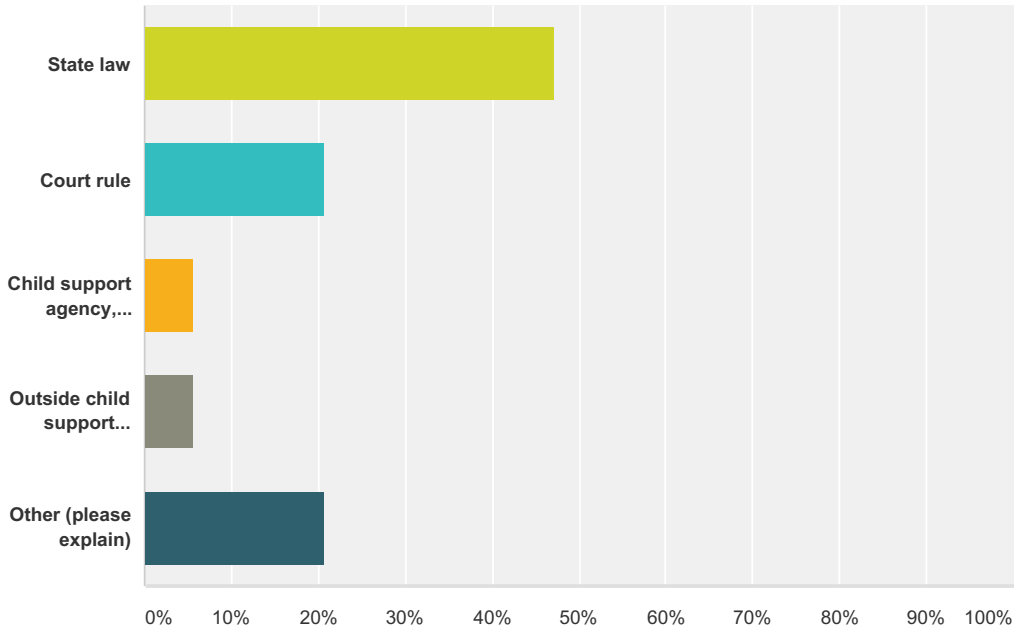
Answered: 53 Skipped: 0

#	Responses	Date
1	Percentage of Income Standard	2/18/2016 7:19 AM
2	Income Shares Model	2/12/2016 10:14 AM
3	Income Shares Model	2/4/2016 2:08 PM
4	Income shares	2/1/2016 11:49 AM
5	Texas uses a percentage child support guideline model.	1/29/2016 10:10 AM
6	Income shares	1/28/2016 1:02 PM
7	The District of Columbia uses the income shares model.	1/28/2016 10:52 AM
8	Income Shares model	1/27/2016 2:35 PM
9	income share	1/27/2016 12:23 PM
10	Income Shares Model	1/27/2016 10:18 AM
11	Income shares	1/27/2016 7:04 AM
12	Obligor model, variable percentage of income.	1/26/2016 11:42 AM
13	Income Shares	1/25/2016 10:31 PM
14	Income Shares Model	1/25/2016 12:29 PM
15	Percentage of obligor income	1/25/2016 10:01 AM
16	Shared Income Model	1/21/2016 6:20 PM
17	Percentage of Income Model	1/21/2016 1:29 PM
18	Income Percentage Model	1/21/2016 8:13 AM
19	Income Shares	1/21/2016 7:21 AM
20	Income Shares	1/20/2016 4:58 PM
21	Income Shares	1/20/2016 1:23 PM
22	Income Shares	1/20/2016 9:36 AM
23	Child Support Calculation- Melson Calculation	1/20/2016 8:34 AM
24	income shares	1/20/2016 8:28 AM
25	Civil Rule 90.3	1/19/2016 6:25 PM
26	Delaware / Melson	1/19/2016 12:31 PM
27	income-shared model	1/19/2016 12:00 PM
28	Incomes Shares	1/19/2016 10:34 AM
29	Income Shared	1/19/2016 9:13 AM
30	Percentage Income Model	1/19/2016 8:22 AM
31	Income shares model	1/19/2016 7:02 AM
32	Income shares	1/19/2016 6:58 AM
33	Income Shares Model	1/18/2016 10:23 PM
34	Income Shares	1/18/2016 10:38 AM

35	Percentage of the supporting parent's net income.	1/15/2016 7:09 PM
36	Shared income model	1/15/2016 4:37 PM
37	Income Share	1/15/2016 3:25 PM
38	In July of 1992, Montana adopted a guidelines based on a modified version of the Melson formula. The Melson guideline allows each parent to retain sufficient income to meet basic, personal needs, i.e. the self-support reserve. The Montana version of Melson sets the self-support reserve at 130 percent of poverty.	1/15/2016 2:54 PM
39	shared income model	1/15/2016 2:22 PM
40	Income Shared Model	1/15/2016 11:15 AM
41	Pure Income Shares	1/15/2016 7:27 AM
42	Income Shares	1/14/2016 7:47 PM
43	Income Shares Model	1/14/2016 4:59 PM
44	Shared Income Model	1/14/2016 2:55 PM
45	Income Shares	1/14/2016 11:42 AM
46	Incomes shares model.	1/14/2016 9:49 AM
47	estimated expenditure model	1/13/2016 5:27 PM
48	shared income model	1/12/2016 2:23 PM
49	Income Shares	1/12/2016 11:54 AM
50	Income shares	1/8/2016 2:41 PM
51	Income Shares	1/8/2016 11:25 AM
52	Income Shares Model	1/5/2016 8:48 AM
53	Income Shares	12/31/2015 9:50 AM

Q4 How are your child support guidelines adopted?

Answered: 53 Skipped: 0



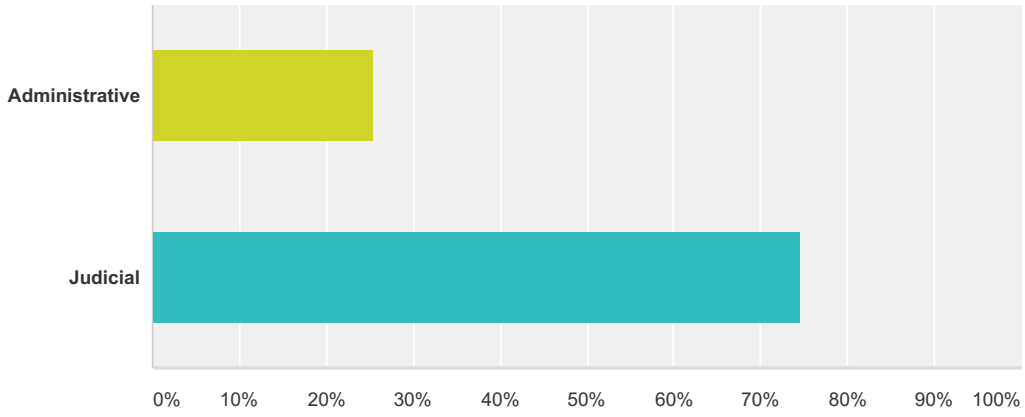
Answer Choices	Responses	
State law	**47.17%**	25
Court rule	**20.75%**	11
Child support agency, including IV-D-sponsored committees	**5.66%**	3
Outside child support commission	**5.66%**	3
Other (please explain)	**20.75%**	11
Total		**53**

#	Other (please explain)	Date
1	Administrative Rule drafted by child support program and adopted by legislature	2/18/2016 7:19 AM
2	Child support agency in coordination with Puerto Rico's Judicial Court Administration	1/25/2016 12:29 PM
3	The IV-D Agency is charged with the responsibility to review every four years; we convene a committee; issue an RFP; and submit recommendations to the Legislature in the form of a regulatory update.	1/21/2016 7:21 AM
4	The guidelines are prescribed by statute, but the tables used to calculate the guidelines are adopted by administrative rule.	1/20/2016 8:28 AM
5	Civil Rule 90.3 Committee	1/19/2016 6:25 PM
6	The Supreme Court through State Court Administrative Office (SCAO) is responsible for developing and approving the formula. The SCAO collects public comments to identify problems and gather suggestions for improvement, and publishes the final formula.	1/19/2016 7:02 AM
7	Maine's child support guidelines are adopted by rule after consultation with the Supreme Judicial Court and interested parties.	1/19/2016 6:58 AM
8	The MA Child Support Guidelines are issued by the Chief Justice of the Trial Court Department.	1/14/2016 9:49 AM

9	Kansas Supreme Court with recommendations from the Child Support Guidelines Committee (there is one IV-D person on this committee out of 20 people)	1/12/2016 2:23 PM
10	Court Administrative order adopted by the Chiief Judge as presented by the Child Support Guideline Task Force.	1/8/2016 2:41 PM
11	Child Support Commission meets every 4 years and any proposed changes are compiled for passing in the State Legislature and final Governor approval into law	1/5/2016 8:48 AM

Q5 Assuming an agreed order establishing paternity and a child support obligation, is the order entered by the agency with the force and effect of law (administrative) or established through a stipulation that is submitted and signed by a court (judicial)? For judicial orders, is a hearing required even for agreed orders?

Answered: 51 Skipped: 2



Answer Choices	Responses	
Administrative	**25.49%**	13
Judicial	**74.51%**	38
Total		**51**

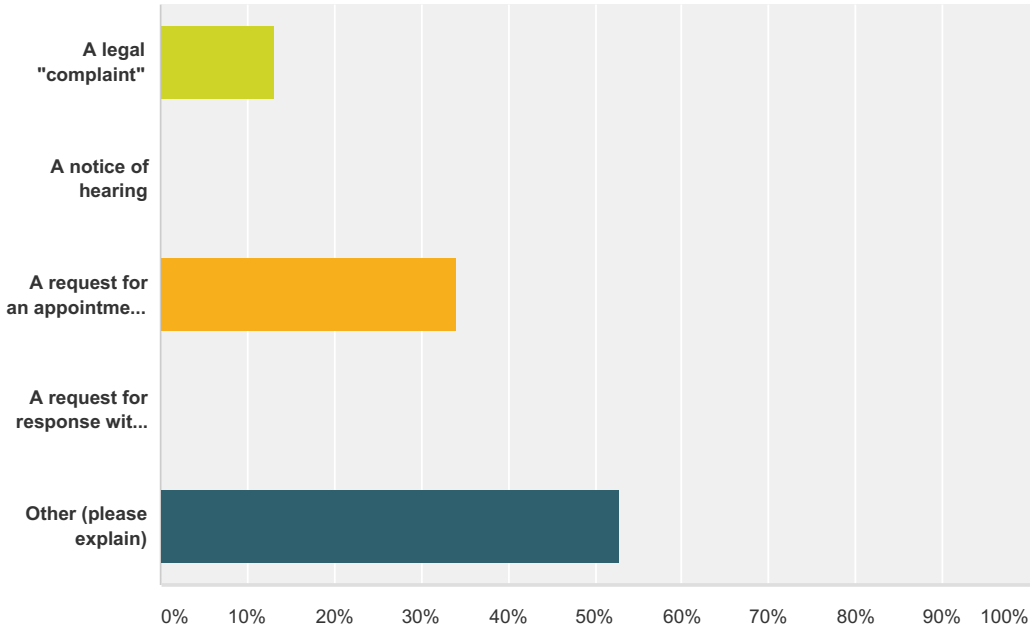
#	For judicial orders, is a hearing required even for agreed orders? Yes/No	Date
1	Stipulation signed by court. A hearing is required. Court is required to address custody and placement in addition to child support.	2/18/2016 7:33 AM
2	No	2/12/2016 10:18 AM
3	no	2/4/2016 2:11 PM
4	No	2/1/2016 11:51 AM
5	No, Texas uses both the judicial process and a quasi-administrative process to establish paternity and child support. Since Texas law strongly encourages parties in family law cases to reach agreement where possible, most judges sign agreed judicial orders as submitted and indicating approval. The quasi-administrative process is called the child support review process (CSRP) and it results in expedited establishment/modification orders. The CSRP process is not fully administrative because a judge (child support associate judge, or a referring court judge), signs the order as part of the process. Texas law does not provide for a hearing when an agreed CSRP order is routed to the court. Agreed CSRPs are generally a more streamlined process than judicial agreed orders.	1/29/2016 10:15 AM
6	No stipulation signed	1/28/2016 1:09 PM
7	Yes	1/28/2016 10:52 AM
8	No	1/27/2016 2:36 PM
9	yes	1/27/2016 12:26 PM

10	If the Commissioner requires it	1/27/2016 7:04 AM
11	No	1/26/2016 11:43 AM
12	Yes	1/25/2016 10:37 PM
13	For both administrative and judicial orders, a hearing is required, even for agreed orders.	1/25/2016 1:02 PM
14	No	1/25/2016 10:07 AM
15	Stipulated Orders must still be signed by the court	1/21/2016 6:23 PM
16	no	1/21/2016 1:33 PM
17	no	1/21/2016 8:13 AM
18	Yes	1/21/2016 7:28 AM
19	No	1/20/2016 5:04 PM
20	no	1/20/2016 1:24 PM
21	No	1/20/2016 9:42 AM
22	Yes	1/20/2016 8:51 AM
23	No.	1/20/2016 8:35 AM
24	Alaska does both	1/19/2016 6:28 PM
25	No	1/19/2016 12:32 PM
26	No	1/19/2016 12:20 PM
27	No	1/19/2016 10:45 AM
28	No	1/19/2016 9:21 AM
29	No	1/19/2016 8:47 AM
30	An agreed order is a stipulation submitted and signed by the court (judicial). A hearing is not required for agreed orders.	1/19/2016 7:04 AM
31	no	1/19/2016 7:02 AM
32	No	1/18/2016 10:27 PM
33	judicial may or may not require a hearing	1/18/2016 10:43 AM
34	It may be.	1/15/2016 7:10 PM
35	We'd like to mark both administrative and judicial. An agreed administrative order establishing paternity and child support is issued and finalized by the agency under ORS 416.415 and agency “consent order” processes and entered in court pursuant to ORS 416.440. The order is entered by the court clerk without the need for any judicial action. If the parties stipulate to establishing paternity and the order must be handled judicially instead of administratively, the court would generally not require a hearing. Once entered in the court registry, the order has the full force, effect and attributes of a circuit court judgment.	1/15/2016 4:42 PM
36	No	1/15/2016 3:28 PM
37	No	1/15/2016 2:36 PM
38	An agreed order can be established through the administrative process, and will have the force and effect of law, without being signed by a court. For judicial orders, a hearing is not required for agreed orders, but the parties are required to submit financial documentation for the court to review appropriateness and application of the guidelines statute.	1/15/2016 11:23 AM
39	No (Utah has both admin and judicial)	1/14/2016 7:52 PM
40	No	1/14/2016 5:02 PM
41	No	1/14/2016 11:49 AM

42	If paternity is at issue at the time DOR initiates litigation, we require that the parties submit to genetic marker testing even if they agree the man is the father. If the parties do not want testing, they must appear before the court and the court must agree that testing is not necessary prior to accepting the parties' agreement to establish paternity. The court would address the child support issue as part of this hearing. If the parties have come to agreement on the amount of child support, if the court approves the terms of the agreement, the court may enter judgment in accordance with the agreement.	1/14/2016 9:50 AM
43	No	1/13/2016 5:28 PM
44	Yes, some do but others dont - it depends on the court	1/12/2016 2:28 PM
45	In Minnesota's Expedited Process, an agreed order is prepared and signed by the parties then filed with the court for the review and signature of a child support magistrate who may sign the order without hearing if it is supported by law and it is reasonable and fair. R. Family Court Procedure section 362	1/12/2016 11:55 AM
46	yes	1/12/2016 8:29 AM
47	No It is simply read on the record.	1/8/2016 2:48 PM
48	We are quasi judicial. The orders are drafted by DCS and forwarded for a Judges signature (which makes them enforceable). All orders (regardless of the method obtained) are signed by a Circuit Court Judge before they are valid. In this instance, the parties may stipulate to the paternity/support. Upon the parties signatures, the stipulation is sent to the judge for their signature under the "order" portion of the agreement. There is not a hearing scheduled.	1/5/2016 8:52 AM
49	No	12/31/2015 9:55 AM

Q6 When attempting to establish paternity and a child support obligation, is the first contact with a parent:

Answered: 53 Skipped: 0



Answer Choices	Responses	
A legal "complaint"	**13.21%**	7
A notice of hearing	**0.00%**	0
A request for an appointment or conference with the child support program	**33.96%**	18
A request for response with income information, or	**0.00%**	0
Other (please explain)	**52.83%**	28
Total		**53**

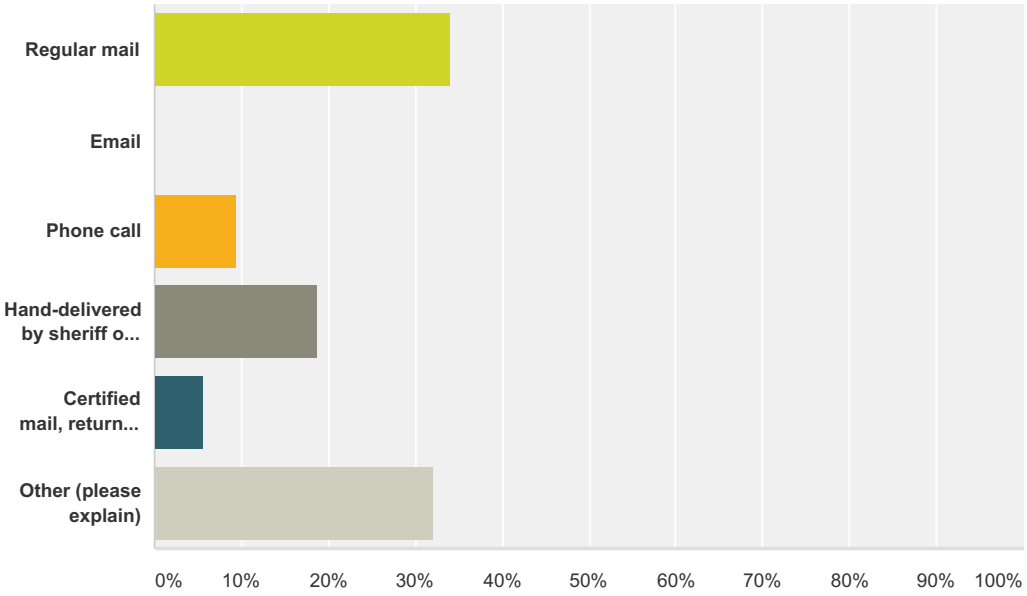
#	Other (please explain)	Date
1	The first contact is generally with the custodial parent or the parent that has applied for, or is referred for, Title IV-D services. Information about the child and the other parent is requested, and once sufficient information is received, cases are scheduled for a CSRP negotiation conference, which initiates the quasi-administrative process discussed above. The first contact with the non-custodial parent is typically a notice to appear for a CSRP negotiation conference. Other cases, such as those where a parent/party has alleged family violence, are referred for judicial action which entitles the parties to legal notice of the lawsuit. In those cases often the first contact with the non-custodial parent is when he/she is personally served with legal notice of the suit.	1/29/2016 10:15 AM
2	A letter is sent to the alleged by regular mail.	1/28/2016 1:09 PM
3	The first contact with an obligor is through a legal complaint. The first contact with an obligee may be through notice of a hearing, or a request for an appointment or conference with the child support program. Alternatively, the obligee may reach out to the Child Support Services Division for assistance.	1/28/2016 10:52 AM

4	Could be a, c, or d. The first contact will depend on case specifics and the strategy chosen by the regional IV D attorney. For example, if the alleged father is known from past experience to be uncooperative, the IV D attorney will be more likely to initiate legal action through service of a summons and complaint (option a) than to reach out to the alleged father to request a meeting or income information (option c or d).	1/26/2016 11:43 AM
5	A referral from temporary assistance or Medicaid or application for child support services.	1/25/2016 10:37 PM
6	A notice is sent to the parent informing him: (i) that a petition for establishment for paternity and child support has been submitted regarding him; (ii) that he has the right to either object the petition or request a conference with the child support program within a term of 20 days (if living in Puerto Rico) or 30 days (if living outside Puerto Rico); (iii) that if the parent takes no either action, paternity and child support will be established by default. In a judicial proceeding, the first contact with a parent is a legal complaint. (As to question #5 above- the survey does not let us choose both alternatives (administrative and judicial) simultaneously, which would be the correct answer in Puerto Rico's case. As stated above, for both administrative and judicial orders, a hearing is required even for agreed orders.	1/25/2016 1:02 PM
7	It's is either a request for an appointment or a request for information depending on where the parent lives in relation to the district office working the case.	1/21/2016 1:33 PM
8	The first contact with the mother is a request for appointment, and the first contact with the father is a letter advising that they have been named as the father. (Assuming the mother is the complainant.)	1/20/2016 8:35 AM
9	Both a request for genetic testing and request for income information	1/19/2016 6:28 PM
10	A letter is sent to set up an interview or to pick up documents	1/19/2016 12:32 PM
11	For Administrative Paternity it is an Order to appear for Genetic Testing, if Paternity is already established a Notice of Hearing for the Support Establishment.	1/19/2016 10:45 AM
12	We send a complaint, notice of hearing and request for a consent conference.	1/19/2016 9:21 AM
13	A request for an appointment or conference with the child support program or a request for response with income information.	1/19/2016 8:47 AM
14	Our paternity establishment process begins administratively but can become judicial. The first step of the process is personal service of a notice to establish paternity which allows for a denial and or request for genetic testing.	1/19/2016 7:02 AM
15	A mail-out interview packet is sent to the custodial parent/caretaker, who is to return within 30 days from the date of the packet. Upon return, the information is reviewed to determine whether to pursue administratively or judicially.	1/15/2016 7:10 PM
16	We would like to mark both d and e, although maybe e is the better answer. The first contact is a phone call followed by mailing an information request packet that includes a request for income information and a paternity affidavit to be completed by the custodial parent.	1/15/2016 4:42 PM
17	California’s local child support agencies (LCSAs) employ Early Intervention (EI) during the establishment process. After a case is open, a noncustodial parent would receive a packet notifying them that a case had been opened and that packet would include forms with a request that the NP complete and return them to the LCSA (all sent if NP has an address on file). The LCSA would also reach out to the custodial party pursuant to CCR§112140 within 10 days of case opening. Participant interaction could occur via phone, email, or postal mail depending on the locate information available.	1/15/2016 3:28 PM
18	In 1997, the Montana Legislature modified MCA § 40-5-232 to require the CSED to notify alleged fathers of a paternity claim made against them. This notification must occur “promptly,” and must be made without regard to whether or not there is sufficient evidence to commence a paternity action. This notification is provided by the CSED at the same time that the alleged father is notified that a IV-Day case has been opened against him. Then, upon determining jurisdiction, the CSED initiates the paternity case by sending the "Papa letter." This non-confrontational letter informs the alleged or presumed father he has been named as the father of the child; it also explains the process of establishing paternity and the options available for resolving the allegation without legal action. The letter encloses a Consent to Genetic Testing, which offers the alleged or presumed father the opportunity to resolve the matter through voluntary genetic testing. In a single-allegation case the Papa letter also encloses an Admission of Paternity for the alleged father to sign and return, notarized, to the CSED. In multiple-allegation cases the standard Papa letter does not enclose an Admission of Paternity.	1/15/2016 2:55 PM
19	Generally, a parent is required to first be served with a notice of financial responsibility and summons to appear for a conference at the child support office. However, the best practice is for early intervention measures, where the parent would be contacted by phone and asked to come into the office to sign a waiver of service and participate voluntarily in the child support process.	1/15/2016 11:23 AM
20	Notice of intent to establish paternity and support is served on the alleged father. This packet includes a request for financial information.	1/15/2016 7:29 AM
21	It is a legal complaint (A) which includes forms to respond with additional/different income information.	1/14/2016 7:52 PM

22	The first contact with both parents is through a letter which provides general information about services and actions that may be taken. The letter instructs noncustodial parents to inform DOR if their employment information changes, and provides contact information. DOR's next contact with the noncustodial parent is most likely service of the complaint. The next contact with a custodial parent, if he/she is the one seeking services or referred, is a phone call at the time the case is created or shortly thereafter.	1/14/2016 9:50 AM
23	Combination, mostly a legal complaint, but also a call, appointment, genetic testing, request for income info	1/12/2016 2:28 PM
24	An interview is generally held with the applicant for services at which time information is gathered, including income information.	1/12/2016 11:55 AM
25	Paternity testing can be done by administrative order. If party refuses to participate, legal complaint is filed.	1/12/2016 8:29 AM
26	This recently changed. The first contact use to be the legal complaint. We are now making appointments .	1/8/2016 2:48 PM
27	If paternity is not established, our initial contact is a certified letter that indicates we have a confidential matter to discuss with them. We advise that they need to contact us in 10 days or further legal action will be taken.	1/5/2016 8:52 AM
28	Practice varies among each of the 92 counties across the state. It could be any of the above.	12/31/2015 9:55 AM

Q7 When the child support agency first contacts a parent whose income information is needed to establish paternity and a child support obligation, describe the initial attempted method of communication:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**33.96%**	18
Email	**0.00%**	0
Phone call	**9.43%**	5
Hand-delivered by sheriff or other process server	**18.87%**	10
Certified mail, return receipt requested	**5.66%**	3
Other (please explain)	**32.08%**	17
Total		**53**

#	Other (please explain)	Date
1	CSRP notices are sent to the parties via regular mail. Reminder calls are made to parties when a contact phone number has been provided. For judicial filings, a party must either waive service, enter a general appearance, or be served with notice of the proceedings.	1/29/2016 10:15 AM
2	Income information is not requested until a presumption or legal finding of paternity exists. Regular mail is used to make the initial contact with an alleged father.	1/27/2016 10:30 AM
3	Depends on what the first contact is. For example, if the first contact is by summons and complaint, personal service must be made according to Rule 4 of the North Dakota Rules of Civil Procedure. If the first contact is a request for an appointment/conference, it would likely be made by regular mail or possibly even by phone.	1/26/2016 11:43 AM
4	Hand-delivered by sheriff or other process server; but if this is not possible, notice is given via public notice through a newspaper of general circulation.	1/25/2016 1:02 PM

5	varies by office. Typically regular mail.	1/25/2016 10:07 AM
6	Both regular mail and certified mail required so there is a greater likelihood of them receiving notice.	1/20/2016 9:42 AM
7	first time service for the non-custodial parent must be by service of process. For custodial parents it is regular mail.	1/20/2016 8:51 AM
8	Administratively, Certified Mail for Genetic Testing order to appear, If served , administrative support is ordinary mail.	1/19/2016 10:45 AM
9	We send the complaint, notice of hearing and request for consent conference by regular and certified mail.	1/19/2016 9:21 AM
10	Hand-delivered by sheriff or other process server OR certified mail, return receipt requested.	1/19/2016 7:04 AM
11	Per above, if mailing address exists for NP a case opening packet is sent which includes an Income and Expense declaration. A caseworker would call NP if no address available. CP's case would have been opened via welfare referral or application and income information should be available in either. The LCSA would follow-up with a call to CP.	1/15/2016 3:28 PM
12	Regular mail however a phone call is required to meet our same day service criteria	1/15/2016 2:36 PM
13	Generally, the first contact is by service of a notice to appear and provide financial documentation, which is perfected either by hand-delivered process server or certified mail. However, the best practice is for early intervention measures, where the parent would be contacted by phone and asked to come into the office for the conference.	1/15/2016 11:23 AM
14	Whatever means necessary and available: post mail, e-mail, telephone calls.	1/14/2016 5:02 PM
15	See response to #6 above. DOR uses available resources (e.g. the custodial parent and data bases, etc.) to gather information about a noncustodial parent. Most often, the next communication is when the parent is served (in accordance with court rules, may be hand-delivered or via certified mail) with a complaint seeking to establish the order. DOR is trying to find ways to use data to identify cases where the parents are more likely to voluntarily meet with DOR staff to reach agreements, have paternity testing, etc., but this is not yet a standard practice.	1/14/2016 9:50 AM
16	Combination, by regular mail, phone call, or hand delivered	1/12/2016 2:28 PM
17	Regular mail and phone call	1/12/2016 11:55 AM

Q8 How long after the initial effort to communicate in Question 7 does your agency wait before taking the next step?

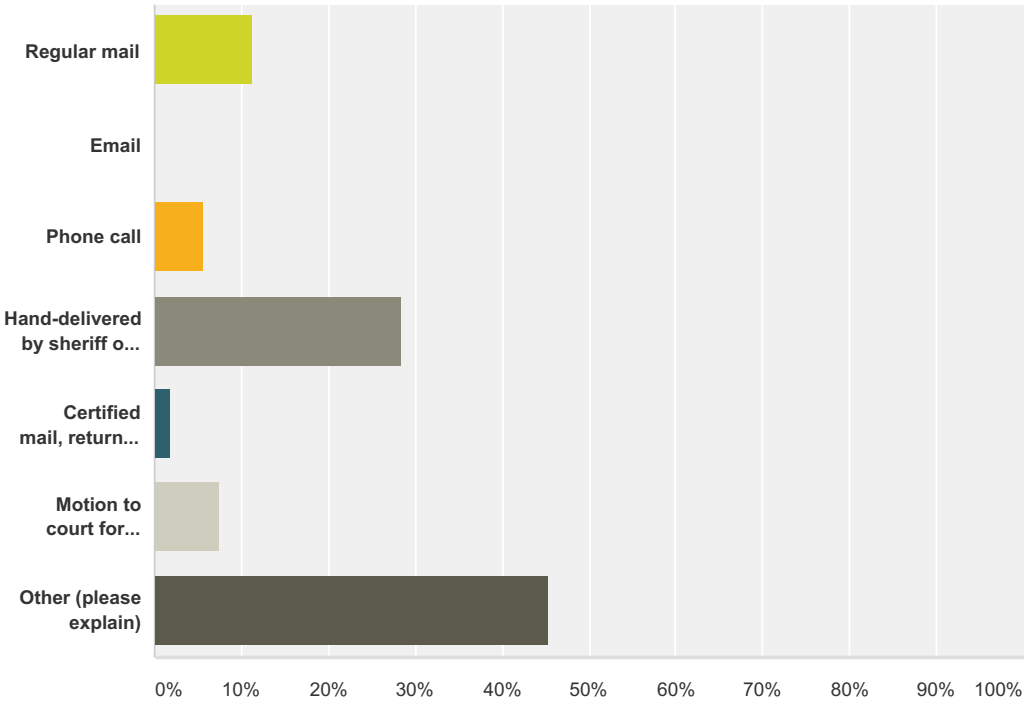
Answered: 53 Skipped: 0

#	Responses	Date
1	Typically two weeks if it's a paternity establishment. Please note that practices may vary between counties.	2/18/2016 7:33 AM
2	15 days	2/12/2016 10:18 AM
3	It is different in each office, usually 14 days – 30 days.	2/4/2016 2:11 PM
4	Generally, our offices' first effort is to set a court proceeding: A hearing is generally set 60-90 days from the date the paperwork is prepared. The parents are generally served at least 30 days prior to the hearing. If the parent fails to appear at the first hearing, staff may attempt contact with the parent, but a default order is generally entered that day if the parent cannot be contacted. If contact is made on the court date, the parent may be given a continuance of the court date in order to have the opportunity to appear.	2/1/2016 11:51 AM
5	In Texas, the IV-D agency notifies parties of CSRP negotiation conferences not later than the 10th day before the date of the conference. If a CSRP negotiation conference is rescheduled, notice is sent to the parties not later than the 3rd day before the date of the rescheduled conference. For judicial actions, unless waived by the parties, a final hearing will not occur unless the parties' answer times have passed under state law.	1/29/2016 10:15 AM
6	14 - 30 days	1/28/2016 1:09 PM
7	We wait 5 to 10 business days before taking the next step.	1/28/2016 10:52 AM
8	? The next step would be to check the status of service. Staff usually wait 30 days before they check the status of service.	1/27/2016 2:36 PM
9	30 days	1/27/2016 12:26 PM
10	30 days	1/27/2016 10:30 AM
11	Approx. 30 days	1/27/2016 7:04 AM
12	Again, depends on what the first contact is. For example, if the first contact is by summons and complaint, the obligor has 21 days from date of service to file an answer or risk being held in default.	1/26/2016 11:43 AM
13	If ncp doesn't appear, new court date set & personal service ordered	1/25/2016 10:37 PM
14	At least 20 days if parent lives in Puerto Rico, or 30 days if parent lives outside Puerto Rico.	1/25/2016 1:02 PM
15	Varies by office. Most relying of employer or workforce agency information rather than requesting from obligor.	1/25/2016 10:07 AM
16	Two weeks	1/21/2016 6:23 PM
17	at least two weeks	1/21/2016 1:33 PM
18	Immediatley upon the missed appointment.	1/21/2016 8:13 AM
19	Hearing, 30 - 60 days after service of process	1/21/2016 7:28 AM
20	Generally, we move to the next step within 30 days. The exact timeframe varies by District.	1/20/2016 5:04 PM
21	5 to 10 days	1/20/2016 1:24 PM
22	20 days	1/20/2016 9:42 AM
23	1-3 months based on court scheduling	1/20/2016 8:51 AM
24	OCS contacts the party as described in number 7, and then immediately proceeds to file court action. Caseworkers move to the stage of filing swiftly, but many factors can delay getting the pleading to court.	1/20/2016 8:35 AM
25	60 days	1/19/2016 6:28 PM
26	10 days	1/19/2016 12:32 PM
27	Immediately.	1/19/2016 12:20 PM

28	To many questions/vairiables in the question.	1/19/2016 10:45 AM
29	If the NCP does not reach out to request a consent conference, we would wait until the scheduled hearing date.	1/19/2016 9:21 AM
30	10 days	1/19/2016 8:47 AM
31	This may vary from office to office. A defendant cannot be defaulted for at least 21 days after personal service or 28 days if served by mail or outside the state. Steps toward the establishment of a child support order will occur within 90 days.	1/19/2016 7:04 AM
32	minimum of 20 days	1/19/2016 7:02 AM
33	The timeframe could be within 3-10 business days but may be less if a scheduled appointment was missed. In addition, IV-A recipients meeting the criteria for required child support services are advised to contact the IV-D agency and provide information within 10 business days.	1/18/2016 10:27 PM
34	Administrative - the notice requests financial information be to be returned within 20 days of service, however, the program waits to take action until 27 days after service. In judicial actions, hearing is not scheduled before 25 days after successful service of the complaint on the parent.	1/18/2016 10:43 AM
35	30 days.	1/15/2016 7:10 PM
36	Two business days.	1/15/2016 4:42 PM
37	10 days	1/15/2016 3:28 PM
38	10 days	1/15/2016 2:55 PM
39	prior to scheduled appointment or court date	1/15/2016 2:36 PM
40	Varies	1/15/2016 11:23 AM
41	After the initial attempt at service, workers wait 10 days before attempting another form of service.	1/15/2016 7:29 AM
42	Administrative: 35 days after both parties served. Judicial: 21 days after both parties are served.	1/14/2016 7:52 PM
43	Varies by local office and caseload	1/14/2016 5:02 PM
44	We do not specify a timeframe. Staff are provided with federal timeframes	1/14/2016 3:01 PM
45	immediately	1/14/2016 11:49 AM
46	Once DOR takes the step of filing a complaint with the court, DOR must wait 20 days (the time period the parent has to file a responsive pleading) before scheduling a hearing.	1/14/2016 9:50 AM
47	we try to call three times and if no contact we send letter/email the next day	1/13/2016 5:28 PM
48	Depends, 21 days at the most, but if by call or letter sooner	1/12/2016 2:28 PM
49	This is based on County discretion, but the typical range is 7-10 days due to the requirement that service upon an alleged father be made within 90 days of locating him.	1/12/2016 11:55 AM
50	Until after the scheduled paternity testing date	1/12/2016 8:29 AM
51	It varies	1/8/2016 2:48 PM
52	We allow the alleged father 18 calendar days to resond to the notice. This allows a full ten days (as the letter indicates) and allows for weekends, holidays, and mail time. If there is no response to this letter, then we would refer the case to circuit court.	1/5/2016 8:52 AM
53	14-30 days	12/31/2015 9:55 AM

Q9 If a parent has not responded to the initial effort to communicate, the next step is made by:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**11.32%**	6
Email	**0.00%**	0
Phone call	**5.66%**	3
Hand-delivered by sheriff or other process server	**28.30%**	15
Certified mail, return receipt requested	**1.89%**	1
Motion to court for default judgment	**7.55%**	4
Other (please explain)	**45.28%**	24
Total		**53**

#	Other (please explain)	Date
1	Paternity action is filed based on the best information the child support agency has. It may not lead to a default judgment if the party responds to the pleadings.	2/18/2016 7:33 AM
2	d. Hand-delivered by sheriff or other process server e. Certified mail, return receipt requested	2/4/2016 2:11 PM
3	CSRP conferences are regularly rescheduled at the request of any party. If no response is received, it is possible for a non-agreed order to be pursed with notice to any non-agreeing party. If determined to be appropriate, the CSRP process may be terminated and a judicial action may be pursued. As stated in the earlier response, CSRP may not be appropriate for all cases. A judicial action may be immediately pursued for those cases. A party may waive service, may enter a general appearance, or may be personally served when receiving notice of a proceeding.	1/29/2016 10:15 AM

4	There are two (2) case scenarios: When custodial parent receiving state assistance fails to cooperate, IV-D sends a notice, via computer interface, to the IV-A program. Upon receipt of the notice, the IV-A program will sanction the parent for failure to cooperate. If the custodial parent does not receive state assistance, a notice of pending closure is mailed to the custodial parent.	1/28/2016 10:52 AM
5	If the alleged father fails to make contact, the worker may order him to submit to genetic testing or refer the case to the prosecuting attorney to file a judicial action. The administrative order to submit to genetic testing is sent by certified mail, return receipt requested.	1/27/2016 10:30 AM
6	Depends on what the first contact was. Presumably the method of communication will become more formal with each contact. For example, if the first contact was a request for an appointment/conference, it might be made by phone. If the obligor doesn't respond, the next contact could be a request for income information made by regular mail. If the obligor still doesn't respond, the third contact could be service by law enforcement of a summons and complaint.	1/26/2016 11:43 AM
7	The child support agency and the judicial court will proceed to establish paternity and child support by default.	1/25/2016 1:02 PM
8	service by sheriff or certified mail, return receipt requested depending on where the parent lives in relation to the district office working the case.	1/21/2016 1:33 PM
9	If service was personal, we will attempt to proceed in default. If not, we would re-attempt, probably by certified mail if we believed the address was valid.	1/21/2016 7:28 AM
10	Varies, mainly by phone, mail or certified mail.	1/20/2016 5:04 PM
11	file motion/complaint for court	1/20/2016 1:24 PM
12	First time service for a non-custodial parent has to be effected by Service of Process. New addresses are provided to the Services of Process company until service is perfected.	1/20/2016 8:51 AM
13	There is no request for the non custodial parent to communicate initially. The next step is the filing of a court action.	1/20/2016 8:35 AM
14	As a primary Administrative State assuming first action is paternity if the parties does not sign via certified mail, we will refer matter to the court.	1/19/2016 10:45 AM
15	This would depend on the outcome of the hearing.	1/19/2016 9:21 AM
16	Hand-delivered by sheriff or other process server or by certified mail, return receipt requested	1/19/2016 8:47 AM
17	Administrative - the next step is preparation of a proposed order using available income information, which may include imputing income. This may include calling the parent if information is not readily available. The proposed order is sent to both parents with a 20 day response time during which the parent can request an informal discussion or an administrative hearing. In administrative paternity actions, if the putative father fails to appear for genetic testing without good cause, the next step is to start proceedings to suspend the putative father's driver license. In judicial actions the next step is made during the hearing.	1/18/2016 10:43 AM
18	For mandatory TANF and medical cases: Notice of Failure to Cooperate is sent to the Department of Human Services. For Non Assistant cases: Notification of Case Closure initiation is sent to customer.	1/15/2016 7:10 PM
19	Assuming NP has been non-responsive to all efforts to communicate, the LCSA will move forward with the generation of a complaint for support and paternity as appropriate. After the complaint has been filed with the court it will go out with a process server for service upon the NP. A courtesy copy will be mailed to the CP.	1/15/2016 3:28 PM
20	Administrative process: Default order is entered. Judicial Process: if the initial effort to communicate is service of a complaint, the next step is a default order. If the initial effort to communicate is service of a motion, the next step is a hearing with the court.	1/14/2016 7:52 PM
21	Varies by local office, caseload, and details of the case. How valid were the locate sources? We would try contact by all of the above, in varying degrees as needed.	1/14/2016 5:02 PM
22	A parent is not required to file a responsive pleading when DOR files a complaint. The next step is to schedule a hearing on the case. Notice of the hearing goes via regular mail to both parents. That notice includes direction to provide a financial statement and bring other information about income and assets to the court hearing.	1/14/2016 9:50 AM
23	If the alleged father does not respond to the initial notice we send, then we refer the case to the Special Assistant Attorney General (SAAG) for establishment in circuit court. The SAAG will send a summons/complaint to be served upon the alleged father by process server or sheriff.	1/5/2016 8:52 AM
24	A legal complaint is then filed with the court to establish paternity and support. Service of process is then attempted by either the sheriff or process server.	12/31/2015 9:55 AM

Q10 Does your state contact both parents, if needed, to try to obtain information about a parent's income?

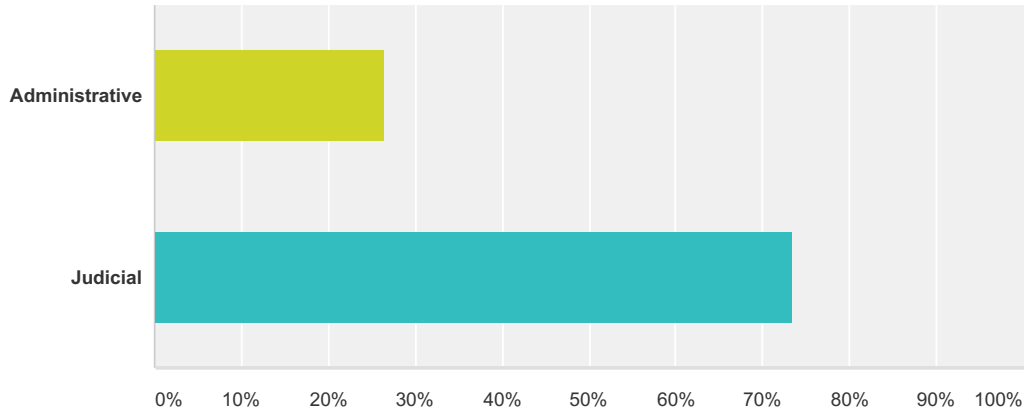
Answered: 52 Skipped: 1

#	Responses	Date
1	Typically not in a paternity action.	2/18/2016 7:33 AM
2	Yes	2/12/2016 10:18 AM
3	Yes.	2/4/2016 2:11 PM
4	Yes	2/1/2016 11:51 AM
5	Yes	1/29/2016 10:15 AM
6	Income information provided by either parent is confirmed through employment verification letter.	1/28/2016 1:09 PM
7	No. An employment verification letter is mailed to the non-custodial parent's employer prior to the court date.	1/28/2016 10:52 AM
8	yes	1/27/2016 2:36 PM
9	yes	1/27/2016 12:26 PM
10	Each parent is asked to provide his/her own income information.	1/27/2016 10:30 AM
11	If needed, yes. Typically we focus primarily on getting the income of the noncustodial parent because the applying income information is provided to our agency in some format by way of application. If the noncustodial parent applies for services, then we would obtain the other parent's income through contact, if necessary. If the applicant is a non-biological custodian, we do what we can to obtain the income of both biological parents.	1/27/2016 7:04 AM
12	Yes.	1/26/2016 11:43 AM
13	Parents required to provide financial affidavits at court hearing	1/25/2016 10:37 PM
14	Yes.	1/25/2016 1:02 PM
15	varies by office	1/25/2016 10:07 AM
16	Yes	1/21/2016 6:23 PM
17	yes	1/21/2016 1:33 PM
18	yes	1/21/2016 8:13 AM
19	Yes	1/21/2016 7:28 AM
20	Yes	1/20/2016 5:04 PM
21	yes	1/20/2016 1:24 PM
22	yes	1/20/2016 8:51 AM
23	Yes.	1/20/2016 8:35 AM
24	Not if the calculation is primary	1/19/2016 6:28 PM
25	yes	1/19/2016 12:32 PM
26	Each parent is to be contacted for their own income.	1/19/2016 12:20 PM
27	Yes	1/19/2016 10:45 AM
28	We would contact both parents to try and get employment information, not necessarily income.	1/19/2016 9:21 AM
29	Yes	1/19/2016 8:47 AM
30	Yes	1/19/2016 7:04 AM
31	yes	1/19/2016 7:02 AM
32	Yes	1/18/2016 10:27 PM

33	Yes - Each parent is contacted to provide their individual income information in both administrative and judicial actions. In administrative proceedings both parents receive a copy of the proposed order detailing the other parent's income and are given the opportunity for a hearing	1/18/2016 10:43 AM
34	Yes	1/15/2016 7:10 PM
35	Yes.	1/15/2016 4:42 PM
36	Yes	1/15/2016 3:28 PM
37	Yes	1/15/2016 2:55 PM
38	yes	1/15/2016 2:36 PM
39	Yes	1/15/2016 11:23 AM
40	Yes	1/15/2016 7:29 AM
41	Each parent is given an opportunity to provide his/her own income information as part of the establishment process in both the administrative and judicial processes.	1/14/2016 7:52 PM
42	Yes	1/14/2016 5:02 PM
43	Yes	1/14/2016 3:01 PM
44	yes	1/14/2016 11:49 AM
45	Yes.	1/14/2016 9:50 AM
46	yes	1/13/2016 5:28 PM
47	Yes, we contact both or try to get info from the employer	1/12/2016 2:28 PM
48	Yes both parents are contacted when necessary.	1/12/2016 11:55 AM
49	Yes	1/12/2016 8:29 AM
50	No Both parents present their income and expense sheet at Court.	1/8/2016 2:48 PM
51	The custodial parent completes a financial statement on their own income. The alleged father would have an opportunity to complete the financial statement pertaining to their own income.	1/5/2016 8:52 AM
52	Yes	12/31/2015 9:55 AM

Q11 Assuming an agreed order establishing a child support obligation (paternity is not at issue), is the order entered by the agency with the force and effect of law (administrative) or established through a stipulation that is submitted and signed by a court (judicial)? For judicial orders, is a hearing required even for agreed orders?

Answered: 49 Skipped: 4



Answer Choices	Responses	
Administrative	**26.53%**	13
Judicial	**73.47%**	36
Total		**49**

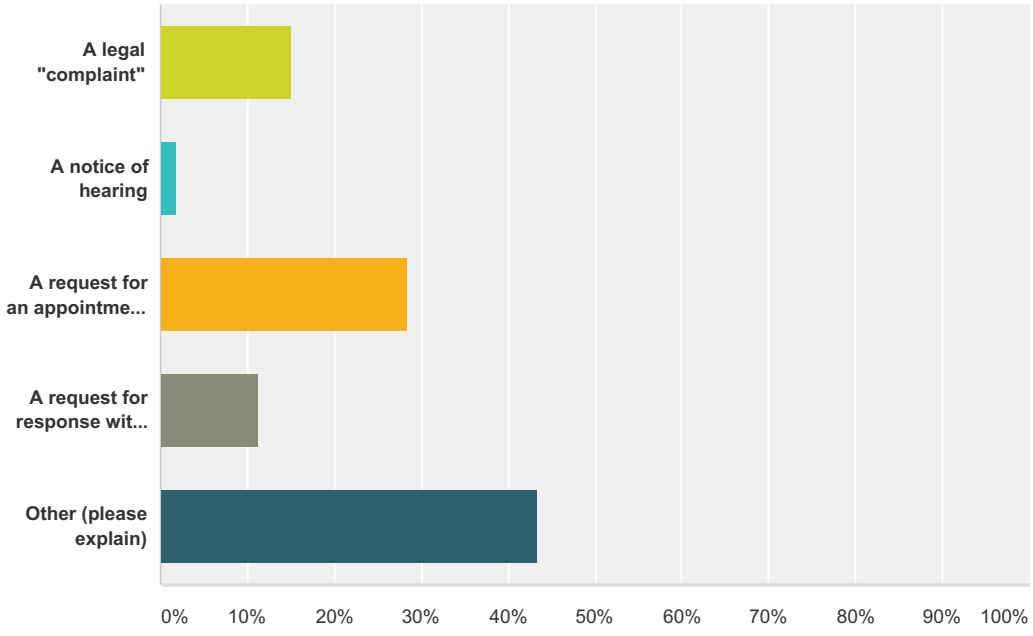
#	For judicial orders, is a hearing required even for agreed orders? Yes/No	Date
1	No hearing necessary for agreed orders	2/18/2016 7:34 AM
2	No	2/12/2016 10:18 AM
3	No	2/4/2016 3:35 PM
4	No	2/1/2016 11:52 AM
5	No, See answer to Establishment Procedures (Paternity and Child Support) above. In Texas, paternity issues and child support issues are handled together and in the same process. When paternity has already been established, the CSRP and judicial processes described above are used to obtain an order in a suit affecting the parent-child relationship which includes the establishment of the child support obligation.	1/29/2016 10:16 AM
6	When a stipulation is used, a hearing is not required	1/28/2016 1:11 PM
7	Yes	1/28/2016 10:52 AM
8	no	1/27/2016 2:37 PM
9	A hearing may be requested, but an order may be signed without the parties being present.	1/27/2016 7:04 AM
10	No.	1/26/2016 11:44 AM
11	Yes	1/25/2016 10:41 PM
12	For both administrative and judicial orders, a hearing is required, even for agreed orders.	1/25/2016 1:11 PM

13	No	1/25/2016 10:11 AM
14	Stipulated ordes still must be signed by the court	1/21/2016 7:09 PM
15	yes	1/21/2016 1:38 PM
16	no	1/21/2016 8:13 AM
17	Yes	1/21/2016 7:31 AM
18	No	1/20/2016 5:08 PM
19	no	1/20/2016 1:25 PM
20	No	1/20/2016 9:45 AM
21	Yes	1/20/2016 8:51 AM
22	No.	1/20/2016 8:38 AM
23	No.	1/19/2016 12:27 PM
24	No	1/19/2016 10:47 AM
25	No	1/19/2016 9:35 AM
26	No	1/19/2016 8:48 AM
27	No	1/19/2016 7:05 AM
28	no	1/19/2016 7:03 AM
29	No	1/18/2016 10:29 PM
30	Admin – entered by agency; judicial – hearing not required	1/18/2016 10:49 AM
31	Maybe	1/15/2016 7:12 PM
32	We'd like to mark both admin and judicial. Child support orders can be established administratively or judicially in Oregon. Our IV-D program uses an administrative process. Orders are issued and finalized by the agency under ORS 416.415 and agency “consent order” processes and entered in court pursuant to ORS 416.440. The order is entered by the court clerk without the need for any judicial action. Once entered in the court registry, the order has the full force, effect and attributes of a circuit court judgment. As a general rule, a stipulated judicial order establishing a child support order does not require a hearing.	1/15/2016 4:44 PM
33	No	1/15/2016 3:29 PM
34	no	1/15/2016 2:36 PM
35	An agreed order can be established through the administrative process, and will have the force and effect of law, without being signed by a court. For judicial orders, a hearing is not required for agreed orders, but the parties are required to submit financial documentation for the court to review appropriateness and application of the guidelines statute.	1/15/2016 11:24 AM
36	No. Utah has both administrative and judicial.	1/14/2016 7:56 PM
37	No, both parties have a right to request a hearing	1/14/2016 5:05 PM
38	No	1/14/2016 11:49 AM
39	If the parties agree to an order, a stipulation between parties is submitted to the court and the court may then enter an order in accordance with the stipulation. In IV-D cases a hearing is scheduled, the parties appear in court, but the court may not require an actual hearing.	1/14/2016 9:50 AM
40	no	1/13/2016 5:29 PM
41	Some courts do and others do not, it is not consistant in Kansas	1/12/2016 2:31 PM
42	In Minnesota’s Expedited Process, an agreed order is prepared and signed by the parties then filed with the court for the review and signature of a child support magistrate who may sign the order without hearing if it is supported by law and it is reasonable and fair. R. Family Court Procedure section 362	1/12/2016 11:58 AM
43	yes	1/12/2016 8:30 AM
44	No	1/8/2016 2:51 PM

45	All orders (regardless of the method obtained) are signed by a Circuit Court Judge before they are valid. In this instance, the parties may stipulate to support as long as it is at or above established guidelines. Upon the parties signatures, the stipulation is sent to the Judge for their signature under the "order" portion of the agreement. There is not a hearing scheduled in this type of scenario.	1/5/2016 8:59 AM
46	No	12/31/2015 9:55 AM

Q12 When attempting to establish a child support obligation, is the first contact with a parent:

Answered: 53 Skipped: 0



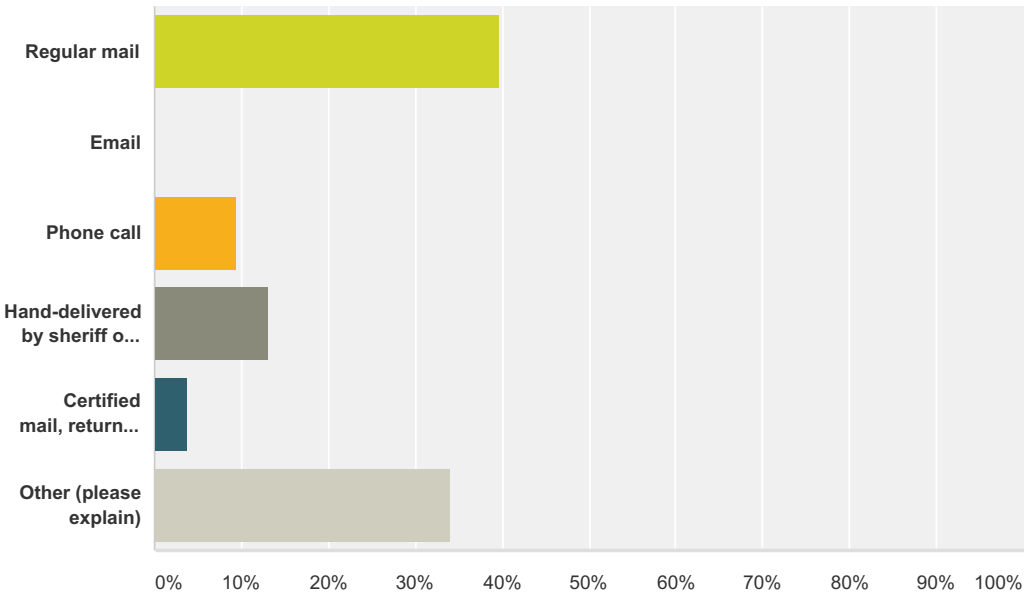
Answer Choices	Responses	
A legal "complaint"	**15.09%**	8
A notice of hearing	**1.89%**	1
A request for an appointment or conference with the child support program	**28.30%**	15
A request for response with income information, or	**11.32%**	6
Other (please explain)	**43.40%**	23
Total		**53**

#	Other (please explain)	Date
1	Phone call	2/18/2016 7:34 AM
2	The first contact is generally with the custodial parent or the parent that has applied for or is referred for Title IV-D services. Information about the child and the other parent is requested. Once sufficient information is received, cases are scheduled for a CSRP negotiation conference, which is the quasi-administrative process discussed above. The first contact with the non-custodial parent is typically a notice to appear for a CSRP negotiation conference. Other cases, such as those where a parent/party has alleged family violence, are referred for judicial action which entitles the parties to legal notice of the lawsuit. In those cases often the first contact with the non-custodial parent is when he/she is personally served with legal notice of the suit.	1/29/2016 10:16 AM
3	The first contact with an obligor is through a legal complaint. The first contact with an obligee may be through notice of a hearing, or a request for an appointment or conference with the child support program. Alternatively, the obligee may reach out to the Child Support Services Division for assistance.	1/28/2016 10:52 AM

4	Could be a, c, or d. The first contact will depend on case specifics and the strategy chosen by the regional IV D attorney. For example, if the alleged father is known from past experience to be uncooperative, the IV D attorney will be more likely to initiate legal action through service of a summons and complaint (option a) than to reach out to the alleged father to request an appointment/conference or income information (option c or d).	1/26/2016 11:44 AM
5	Referral from temporary assistance or Medicaid or an application for child support services is received.	1/25/2016 10:41 PM
6	A notice is sent to the aprent informing him/her: (i) that a petition for establishment of child support has been submitted regarding him/her; (ii) that he/she has the right to either object the petition or request a conference with the child support program within a term of 20 days (if living in Puerto Rico) or 30 days (if living outside Puerto Rico); (iii) that if the parent takes no either action, child support will be established by default. In a judicial proceeding, the first contact with a parent is a legal complaint. (As to question #11 above- the survey would not let us choose both alternatives (Administrative/Judicial) simultaneously, which would be the correct answer for Puerto Rico. As stated before, for both administrative and judicial orders a hering is required, even for agreed orders).	1/25/2016 1:11 PM
7	either a request for an appointment or a request for response with income information depending on where the parent lives in relation to the district office working the case	1/21/2016 1:38 PM
8	Could be any of the above, depending on the circumstances.	1/20/2016 5:08 PM
9	A letter is initially sent.	1/20/2016 8:38 AM
10	Could be certified or regular mail.	1/19/2016 10:47 AM
11	We send a complaint, notice of hearing and request for consent conference.	1/19/2016 9:35 AM
12	Varies between local offices. Some offices will have a conference with the parents as the first step. Others will send a request for response with income information.	1/19/2016 7:05 AM
13	Admin - first contact is with the notice of the commencement of the administrative establishment action along with a financial affidavit to be returned by the parent. In judicial actions a legal complaint is served on the parent along with a financial affidavit to be returned by the parent.	1/18/2016 10:49 AM
14	A mail-out interview packet is sent to the custodial parent/caretaker, which is to be returned within 30 days from the date of the packet.	1/15/2016 7:12 PM
15	California’s local child support agencies (LCSAs) employ Early Intervention (EI) during the establishment process. After a case is open, a noncustodial parent would receive a packet notifying them that a case had been opened and that packet would include forms with a request that the NP complete and return them to the LCSA (all sent if NP has an address on file). The LCSA would also reach out to the custodial party pursuant to CCR§112140 within 10 days of case opening. Participant interaction could occur via phone, email, or postal mail depending on the locate information available.	1/15/2016 3:29 PM
16	CSED caseworkers have the discretion to contact the parents informally (regular mail), with a request that financial information be voluntarily provided within 10 days. Otherwise, given the federal establishment time frames, caseworkers may immediately proceed with issuing a Notice and Order Concerning Support. This Notice (certified mail, return receipt requested) will formally direct the parents to provide their financial information.	1/15/2016 2:57 PM
17	Generally, a parent is required to first be served with a notice of financial responsibility and summons to appear for a conference at the child support office. However, the best practice is for early intervention measures, where the parent would be contacted by phone and asked to come into the office to sign a waiver of service and participate voluntarily in the child support process.	1/15/2016 11:24 AM
18	Notice of support debt is served on the payor. This packet includes a request for financial information.	1/15/2016 7:30 AM
19	It is a legal complaint (A) which includes forms to respond with additional/different income information.	1/14/2016 7:56 PM
20	Process is the same as outlined in #6.	1/14/2016 9:50 AM
21	Combination, legal complaint, request fro appointment, call or request for income info	1/12/2016 2:31 PM
22	The first contact with the noncustodial parent is via a Notice of Support Debt (NSD). The parent has 10 days (we allow 18 for mailing, weekends and holidays) to respond and provide financial information. If there are no objections, the entire process is handled by the Division of Child Support. The information is then forwarded to the courts for a Judges signature, making it an order.	1/5/2016 8:59 AM
23	Practice varies among each of the 92 counties across the state. It could be any of the above.	12/31/2015 9:55 AM

Q13 When the child support agency first contacts a parent whose income information is needed to establish a child support obligation (paternity is not at issue), describe the initial attempted method of communication:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**39.62%**	21
Email	**0.00%**	0
Phone call	**9.43%**	5
Hand-delivered by sheriff or other process server	**13.21%**	7
Certified mail, return receipt requested	**3.77%**	2
Other (please explain)	**33.96%**	18
Total		**53**

#	Other (please explain)	Date
1	Information is received as part of the application or referral process. If additional information is needed, information gathering forms are sent to the CP or the applicant by regular mail. Once sufficient information is received, cases are scheduled for a CSRP conference, which is the quasi-administrative process discussed above. Other cases, such as those where a parent/party has alleged family violence, are referred for judicial action which entitles the parties to notice.	1/29/2016 10:16 AM
2	Depending on the county they may be initiated by a compliant with sheriff's service or by mail for an appointment as local court rules control the process	1/27/2016 12:29 PM
3	Depends on what the first contact is. For example, if the first contact is by summons and complaint, personal service must be made according to Rule 4 of the North Dakota Rules of Civil Procedure. If the first contact is a request for an appointment/conference, it would likely be made by regular mail or possibly even by phone.	1/26/2016 11:44 AM

4	The agency first attempts to notify by certified mail, return receipt requested. If that is unsuccessful, the agency may choose between hand-delivering the notice, or make a public notice through a newspaper of general circulation.	1/25/2016 1:11 PM
5	varies by office. typically regular mail.	1/25/2016 10:11 AM
6	Could be any of (a) through (d).	1/20/2016 5:08 PM
7	Both regular mail and certified mail	1/20/2016 9:45 AM
8	Could be certified or regular mail.	1/19/2016 10:47 AM
9	We send these by regular and certified mail.	1/19/2016 9:35 AM
10	In administrative actions, first contact is via certified mail, restricted delivery. If this is unsuccessful, contact is via personal service by sheriff or private process service. In judicial actions contact is via personal service by sheriff or private process service.	1/18/2016 10:49 AM
11	Per above, if mailing address exists for NP a case opening packet is sent which includes an Income and Expense declaration. A caseworker would call NP if no address available. CP's case would have been opened via welfare referral or application and income information should be available in either. The LCSA would follow-up with a call to CP.	1/15/2016 3:29 PM
12	See response to Question #12.	1/15/2016 2:57 PM
13	Regular mail or phone call to meet our same day service criteria	1/15/2016 2:36 PM
14	Generally, the first contact is by service of a notice to appear and provide financial documentation, which is perfected either by hand-delivered process server or certified mail. However, the best practice is for early intervention measures, where the parent would be contacted by phone and asked to come into the office for the conference.	1/15/2016 11:24 AM
15	Administrative process is E. Judicial process is D.	1/14/2016 7:56 PM
16	Varies by office and caseload. The expectation is that we should attempt using all available methods.	1/14/2016 5:05 PM
17	Process is the same as outlined in #7.	1/14/2016 9:50 AM
18	Depends, may be call, regular mail or hand delivered	1/12/2016 2:31 PM

Q14 How long after the initial effort to communicate in Question 13 does your agency wait before taking the next step?

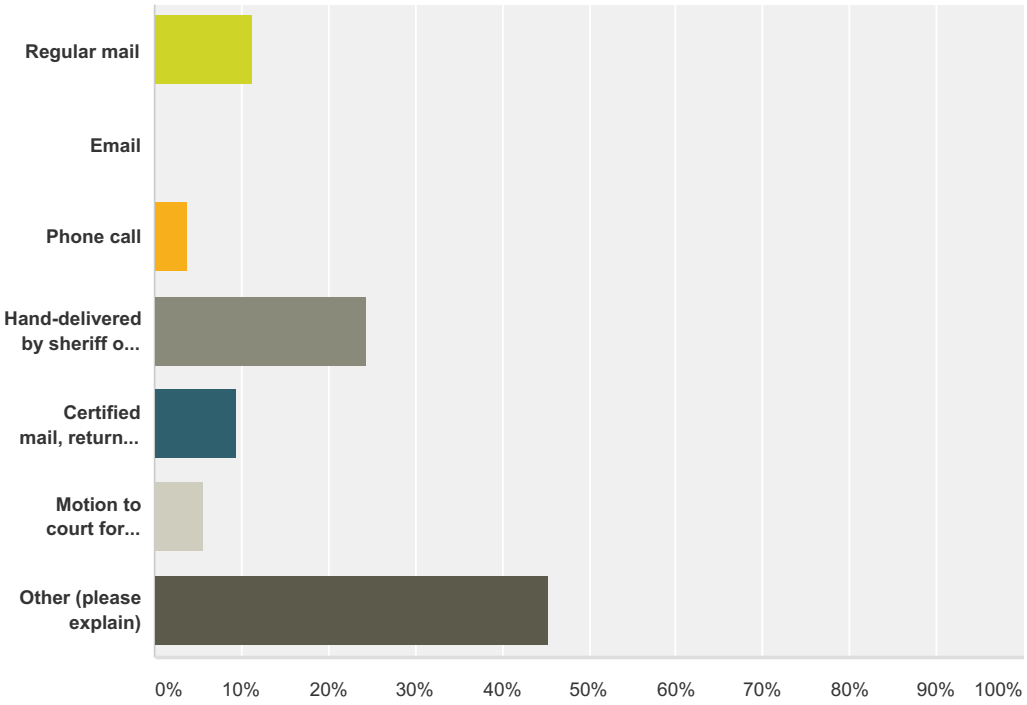
Answered: 53 Skipped: 0

#	Responses	Date
1	Typically, 30 days. Please note that practices may vary between counties.	2/18/2016 7:34 AM
2	10 days	2/12/2016 10:18 AM
3	The case is usually referred to court within 2 weeks of sending the initial letter to the absent parent.	2/4/2016 3:35 PM
4	A hearing is generally set 60-90 days from the date the paperwork is prepared. The parents are generally served at least 30 days prior to the hearing. If the parent fails to appear at the first hearing, staff may attempt contact with the parent, but a default order is generally entered that day if the parent cannot be contacted. If contact is made on the court date, the parent may be given a continuance of the court date in order to have the opportunity to appear.	2/1/2016 11:52 AM
5	In Texas, the IV-D agency notifies parties of CSRP negotiation conference not later than the 10th day before the date of the conference. If a CSRP negotiation conference is rescheduled, notice is sent to the parties not later than the 3rd day before the date of the rescheduled conference. For judicial actions, unless waived by the parties, a final hearing will not occur unless the parties' answer times have passed under state law.	1/29/2016 10:16 AM
6	14 -30 days	1/28/2016 1:11 PM
7	We wait 5 to 10 business days before taking the next step.	1/28/2016 10:52 AM
8	? The next step would be to check the status of service. Staff usually wait 30 days before they check the status of service.	1/27/2016 2:37 PM
9	30 days	1/27/2016 12:29 PM
10	15 days Staff should be gathering other income information while waiting for a response from the parties.	1/27/2016 10:31 AM
11	Approx. 30 days	1/27/2016 7:04 AM
12	Again, depends on what the first contact is. For example, if the first contact is by summons and complaint, the obligor has 21 days from date of service to file an answer or risk being held in default.	1/26/2016 11:44 AM
13	If ncp doesn't appear, new court date scheduled and personal service ordered.	1/25/2016 10:41 PM
14	At least 20 days (if parent lives in PR); or 30 days (if parent lives outside PR).	1/25/2016 1:11 PM
15	Varies by office.	1/25/2016 10:11 AM
16	2 weeks	1/21/2016 7:09 PM
17	at least two weeks	1/21/2016 1:38 PM
18	Immediately upon failure to appear for the appointment.	1/21/2016 8:13 AM
19	Hearing scheduled 30 - 60 days after service	1/21/2016 7:31 AM
20	2 weeks - 1 month.	1/20/2016 5:08 PM
21	5 -10 days	1/20/2016 1:25 PM
22	20 days	1/20/2016 9:45 AM
23	1-3 months depending on court scheduling	1/20/2016 8:51 AM
24	There is no waiting period. The caseworker prepares the pleading to get the case filed.	1/20/2016 8:38 AM
25	25 days	1/19/2016 6:30 PM
26	10 days	1/19/2016 12:33 PM
27	Immediately	1/19/2016 12:27 PM
28	30-45 days	1/19/2016 10:47 AM

29	If we do not hear from the NCP regarding a consent conference, we wait until the scheduled court date.	1/19/2016 9:35 AM
30	10 days	1/19/2016 8:48 AM
31	This may vary from office to office. Generally, at least 21 days.	1/19/2016 7:05 AM
32	minimum 20 days	1/19/2016 7:03 AM
33	The timeframe could be within 3-10 business days but may be less if a scheduled appointment was missed. In addition, IV-A recipients meeting the criteria for required child support services are advised to contact the IV-D agency and provide information within 10 business days.	1/18/2016 10:29 PM
34	Admin - the notice requests financial info be returned w/ 20 days of service, however, we wait 27 days after service. In judicial actions, hearing is not scheduled before 25 days after successful service of the complaint on the parent	1/18/2016 10:49 AM
35	30 days	1/15/2016 7:12 PM
36	Two business days	1/15/2016 4:44 PM
37	10 days	1/15/2016 3:29 PM
38	10 days when attempting to pursue informal efforts. 20 days upon service of the notice.	1/15/2016 2:57 PM
39	prior to hearng or scheduled office appointment	1/15/2016 2:36 PM
40	Varies	1/15/2016 11:24 AM
41	After the initial attempt at service, workers wait 10 days before attempting another form of service.	1/15/2016 7:30 AM
42	Administrative: 35 days after both parties served. Judicial: 21 days after both parties are served.	1/14/2016 7:56 PM
43	Varies by office, caseload, and facts of the case	1/14/2016 5:05 PM
44	We do not specify a timeframe. Staff are provided with federal timeframes	1/14/2016 3:15 PM
45	immediately	1/14/2016 11:49 AM
46	Process is the same as outlined in #8.	1/14/2016 9:50 AM
47	we try to call 3 times and if no answer we send letter/email the next day	1/13/2016 5:29 PM
48	21 days at the most or sooner if call or regular mail	1/12/2016 2:31 PM
49	Parents are generally give about 2 weeks to respond.	1/12/2016 11:58 AM
50	After hearing date.	1/12/2016 8:30 AM
51	If the person does not appear at Court in response to a letter, they are then served by constable within a few weeks thereafter,	1/8/2016 2:51 PM
52	The parent has 10 days to respond to our notice. We allow 18 days for mailing time, weekends and holidays. If no response after 18 days, we will proceed with a default order based upon the information contained in the Notice of Support Debt	1/5/2016 8:59 AM
53	14-30 days depending on the circumstances	12/31/2015 9:55 AM

Q15 If a parent has not responded to the initial effort to communicate, the next step is made by:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**11.32%**	6
Email	**0.00%**	0
Phone call	**3.77%**	2
Hand-delivered by sheriff or other process server	**24.53%**	13
Certified mail, return receipt requested	**9.43%**	5
Motion to court for default judgment	**5.66%**	3
Other (please explain)	**45.28%**	24
Total		**53**

#	Other (please explain)	Date
1	Motion to court to set order based on information obtained elsewhere.	2/18/2016 7:34 AM
2	d. Hand-delivered by sheriff or other process server e. Certified mail, return receipt requested	2/4/2016 3:35 PM
3	CSRP conferences are regularly rescheduled at the request of any party. If no response is received, it is possible for a non-agreed order to be pursed with notice to any non-agreeing party. If determined to be appropriate, the CSRP process may be terminated and a judicial action may be pursued. As stated in the earlier response, CSRP may not be appropriate for all cases. A judicial action may be immediately pursued for those cases. A party may waive service, may enter a general appearance, or may be personally served when receiving notice of a proceeding.	1/29/2016 10:16 AM

4	Depends on what the first contact was. Presumably the method of communication will become more formal with each contact. For example, if the first contact was a request for an appointment/conference, it might be made by phone. If the obligor doesn't respond, the next contact could be a request for income information made by regular mail. If the obligor still doesn't respond, the third contact could be service by law enforcement of a summons and complaint.	1/26/2016 11:44 AM
5	The child support agency and the judicial court will proceed to establish child support by default.	1/25/2016 1:11 PM
6	service by sheriff or by certified mail, return receipt requested depending on where the parent lives in relation to the district office working the case	1/21/2016 1:38 PM
7	If service was personal, we would likely proceed in default. If not, we would re-attempt service, probably by certified mail if we believed the address was valid.	1/21/2016 7:31 AM
8	Generally, by phone, email or hand-delivered	1/20/2016 5:08 PM
9	Court action	1/20/2016 1:25 PM
10	first time service for the non-custodial parent must be by service of process. For custodial parents it is regular mail.	1/20/2016 8:51 AM
11	There is no request to communicate.	1/20/2016 8:38 AM
12	If served, we could impute or reschedule, if not, the matter can be referred to the court.	1/19/2016 10:47 AM
13	This depends on the outcome of the hearing.	1/19/2016 9:35 AM
14	Service of process by hand-delivered by sheriff or other process server or by certified mail, return receipt requested.	1/19/2016 8:48 AM
15	This varies. Some offices will send a second request. Other offices may rely on an employer disclosure. Offices may not send a second request if quarterly wage info is available through the Federal Case Registry or if income info is available.	1/19/2016 7:05 AM
16	Admin - next step is preparation of a proposed order using available income information, which may include imputing income. Parents may be contacted by phone for info. The proposed order is sent to both parents with a 20 day response time during which the parent can request an informal discussion or an administrative hearing. In judicial actions the next step is made during the hearing.	1/18/2016 10:49 AM
17	For mandatory TANF and medical cases: Notice of Failure to Cooperate is sent to the Department of Human Services. For Non Assistant cases: Notification of Case Closure initiation is sent to customer.	1/15/2016 7:12 PM
18	Assuming NP has been non-responsive to all efforts to communicate, the LCSA will move forward with the generation of a complaint for support and paternity as appropriate. After the complaint has been filed with the court it will go out with a process server for service upon the NP. A courtesy copy will be mailed to the CP.	1/15/2016 3:29 PM
19	Administrative process: Default order is entered. Judicial Process: if the initial effort to communicate is service of a complaint, the next step is a default order. If the initial effort to communicate is service of a motion, the next step is a hearing with the court.	1/14/2016 7:56 PM
20	Varies by office & caseload. We would use all methods available, escalating to certified mail and process server if necessary.	1/14/2016 5:05 PM
21	Process is the same as outlined in #9.	1/14/2016 9:50 AM
22	Regular mail and phone call.	1/12/2016 11:58 AM
23	If they fail to respond, after receipt of the certified NSD, then we proceed with a default Order. If the NSD was not successfully served, we will attempt to have the NSD served by Sheriff or other process server.	1/5/2016 8:59 AM
24	A legal complaint is then filed with the court to establish a support obligation. Service of process is then attempted by either the sheriff or process server.	12/31/2015 9:55 AM

Q16 Does your state contact both parents, if needed, to try to obtain information about a parent's income?

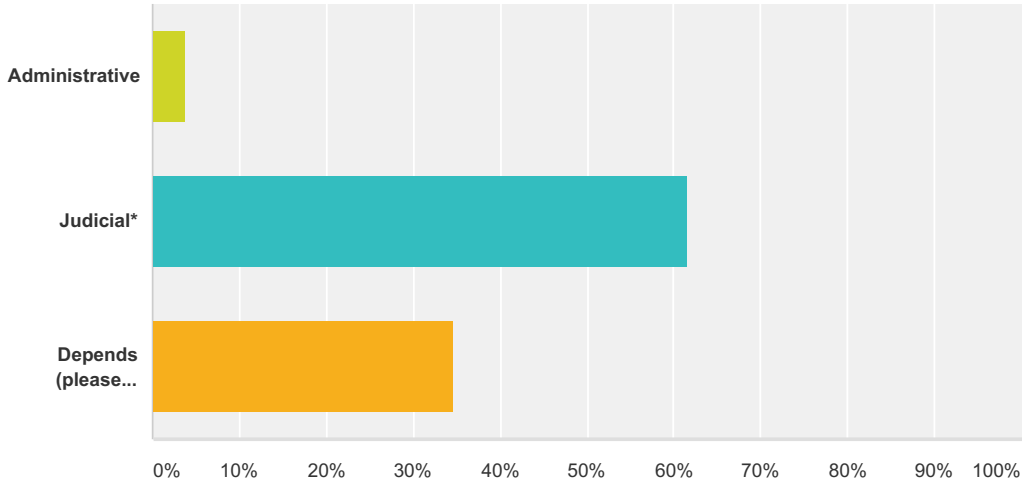
Answered: 53 Skipped: 0

#	Responses	Date
1	We typically need both parent's income in case there is an order for shared placement as that calculation requires consideration of both parent's incomes.	2/18/2016 7:34 AM
2	Yes	2/12/2016 10:18 AM
3	Yes	2/4/2016 3:35 PM
4	Yes	2/1/2016 11:52 AM
5	Yes	1/29/2016 10:16 AM
6	Income information provided by either parent is confirmed through employment verification letter.	1/28/2016 1:11 PM
7	No. An employment verification letter is mailed to the non-custodial parent's employer prior to the court date.	1/28/2016 10:52 AM
8	yes	1/27/2016 2:37 PM
9	yes	1/27/2016 12:29 PM
10	Each parent is contacted to provide his/her own income information.	1/27/2016 10:31 AM
11	If needed, yes. Typically we focus primarily on getting the income of the noncustodial parent because the applying income information is provided to our agency in some format by way of application. If the noncustodial parent applies for services, then we would obtain the other parent's income through contact, if necessary. If the applicant is a non-biological parent, we do what we can to obtain the income of both biological parents.	1/27/2016 7:04 AM
12	Yes.	1/26/2016 11:44 AM
13	Parents are required to provide financial affidavits in the court hearing.	1/25/2016 10:41 PM
14	Yes.	1/25/2016 1:11 PM
15	Varies by office. Most prefer to rely on information from employer or work force agency.	1/25/2016 10:11 AM
16	Yes	1/21/2016 7:09 PM
17	yes	1/21/2016 1:38 PM
18	yes	1/21/2016 8:13 AM
19	Yes	1/21/2016 7:31 AM
20	Yes	1/20/2016 5:08 PM
21	yes	1/20/2016 1:25 PM
22	yes	1/20/2016 9:45 AM
23	Yes-questionairs are sent to both for income data	1/20/2016 8:51 AM
24	Yes.	1/20/2016 8:38 AM
25	not if the calculation is for primary custody	1/19/2016 6:30 PM
26	yes, except if a parent is receiving TANF	1/19/2016 12:33 PM
27	Each parent is contacted for their incomes.	1/19/2016 12:27 PM
28	yes	1/19/2016 10:47 AM
29	We would contact both parents to try and get employment information, not necessarily income.	1/19/2016 9:35 AM
30	Yes	1/19/2016 8:48 AM
31	Yes	1/19/2016 7:05 AM

32	yes	1/19/2016 7:03 AM
33	Yes	1/18/2016 10:29 PM
34	Each parent is contacted to provide their individual income information in both administrative and judicial actions	1/18/2016 10:49 AM
35	Yes	1/15/2016 7:12 PM
36	Yes.	1/15/2016 4:44 PM
37	Yes	1/15/2016 3:29 PM
38	Yes.	1/15/2016 2:57 PM
39	yes	1/15/2016 2:36 PM
40	Yes	1/15/2016 11:24 AM
41	Yes	1/15/2016 7:30 AM
42	Each parent is given an opportunity to provide his/her own income information as part of the establishment process in both the administrative and judicial processes.	1/14/2016 7:56 PM
43	Yes	1/14/2016 5:05 PM
44	Yes	1/14/2016 3:15 PM
45	Yes	1/14/2016 11:49 AM
46	Yes.	1/14/2016 9:50 AM
47	yes	1/13/2016 5:29 PM
48	Yes we contact both parents and employers	1/12/2016 2:31 PM
49	Yes both parents are contacted if necessary	1/12/2016 11:58 AM
50	yes	1/12/2016 8:30 AM
51	No, the income and expense sheet is presented at Court.	1/8/2016 2:51 PM
52	The custodial parent completes a financial statement on their own income. The noncustodial parent would have an opportunity to complete the financial statement pertaining to their own income. In situations where the custodial parent has verified wage information on the other party, we would encourage them to share that information.	1/5/2016 8:59 AM
53	Yes	12/31/2015 9:55 AM

Q17 Assuming an agreed order modifying a child support obligation, is the order entered by the agency with the force and effect of law (administrative), established through a stipulation that is submitted and signed by a court (judicial), or depend on the type of order (administrative or judicial) in which the original obligation was established? For judicial orders, is a hearing required even for agreed orders?

Answered: 52 Skipped: 1



Answer Choices	Responses	
Administrative	3.85%	2
Judicial*	61.54%	32
Depends (please explain**)	34.62%	18
Total		52

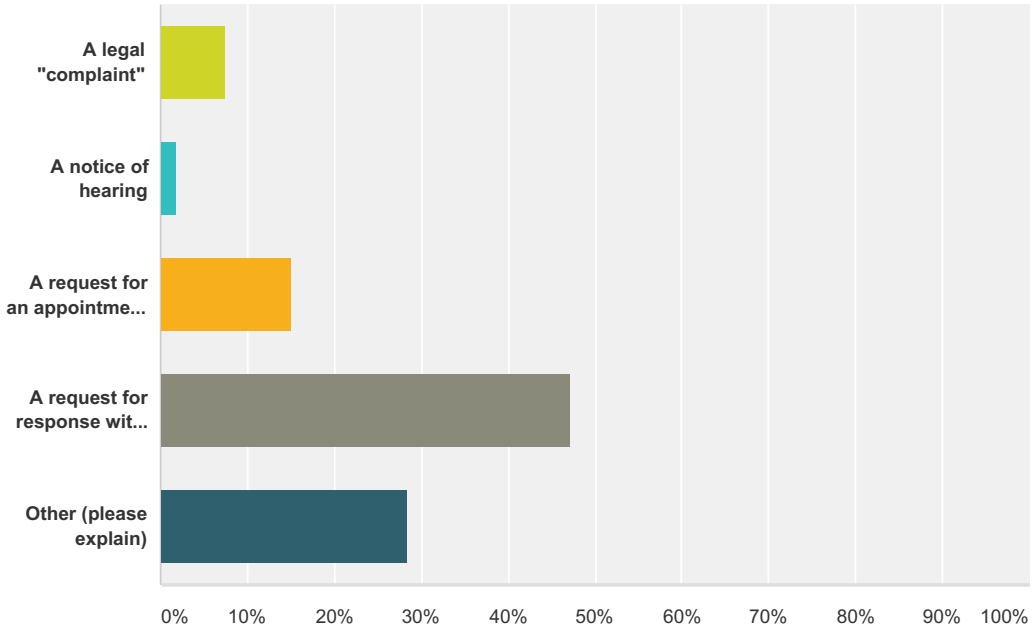
#	*For judicial orders, is a hearing required even for agreed orders? Yes/No**If answer is "depends" please explain.	Date
1	No hearing required if both parties agree.	2/18/2016 7:36 AM
2	No.	2/12/2016 10:18 AM
3	No, in many cases agreement documentation can be submitted to the court.	2/4/2016 3:36 PM
4	No, Texas does not have a pure administrative process for any family law remedy (See previous answers.) In modifications we generally follow the same processes as used in establishment cases as described above. We first attempt an agreed/non-agreed CSRP order (quasi-administrative) and if CSRP is unsuccessful, we then route through our judicial process. Both CSRP and agreed judicial modifications require a judge's signature. Most judges will approve an agreed modification without a hearing and Texas law does not provide for a hearing in agreed CSRP modifications.	1/29/2016 10:17 AM
5	We have a judicial process. A hearing is not required when a stipulation is used.	1/28/2016 1:14 PM

6	Yes.	1/28/2016 10:52 AM
7	No	1/27/2016 2:41 PM
8	yes	1/27/2016 12:31 PM
9	Administrative orders are modified using administrative process. A quasi–administrative/judicial process is used to modify judicial orders. IV-D workers complete a motion to modify and serve it on the parties. The parties may consent, default or request a hearing. A proposed order is issued by the IV-D worker or a hearing officer (if the case went to hearing. The proposed order is then sent to the attorney general staff to file with the court and obtain approval of the proposed order modifying the judicial order. Whether or not a hearing is held on agreed orders or a default order depends on the county where it is filed.	1/27/2016 10:49 AM
10	If the underlying order is administrative, or if the judicial order has not incorporated the administrative order (only references it), we hold an administrative hearing for a modification. If the order in effect is judicial, a modification hearing may be requested by a Commissioner, however, an agreed order may be signed without the parties being present.	1/27/2016 7:05 AM
11	No.	1/26/2016 11:45 AM
12	Yes. It is established through a stipulation that is submitted and signed by a court.	1/25/2016 10:47 PM
13	In Puerto Rico, both the administrative and the judicial forum have jurisdiction to modify a child support obligation, regardless of the forum in which the original obligation was established. In both administrative and judicial forums, a hearing is held even for agreed orders.	1/25/2016 1:48 PM
14	Not required but some offices take all stips to court.	1/25/2016 10:13 AM
15	Stipulated orders requires signature by the court.	1/21/2016 7:09 PM
16	yes	1/21/2016 1:43 PM
17	no	1/21/2016 8:13 AM
18	No hearing required for agreed orders.	1/20/2016 5:11 PM
19	no	1/20/2016 1:26 PM
20	In all orders where paternity is not an issue, the parties can agree outside of court on child support and medical coverage. The agreement can be notarized by the parties or drafted by attorneys. All agreements outside of the court still need to be signed off on and deemed an official order by the court. This can be done without a hearing.	1/20/2016 9:02 AM
21	No.	1/20/2016 8:43 AM
22	If it's a court order and it's being modified the parties can contest the calculations and there would be a hearing.	1/19/2016 6:33 PM
23	No.	1/19/2016 12:28 PM
24	Agreed Orders DO NOT exist at the Administrative Level in Ohio. All Agreed Orders are filed with the court and may not require a hearing.	1/19/2016 10:51 AM
25	No	1/19/2016 9:52 AM
26	All agreed orders can be established by stipulation agreements and waivers or by signed agreed orders. All agreed orders modifying a child support obligation are submitted to a judicial court judge to be signed. In most instances, agreed orders do not require hearings for their approval. Signed agreed orders are normally sent to the judge without hearing.	1/19/2016 8:50 AM
27	No hearing is required for agreed orders.	1/19/2016 7:07 AM
28	Administrative support orders are modified through an administrative process and court orders are modified in court. No hearing is needed for agreed orders in either process.	1/19/2016 7:06 AM
29	No	1/18/2016 10:32 PM
30	Admin – entered by agency; judicial – hearing not required	1/18/2016 10:52 AM
31	Agreed orders are done judicially. A hearing may be required by the Court.	1/15/2016 7:13 PM
32	The IV-D agency can modify a child support order administratively regardless of whether the original order was administrative or judicial. Orders are issued and finalized by the agency under ORS 416.425 and agency consent processes and entered in court pursuant to ORS 416.440. The order is entered by the court clerk without the need for any judicial action. Once entered in the court registry, the order has the full force, effect and attributes of a circuit court judgment.	1/15/2016 4:46 PM

33	Where the parties agree or stipulate to an amount of prospective current support, the stipulation would not require hearing but would be sent to court for filing. If the parties wished to stipulate as to arrears, that would require a court hearing. In re Marriage of Sabine & Toshio M. (2007) 153Cal.App.4th 1203, 1212	1/15/2016 3:33 PM
34	CSED may modify administrative court orders administratively. However, modification of District Court orders must be approved by the original venue, however. This is done through stipulation.	1/15/2016 2:58 PM
35	Depends on whether the initial order was judicial or administrative	1/15/2016 2:40 PM
36	If the initial order was entered administratively, and no other court action has been taken, then an agreed modification order will be entered administratively, which has the force and effect of law without the signature of the court. If an order was previously established judicially, or modified judicially, then an agreed modification order must be reviewed by the court. A hearing is not required, but the court is required to review the guidelines to determine appropriateness.	1/15/2016 11:26 AM
37	Iowa CSRU seeks administrative (actually quasi-judicial since a judge must sign an approval order approving the administrative order) and judicial orders. A hearing is only held if a case party requests it. Hearings are not required on administrative or judicial orders. Note: This is out answer for questions #5, #11, and #17.	1/15/2016 7:32 AM
38	Agreed administrative orders (stipulations) may enter, and they have force and effect of law. Agreed judicial stipulations are valid when the court enters (signs) an order based upon the stipulation. Judicially, a hearing is not required if the parties submit the stipulated order to the court.	1/14/2016 7:58 PM
39	Arizona will always attempt a stipulation if possible. Once the legal documents are drafted the parties and our attorneys sign off and then it is filed with the court. Stipulations are orders filed with the court.	1/14/2016 5:26 PM
40	Depends on the type of order in which the original obligation was established. No	1/14/2016 3:18 PM
41	*For judicial agreed orders, no hearing is required. **Both have full force and effect. Based on the facts, decision is made whether or not to go forward administratively or judicially.	1/14/2016 11:54 AM
42	If the parties agree to an order, a stipulation between parties is submitted to the court and the court may then enter an order in accordance with the stipulation. In IV-D cases a hearing is scheduled, the parties appear in court, but the court may not require that the parties actually appear before the judge.	1/14/2016 9:51 AM
43	Idaho is judicial orders only and a hearing is not required if the parents stipulate	1/13/2016 5:29 PM
44	WV is primarily a judicial state but does have a quasi-administrative modification process available (it is not used much). Modification can be done through stipulation and signed by the court without hearing.	1/12/2016 3:13 PM
45	Judicial and for some counties, they want a hearing even if it is agreed. Some are fine with just presenting the order, but it depends on the judge, hearing officer, or District Court.	1/12/2016 2:37 PM
46	In Minnesota's Expedited Process, an agreed order is prepared and signed by the parties then filed with the court for the review and signature of a child support magistrate who may sign the order without hearing if it is supported by law and it is reasonable and fair. R. Family Court Procedure section 362	1/12/2016 11:58 AM
47	No	1/8/2016 2:54 PM
48	All orders (regardless of the method obtained) are signed by a Circuit Court Judge before they are valid. In this instance, the parties may stipulate to the modification of the obligations, provided the obligation meets or exceeds the established guidelines. Upon the parties signatures, the stipulation is sent to the Judge for their signature under the "order" portion of the agreement. There is no hearing scheduled in this scenario.	1/5/2016 9:04 AM
49	No	12/31/2015 9:57 AM

Q18 When attempting to modify a child support obligation, is the first contact with a parent:

Answered: 53 Skipped: 0



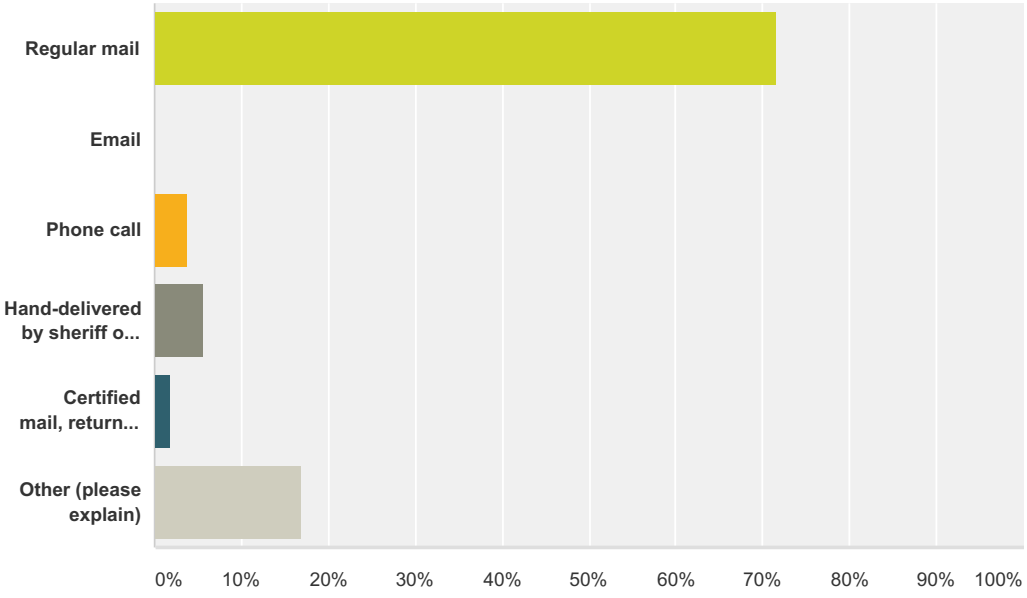
Answer Choices	Responses	
A legal "complaint"	**7.55%**	4
A notice of hearing	**1.89%**	1
A request for an appointment or conference with the child support program	**15.09%**	8
A request for response with income information, or	**47.17%**	25
Other (please explain)	**28.30%**	15
Total		**53**

#	Other (please explain)	Date
1	By mail.	2/18/2016 7:36 AM
2	This process differs among the district offices. Some will send a request for income information, while others file a motion based upon a review of the file, information provided by the other parent, and information available through various data available (FCRL, state agency data sharing, etc.).	2/1/2016 11:54 AM
3	Modification reviews are initiated from a variety of sources. A party may receive a notice of their right to request review and adjustment assessment and complete information to initiate the process, or information may be independently received by the Title IV-D agency indicating that there has been a material and substantial change in circumstances since the rendition of the last order and that modification is warranted. Modifications and modifications that seek confirmation of arrears are predominantly conducted through the CSRP process. Parties receive CSRP notices of negotiation conference through regular mail. Similar to the above responses, if CSRP is not appropriate, the modification action may be pursued judicially with notice to the parties.	1/29/2016 10:17 AM
4	If the custodian is on TANF, the child support agency can submit a petition for modification without making contact with either parent first. If a party requests a modification, the state sends the requesting party the forms for modification so they can be submitted and returned to start the process.	1/27/2016 7:05 AM

5	A notice is sent to the parent informing him (i) that a petition for modification of the child support obligation has been submitted; (ii) that he/she has the right to either object the petition or request a conference with the child support program within a term of 20 days (or 30, depending where he/she lives); (iii) that if the parent makes no appearance, child support may be modified by default. In judicial proceedings, the first contact is a legal complaint.	1/25/2016 1:48 PM
6	either a request for an appointment or a request for income information depending on the location of the parent in relation to the district office working the case	1/21/2016 1:43 PM
7	Could be any of the above.	1/20/2016 5:11 PM
8	We send a motion or application for modification and notice of hearing.	1/19/2016 9:52 AM
9	Modifications are initiated several ways: 1. When the modification action is the result of a parent's request for a review and adjustment, the first contact with the parents is to request financial information as part of the review actions before any filing of legal action to modify or initiation of an administrative action to modify. 2. When the modification action is the result of a parent filing a modification action with the court, the department is not making the 'first contact' with the parent. 3. When the modification action is the result of a change in household or to add a child, the first contact is made through service of the judicial complaint for modification. These types of modification actions are not currently made through the administrative process.	1/18/2016 10:52 AM
10	Depending on how the modification was initiated, either a notice of hearing or request for response with income information would be appropriate. Please see our California Citations attachment for our Review and Adjustment Regulations and other legal authority.	1/15/2016 3:33 PM
11	For each party to the action, the CSED issues a Modification Notice and Order package. This package contains a preliminary guidelines calculation, but also asks the parties to submit financial information for the purpose of arriving at a final proposed guidelines calculation.	1/15/2016 2:58 PM
12	In most review and adjustments and administrative modifications the first contact is a Notice of Intent to Modify, which includes a request for income information.	1/15/2016 7:32 AM
13	In an ongoing IV-D case, if one of the parents has asked for DOR's help in modifying the order, DOR will assess the information available on the parties' income and assets and, if it appears a modification is appropriate, will file a complaint to modify and serve (first class mail) the nonrequesting parent.	1/14/2016 9:51 AM
14	The petitioning party files a modification petition with the Division of Child Support. This petition is logged and forwarded to the Circuit Court for appointment of a Referee to hear the matter. The referee then sends all notices to the parties. The first notice they receive is the "notice of hearing".	1/5/2016 9:04 AM
15	Practice varies among each of the 92 counties across the state. It could be any of the above.	12/31/2015 9:57 AM

Q19 When the child support agency first contacts a parent whose income information is needed for a potential modification of a child support obligation, describe the initial attempted method of communication:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**71.70%**	38
Email	**0.00%**	0
Phone call	**3.77%**	2
Hand-delivered by sheriff or other process server	**5.66%**	3
Certified mail, return receipt requested	**1.89%**	1
Other (please explain)	**16.98%**	9
Total		**53**

#	Other (please explain)	Date
1	Regular mail (request for information) or hand-delivery/certified mail (court proceedings).	2/1/2016 11:54 AM
2	Review and adjustment information gathering forms are sent to requesting parties by regular mail. Other times, information concerning income or the availability of health insurance is independently received from an employment verification or a party when the party is visiting a field office or contacting the agency by phone. Modifications and modifications that seek confirmation of arrears are predominantly conducted through the CSRP process.	1/29/2016 10:17 AM
3	A wage and health benefits request is sent to the employer to complete, requesting information regarding current employment earnings and benefits.	1/25/2016 10:47 PM
4	The agency first attempts to notify by certified mail, return receipt requested. If unsuccessful, the agency may choose to either hand-deliver the notification, or make a public notice through a newspaper of general circulation.	1/25/2016 1:48 PM

5	Could be any of (a) through (d)	1/20/2016 5:11 PM
6	We send those documents by regular and certified mail.	1/19/2016 9:52 AM
7	Referring to the modification types in question 18, for type 1, via regular mail; for type 2, the department is not making the first contact; for type 3, via personal service.	1/18/2016 10:52 AM
8	The request for information is sent to the requesting party by regular mail, because by signing the request that party waives personal service. If the non-requesting party does not sign a waiver of personal service, we first serve by certified mail, return receipt requested.	1/15/2016 7:32 AM
9	In an ongoing case, DOR may have information on both parents' income and assets from various sources and compiled over the life of the case. See response to #18 for steps taken when one parent requests DOR assistance with a modification.	1/14/2016 9:51 AM

Q20 How long after the initial effort to communicate in Question 19 does your agency wait before taking the next step?

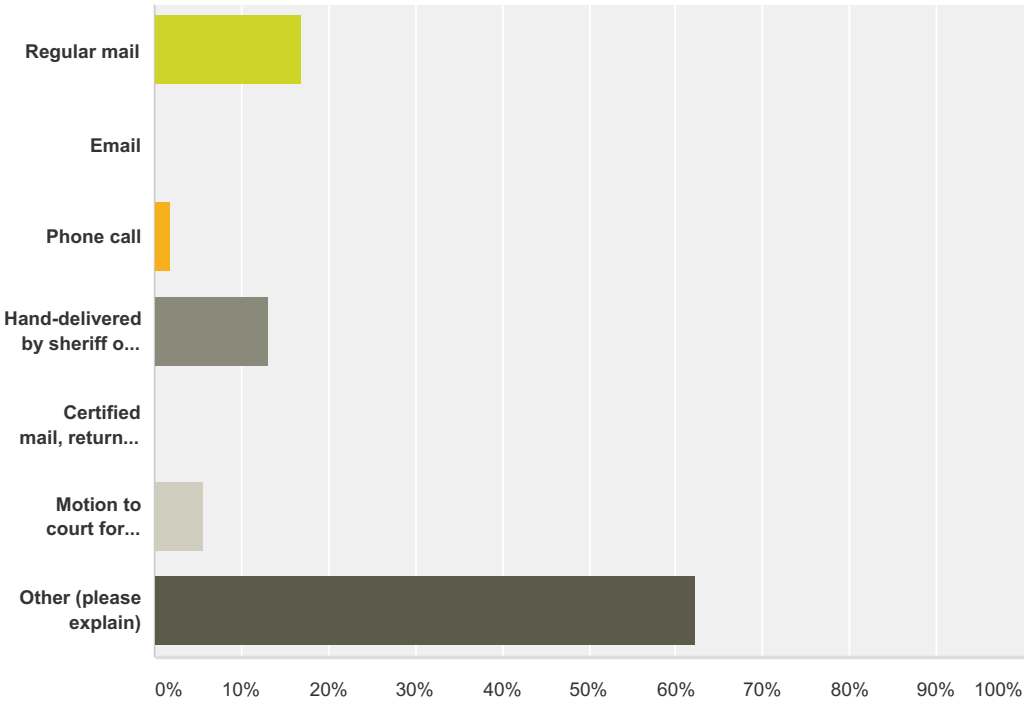
Answered: 53 Skipped: 0

#	Responses	Date
1	Typically 30 days. Please note practices may vary between counties.	2/18/2016 7:36 AM
2	As little as 0 days and as long as 30 days. In addition to requesting information from the parties, Connecticut Support Enforcement Services (SES – the IV-D Judicial Division partner responsible for judicial enforcement of cases) will review the case to see what information we already have to perform a review and possible modification. For example, requests to modify a case where the parent is collecting SSI or SSD, or has known income as reported by the employer or quarterly wage can be reviewed and acted on. However, if we need additional information from the parents, SES will wait a maximum of 30 days to obtain a response before the review is cancelled for insufficient information.	2/12/2016 10:18 AM
3	2 Weeks	2/4/2016 3:36 PM
4	Request for information: Review terminated immediately if requesting party fails to provide information within about two weeks unless CSS has independent information that there has been a material change of circumstances. If non-requesting party fails to provide information, CSS will usually proceed based upon a review of the file, information provided by the other parent, and information available through various data available (FCRL, state agency data sharing, etc.).	2/1/2016 11:54 AM
5	In Texas, the IV-D agency notifies parties of CSRP negotiation conference not later than the 10th day before the date of the conference. If a CSRP negotiation conference is rescheduled, notice is sent to the parties not later than the 3rd day before the date of the rescheduled conference. For judicial actions, unless waived by the parties, a final hearing will not occur unless the parties' answer times have passed under state law.	1/29/2016 10:17 AM
6	30 days	1/28/2016 1:14 PM
7	The Child Support Services Division waits fifteen days after the initial attempt at communication to take the next step. If the Child Support Services Division does not get a response from an obligee not receiving TANF, no action is taken. If an obligee receiving TANF fails to respond, the case will proceed. If a request to review is made, or if it is a TANF case, an appointment is scheduled with the parents to obtain income information.	1/28/2016 10:52 AM
8	30 days	1/27/2016 2:41 PM
9	30 days	1/27/2016 12:31 PM
10	10 days	1/27/2016 10:49 AM
11	Approx. 30 days	1/27/2016 7:05 AM
12	Under current practice, 35 days	1/26/2016 11:45 AM
13	If ncp doesn't appear, new court date scheduled and personal service ordered.	1/25/2016 10:47 PM
14	At least 20 days if the parent lives in PR; 30 days if the parent lives outside PR.	1/25/2016 1:48 PM
15	30 days	1/25/2016 10:13 AM
16	two weeks	1/21/2016 7:09 PM
17	two weeks	1/21/2016 1:43 PM
18	Immediately upon failure to appear for the appointment.	1/21/2016 8:13 AM
19	Upon receipt of information from both parties, 30 days	1/21/2016 7:34 AM
20	No longer than 30 days.	1/20/2016 5:11 PM
21	5 - 10 days	1/20/2016 1:26 PM
22	20 days	1/20/2016 9:48 AM
23	1-3 months depending on court scheduling	1/20/2016 9:02 AM

24	Varies from approximately 10 days to 2 weeks.	1/20/2016 8:43 AM
25	25	1/19/2016 6:33 PM
26	10 days	1/19/2016 12:34 PM
27	20 days	1/19/2016 12:28 PM
28	45 Days	1/19/2016 10:51 AM
29	We would wait until the scheduled hearing date.	1/19/2016 9:52 AM
30	30 days	1/19/2016 8:50 AM
31	It may vary from office to office, generally at least 21 days.	1/19/2016 7:07 AM
32	minimum 20 days	1/19/2016 7:06 AM
33	30 days	1/18/2016 10:32 PM
34	Referring to response to question 18, type 1, 35 days; type 2, not applicable; type 3, hearing scheduled no earlier than 25 days after service.	1/18/2016 10:52 AM
35	30 days	1/15/2016 7:13 PM
36	Two business days	1/15/2016 4:46 PM
37	See list of citations	1/15/2016 3:33 PM
38	20 calendar days after service of the Modification Notice and Order.	1/15/2016 2:58 PM
39	immediately after day 30	1/15/2016 2:40 PM
40	The modification conference is set for a date 30 days after the review notice is issued.	1/15/2016 11:26 AM
41	After the initial attempt at service, workers wait 10 days before attempting another form of service.	1/15/2016 7:32 AM
42	20 days	1/14/2016 7:58 PM
43	Varies by local office and caseload	1/14/2016 5:26 PM
44	We do not specify a timeframe. Staff are procied with federal timeframes	1/14/2016 3:18 PM
45	30 days	1/14/2016 11:54 AM
46	In most IV-D cases, notice of the court hearing date for the modification is sent at the same time the copy of the complaint is served on the parent. Notice of the court hearing also includes a request that the parent provide a financial statement (court form) and bring other information about his/her income, assets and ability to pay. The notice also tells a parent that even if he/she does not appear in court, the court may attribute income to the parent and explains that.	1/14/2016 9:51 AM
47	we allow 30 days to return the verifications but we try to be in communication with them through the process.	1/13/2016 5:29 PM
48	Hearing is scheduled at time modification is filed. No followup unless the party does not show for hearing	1/12/2016 3:13 PM
49	2-3 weeks, since the paperwork requesting income information asks for it to be returned within 2 weeks	1/12/2016 2:37 PM
50	Two weeks.	1/12/2016 11:58 AM
51	If the person does not appear in response to the letter they are served within a few weeks thereafter.	1/8/2016 2:54 PM
52	The next step is that the referee conducts the hearing. The hearing normally takes place within 30 days from the date the petition to modify is filed. Our office will participate in hearings which involve TANF or Med Cases	1/5/2016 9:04 AM
53	14-30 days depending on the circumstances	12/31/2015 9:57 AM

Q21 If a parent has not responded to the initial effort to communicate, the next step is made by:

Answered: 53 Skipped: 0



Answer Choices	Responses	
Regular mail	**16.98%**	9
Email	**0.00%**	0
Phone call	**1.89%**	1
Hand-delivered by sheriff or other process server	**13.21%**	7
Certified mail, return receipt requested	**0.00%**	0
Motion to court for default judgment	**5.66%**	3
Other (please explain)	**62.26%**	33
Total		**53**

#	Other (please explain)	Date
1	Motion to court to modify order based on information obtained from other sources.	2/18/2016 7:36 AM
2	Currently, our initial and only effort is the “pre-review notice” sent via regular mail. As noted above, SES will review the case file and automated databases for income information; however, no subsequent effort is made to contact the parties. SES will also perform necessary locate to ensure the notice is mailed. If we do receive a response, the review and modification are cancelled.	2/12/2016 10:18 AM
3	d. Hand-delivered by sheriff or other process server e. Certified mail, return receipt requested The case may be referred to court for legal action using one of the two methods stipulated to perfect service of process.	2/4/2016 3:36 PM

4	If the first effort is a letter asking the parent to provide information: hand-delivery or certified mail of court paperwork. If the first effort is court proceedings: Motion for default judgment, usually made orally on the court date.	2/1/2016 11:54 AM
5	CSRP conferences are regularly rescheduled at the request of any party. If no response is received, it is possible for a non-agreed order to be pursed with notice to any non-agreeing party. If determined to be appropriate, the CSRP process may be terminated and a judicial action may be pursued. As stated in the earlier response, CSRP may not be appropriate for all cases. A judicial action may be immediately pursued for those cases. A party may waive service, may enter a general appearance, or may be personally served when receiving notice of a proceeding.	1/29/2016 10:17 AM
6	A notice is mailed out by the Review and Modification Unit.	1/28/2016 1:14 PM
7	If an obligee requests a modification, and the obligor fails to respond to the Child Support Services Division's letter, an attempt will be made by phone and/or email to speak to the obligor. If an obligee who is not receiving TANF fails to respond to the outreach letter, no action is taken on the case. If an obligee receiving TANF fails to respond, the review process will proceed.	1/28/2016 10:52 AM
8	A motion is filed with the Court which is served by certified mail, return receipt requested or law enforcement. The Court will not typically modify the support obligation in the parent's absence unless service is successful.	1/27/2016 2:41 PM
9	Depends. If the review determines that modification is appropriate, the motion is served ususally by certified mail, return receipt requested. If modification is not appropriate, the parties are notified by regular mail.	1/27/2016 10:49 AM
10	If the requester does not respond to the modification paperwork, the agency does not follow up with the party and the request is not formally processed.	1/27/2016 7:05 AM
11	Post-review notices would be mailed to each party by regular mail.	1/26/2016 11:45 AM
12	The child support agency and the judicial court may proceed to modify the child support obligation by default.	1/25/2016 1:48 PM
13	The review process will move forward by obtaining the updated income information from each parent's employer to prepare the child support worksheet. A hearing will be recommended based on the outcome of calculated guideline amount.	1/21/2016 7:09 PM
14	sheriff service or certified mail, return receipt requested depending on the location of the parent in relation to the district office working the case	1/21/2016 1:43 PM
15	Generall, (a), (c) or (d)	1/20/2016 5:11 PM
16	court action	1/20/2016 1:26 PM
17	For modifications of existing orders, the parties are sent notice to appear via regular mail. if they fail to appear, a default judgment can be issued. The court could also issue a capias for the person to be detained and brought before the court	1/20/2016 9:02 AM
18	If no response, OCS may proceed by filing a motion to modify anyway, and possibly requesting an order for parent to provide income information.	1/20/2016 8:43 AM
19	If requesting party fails to respond, modification is terminated. If non-requesting party fails to respond, agency may impute or stay the modification administratively to preserve the new date until income information is secured.	1/19/2016 10:51 AM
20	This depends on the outcome of the hearing.	1/19/2016 9:52 AM
21	This may vary from office to office. Some offices will send a second request. Other offices may rely on an employer disclosure. Offices may not send a second request if quarterly wage info is available through FCR or if income info is available.	1/19/2016 7:07 AM
22	Referring to response to question 18 - For type 1, if the parent is the one who requested the review, the review ends and the parent is notified by regular mail. If the parent is not the one who requested the review, the review is conducted using any available income for the parent, which may include imputing income. For type 2, not applicable. For type 3, the next action occurs at the hearing.	1/18/2016 10:52 AM
23	Request will be made directly to the support parent's employer or income withholder.	1/15/2016 7:13 PM
24	See list of citations	1/15/2016 3:33 PM
25	Complete and mail the agency recommendation to both parents based on known information in conjunction with filing the judicial or administrative action	1/15/2016 2:40 PM
26	The hierarchy in which we attempt to serve case parties is regular mail, waiver of personal service, certified mail, return receipt requested, hand delivered by sheriff or other process server.	1/15/2016 7:32 AM
27	Varies by office. All methods of communication should be attempted and documented. If unsuccessful, we will move forward with a default judgment.	1/14/2016 5:26 PM

28	If judicial action is needed- hand delivered by sheriff If administrative action- regular mail	1/14/2016 11:54 AM
29	See response to #20. If the parent fails to appear in court, the court may proceed to modify the order. If there is any question about whether the parent got notice of the hearing, the court may direct DOR to reschedule the hearing.	1/14/2016 9:51 AM
30	Most times phone call, but if someone has employer we send an employer letter, and if the review is warented we file with notice of hearing and proposed worksheet and have served by regular mail	1/12/2016 2:37 PM
31	Regular mail and phone call	1/12/2016 11:58 AM
32	If the parties does not appear at the modification hearing, a default order may be obtained. If the petitioning party does not appear, the matter may be dismissed. Circumstances will dictate the outcome in these situations.	1/5/2016 9:04 AM
33	A legal complaint is then filed with the court to modify the child support obligation. Service of process is then attempted by either the sheriff or process server.	12/31/2015 9:57 AM

Q22 Does your state contact both parents, if needed, to try to obtain information about a parent's income?

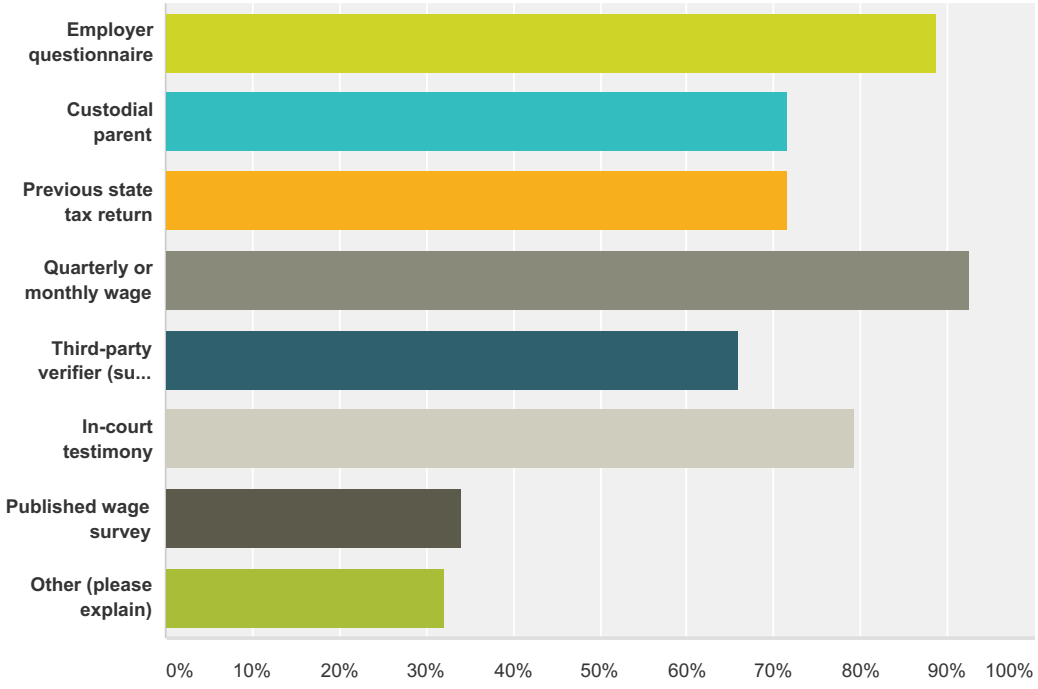
Answered: 53 Skipped: 0

#	Responses	Date
1	Only in shared placement cases.	2/18/2016 7:36 AM
2	Yes – the notice is mailed to both parties to obtain information about their "own" income. We do not ask the parents/parties to provide income information about the other parent.	2/12/2016 10:18 AM
3	Yes.	2/4/2016 3:36 PM
4	Yes	2/1/2016 11:54 AM
5	Yes	1/29/2016 10:17 AM
6	yes	1/28/2016 1:14 PM
7	Yes.	1/28/2016 10:52 AM
8	yes	1/27/2016 2:41 PM
9	yes	1/27/2016 12:31 PM
10	Each parent is contacted to provide his/her own income information.	1/27/2016 10:49 AM
11	No	1/27/2016 7:05 AM
12	Yes.	1/26/2016 11:45 AM
13	Both parents are required to provide financial affidavit at court hearing.	1/25/2016 10:47 PM
14	Yes.	1/25/2016 1:48 PM
15	Varies by office.	1/25/2016 10:13 AM
16	Yes	1/21/2016 7:09 PM
17	yes	1/21/2016 1:43 PM
18	yes	1/21/2016 8:13 AM
19	Yes	1/21/2016 7:34 AM
20	Yes	1/20/2016 5:11 PM
21	yes	1/20/2016 1:26 PM
22	yes	1/20/2016 9:48 AM
23	Yes	1/20/2016 9:02 AM
24	Yes.	1/20/2016 8:43 AM
25	not if the custody is primary	1/19/2016 6:33 PM
26	yes	1/19/2016 12:34 PM
27	Each parent is contacted for their income.	1/19/2016 12:28 PM
28	yes	1/19/2016 10:51 AM
29	We would contact both parents to try and get employment information, not necessarily income.	1/19/2016 9:52 AM
30	Yes	1/19/2016 8:50 AM
31	Yes	1/19/2016 7:07 AM
32	yes	1/19/2016 7:06 AM
33	Yes	1/18/2016 10:32 PM

34	Each parent is contacted to provide their individual income information in both administrative and judicial actions	1/18/2016 10:52 AM
35	Yes	1/15/2016 7:13 PM
36	Yes.	1/15/2016 4:46 PM
37	Yes	1/15/2016 3:33 PM
38	Yes.	1/15/2016 2:58 PM
39	yes	1/15/2016 2:40 PM
40	Yes	1/15/2016 11:26 AM
41	Yes	1/15/2016 7:32 AM
42	Each parent is given an opportunity to provide his/her own income information as part of the establishment process in both the administrative and judicial processes.	1/14/2016 7:58 PM
43	Yes	1/14/2016 5:26 PM
44	Yes	1/14/2016 3:18 PM
45	Yes	1/14/2016 11:54 AM
46	Yes.	1/14/2016 9:51 AM
47	yes	1/13/2016 5:29 PM
48	yes	1/12/2016 3:13 PM
49	Yes, and employers if we have one	1/12/2016 2:37 PM
50	Yes - both parents are always contacted	1/12/2016 11:58 AM
51	Both parties present the income expense sheet at Court.	1/8/2016 2:54 PM
52	The parties testify to their financial situations and provide the necessary documentation to the Referee. The other party may cross-examine or provide input if they feel the information provided is not accurate.	1/5/2016 9:04 AM
53	Yes	12/31/2015 9:57 AM

Q23 What sources of actual income information are used by the child support agency, in addition to any response from the parent, when developing a proposed child support obligation (establishment or modification)?

Answered: 53 Skipped: 0



Answer Choices	Responses	
Employer questionnaire	**88.68%**	47
Custodial parent	**71.70%**	38
Previous state tax return	**71.70%**	38
Quarterly or monthly wage	**92.45%**	49
Third-party verifier (such as the Work Number)	**66.04%**	35
In-court testimony	**79.25%**	42
Published wage survey	**33.96%**	18
Other (please explain)	**32.08%**	17
Total Respondents: 53		

#	Other (please explain)	Date
1	financial disclosure documents filed by parent	2/18/2016 7:38 AM
2	Income/Asset questionnaire sent to non-custodial parent.	2/1/2016 11:57 AM
3	administrative subpoena, discovery	1/29/2016 10:22 AM

4	The Child Support Services Division uses (a)-(f) (all but published wage survey) in both establishing and modifying child support orders.	1/28/2016 10:52 AM
5	Could be any or all of the above, although a and c are likely the most common sources.	1/26/2016 12:51 PM
6	Federal tax return if provided by obligor. No state income tax.	1/25/2016 10:23 AM
7	New Hire Reporting	1/21/2016 7:09 PM
8	... and income reported to other state divisions.	1/20/2016 9:04 AM
9	pay stubs or federal tax return	1/19/2016 6:42 PM
10	pay advices, social security wage statements, earned income statements	1/18/2016 10:40 PM
11	State wage records; pay stubs; income information from SSA	1/18/2016 10:57 AM
12	In addition to a-e, we use income reported from other state agencies.	1/15/2016 7:34 AM
13	"Custodial parent" would only be used as a source if that is his/her information being sought--not about the other parent and the CP would need to provide documentation. In-court testimony would be used only in a judicial process. "Occupations in Demand" information is available but is not liked by Utah courts so is only used in extremely rare circumstances in a judicial setting, never administratively.	1/14/2016 8:06 PM
14	varies by office, but Arizona will use all available resources to ensure we have the most accurate data.	1/14/2016 5:33 PM
15	All of the above	1/14/2016 3:21 PM
16	also check stub, federal tax returns and assets	1/14/2016 12:07 PM
17	TANF information	1/12/2016 2:56 PM

Q24 If the parent fails to respond, do you issue a subpoena, interrogatories, motion to compel, or other formal "discovery" effort prior to taking the next step?

Answered: 53 Skipped: 0

#	Responses	Date
1	County option. They may also pursue the parent for contempt.	2/18/2016 7:38 AM
2	No	2/12/2016 10:19 AM
3	All of the above may be done by the court.	2/4/2016 3:36 PM
4	Generally a subpoena duces tecum is issued with the initial court paperwork. Rarely, CSS may serve more formal discovery on the parent (generally interrogatories and requests for production of documents), for example, if the custodial parent provides information that the non-custodial parent has assets that do not appear as part of our data match.	2/1/2016 11:57 AM
5	Yes	1/29/2016 10:22 AM
6	Not generally; however if parent is self-employed or if we have conflicting information about the parents actual income we may send interrogatories or do additional discovery.	1/28/2016 1:25 PM
7	No.	1/28/2016 10:52 AM
8	No	1/27/2016 4:45 PM
9	If a parent fails to respond to a legal pleading and he/she has been properly served, the attorney requests the Court to establish and/or modify support based on the income information that is available.	1/27/2016 2:45 PM
10	subpeona	1/27/2016 12:36 PM
11	No	1/27/2016 7:08 AM
12	Yes, if necessary. But given the sources of information available to IV D, it is most often not necessary.	1/26/2016 12:51 PM
13	An administrative subpoena may be issued to obtain financial or other information needed to establish, modify, or enforce any support order.	1/25/2016 11:10 PM
14	Yes.	1/25/2016 1:48 PM
15	Rarely.	1/25/2016 10:23 AM
16	Subpoena	1/21/2016 7:09 PM
17	no	1/21/2016 1:55 PM
18	If the case has not been filed with the court, it is referred to the IV-D attorney for filing a modification petition. If the case has been set for hearing and the noncustodial parent does not appear, a judgment may be taken if the IV-D agency provides proof warranting an increase in support.	1/21/2016 8:14 AM
19	No	1/21/2016 7:55 AM
20	No.	1/20/2016 5:21 PM
21	court action	1/20/2016 1:32 PM
22	yes. subpoena for earnings	1/20/2016 9:56 AM
23	In some cases a formal discovery filing with the court will be accomplished by the DE Department of Justice.	1/20/2016 9:19 AM
24	If the parent fails to respond, OCS may seek to determine income under one of the methods in #33. If insufficient evidence, OCS can issue interrogatories or subpoena.	1/20/2016 9:04 AM
25	we default the client or use dept of labor data bases	1/19/2016 6:42 PM
26	No.	1/19/2016 12:45 PM
27	No	1/19/2016 12:40 PM

28	depends on situation	1/19/2016 11:00 AM
29	No	1/19/2016 9:56 AM
30	If the parent fails to respond at the initial contact by the child support agency, the child support agency cannot issue subpoenas, interrogatories, or a motion to compel or other formal discovery. Once a motion or pleading is filed, the attorney can attempt discovery from the noncustodial parent. Should the noncustodial parent fail to respond to formal discovery, a motion to compel can be used. In most instances, there is no formal discovery filed by the agency attorney.	1/19/2016 9:32 AM
31	An office may request that the court issue a subpoena.	1/19/2016 7:14 AM
32	no	1/19/2016 7:12 AM
33	Yes	1/18/2016 10:40 PM
34	No	1/18/2016 10:57 AM
35	Seek information from employer or income withholder. If that step fails or supporting parent is self-employed subpoena or discovery efforts may be pursued.	1/15/2016 7:15 PM
36	No.	1/15/2016 4:51 PM
37	No	1/15/2016 3:35 PM
38	CSED has the administrative authority to issue a subpoena if it is unable to secure enough information to perform a sufficiently valid guidelines calculation. This is rare, as there is typically sufficient income information to perform the calculation.	1/15/2016 3:03 PM
39	subpoena	1/15/2016 2:56 PM
40	Any of those formal discovery efforts may be used, depending on the circumstance of the case.	1/15/2016 11:40 AM
41	For administrative actions, no. Interrogatories may be used in judicial actions. If a parent fails to respond and IA CSRU cannot locate actual income (see question 23), we use presumed income based on the Iowa caseload median income or Iowa occupational wage information (see questions 37-39).	1/15/2016 7:34 AM
42	No	1/14/2016 8:06 PM
43	No	1/14/2016 5:33 PM
44	Administratively, no. However, if the matter comes before a court (as a result of an appeal from an administrative action or on the advice of IV-D counsel) subpoenas, interrogatories, and motions to compel are available procedures for all judicial matters (though utilization varies by locality).	1/14/2016 3:21 PM
45	yes	1/14/2016 12:07 PM
46	If the case is one in which DOR believes that a parent is underreporting income or failing to report income, a DOR attorney may decide to issue subpoenas, and in rare cases may engage in formal discovery.	1/14/2016 9:57 AM
47	no	1/13/2016 5:29 PM
48	No	1/12/2016 3:24 PM
49	not usually, but if we knew of income we may do discovery	1/12/2016 2:56 PM
50	Generally no.	1/12/2016 11:59 AM
51	In appropriate circumstances we may file a Supboena duces Tecum.	1/8/2016 3:10 PM
52	No	1/5/2016 9:11 AM
53	Generally speaking, no. However this practice varies among each of the 92 counties across the state.	12/31/2015 10:07 AM

Q25 Does your jurisdiction enter judgments or modifications by default at the request of a party if no one responds or opposes the motion?

Answered: 53 Skipped: 0

#	Responses	Date
1	No	2/18/2016 7:38 AM
2	Establishment judgments – yes.	2/12/2016 10:19 AM
3	Yes, if the party was properly served for the court hearing.	2/4/2016 3:36 PM
4	At CSS, we automatically set motions to modify for a hearing date, rather than filing and issuing a formal summons requiring an answer in a certain time period, so we generally do not request default judgments based on failure to file a formal written answer. Under Oklahoma's civil procedure rules, it is possible to request a default judgment be entered if the responding party fails to file an answer in 20 days from the date a summons is issued. If the party has entered an appearance or appeared in court, but fails to file an answer or appear for a court date, it is necessary to file a motion for default judgment before a court can enter an order by default. If the parent fails to appear for the scheduled hearing date, CSS generally orally requests a default order on the hearing date.	2/1/2016 11:57 AM
5	Yes, upon proof of service and if there is sufficient evidence available to prove-up the statutory modification standards.	1/29/2016 10:22 AM
6	yes	1/28/2016 1:25 PM
7	The District of Columbia requests that the court enter both new and modified orders by default if the non-custodial parent fails to respond to the pleading and fails to appear at the hearing.	1/28/2016 10:52 AM
8	Yes	1/27/2016 4:45 PM
9	Yes as long as the individual has been properly served	1/27/2016 2:45 PM
10	no	1/27/2016 12:36 PM
11	Yes	1/27/2016 7:08 AM
12	Yes, although it is important to note that even default judgments are usually based on the obligor's income and application of the guidelines.	1/26/2016 12:51 PM
13	Yes, per Fam. Court Act 435(b), teh support magistrate shall enter order on default if failure to appear after proper service.	1/25/2016 11:10 PM
14	Yes.	1/25/2016 1:48 PM
15	Yes	1/25/2016 10:23 AM
16	Yes	1/21/2016 7:09 PM
17	yes	1/21/2016 1:55 PM
18	Yes	1/21/2016 8:14 AM
19	Only if income info is available and service was successful.	1/21/2016 7:55 AM
20	Yes	1/20/2016 5:21 PM
21	no	1/20/2016 1:32 PM
22	no	1/20/2016 9:56 AM
23	Yes	1/20/2016 9:19 AM
24	Not without hearing.	1/20/2016 9:04 AM
25	No not at the request of a party	1/19/2016 6:42 PM
26	Yes. Judgments entered by default if no answer has been filed.	1/19/2016 12:45 PM
27	yes	1/19/2016 12:40 PM

28	We just do it, we do not need a request to do so.	1/19/2016 11:00 AM
29	If the CP files a motion for modification and the NCP is properly served but does not appear, it is possible to modify the obligation if appropriate income information is available.	1/19/2016 9:56 AM
30	Should no response be filed by the noncustodial parent in a proceeding for judgment or modification, a request for hearing and/or request to the judicial trial court for default is made. If the noncustodial parent does respond, the attorney for the agency attempts to resolve the issues for judgment or modification.	1/19/2016 9:32 AM
31	To secure a default at final judgment, specific court rule criteria must be followed. If the agency does not have sufficient facts to include in verified motion as a basis for relief sought, the court must hold a hearing for a judicial determination. A party may be defaulted following motion and notice for default, verifying the facts on which the court can determine the party's actual ability to pay and likelihood of earning. Our normal review/mod process provides for recommending modification and mailing the results 21 days after requesting a party disclosure. If a party had failed to provide the requested info, the support recommended is calculated using our guideline based on actual income information discovered from other sources, or presumed based on info known regarding the party's skills, vocational field, and lifestyle. If a parent is unemployed or underemployed, then following strict guidelines to determine the parent's actual ability and likelihood of earning, support may be calculated using a potential income (imputed).	1/19/2016 7:14 AM
32	yes	1/19/2016 7:12 AM
33	Yes	1/18/2016 10:40 PM
34	Most jurisdication will enter by default	1/18/2016 10:57 AM
35	Yes, provided tribunal has jurisdiction.	1/15/2016 7:15 PM
36	Yes, but it is not at the request of a party. It is a regular business practice. See, e.g., ORS 416.415(7): "If no timely written response and request for hearing is received by the appropriate office, the administrator may enter an order in accordance with the notice[.]"	1/15/2016 4:51 PM
37	Judgments- yes, modification- court hearing	1/15/2016 3:35 PM
38	Yes, a party's failure to respond or oppose a proposed modification is considered "deemed consent" for the purpose of default.	1/15/2016 3:03 PM
39	yes DCSS is the requesting party	1/15/2016 2:56 PM
40	Yes	1/15/2016 11:40 AM
41	Yes, unless the non-requesting party is incarcerated or covered by Servicemembers Civil Relief Act.	1/15/2016 7:34 AM
42	Yes.	1/14/2016 8:06 PM
43	We can, but we do our best to avoid defaults.	1/14/2016 5:33 PM
44	Yes	1/14/2016 3:21 PM
45	yes	1/14/2016 12:07 PM
46	The court may enter a judgment even if a party does not appear, but not all judges do.	1/14/2016 9:57 AM
47	yes	1/13/2016 5:29 PM
48	Yes, if we have reliable evidence of true income.	1/12/2016 3:24 PM
49	yes at the request of the agency, not party	1/12/2016 2:56 PM
50	Yes	1/12/2016 11:59 AM
51	In appropriate circumstances with wage information available, the Court may enter a default order.	1/8/2016 3:10 PM
52	Yes. In an establishment case, the Judgment would have been listed in the NSD or is in the court documents when they were served on the noncustodial parent. In a modificaton hearing, the support does not apply retroactively, so Judgments are not typically obtained through this process.	1/5/2016 9:11 AM
53	Yes	12/31/2015 10:07 AM

Q26 If the answer to Question 25 is yes, how many times will your child support agency typically try to contact the parent, including the initial attempt, before moving forward with a request for a default order? Is service of process required before requesting a default order?

Answered: 50 Skipped: 3

#	Responses	Date
1	N/A	2/18/2016 7:38 AM
2	There may be an additional attempt based on specific case circumstances. Service of process is required before requesting a default order.	2/12/2016 10:19 AM
3	Generally, one attempt to complete a consent agreement before filing the case with the court who may then issue a default order.	2/4/2016 3:36 PM
4	A default judgment is only available upon proof of service by personal delivery (sheriff or process server) or certified mail. Personal delivery can include substitute service upon a person 15 years or older who resides at the party's residence. CSS uses predictive dialing to remind customers of upcoming hearing dates. If a customer has provided a phone number to CSS, the automated reminder call goes out 48 business hours prior to the hearing date. CSS staff may also attempt to contact a parent who fails to appear for a court date by telephone in order to persuade or remind the parent to appear. If contact is made and the parent cannot come to court that date, CSS may offer the parent a continuance to another court date so the parent can appear. Therefore, there are several attempts at contact before the default is requested (the initial service of court paperwork, the telephone reminder, and contact on the court date).	2/1/2016 11:57 AM
5	There is no set number of contact attempts that is "standard", but if there is no cooperation and a default is deemed necessary, we will proceed with a default. Proof of service of process is required before a default order can be obtained.	1/29/2016 10:22 AM
6	Our Child Support Agency contacts a parent approximately 3-4 times before moving forward with a request for a default order. Examples of such contact include a letter, phone call, service of process, and a notice of hearing. Service of process is required before requesting a default.	1/28/2016 1:25 PM
7	Before moving forward with a default order, both parents will be contacted numerous times. Before a motion to modify is filed, both parents will be contacted to participate in a conference to determine whether a modification is legally appropriate. If a petition or motion is filed, the Child Support Services Division must serve the obligor in advance of the hearing. The Child Support Services Division will also send a notice to the obligee informing him or her of the hearing date. If a parent fails to appear in court, the attorney in court may attempt to call that parent before requesting a default order.	1/28/2016 10:52 AM
8	The motion provides the response options for the parties. If one or both parties fail to respond to the motion, a default order is entered.	1/27/2016 4:45 PM
9	After being served, there is typically not any additional contact. Service of process is required before requesting a default order.	1/27/2016 2:45 PM
10	For administrative child support establishment, proof of service required before an order can be defaulted. For judicial orders, if a parent is responsive to contact attempts, they will receive at least two notices by mail. For administrative modification, the party receives the petition and exhibits by mail and the state agency attempts to contact the parties by phone on the day of hearing. A default can be entered if the requesting party shows up for the hearing and the other party does not. For judicial orders, if a parent is responsive to contact attempts, they will receive at least two notices by mail.	1/27/2016 7:08 AM
11	Likely once, if the initial contact was by summons and complaint. Likely twice if the initial contact was a request for income information. Likely three times if the initial request was for an appointment/conference. Depends. If the obligor has appeared, then the obligor must be served with a notice of motion for default judgment. Service must be made according to Rule 5 of the North Dakota Rules of Civil Procedure (i.e., regular mail is allowed). If the obligor has not made an appearance, he or she is not required to be served with a notice of motion. However, as a best practice, the obligor will typically be noticed, even if such is not legally required.	1/26/2016 12:51 PM

12	if petitioner is present at hearin gand respondent fails to appear, hearin gis adjourned and personal service is ordered. If respondent fails to appear after personal service effected, default is entered. Respondent must be personally served at least 8 days prior to hearing date. If failure to achieve personal service after two times, matter likely dismissed.	1/25/2016 11:10 PM
13	Once the parent is notified, if the applicable term to object or request a conference expires with no action having been taken by the parent, the child support agency will proceed to issue an order by default.	1/25/2016 1:48 PM
14	If no response then the next step is to serve a Notice to Modify on the parties.	1/25/2016 10:23 AM
15	Two attempts	1/21/2016 7:09 PM
16	three including service of process of initial petition and copy of request for default	1/21/2016 1:55 PM
17	If the parent does not appear for his or her appointment, the case is referred to the legal staff for court action. Service of process is required before the court will enter a judgment upon the absence of the Defendant.	1/21/2016 8:14 AM
18	We would try at least twice; and yes, it is required for a default.	1/21/2016 7:55 AM
19	Generally twice and yes.	1/20/2016 5:21 PM
20	1 time. After initial service of process is completed, the court maintains jurisdiction over the non-custodial parent. So future svs. of process not needed, only regular mail for future hearings. So defaults can be entered once service is perfected.	1/20/2016 9:19 AM
21	NA	1/20/2016 9:04 AM
22	two times. no service of process is not required	1/19/2016 6:42 PM
23	At least three times. Service of process is required.	1/19/2016 12:45 PM
24	Once. Yes, service of process is required before processing a default	1/19/2016 12:40 PM
25	Agency discretion	1/19/2016 11:00 AM
26	See answer to 25.	1/19/2016 9:56 AM
27	Initial contact is made by the administrative staff to obtain information and possibly resolve the issue. Then if no response is obtained, the attorney for the agency is referred the case and contact is sometimes made by letter to the noncustodial parent before any judicial pleading is filed. If no response is received, the pleading is filed and the noncustodial parent is served with the pleading. Service of process, as required by Arkansas Rules of Civil Procedure, must be obtained in all cases prior to entry of a default order.	1/19/2016 9:32 AM
28	To secure default at final judgment, court rules require service of notice of hearing on default or motion for entry of a default order. A party is allowed to respond, even if they failed to timely respond to the initial summons. Our normal rev/mod process allows entering an order following mailing a notice, proposed order, and provide an opportunity for hearing if a response if filed within 21 days of the notice. If a timely response is not received, the court reviews the order and may enter it.	1/19/2016 7:14 AM
29	3 yes	1/19/2016 7:12 AM
30	The first step is an initial attempt to make contact and an attempt for stipulation. The next step is service. If there is no response 30 days from service, a Notice of Intent to Default is mailed. If after 7-10 business days there is no response, default packet is prepared and/or a request for hearing to address default is requested.	1/18/2016 10:40 PM
31	Service of process is required before requesting a default order. In administrative actions the parent has multiple opportunities to respond when the initial notice is served (can return the financial information or opt-out of the administrative action in favor of a judicial action), when the proposed order is sent (can request informal review or administrative hearing) or when the final order is entered (can appeal the order). In judicial actions the parent can return the information and appear at the hearing. No additional contact is regularly made.	1/18/2016 10:57 AM
32	Typically 2 times. Yes, service of process or submission to jurisdiction of tribunal is required.	1/15/2016 7:15 PM
33	Two attempts would be made to contact the parent, a phone call and a letter requesting information. The proposed notice and findings are served upon the party prior to taking a default order.	1/15/2016 4:51 PM
34	It would vary by case, but at least twice. Service of process is required.	1/15/2016 3:35 PM
35	Service of process of the initial Modification Notice and Order must be successfully served upon both parties. Once this is achieved, parties will be notified at least one more time before the CSED administratively seeks to finalize the proposed modification.	1/15/2016 3:03 PM
36	Three : DCSS can only request a default order if service has been perfected	1/15/2016 2:56 PM

37	Service of process is required before requesting a default order. If the order is being established, personal service must be obtained. For a modification, service of the motion is required, pursuant to the rules of civil procedure, which generally requires first-class mail to the party's last known address.	1/15/2016 11:40 AM
38	On average we attempt 3-5 contacts prior to entering a default order. Service of process is required before entering a final order.	1/15/2016 7:34 AM
39	One contact (the initial attempt with appropriate process service).	1/14/2016 8:06 PM
40	This varies by office and the facts of the case.	1/14/2016 5:33 PM
41	Unless the party contacts the Division to reschedule an appointment or the service is unsuccessful, once (the initial contact) or twice. Yes.	1/14/2016 3:21 PM
42	There is not a set number of times, it depends on the circumstances of the case. Service of process is required.	1/14/2016 12:07 PM
43	If there is any question that the defendant parent did not get notice of the hearing, then DOR will reschedule the hearing. Yes, the complaint for modification must be served in accordance with court rules before the court can take any action to modify the order.	1/14/2016 9:57 AM
44	varies per case, yes	1/13/2016 5:29 PM
45	Depends on reliability of evidence.	1/12/2016 3:24 PM
46	2 contacts - Yes, but we serve by regular mail	1/12/2016 2:56 PM
47	At a minimum, the CSO will make an initial contact, and pleadings will be served. The State does not require or provide guidance for additional contacts. Additional contacts are left to the discretion of the CSO. Default action is taken if there has been no contact 20 days from the original date of service of the pleadings. Service of Process is required.	1/12/2016 11:59 AM
48	Service of process is required before a default judgement will be entered.	1/8/2016 3:10 PM
49	If the NSD was served by certified mail or the process server/Sheriff, then we will proceed with a default order if the noncustodial parent fails to respond in the 10 days after service (we allow 18 days for mail, holidays, and weekends).	1/5/2016 9:11 AM
50	Twice including the initial contact, the second contact would be the complaint filed with the court. If service on the party is perfected and they fail to appear, a default order may be requested.	12/31/2015 10:07 AM

Q27 If a parent responds to IV-D with a question or disagreement with the calculation but does not provide income information or make an "appearance" in the court action, will your agency proceed to default based on presumed income or request a court hearing?

Answered: 53 Skipped: 0

#	Responses	Date
1	Court hearing	2/18/2016 7:38 AM
2	Yes	2/12/2016 10:19 AM
3	Yes, if some information is available that provides a reasonable basis for determining the support amount.	2/4/2016 3:36 PM
4	If CSS has information that the parent disputes the income used in the child support calculation but the parent fails to appear, CSS will consider information provided by the parent (including information that the parent is unable to work) if it is corroborated by another source (such as the custodial parent), and will generally work to have the parent appear and provide information on a subsequent court date prior to requesting a default judgment. (E.g., if the parent has contacted CSS stating that he/she has applied for disability benefits.)	2/1/2016 11:57 AM
5	The answer somewhat depends on what the question or the reason for the disagreement with our calculation may be. However, in general if we give the respondent an opportunity to respond and/or appear and they do neither, we ultimately will proceed with a default. If we obtain service of process, we will attempt to secure an order based on the best evidence we have available. Under Texas law, there is a wage a salary presumption which requires a court to presume that a party has income equal to the federal minimum wage for a 40-hour work week in situations where no evidence is provided of that party's income.	1/29/2016 10:22 AM
6	Our agency will request a court order	1/28/2016 1:25 PM
7	The District of Columbia is a judicial system. Court hearings are required to establish and modify all child support orders. The Child Support Services Division may request a new order or a modification by default any time an obligor fails to both respond to a pleading and appear at a hearing. The Child Support Services Division may request that these orders include a presumed income.	1/28/2016 10:52 AM
8	Yes	1/27/2016 4:45 PM
9	The agency will file a motion with the Court and advise the parent that they must be present in Court if they wish to contest the figures used in the guideline calculation or want to request a deviation otherwise the Court will set support pursuant to the guideline calculation prepared by the child support agency.	1/27/2016 2:45 PM
10	no	1/27/2016 12:36 PM
11	If a party complains about the establishment notice, we will process an administrative hearing where the parties will be notified of a hearing date and time along with instructions as to what to provide. Failure to appear may result in a defaulted order. Our rules allow a party to make either a written or oral hearing request on administrative notices. Our rules allow if we have better evidence of income to amend our notice even if parties fail to appear. For judicial orders, the county prosecutors follow their local court rules before filing a motion for default.	1/27/2016 7:08 AM
12	If the obligor responds to IV D, he or she is considered to have made an appearance. A default judgment is still possible if that is the only way to move the action along but the obligor must be served with a notice of motion for default judgment. Service must be made according to Rule 5 of the North Dakota Rules of Civil Procedure (i.e., regular mail is allowed). A hearing is not held unless the obligor timely requests a hearing. However, even when IV D pursues a default judgment, it is most likely based on actual income information, even if such was provided by a source other than the obligor.	1/26/2016 12:51 PM
13	When party defaults or fails to provide sufficient evidence, court may proceed to default where proper service in court hearing. Order will be based on needs or standard of living of child.	1/25/2016 11:10 PM

14	In Puerto Rico, the IV-D agency does not notify calculations as part of the administrative proceedings, over which the parent may express question or disagreement. Once a petition for child support is presented, the parent is notifies of such petitions involving him/her and provided with 20 (or 30) days to object or request a conference. If the parent fails to appear, the agency wil proceed to establish a child support order by default. The order is subsequently notified to the parent, along with the calculations on which the amount is based. The notice of the order provides the parent with a 20 (or 30) day term to object the order.	1/25/2016 1:48 PM
15	default	1/25/2016 10:23 AM
16	Yes	1/21/2016 7:09 PM
17	request a hearing	1/21/2016 1:55 PM
18	Upon proper service of Defendant, the IV-D agency will attempt to obtain the judgment pursuant to hearing.	1/21/2016 8:14 AM
19	Yes	1/21/2016 7:55 AM
20	Request a hearing.	1/20/2016 5:21 PM
21	court action	1/20/2016 1:32 PM
22	no	1/20/2016 9:56 AM
23	Default, and in some cases both. Issue a default (interim) and reschedule for another hearing so that the non-custodial parent can provide income information.	1/20/2016 9:19 AM
24	Any disagreement with the calculation would likely be presented at court, so the matter would proceed to hearing.	1/20/2016 9:04 AM
25	we will default on administrative orders and with the court ones we'll default but we have to send all information to both parties and they can contest it.	1/19/2016 6:42 PM
26	Proceed to default using income information available.	1/19/2016 12:45 PM
27	The party would need to request a hearing and appear at the hearing to contest the calculation. If the party fails to appear or request the hearing, we will proceed to default.	1/19/2016 12:40 PM
28	First hold Administrative Mistake of Fact hearing then results reissued and appeal can go to court.	1/19/2016 11:00 AM
29	We will tell the parent he/she needs to file a motion with the court.	1/19/2016 9:56 AM
30	Should the noncustodial parent fail to respond but does appear, the judicial trial court will allow the noncustodial parent to present his or her facts, issues, and defenses to the agency pleadings. This is not considered a default as the noncustodial parent personally appears at the hearing.	1/19/2016 9:32 AM
31	A party has 21 days to object to a child support recommendation. If not objection is received, the recommendation will become the order of the court. If an objection is received, there will be a court hearing to hear the objection.	1/19/2016 7:14 AM
32	no	1/19/2016 7:12 AM
33	Yes	1/18/2016 10:40 PM
34	All judicial establishment actions go to hearing unless there is an agreed upon order. In administrative actions, the proposed order is completed with available information and the parent can then request an informal review or an administrative hearing.	1/18/2016 10:57 AM
35	Yes.	1/15/2016 7:15 PM
36	Oregon will proceed to default based on presumed income, imputed income, or evidence of actual income, as appropriate, depending on the circumstances of the case.	1/15/2016 4:51 PM
37	Yes	1/15/2016 3:35 PM
38	Informal disagreement and/negotiation will not toll the time by which a proposed order becomes final. Not providing information to justify or substantiate any disagreement/negotiation will more than likely result in the CSED pursuing a default modification.	1/15/2016 3:03 PM
39	The party must file an objection with the court or administrative tribunal in order to proceed with a hearing	1/15/2016 2:56 PM
40	Yes	1/15/2016 11:40 AM
41	If a case party disagrees with a calculation but fails to provide income information, we proceed with the original calculation and default order.	1/15/2016 7:34 AM
42	Yes, in both judicial and administrative processes.	1/14/2016 8:06 PM
43	Both. Varies by office, facts of the case & the local court involved.	1/14/2016 5:33 PM

44	Default	1/14/2016 3:21 PM
45	go forward with a court hearing	1/14/2016 12:07 PM
46	DOR will request a court hearing and make the court aware of the information posed by the parent. It is our practice to use information available on the parent's income and assets; to confirm there is no evidence of disability or other inability to earn income; etc.	1/14/2016 9:57 AM
47	default	1/13/2016 5:29 PM
48	Yes	1/12/2016 3:24 PM
49	It is a court hearing and we use presumed income based upon our guidelines of 40 hours at minimum wage	1/12/2016 2:56 PM
50	The CSO must coordinate with the County Attorney regarding appropriate action, but if a parent expresses disagreement generally the CSO will request a court hearing even if the party fails to provide income information.	1/12/2016 11:59 AM
51	N/a	1/8/2016 3:10 PM
52	If they contact our agency and indicate they disagree with our calculations, we advise them to submit their financial statement or request a hearing. If they fail to submit the financial statement and fail to request a hearing, then we will proceed with the default.	1/5/2016 9:11 AM
53	Request a court hearing.	12/31/2015 10:07 AM

Q28 If a parent belatedly offers to provide income information AFTER a default order is entered, does your state give the parent that opportunity? If so, for how long is that option open to the parent, and can it be retroactive? Is this option available only for administrative orders or judicial as well?

Answered: 53 Skipped: 0

#	Responses	Date
1	If parent failed to appear at hearing and then objected to the ordered amount, it would be their responsibility to seek a de novo review or appeal.	2/18/2016 7:38 AM
2	CT has judicial orders only. A parent may file a 'Motion for Adjustment' within 12 months.	2/12/2016 10:19 AM
3	The party would need to appeal the order or file for a modification of the order if the appeal time has expired.	2/4/2016 3:36 PM
4	Oklahoma's civil procedure rules allow an order to be vacated if requested within thirty days of the order's filing. After the thirty days, the request to vacate must be made by petition and there are time limits to the court's jurisdiction to hear the request (usually 2-3 years, depending on the grounds alleged). CSS agrees and facilitates the vacature of a default order if the non-appearing parent contacts us within thirty days of the order's filing. These rules apply to orders from both the district court and the administrative court.	2/1/2016 11:57 AM
5	Generally, no. Once a default order is signed, such orders are considered adjudications on the merits. However, there are limited opportunities in Texas law for a default to be set aside and reconsidered. In general the following timeframes and factors may apply depending on the case: If the default order was signed by an associate judge, a defaulted party has 3 days from the date they were informed about the substance of the judge's order to file a, no questions asked, request for a de novo hearing. After that time period the defaulted party has 30 days to file a motion for new trial. A motion for new trial can be granted within the plenary power of the trial court for cause. In cases where the trial court clearly did not consider a relevant factor, such as the obligor's other minor children (not before the court in the instant case) in setting the guidelines support, occasionally the IV-D agency will agree to a motion for new trial in the interest of justice. If the court does grant a new trial within its plenary power, the new order may be retroactive to the date of service or first appearance of the parties, and will supersede the prior order. After the 30 day time period, the defaulted party who did not participate in the trial has180 days to appeal to the next level court based on trial court error. Finally, a defaulted party may move to set aside a default order at any time, if that party can prove defective service or lack of legal service of process.	1/29/2016 10:22 AM
6	If the hearing is before a Child Support Referee, the parent has 14 days to take exception to the order and income may be considered. If hearing is before a Judge, the parent would in general not have an opportunity to provide income information after the order is entered. Nebraska is a judicial state.	1/28/2016 1:25 PM
7	The District of Columbia is a judicial system. If an obligor belatedly offers income information after the entry of a default order, the Child Support Services Division may file a motion to modify on this basis. More frequently, an obligor will file a motion challenging the entry of a default order, to which the Child Support Services Division may consent. Unless the parties agree otherwise, orders may only be modified back to the date the opposing party was given notice of the motion.	1/28/2016 10:52 AM
8	No. The party could file his/her own motion to modify.	1/27/2016 4:45 PM
9	Kentucky only sets support judicially. KRS 403.211(5) states… When a party has defaulted or the court is otherwise presented with insufficient evidence to determine gross income, the court shall order child support based upon the needs of the child or the previous standard of living of the child, whichever is greater. An order entered by default or due to insufficient evidence to determine gross income may be modified upward and arrearages awarded from the date of the original order if evidence of gross income is presented within two (2) years which would have established a higher amount of child support pursuant to the child support guidelines set forth in KRS 403.212	1/27/2016 2:45 PM
10	yes, no retroactive	1/27/2016 12:36 PM

11	For administrative establishment, if a party offers new information after the order defaults, it may be considered an “untimely” hearing request if this happens anytime between 22 days after the notice is served up to one year. If the information comes in after one year has passed since the notice has been served, the request is considered “late,” and a party will have to show good cause if they want to have a hearing to change the terms of the order. If a party has requested a hearing and fails to appear, the party may request to vacate based upon evidence of that income. For judicial actions, a party may file with the local prosecutor or court to vacate an entered order on default.	1/27/2016 7:08 AM
12	The obligor might be able to move the court to vacate the judgment under Rule 60(b) of the North Dakota Rules of Civil Procedure. However, he/she would have to show grounds, such as excusable neglect. A motion to vacate generally must be made within no more than one year after the default judgment was entered. If successfully vacated, the effect is retroactive. Through program policy, an obligor whose order was entered by default could request and obtain an early review but would have to wait until the default judgment was at least one year old (to avoid the need to make a showing of changed of circumstances). An amended judgment resulting from the early review would not be retroactive.	1/26/2016 12:51 PM
13	An order may be retroactively modified upward. Also, either party has 30 days to object to order. Finally, either party may move to vacate the order for up to one year upon showing of good cause.	1/25/2016 11:10 PM
14	It will depend on what time after a default order is entered the parent decides to appear. If the parent decides to appear within the 20 (or 30) day term provided to object the order, it is possible for the administrative judge to give the parent an opportunity to provide income information. If the parent appears after the order has already become firm and final (that is, after the term to object has expired), the established order will sustain and no such opportunity will be afforded.	1/25/2016 1:48 PM
15	No	1/25/2016 10:23 AM
16	No. Any change must be made by Modification to the existing court order.	1/21/2016 7:09 PM
17	Parent is allowed to ask for reconsideration of any order. State generally does not object.	1/21/2016 1:55 PM
18	State law does not allow an order to be set aside without a proper motion or petition being filed.	1/21/2016 8:14 AM
19	As a general rule, no. However, if he could demonstrate extraordinary circumstances for his inability to attend the hearing, we'd consider it.	1/21/2016 7:55 AM
20	Not typically.	1/20/2016 5:21 PM
21	No. may go to court	1/20/2016 1:32 PM
22	no	1/20/2016 9:56 AM
23	that parent would have to file with the court	1/20/2016 9:19 AM
24	Yes, by motion of either party or OCS. Under 15 VSA sec 662 (c), the court may relieve a party of their obligation upon a showing that the income used in a default order was inaccurate by at least 10%. The motion must be filed within 1 year.	1/20/2016 9:04 AM
25	Only for administrative orders and we'll go back as far as the default happened as long as they provide the necessary paperwork to complete the review.	1/19/2016 6:42 PM
26	Yes. The parent must show 25% change in the amount of support when the guidelines were applied. The option is always available, but is not retroactive.	1/19/2016 12:45 PM
27	Yes, the party can provide income information after a default, but the agency will not consider the information to amend the default order. The agency will consider whether a new modification is appropriate, but it will not be retroactive. This is available for administrative orders. I am unable to comment on the judicial process.	1/19/2016 12:40 PM
28	No! they could attempt private action in court.	1/19/2016 11:00 AM
29	No. The parent would need to file a motion.	1/19/2016 9:56 AM
30	The noncustodial parent can provide to the agency any income information at any time he or she wishes. If a default order is obtained, there are several ways to change the default order. The first is for the noncustodial parent to file an appropriate judicial pleading asking for the default to be set aside. If granted by the judicial trial court, the noncustodial parent then would have a fresh start in re-establishing a new order. This does not modify the default but does do away with it. The second option is for both the agency and noncustodial parent to enter into an agreed judicial order. This would normally change the default order and would not allow for retroactive change. The third option is for the noncustodial parent to file a motion to modify the default to change the default order. The noncustodial parent or agency would have to have a judicial hearing on the pleading filed by the noncustodial parent. This would create a new order once the judicial court would hear and rule on the pleading. The rule in Arkansas is that any change to any order will occur from the date of filing of the motion or pleading and cannot be changed prior to the date of filing.	1/19/2016 9:32 AM

31	If a parent provides income information after a default order is entered, the Friend of the Court (IV-D) office would be expected to review the order and modify if appropriate. MCL 552.517(1)(f)(v) requires that the FOC review the order at its own initiative if the order was based on incorrect facts.	1/19/2016 7:14 AM
32	yes--there is a 1 year appeal window which can allow for an adjustment back to the date the order was issued. Both processes afford appeal rights.	1/19/2016 7:12 AM
33	The parent can file a motion to set aside the order at any time which can be retroactive. The court will use its discretion to determine the outcome. New Mexico issues only judicial orders and not administrative orders.	1/18/2016 10:40 PM
34	No, this option is not provided to the parent after the order has been entered. The exception is if the parent provides information that makes it clear the order should be vacated.	1/18/2016 10:57 AM
35	Yes, within 30 days from entry of the default order, whether judicial or administrative.	1/15/2016 7:15 PM
36	If an administrative order has been entered, the parent has 60 days to file a de novo appeal with the circuit court. If the court has entered a final judgment, the party may seek relief from the judgment (the time frame varies based on the reason for seeking relief) or may file an appeal with the Court of Appeals. A notice of appeal must be filed within 30 days of entry of the judgment. ORS 19.255.	1/15/2016 4:51 PM
37	Yes, see FC17432 in list of California citations	1/15/2016 3:35 PM
38	After a default order is entered, a parent seeking to belatedly offer new income information would typically be denied further opportunity through the administrative process.	1/15/2016 3:03 PM
39	No	1/15/2016 2:56 PM
40	No. Unless proper notice was not provided to the parent, the order cannot be reconsidered based upon a party providing income information afterwards.	1/15/2016 11:40 AM
41	No. Once the order is filed, a case party cannot retroactively change the order. However, if the case meets certain criteria the case party can request a subsequent administrative modification.	1/15/2016 7:34 AM
42	Administrative process: The parent may request a set aside of an administrative default order if a rule or policy was not followed when the order was taken, if the respondent was not properly served, if the respondent was not given due process, or if the order has been replace by a judicial order covering the same time period. There is no time limit for this request. The set aside can be considered “retroactive” in that it sets aside the entire default order. If the order does not qualify to be set aside, and the information provided is significant (would cause the order to qualify for a modification), the order may be modified prospectively. All administrative orders are subject to judicial review if an action is filed independently by the parties. Judicial process: The parent must independently motion the court to set aside the default order. Typically the parent has 90 days from the date of the entry of the order to motion the court. The set aside can be retroactive in the sense that it can set aside the entire default order.	1/14/2016 8:06 PM
43	It depends on the facts of the case. Arizona is a judicial state.	1/14/2016 5:33 PM
44	Yes. Administratively, for an initial or modified support order, the party has 10 days from the date of service of the Administrative Support Order to request administrative review. Judicially, the party has 10 days from date of entry of the support order to note an appeal (30 or 60 days under UIFSA).	1/14/2016 3:21 PM
45	Yes, it is required by law. There is not a time period which that option is open, however, it is prospective not retroactive. This option is available for both, administrative and judicial orders.	1/14/2016 12:07 PM
46	The scenario posed is not one we encounter. To be considered by the court, parties must present income information prior to the order being entered. Strictly speaking, after the order enters, a party wishing to introduce new income information would need to file for another modification or a motion for reconsideration.	1/14/2016 9:57 AM
47	no, retroactivity is prohibited by law	1/13/2016 5:29 PM
48	Yes. No, it will not be retroactive. Judicial	1/12/2016 3:24 PM
49	Yes, may do another review but won't be retroactive, we only do judicial orders	1/12/2016 2:56 PM
50	No after the default order is entered, the parent must file his/her own motion for relief. An appeal is available to an obligor, but failure to answer or attend a hearing alone is a not a basis for reversal.	1/12/2016 11:59 AM
51	Per court rule a default judgment may be vacated under appropriate circumstances within 1 year . This applies to judicial orders.	1/8/2016 3:10 PM
52	Once a circuit court order is entered, the parent must either petition to modify the order (no retro credit/calculation) or they have 30 days if they wish to appear the order to State Supreme Court.	1/5/2016 9:11 AM
53	After a default order is issued by the court, if a parent wants to contest the amount, they would need to file a motion with the court to have the issue heard again.	12/31/2015 10:07 AM

Q29 Has your state taken any steps you would consider "best practices" to reduce the number of default orders? Please explain.

Answered: 51 Skipped: 2

#	Responses	Date
1	No	2/12/2016 10:19 AM
2	N/A	2/4/2016 3:36 PM
3	CSS uses predictive dialing to remind customers of upcoming hearing dates. If a customer has provided a phone number to CSS, the automated reminder call goes out 48 business hours prior to the hearing date. In addition, CSS offices discuss best practices at quarterly regional meetings and the practices are then shared statewide. One such best practice is to contact non-appearing parents by telephone on the day of hearing to attempt to remind or persuade the parent to appear for court or to request a continuance to another court date when the parent can be present. Some CSS offices also use a cover letter when mailing default orders notifying the parent that the order was entered by default and that the case can be re-opened and re-examined if the parent contacts CSS within 30 days.	2/1/2016 11:57 AM
4	Best practices include the use of automated court hearing notices, automated negotiation conference notices, outbound telephone calls, text messages, or emails notices (as preferred by parties) to parties of case events, as well as the use of auto schedulers for qualified CSRP cases.	1/29/2016 10:22 AM
5	We send a notice of hearing. We send a letter by mail.	1/28/2016 1:25 PM
6	The entry of default orders is rarely permitted by the court and consequently the percentage in our caseload is low. The District would like to be able to increase the number of default orders in our caseload. Because the process is very rigorous, the District's default orders tend to be based on real income or very low imputed income.	1/28/2016 10:52 AM
7	No	1/27/2016 4:45 PM
8	No	1/27/2016 2:45 PM
9	stipulated agreements for support orders	1/27/2016 12:36 PM
10	If a party contacts our state agency with questions or concerns about their Notice and Finding of Financial Responsibility, our caseworkers will go over their rights to a hearing and proceed to follow due process guidelines to ensure parties have an opportunity to be heard. Upon a request for hearing, our staff sends a communication requesting contact and provides a direct telephone line. If an individual is incarcerated, our staff attempts to make arrangements with the facility to arrange the hearing time and location. For administrative hearings, the bulk of our cases are handled by telephone. DCS staff attempt to contact parties at all known phone numbers in our case records. Sometimes, multiple phone calls are made, and efforts made are put on the record.	1/27/2016 7:08 AM
11	Our workers always attempt to obtain financial information from the obligor or from another source (e.g., the employer, state tax department, quarterly wage date from Job Service) and are usually successful. Thus, it is uncommon that a child support order is not based on application of the guidelines, even if it is styled as a default order because the obligor did not file a response or make an appearance.	1/26/2016 12:51 PM
12	A verified postal clearance is required prior to issuance of a default order where service is by mail which helps ensure service is effected and respondent receives actual notice of the proceeding.	1/25/2016 11:10 PM
13	The agency has entered into collaborative agreements with local agencies or entities (for example, Department of Housing, or Aqueduct and Sewer Authority) to acquire and/or correct NCP addresses in our case management system.	1/25/2016 1:48 PM
14	No	1/25/2016 10:23 AM
15	No	1/21/2016 7:09 PM
16	no	1/21/2016 1:55 PM
17	Yes. The use of third-party locator services to provide the IV-D workers with better address information that allows the initial appointment letters to be more effective.	1/21/2016 8:14 AM
18	No.	1/21/2016 7:55 AM

19	Contact/notify parties prior to hearing	1/20/2016 5:21 PM
20	no	1/20/2016 1:32 PM
21	reminder of appointments via text/email	1/20/2016 9:56 AM
22	No, accept the court does shy away from default orders when creating a 1st time order. Capias will be issued.	1/20/2016 9:19 AM
23	Parties are called with reminders in advance of hearing, use of presumptive income is discouraged, use of available evidence of income is encouraged, and if an obligated parent is unemployed, OCS can make a referral to an employment services coordinator.	1/20/2016 9:04 AM
24	Yes by contacting the clients to obtain actual information	1/19/2016 6:42 PM
25	No.	1/19/2016 12:45 PM
26	No	1/19/2016 12:40 PM
27	Yes, clear guidance on imputing income is established in rule/statute and focus on "right sizing" obligations.	1/19/2016 11:00 AM
28	This issue has been raised, but we have yet to issue any formal best practices.	1/19/2016 9:56 AM
29	Arkansas is a judicial state. Therefore, the child support agency in Arkansas attempts to get the noncustodial parent to respond and obtain agreed orders settling most issues in conflict with the parties in the judicial case. Arkansas also has a statute that allows for automatic adjustment of support when multiple children are involved and one or more of the children emancipate.	1/19/2016 9:32 AM
30	Genesee County grant program: “Parents and Children Together” In 2009, Michigan’s Office of Child Support and the State Court Administrative Office received a federal Section 1115 grant to expand the 7th Circuit Court's child support problem-solving court program called "Parents and Children Together" (PACT). The expansion allowed PACT to provide holistic services (e.g., job training, substance abuse counseling, and earlier court involvement) to 600 economically at-risk families. Three hundred of these families (the "job-loss cases") already had child support orders in place, but had recently experienced a financial setback such as a parent's job loss. The other 300 families (the "new-establishment cases") had new paternity establishment and child support cases. The results: In the job-loss cases, early intervention meant payers had their orders right-sized sooner and, as a result, accrued smaller arrears. Those payers maintained their efforts to pay support longer than those who did not benefit from early intervention. Others parts of the early services helped more of the job-loss payers to secure new employment. In the new-establishment cases, the child support payers tended, on average, to contribute more child support when they received early intervention services. These parents paid more child support when they participated in formulating the support order and when they had also developed a rapport with child support staff. In addition, including a parenting time provision in the first child support order created compliance with those support orders Court Rule 3.210(b) was recently amended after years of discussion to address defaults and limit the number of defaults being entered. In the past, courts were having to set aside default judgments because the default process was being abused. After the changes were made: • It is now easier to set aside default judgments; • Better notice is required, including notice of the proposed judgment and its terms; • Requires that the proposed judgment is supported by evidence or facts to show that judgment is in accordance with the law; • An individual is now allowed to participate even if previously defaulted. This protects the court and the parties from an inaccurate judgment and allows the defaulted party to still provide valuable information. • 3.210(5)(c-d) also helps by requiring evidence to support the judgment, and makes the presentation of evidence easier for in pro per individuals.	1/19/2016 7:14 AM
31	telephonic hearings for both court and administrative processes are offered.	1/19/2016 7:12 AM
32	The first step is an initial attempt to make contact and an attempt for stipulation. There is also a contact attempt to request financials during hearing preparations. New Mexico has also launched text messaging and will have field offices text opt-in customers to remind them of upcoming hearings. A text pilot project in one field office appeared to have a positive impact on stipulated orders.	1/18/2016 10:40 PM
33	The department is in the development stages of a pilot to initiate earlier and more frequent contact with the parents in an effort to elicit increased participation rates.	1/18/2016 10:57 AM
34	Service of process or submission to jurisdiction of the tribunal is required before default orders can be entered.	1/15/2016 7:15 PM
35	We implemented the "upfront discovery" phone call process prior to mailing out the information request packet. We also will amend an action (to incorporate new information) or take a consent order when appropriate.	1/15/2016 4:51 PM
36	California has been the recipient of CSPED and PTOC grants which aim to establish reliable child support from NP payors and focus on parenting time as it relates to child support. Early Intervention practices at the LCSAs which have increased communication with the program participants and encouraged participant involvement in the child support process are a direct result of these grants..	1/15/2016 3:35 PM
37	Yes through changes with our review and modification application	1/15/2016 2:56 PM

38	Best Practices: a. Make initial contact with the NCP via phone call or letter (pre-service of process), b. Provide the NCP the opportunity to avoid service of process costs by signing a Waiver of Process c. Identify and help find solutions to barriers effecting NCP's participation in the establishment process No Show a. Send proposed order with a letter b. If no response, file default order with court	1/15/2016 11:40 AM
39	Yes. The steps CSRU takes are based on the "Connections Equals Collections" approach in which we use early intervention to engage alleged fathers and payors. This early intervention includes making phone calls to the case parties at specified steps (e.g., after successful service, after a request for genetic testing, after a missed genetic testing appointment, after the guidelines calculation is mailed) during the process. We received a federal grant to develop and deliver training to staff on this approach in 2004.	1/15/2016 7:34 AM
40	N/A	1/14/2016 8:06 PM
41	We have focused on specialized locate to ensure service of process succeeds.	1/14/2016 5:33 PM
42	No. However, Virginia has taken steps to reduce the number of default obligations with orders that may not be in alignment with an obligor's ability to pay. Division caseworkers have been provided clarification regarding imputation of income for individuals with little to no work history or who are currently unemployed.	1/14/2016 3:21 PM
43	We have standard operating procedures that require initial phone contact when the case is opened.	1/14/2016 12:07 PM
44	DOR and the court are very cautious about confirming that parents are served with pleadings and receive notice of hearing. It is not uncommon for a DOR attorney to explain to the court the basis for DOR's belief that its information about the parent's address is correct. We also make parents aware that the court may issue a support order even if they do not appear for the hearing and how important it is for them to appear.	1/14/2016 9:57 AM
45	yes, calling parents, reducing the amount paid to contract attorneys for default orders.	1/13/2016 5:29 PM
46	When we have no reliable information regarding income, we generally will ask for part-time minimum wage attribution rather than full-time given the practices of employers following ACA.	1/12/2016 3:24 PM
47	Yes, requesting we reach out to communicate prior to doing a default	1/12/2016 2:56 PM
48	Streamlined our financial statement and made it available to parties online. Many Counties have additional individual best practices that are not required by the State.	1/12/2016 11:59 AM
49	We have a vet small number of default judgments.	1/8/2016 3:10 PM
50	Both the custodial and noncustodial parents are provided a copy of the NSD and can request a hearing, if desired. If the NCP returns their financial statement and a recalculation is done, both parties again receive notice. By having both parties receiving all communication regarding the calculation of the obligation, either party could request a hearing on the NSD if they felt something was calculated incorrectly.	1/5/2016 9:11 AM
51	No	12/31/2015 10:07 AM

Q30 Has your state compiled any statistical information that you can share about the portion of obligations established or modified by agreed orders, default orders, or contested orders? If not, can you give an estimate?

Answered: 52 Skipped: 1

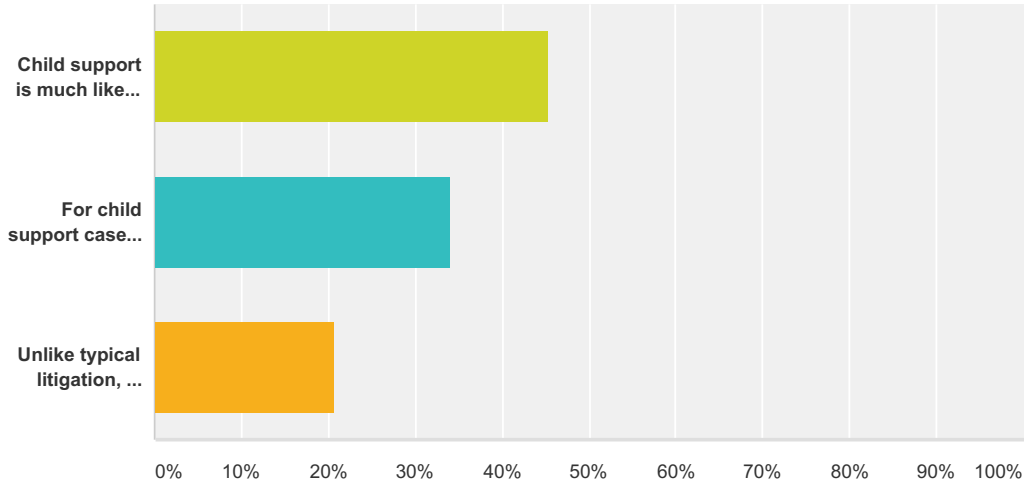
#	Responses	Date
1	We don't enter default orders for support. We use information obtained from other sources if payer doesn't provide financial information. We may also pursue the payer for contempt if they fail to provide financial information which is a requirement in every order for support. We may impute income based on a parent's earning ability.	2/18/2016 7:38 AM
2	No. We do not categorize order establishments; court actions v. agreements.	2/12/2016 10:19 AM
3	N/A	2/4/2016 3:36 PM
4	CSS does not keep these statistics.	2/1/2016 11:57 AM
5	This is not data that is stored in the Texas computer system. Anecdotally, we would estimate 40% agreed, 35% default, and 25% contested.	1/29/2016 10:22 AM
6	No, estimated percentages vary throughout Nebraska based on factors including court venue, geographical differences in terms of employment opportunity and other factors. However, a significant portion of our orders are stipulations between the parties as opposed to default orders.	1/28/2016 1:25 PM
7	No.	1/28/2016 10:52 AM
8	No	1/27/2016 4:45 PM
9	No	1/27/2016 2:45 PM
10	possbily	1/27/2016 12:36 PM
11	Administrative Default Orders: 23.07% of our cases Agreed Administrative Orders Between Parties: 5.25% of our cases Contested Administrative Orders (result of an Administrative Hearing): 9.24% of our cases Court Orders for Establishments/Modifications where DCS may have involvement in the process: 34.13%* of our cases *Paternity Orders and Court Modification Orders may be entered as a default order or an agreed order between the parties. Since they are handled through our county prosecutors, our system does not have a way to differentiate between the defaulted and agreed orders once they are loaded into our case management system. **Please be mindful that these statistics are generated from our caseload management system and are based on a support enforcement officer's understanding of how orders are coded. This may not reflect 100% accuracy of our information.	1/27/2016 7:08 AM
12	In 2005, as part of the quadrennial review of the guidelines, we analyzed imputation practices based on a statistically valid random sample of North Dakota court orders. Based on the analysis, we could determine that 6% of the orders were clearly obtained by default with no guidelines calculation, 84% were clearly not obtained by default, and the remaining 10% may or may not have been obtained by default. Of the orders analyzed, 31% were stipulated orders versus 69% non-stipulated orders.	1/26/2016 12:51 PM
13	Not at this time.	1/25/2016 11:10 PM
14	The agency does compile this statistical information. The judicial court does not.	1/25/2016 1:48 PM
15	No	1/25/2016 10:23 AM
16	No	1/21/2016 7:09 PM
17	no	1/21/2016 1:55 PM
18	No. A majority of orders entered are agreed. More default orders are entered than contested orders.	1/21/2016 8:14 AM
19	We track defaults, but cannot accurately report support orders vs. modifications. The percentage is for the most part, consistently about 5% of the total orders, for both.	1/21/2016 7:55 AM
20	Not at this time.	1/20/2016 5:21 PM

21	no	1/20/2016 1:32 PM
22	percentage not readily available, estimated % of stipulated agreements is 80%	1/20/2016 9:56 AM
23	no	1/20/2016 9:19 AM
24	NA	1/20/2016 9:04 AM
25	don't believe so but not sure.	1/19/2016 6:42 PM
26	No.	1/19/2016 12:45 PM
27	No	1/19/2016 12:40 PM
28	No	1/19/2016 11:00 AM
29	No	1/19/2016 9:56 AM
30	Estimates based on raw data show that approximately 4-6% of Michigan's orders are default orders. Other information not available.	1/19/2016 7:14 AM
31	we estimate that 75% are agreed to orders, 20% default and 5% contested.	1/19/2016 7:12 AM
32	Default Orders about 30%	1/18/2016 10:40 PM
33	We have preliminary data; however are still working through validation of the data.	1/18/2016 10:57 AM
34	IL can tell how many default orders are entered vis-à-vis agreed/contested orders. IL does not distinguish between agreed and contested orders.	1/15/2016 7:15 PM
35	Statistical information is not readily available. We estimate that consent orders comprise approximately 5% of the established or modified obligations, contested orders approximately 20% and default orders approximately 75%. Oregon's processes for default orders provide the parties with notice of the amount of the obligation that will be sought in advance. It is unknown what percentage of default orders would be affirmatively agreed to by the parties, since they are requested to contest the proposed order only if they disagree.	1/15/2016 4:51 PM
36	None are available at this time	1/15/2016 3:35 PM
37	In FFY '15, finalized orders were set by consent (24%), default (63%) and by contested (13%) means.	1/15/2016 3:03 PM
38	No	1/15/2016 2:56 PM
39	For 2015, agreed orders were 34 percent of the total orders established, default orders were 16 percent, and contested orders were 50 percent of the total.	1/15/2016 11:40 AM
40	For SFY15, Iowa CSRU established the following orders • Agreed - 3,090 • Default – 1,835* • Contested – 574 *Of the 1835 orders that were filed by default (i.e., the payor did not respond in any way to the action), Iowa CSRU was able to locate actual income (see question 23) on 1725 of the orders. On the remaining 110 orders, Iowa CSRU presumed income based on the Iowa caseload median income because we were not able to locate alternate sources of actual income.	1/15/2016 7:34 AM
41	No data available.	1/14/2016 8:06 PM
42	It varies by office.	1/14/2016 5:33 PM
43	No	1/14/2016 3:21 PM
44	No	1/14/2016 12:07 PM
45	No information is available.	1/14/2016 9:57 AM
46	we could provide this information	1/13/2016 5:29 PM
47	N/A	1/12/2016 3:24 PM
48	Yes, but don't have the numbers right now.	1/12/2016 2:56 PM
49	No.	1/12/2016 11:59 AM
50	No	1/8/2016 3:10 PM
51	In SFY 2015, there were 1,276 successful NSD actions. Of those, 212 requested a hearing. Therefore, 1,064 were either default orders or resulted in neither party requesting a hearing. Since we provide a calculation worksheet, our figures are an accurate reflection of their earnings. In modification actions, there were 2,618 modification hearings held in SFY2015 which resulted in 1,041 ordered amounts being raised, 839 ordered amounts being decreased, 47 orders with no change in the obligation, and 691 petitions were dismissed.	1/5/2016 9:11 AM

52	No	12/31/2015 10:07 AM

Q31 Which of the following statements more closely resembles your program's point of view regarding the procedure for establishing and modifying support obligations (sorry – you can only pick 1):

Answered: 53 Skipped: 0



Answer Choices	Responses
Child support is much like any other litigation. Even if a parent is not responsive after being properly served, IV-D is still required to obtain a minimum amount of evidence (such as a sworn affidavit of the custodial parent) regarding the parent's income or earning ability in order to present a case to the court or administrative authority to establish or modify a child support obligation	**45.28%** 24
For child support cases, it is sufficient to present a case to establish or modify a support obligation if IV-D has no evidence of the parent's actual income or earning ability but the parent has not responded to the action nor claimed any lack of ability to work at least a minimum number of hours per week at minimum wage.	**33.96%** 18
Unlike typical litigation, the procedures required for the child support program in seeking orders and in imputing income are dictated by specific state laws and statutory presumptions (please include copies).	**20.75%** 11
Total	**53**

Q32 Do you think that your courts are generally willing to assume that a parent is able to work, in the absence of evidence to the contrary, and establish or modify a child support obligation on that basis using presumed income?

Answered: 53 Skipped: 0

#	Responses	Date
1	Our courts don't presume that they have an income but they may set an order on what they presume they could earn given their skills and the market rate in the area they live.	2/18/2016 7:38 AM
2	Yes	2/12/2016 10:19 AM
3	Yes.	2/4/2016 3:36 PM
4	Yes	2/1/2016 11:57 AM
5	Not exactly. Texas law provides that in the absence of evidence of a party's resources, the court shall presume that the party has income equal to the federal minimum wage for a 40 hour work week…. This is considered a rebuttable presumption. So while similar to the "court assuming that the parent is able to work" it is not exactly the same.	1/29/2016 10:22 AM
6	Yes	1/28/2016 1:25 PM
7	No.	1/28/2016 10:52 AM
8	Yes	1/27/2016 4:45 PM
9	yes	1/27/2016 2:45 PM
10	yes	1/27/2016 12:36 PM
11	Yes, using presumed or imputed income.	1/27/2016 7:08 AM
12	Yes.	1/26/2016 12:51 PM
13	Generally yes.	1/25/2016 11:10 PM
14	Yes.	1/25/2016 1:48 PM
15	yes	1/25/2016 10:23 AM
16	Yes	1/21/2016 7:09 PM
17	yes	1/21/2016 1:55 PM
18	A majority of the courts in the state impute income based upon the assumption that the parent is able to work.	1/21/2016 8:14 AM
19	Yes	1/21/2016 7:55 AM
20	Yes.	1/20/2016 5:21 PM
21	no	1/20/2016 1:32 PM
22	no, but not based on ability to work. based on actual income.	1/20/2016 9:56 AM
23	yes	1/20/2016 9:19 AM
24	The presumed income in Vermont is set at 150% of the annual average per DOL. While using this figure is discouraged, many courts (absent evidence to the contrary) set child support based on minimum wage or another nominal figure such as $20/wk.	1/20/2016 9:04 AM
25	yes as long as they're not in a distressed community (villages) or incarcerated.	1/19/2016 6:42 PM
26	Generally willing to assume that a parent is able to work, in the absence of evidence to the contrary.	1/19/2016 12:45 PM
27	Unable to comment	1/19/2016 12:40 PM

28	yes	1/19/2016 11:00 AM
29	Yes	1/19/2016 9:56 AM
30	Yes, in most judicial hearings in Arkansas, the trial courts will hear all evidence regarding the noncustodial parent's ability to work either from testimony from the noncustodial parent, other witnesses or documentary evidence submitted to it. The trial court may impute minimum wage income should the evidence indicate that the noncustodial parent is under employed or is willfully failing to work or if the noncustodial parent fails to respond and/or fails to appear at the hearing.	1/19/2016 9:32 AM
31	Yes, generally, although some jurisdictions do not.	1/19/2016 7:14 AM
32	yes	1/19/2016 7:12 AM
33	Yes	1/18/2016 10:40 PM
34	yes	1/18/2016 10:57 AM
35	Yes.	1/15/2016 7:15 PM
36	Oregon's child support guidelines allow, but do not require, imputation of potential income. Absent evidence of diminished earning capacity, when a court is establishing or modifying orders (rather than administrative), courts generally impute at least full-time Oregon minimum wage.	1/15/2016 4:51 PM
37	The court has the discretion to deviate from guideline support or presumed income. However, if the LCSA pled presumed income and the NP is unresponsive leading to a default, the court may not deviate from the LCSA pleadings.	1/15/2016 3:35 PM
38	Yes.	1/15/2016 3:03 PM
39	Yes	1/15/2016 2:56 PM
40	Yes. Our courts will generally presume that a parent is able to work a full-time, minimum wage job, in the absence of other evidence, and will calculate child support on that basis.	1/15/2016 11:40 AM
41	It is CSRU's responsibility to gather actual income information and present it to the court. CSRU cannot speculate as to what an individual judge or jurisdiction may rule.	1/15/2016 7:34 AM
42	Yes.	1/14/2016 8:06 PM
43	Yes. We need to show proof of the ability to pay. Or proof there is not an inability to pay.	1/14/2016 5:33 PM
44	Yes	1/14/2016 3:21 PM
45	Yes	1/14/2016 12:07 PM
46	MA courts are generally willing to assume that a parent is able to work a full-time, minimum wage job, absent evidence to the contrary. Courts may impute minimum wage earnings (in line with information available on the parent's age, education, past work history, etc.) for purposes of support obligation establishment and modification.	1/14/2016 9:57 AM
47	yes	1/13/2016 5:29 PM
48	Yes	1/12/2016 3:24 PM
49	Yes, the guidelines demand us to do 40 hours at minimum wage (although we are trying to get that changed to be actual income)	1/12/2016 2:56 PM
50	Yes	1/12/2016 11:59 AM
51	No	1/8/2016 3:10 PM
52	Yes	1/5/2016 9:11 AM
53	Yes	12/31/2015 10:07 AM

Q33 What do you think is the duty of the child support program, on behalf of the state, to prove that a parent was given notice and the opportunity to be heard?

Answered: 53 Skipped: 0

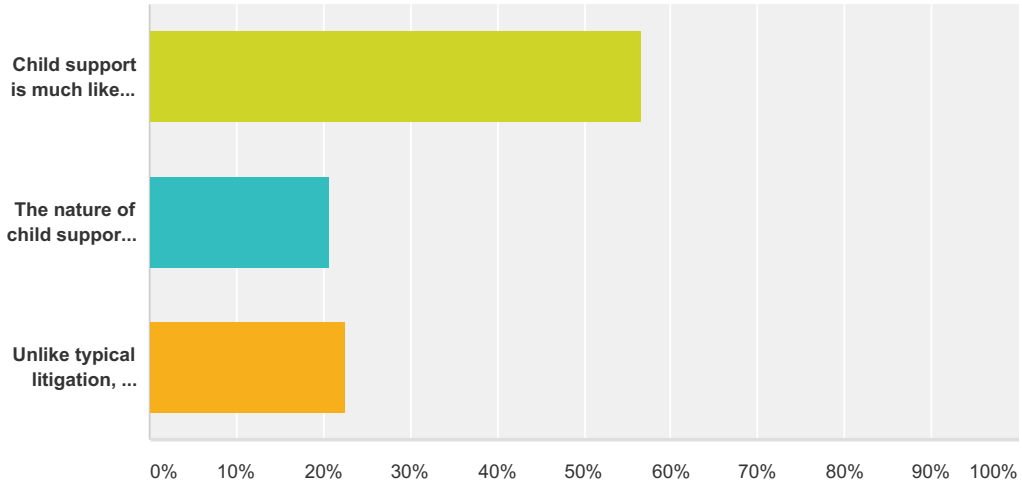
#	Responses	Date
1	It's critical that the parties receive due process and we very carefully document the manner in which notice and an opportunity to be heard was provided.	2/18/2016 7:38 AM
2	The duty is determined by mandates of state statutes, in addition to service of process protocols, and rules of evidence.	2/12/2016 10:19 AM
3	Provide an opportunity to consent to an agreement; request defaults only if the parent has been properly served with notice of court.	2/4/2016 3:36 PM
4	CSS has a duty under the civil procedure rules to provide proof of service to the court at the time a default order is requested. If a default order is entered and a parent later alleges lack of notice and opportunity, CSS has the duty to examine the proof of service and stipulate to a lack of service if it appears the parent truly did not receive notice of the court proceedings. In that case, CSS will generally agree to vacate the default order and re-open the case for new proceedings where the parent will have the opportunity to present evidence.	2/1/2016 11:57 AM
5	We believe we have that duty and it is required by law.	1/29/2016 10:22 AM
6	The duty of the child support program is to ensure the party is served and provide notice of hearing if possible.	1/28/2016 1:25 PM
7	The Child Support Services Division has an obligation to properly serve an obligor as a party to a lawsuit. Additionally, the Child Support Services Division has a duty to ensure the obligee was provided notice of the hearing by mail, email, and/or phone.	1/28/2016 10:52 AM
8	Proof of services is required in all our actions.	1/27/2016 4:45 PM
9	In Kentucky the Court typically will not establish or modify a support obligation unless there is proof of service by certified mail, return receipt requested or law enforcement.	1/27/2016 2:45 PM
10	proof of service	1/27/2016 12:36 PM
11	Yes. In our state, it is required that legal notice be given to both parties when child support is being established administratively before an order can be enforced. Service on noncustodial parent (NCP) is done by certified mail or personal service. Service on custodial parent (CP) is done by regular mail unless NCP applied to open the case, then certified mail or personal service is required. For administrative modifications, notice is given via regular mail to last known mailing address with a declaration of mailing, but modifications are entered only via agreed settlements between the parties or an adjudicative hearing where notice is testified to on record. Judicial actions (establishment or modification) require service on both parties by certified mail or personal service. A party can submit an acceptance of service.	1/27/2016 7:08 AM
12	Due process generally requires that the parties be given notice and an opportunity to be heard. Accordingly, service must be made in accordance with the North Dakota Rules of Civil Procedure and proof of service must be entered into the record. The proof of service will necessarily depend on how service was made. Service of a summons and complaint in an establishment action will typically be proven by filing the sheriff's return with the court. Service of a post-judgment motion to modify will typically be proven by an affidavit of mailing or by a IV D attorney's certificate of service. In this respect, the State, through the IV D program, is no different than any other litigant in any other type of legal action.	1/26/2016 12:51 PM
13	State statute requires that when a respondent does not respond to the initital notice served via regular mail, the hearing will be adjourned and the summons and hearing notice will personally served on respondent. NY has a high burden to assure respondent ncp was given notice and an opportunity to be heard.	1/25/2016 11:10 PM
14	To give notice and the opportunity to be heard is part of the constitutional right to due process that both the judicial and the child support enforcement agency have to guarantee in all proceedings.	1/25/2016 1:48 PM
15	Required by Nevada Rules of Civil Procedure to demonstrate proper notice.	1/25/2016 10:23 AM
16	Present information that notice was sent and received by the parent.	1/21/2016 7:09 PM

17	State must prove service/notice to respondent before going forward with any default hearing.	1/21/2016 1:55 PM
18	The IV-D agency has a duty to ensure the Defendant was properly served with process prior to a hearing to establish or modify a support obligation.	1/21/2016 8:14 AM
19	We seldom proceed without personal service and at least one subsequent attempt. We also require the custodial parent's presence or testimony when proceeding in default.	1/21/2016 7:55 AM
20	Ensure proof of service and the parties have adequate notice and the opportunity to be heard.	1/20/2016 5:21 PM
21	fair and provide the facts	1/20/2016 1:32 PM
22	we have an obligation to notify	1/20/2016 9:56 AM
23	Personal service at a verified location.	1/20/2016 9:19 AM
24	Notice and opportunity to be heard is required.	1/20/2016 9:04 AM
25	for Alaska we have to serve last known address for proper service of documents, best efforts to locate and make sure the parties know of the order being established would be best practice	1/19/2016 6:42 PM
26	The duty of the child support program is to provide services with the goal of obtaining support for the children.	1/19/2016 12:45 PM
27	For the administrative process, Hawaii law requires the filing of the service documents to prove the parties were properly served with notice.	1/19/2016 12:40 PM
28	We maintain all records of service.	1/19/2016 11:00 AM
29	Each parent must be properly served in order for the hearing to occur.	1/19/2016 9:56 AM
30	The Arkansas Child Support Agency must adhere to the Arkansas Rules of Civil Procedure. Every pleading filed with the judicial court must be served upon the noncustodial parent. Only specific individuals are allowed to serve these judicial pleadings, and proof of the service must be filed with the clerk. This proof of service must be provided to the judicial trial court before moving forward on the pleadings filed.	1/19/2016 9:32 AM
31	The IV-D program must prove that a parent was given notice and the opportunity to be heard as the law requires.	1/19/2016 7:14 AM
32	proof of personal service is provided/necessary to proceed with establishing/modifying an order	1/19/2016 7:12 AM
33	The IV-D agency has the duty to prove that due process was met. This includes proof of good service, notice of hearing and of genetic testing, and adequate time for the parent to file a response when a legal action takes place. This also includes notice of administrative enforcement activities and a right to request an administrative hearing.	1/18/2016 10:40 PM
34	The child support program must be able to prove that a parent was given notice of the establishment action and provided an opportunity to be heard.	1/18/2016 10:57 AM
35	The duty includes either valid service of process or the submission to the jurisdiction of the tribunal.	1/15/2016 7:15 PM
36	Oregon has administrative processes in place to ensure that parents receive notice and an opportunity to be heard for all actions. We consider this to be required by due process principles.	1/15/2016 4:51 PM
37	Proof of service of legal action	1/15/2016 3:35 PM
38	Yes.	1/15/2016 3:03 PM
39	Good locate information and obtaining proper service	1/15/2016 2:56 PM
40	The child support office must provide notice according to state law. At initial establishment, the parent is personally served, and parents are always mailed notice of any hearings and copies of any pleadings to their last known addresses.	1/15/2016 11:40 AM
41	It is CSRU’s duty to act within the Iowa Rules of Civil Procedure established by the Iowa Supreme Court.	1/15/2016 7:34 AM
42	Demonstrate that appropriate process service took place.	1/14/2016 8:06 PM
43	It is our duty to show that we made every effort to ensure due process for all parties.	1/14/2016 5:33 PM
44	To provide documentation confirming that the party was served with notice in accordance with state law.	1/14/2016 3:21 PM
45	Duty is to prove proper service of process	1/14/2016 12:07 PM
46	The child support program must comply with applicable court rules on service of process.	1/14/2016 9:57 AM
47	same as any other litigant	1/13/2016 5:29 PM
48	WV Courts require the IV-D agency to prove notice and opportunity before entering default orders.	1/12/2016 3:24 PM

49	Yes, all our cases are judicial so have to prove this.	1/12/2016 2:56 PM
50	At a minimum, due process in the form of service of process of pleadings must be completed. If there is no response from a parent, the Child Support Program should do its best to obtain input within reason and resources available.	1/12/2016 11:59 AM
51	Proof that the parties were present pursuant to a notice and entered their appearance or otherwise were served to appear .	1/8/2016 3:10 PM
52	Proof of Service (whether it be a certified mail receipt or person/substituted service by Sheriff or process server) is a basic element in establishing paternity/orders. However, it is not our duty to prove that their current spouse, who was served the paperwork (substitute service) actually gave the paperwork to the noncustodial parent.	1/5/2016 9:11 AM
53	Like any other litigation, a party in a IV-D case has the right to expect that thier due process rights are not violated. IV-D has the responsibility to provide notice to an individual of any legal action to be taken against them and an opportunity to appear and present evidence on the court record.	12/31/2015 10:07 AM

Q34 Which of the following statements more closely resembles your program's point of view regarding the procedure for establishing and modifying child support obligations (sorry – you can only pick 1):

Answered: 53 Skipped: 0



Answer Choices	Responses
Child support is much like any other litigation. IV-D seeks an order based on the best evidence available and relies significantly on the parent's response to IV-D's allegations. Once a parent is properly notified of the pending action, if the parent fails to respond or fails to provide needed income information, then the parent assumes the risk of an unfavorable outcome. In the child support context, this means a child support obligation that is based on presumed income and might be different than warranted by the parent's actual information if it had been known by IV-D from other sources or supplied by the parent. In other words, a parent's failure to participate in the action will not block the action from moving forward.	**56.60%** 30
The nature of child support cases, including long-term collectability, is such that the IV-D program should look past a parent's lack of cooperation or response and make a greater effort to obtain actual income information than is typically expected of from the litigants.	**20.75%** 11
Unlike typical litigation, the procedures required for the child support program in seeking orders and in imputing income are dictated by specific state laws and statutory presumptions (please include copies).	**22.64%** 12
Total	**53**

Q35 Do you think that your courts are generally accepting of your agency's approach in Question 34?

Answered: 53 Skipped: 0

#	Responses	Date
1	Yes but we do have problems with the court imputing income at minimum wage to very low income payers who may not have the skills/ability to obtain full time employment at minimum wage.	2/18/2016 7:38 AM
2	Yes	2/12/2016 10:19 AM
3	Yes.	2/4/2016 3:36 PM
4	Yes	2/1/2016 11:57 AM
5	Yes	1/29/2016 10:22 AM
6	Yes, courts are supportive of our agency's approach.	1/28/2016 1:25 PM
7	Yes.	1/28/2016 10:52 AM
8	Yes	1/27/2016 4:45 PM
9	yes	1/27/2016 2:45 PM
10	yes	1/27/2016 12:36 PM
11	Yes.	1/27/2016 7:08 AM
12	Yes.	1/26/2016 12:51 PM
13	Yes.	1/25/2016 11:10 PM
14	Yes.	1/25/2016 1:48 PM
15	Yes	1/25/2016 10:23 AM
16	No. The court often questions the IV-D approach to establishment of obligation	1/21/2016 7:09 PM
17	yes	1/21/2016 1:55 PM
18	Yes	1/21/2016 8:14 AM
19	Yes	1/21/2016 7:55 AM
20	Yes	1/20/2016 5:21 PM
21	yes but may differ from Judge to Judge	1/20/2016 1:32 PM
22	yes	1/20/2016 9:56 AM
23	yes	1/20/2016 9:19 AM
24	Yes. Child support should be reasonable, and based on an amount that an obligor is able to pay. If not, the order creates unreasonalbe expectations, and an obligation that is not collectable.	1/20/2016 9:04 AM
25	yes	1/19/2016 6:42 PM
26	Yes.	1/19/2016 12:45 PM
27	yes	1/19/2016 12:40 PM
28	Yes	1/19/2016 11:00 AM
29	Yes	1/19/2016 9:56 AM
30	Yes	1/19/2016 9:32 AM
31	Generally, yes.	1/19/2016 7:14 AM
32	yes	1/19/2016 7:12 AM

33	Yes	1/18/2016 10:40 PM
34	yes	1/18/2016 10:57 AM
35	Yes	1/15/2016 7:15 PM
36	Yes, provided the parties were provided with notice and an opportunity to object.	1/15/2016 4:51 PM
37	Yes	1/15/2016 3:35 PM
38	Yes.	1/15/2016 3:03 PM
39	Yes	1/15/2016 2:56 PM
40	Yes	1/15/2016 11:40 AM
41	Yes.	1/15/2016 7:34 AM
42	Yes	1/14/2016 8:06 PM
43	Yes	1/14/2016 5:33 PM
44	Yes	1/14/2016 3:21 PM
45	yes	1/14/2016 12:07 PM
46	Yes.	1/14/2016 9:57 AM
47	yes	1/13/2016 5:29 PM
48	Yes	1/12/2016 3:24 PM
49	Yes.	1/12/2016 2:56 PM
50	Yes	1/12/2016 11:59 AM
51	Yes	1/8/2016 3:10 PM
52	Yes	1/5/2016 9:11 AM
53	Yes	12/31/2015 10:07 AM

Q36 If your agency is attempting to establish a child support obligation of an unresponsive parent, is it fair to say that you use presumed income as a last resort?

Answered: 53 Skipped: 0

#	Responses	Date
1	No. We will look to other sources to establish their earning ability.	2/18/2016 7:47 AM
2	Yes	2/12/2016 10:20 AM
3	no	2/10/2016 6:48 AM
4	Yes.	2/4/2016 3:36 PM
5	Yes. We try to use actual income as often as possible.	2/1/2016 11:59 AM
6	Yes	1/29/2016 10:23 AM
7	Yes, utilizing presumed income is a last resort.	1/28/2016 1:29 PM
8	Yes.	1/28/2016 10:52 AM
9	Yes	1/27/2016 4:55 PM
10	yes	1/27/2016 2:47 PM
11	Our last resort is known as “median net income,” which is presuming income based on age and gender in the absence of any actual or historical income, or occupational data. Our table is based on data from the US Bureau of the census.	1/27/2016 7:09 AM
12	Yes. Our guidelines have specific provisions for establishing or modifying an order when the obligor is uncooperative. The provisions allow for imputing income to an uncooperative obligor only if information cannot be reasonably obtained from sources other than the obligor.	1/26/2016 12:51 PM
13	Yes, income information is sought from a variety of sources and automated data matches such as the Wage and Health Benefits Report and Quarterly Wage Report.	1/25/2016 11:32 PM
14	Yes.	1/25/2016 2:05 PM
15	yes	1/25/2016 10:32 AM
16	Yes	1/21/2016 7:09 PM
17	yes	1/21/2016 2:07 PM
18	Yes	1/21/2016 8:14 AM
19	Yes	1/21/2016 8:06 AM
20	Yes	1/20/2016 5:31 PM
21	no	1/20/2016 1:55 PM
22	no	1/20/2016 9:59 AM
23	As defined by statute, OCS uses presumed income (150% of annual wage per DOL) as a last resort. It is more likely that the court would impute income based on prior earnings, or ability to earn minimum wage, for example, absent any evidence of inability.	1/20/2016 9:44 AM
24	yes	1/20/2016 9:40 AM
25	yes	1/19/2016 6:48 PM
26	Yes.	1/19/2016 12:56 PM
27	For the administrative process, presumed income is only used in a contested hearing process and if requested by a parent.	1/19/2016 12:48 PM
28	sure	1/19/2016 11:12 AM

29	yes	1/19/2016 10:09 AM
30	Yes, the Arkansas trial courts will normally use any evidence of income provided by either party. Should the noncustodial parent fail to appear or respond to the pleading served upon him or her, the trial court may impute minimum wage income to establish a child support obligation.	1/19/2016 9:43 AM
31	Michigan's IV-D policy is that presumed income is used as a last resort.	1/19/2016 7:17 AM
32	yes	1/19/2016 7:16 AM
33	Yes	1/18/2016 10:46 PM
34	yes	1/18/2016 11:00 AM
35	Yes	1/15/2016 7:18 PM
36	Yes.	1/15/2016 4:54 PM
37	Yes	1/15/2016 3:37 PM
38	Yes	1/15/2016 3:10 PM
39	Yes.	1/15/2016 3:07 PM
40	Yes. Actual income based on documentation provided by the parent is preferred.	1/15/2016 11:42 AM
41	Absolutely.	1/15/2016 7:36 AM
42	Yes. Presumed income at federal minimum wage is the lowest threshold to cross. Utah uses actual wages whenever available as long as the proof of wages meets the statutorily required federal minimum wage.	1/14/2016 8:13 PM
43	Yes	1/14/2016 5:50 PM
44	Yes; the parent is provided with an opportunity to provide the agency with his or her current income information prior to the Division establishing or modifying a support obligation.	1/14/2016 3:26 PM
45	yes	1/14/2016 12:19 PM
46	Yes.	1/14/2016 10:00 AM
47	yes	1/13/2016 5:29 PM
48	Yes	1/12/2016 3:50 PM
49	Yes	1/12/2016 3:37 PM
50	Yes	1/12/2016 11:59 AM
51	generally minimum wage as a last resort x 40 hours.	1/8/2016 3:22 PM
52	Yes	1/5/2016 9:19 AM
53	Yes	12/31/2015 10:22 AM

Q37 What kind of formula is used in your state to determine the appropriate amount of presumed income when establishing a new obligation (e.g. $7.25 per hour x 40 hours per week)? Is the formula different for modifications (e.g. deemed 10% annual increase in income)?

Answered: 53 Skipped: 0

#	Responses	Date
1	We only use a formula when the parent's income is below their earning capacity or unknown. The court may then impute income at an amount that represents the parent's ability to earn, based on their education, training and work experience, physical and mental health, history of child care responsibilities and availability of work in their community. If that information is unavailable and due diligence was exercised to attempt to obtain it, the court may impute income based on a 35 hour work week at minimum wage. (We are currently amending our rules to provide for a range of hours from 10-35.)	2/18/2016 7:47 AM
2	For establishment cases, CT minimum wage - $9.60 X 40 hours.	2/12/2016 10:20 AM
3	full-time minimum wage	2/10/2016 6:48 AM
4	The stated formula would be used. No, the formula remains the same.	2/4/2016 3:36 PM
5	CSS generally figures the minimum wage for a 40 hour work week. The same formula is used in establishment and modification proceedings (i.e., we do not assume any automatic increase in income).	2/1/2016 11:59 AM
6	The wage and salary presumption formula described above is used. We use the same formula for modification cases.	1/29/2016 10:23 AM
7	Minimum Wage (Currently set at $9/ hour) is utilized at 30-40 hours per week when determining the appropriate amount of presumed income in establishing a new obligation.	1/28/2016 1:29 PM
8	To impute income in all cases, the Child Support Services Division first looks to a parent's work history, job skills and training to determine an appropriate wage. If a parent is working part-time at a job commensurate with his or her job training or skills, the attorney in court may use the parent's current income to calculate a full time wage. If a parent is unemployed, but has worked in a job using his or her job skills or training, the attorney in court may impute the parent's previous wages. If a parent has never worked in a job using his or her skills or training, the Child Support Services Division may use income information provided by the U.S. Bureau of Labor Statistics to determine an appropriate full time wage for a parent's occupation. If a parent has no job history, training, or skills, minimum wage may be imputed to the parent. Courts in the District of Columbia typically impute full-time wages at 35 hours per week, as many parents work in jobs in which they are not compensated for their daily lunch break.	1/28/2016 10:52 AM
9	Depends on whether or not the party has a work history. Income may also be imputed using past earnings and usual occupation. Minimum wage x 40 hours per week is also used. There is no difference for modification.	1/27/2016 4:55 PM
10	Minimum wage x 40 hours per week and is the same for modifications	1/27/2016 2:47 PM
11	In the absence of actual income, we use imputed income of last known earnings (if they are within a reasonable time period) at full-time hours (40 hours a week). We also take into account what "full-time" hours are in the parent's industry. This may mean imputing at less than 40 hours per week, such as 32 hours per week. This applied to both child support establishment and modification. In some circumstances, we use minimum wage.	1/27/2016 7:09 AM

12	Assuming the obligor is not uncooperative regarding providing income information, the general rule for imputing income would be applied, resulting in imputing income at the greatest of: a) an amount equal to 167 times the hourly federal minimum wage; b) an amount equal to 60% of statewide average earnings for persons with similar work history and occupational qualifications; or c) an amount equal to 90% of greatest average gross monthly earnings for any 12 consecutive months within a look-back period that includes the current calendar year plus the two previous calendar years. If the obligor is uncooperative and if income information can't be reasonably obtained from other sources, income can be imputed at the greatest of: a) an amount equal to 167 times the hourly federal minimum wage; b) an amount equal to 100% of statewide average earnings for persons with similar work history and occupational qualifications; or c) an amount equal to 90% of greatest average gross monthly earnings for any 12 consecutive months within a look-back period that includes the current calendar year plus the two previous calendar years. Question 2: If the obligor is not uncooperative regarding providing income information, the general rule described above will apply. If the obligor is uncooperative and if income information can't be reasonably obtained from other sources, then income can be imputed at the greater of the general rule described above or the obligor's net income at the time the order was established, increased at the rate of 10% per year since.	1/26/2016 12:51 PM
13	At discretion of court, court may attribute or impute income from other sources as may be available to the parent, including but not limited to: Non-income producing assets, mealds, lodging, memberships, automobiles or other perquisities that are provided as part of compensation; fringe benefits; money, gods or services provided by relatives or friends.	1/25/2016 11:32 PM
14	As a general rule, the agency will impute the minimum wage prevalent in Puerto Rico (e.g. $7.25) per hour x 40 hours a week. Depending on the circumstances of each case, the guidelines allow for imputation of a lower amount (e.g. when parent is unemployed). If the person doesn't have earning ability, no income whatsoever is imputed. The same applies for modifications.	1/25/2016 2:05 PM
15	Per statute, NRS 425.360(3), income is imputed based on the state average wage as published by the state's work force agency.	1/25/2016 10:32 AM
16	hourly (minimum wage) x 40 hours per week.	1/21/2016 7:09 PM
17	depends on circumstances	1/21/2016 2:07 PM
18	The formula varies by court. Generally, imputed minimum wage is deemed to be $7.24/hr at 40 hours per week. An imputed deduction for taxes is usually between 10% and 20% of the gross imputed income.	1/21/2016 8:14 AM
19	Imputation higher than minimum wage is rare in SC. We would not assume an annual increase in income, even in our most prosperous counties.	1/21/2016 8:06 AM
20	We use federal minimum wage, $7.25 per hour x 40 hour. There is no increase for modifications.	1/20/2016 5:31 PM
21	facts	1/20/2016 1:55 PM
22	n/a	1/20/2016 9:59 AM
23	It varies. Sometimes courts use $20/wk, sometimes full time minimum wage. It depends on employment history and other evidence presented.	1/20/2016 9:44 AM
24	$8.25 x 40 hours	1/20/2016 9:40 AM
25	minimum wage X 2080 hours (full time) if they've shown they can work full time. Same for modifications.	1/19/2016 6:48 PM
26	If the court finds that an individual is voluntarily unemployed or underemployed, support is calculated based on a determination of income earning potential (full-time at minimum wage). For modifications, there must be information regarding a change in the child support amount calculated using state guidelines.	1/19/2016 12:56 PM
27	minimum wage x 40 hours per week. The formula is the same for modifications.	1/19/2016 12:48 PM
28	No formula exist agency or court discretion	1/19/2016 11:12 AM

29	If the court finds that either parent is, without just cause, voluntarily underemployed or unemployed, it shall impute income to that parent according to the following priorities: a. impute income based on potential employment and earning capacity using the parent's work history, occupational qualifications, educational background, and prevailing job opportunities in the region. The court may impute income based on the parent's former income at that person's usual or former occupation or the average earnings for that occupation as reported by the New Jersey Department of Labor (NJDOL); b. if potential earnings cannot be determined, impute income based on the parent's most recent wage or benefit record (a minimum of two calendar quarters) on file with the NJDOL (note: NJDOL records include wage and benefit income only and, thus, may differ from the parent's actual income); or c. if a NJDOL wage or benefit record is not available, impute income based on the full-time employment (40 hours) at the New Jersey minimum wage ($8.25 per hour). In determining whether income should be imputed to a parent and the amount of such income, the court should consider: (1) what the employment status and earning capacity of that parent would have been if the family had remained intact or would have formed, (2) the reason and intent for the voluntary underemployment or unemployment, (3) the availability of other assets that may be used to pay support, and (4) the ages of any children in the parent's household and child-care alternatives. The determination of imputed income shall not be based on the gender or custodial position of the parent. Income of other household members, current spouses, and children shall not be used to impute income to either parent except when determining the other-dependent credit. When imputing income to a parent who is caring for young children, the parent's income share of child-care costs necessary to allow that person to work outside the home shall be deducted from the imputed income.	1/19/2016 10:09 AM
30	If the noncustodial parent fails to appear or respond, the trial court may impute minimum wage (Arkansas minimum wage of $8.00 per hour x 40 hours less federal and state tax deductions which equal a weekly net income). In modification situations, the Arkansas Child Support agency requires a 20% change in income or a $100 per month change in order to proceed with modifying the child support per A.C. A. § 9-14-107 (2015) which states, "A change in gross income of the payor in an amount equal to or more than 20% or more than $100 per month shall constitute a material change of circumstances sufficient to petition the court for modification of child support..."	1/19/2016 9:43 AM
31	The Michigan Child Support Formula lists eleven relevant factors that must be considered when determining the appropriate amount of presumed income. 2013 MCSF 2.01(G)(2)	1/19/2016 7:17 AM
32	full time minimum wage is the starting point until or unless the obligor shows an inability to work full time.	1/19/2016 7:16 AM
33	The hourly rate x 2080 / 12 determines monthly gross income (2080 is equal to 52 40-hr work weeks divided by 12 months). Similar formulas can be resulted for same result). The formula is not different for modifications.	1/18/2016 10:46 PM
34	It depends on the specifics known about the parent regarding the parent’s past work history and current employment. We have several sections of procedures on how we handle if you would like them.	1/18/2016 11:00 AM
35	Administrative: Minimum wage times 40 hours/week. Judicial: Child's needs; may look at past earnings	1/15/2016 7:18 PM
36	Oregon has not had a broadly applicable minimum wage presumption since implementation of the 2013 guidelines. Only if insufficient information about the parent's income history is available to make a determination of actual or potential income do we use full-time work at the Oregon minimum wage. This is not an imputation of potential income, but rather a means to get an action started and offer the parents the opportunity to present evidence to produce an accurate support obligation. In any other circumstances, the guidelines (OAR 137-050-0715, attached) call for use of actual income, adding on any additional potential income determined using evidence of the characteristics of the individual and their community. A parent with no evidence of inability to work, who lives in an area where full-time minimum wage work is readily available, may be imputed the ability to earn full-time minimum wage. If that same parent lives in an area where full-time minimum wage work is not as readily available (as is the case in many of Oregon’s rural areas), less or even no imputed income may better reflect the individual’s earning ability. Additionally, if a parent works for an employer that will not grant full time work (for example, a restaurant or retail that schedules most employees for 30-hour work weeks), it may not be appropriate to impute income at a 40-hour week. There is no presumption of an annual increase.	1/15/2016 4:54 PM
37	See list of California citations Family Code 17400(d)(2). Modifications require court hearing and imputation of income on either party is at the discretion of the court.	1/15/2016 3:37 PM
38	minimum wage @ 40 hours per week	1/15/2016 3:10 PM
39	It is presumed that all parents are capable of working at least 40 hours per week at minimum wage, absent evidence to the contrary. This is applicable to both establishment & modification actions.	1/15/2016 3:07 PM
40	Without any information available about the parent’s income, they will be imputed at full-time minimum wage (e.g. $8.31 per hour x 40 hours per week). The same amount would be imputed at modification, though there is a statutory requirement for a 10% change from the existing support amount for a modification to be approved.	1/15/2016 11:42 AM
41	Iowa statute allows CSRU to use the Iowa case load median income or occupational wage when a parent does not provide income information. However, CSRU only uses these as income when we know a party is working and other verified income sources cannot be found. The same procedures are used for establishment and modification actions.	1/15/2016 7:36 AM

42	Federal minimum wage. ($7.25/hour x 2085.6 full time hours per year) / 12 months. No, the formula is not different for modifications.	1/14/2016 8:13 PM
43	We use minimum wage. The formula is the same for modifications. Arizona does not have a cost of living adjustment.	1/14/2016 5:50 PM
44	The Division uses the income information that can be derived from other sources, such as quarterly wage reports from the FCR or income information from the most recent employer. Judicially, as a last resort, if no other information is available, minimum wage is often used. The methodology is not different for modifications	1/14/2016 3:26 PM
45	Depending upon the facts of the case, they may impute guideline amount or minimum wage in setting an initial order of support. For modification of orders, they may use minimum wage or increase 10% annual income, depending upon the facts of the case.	1/14/2016 12:19 PM
46	There is no official formula in MA. A judge may presume income based on state minimum wage and full-time employment. At a rate of $10/hour and 40 hours per week, the presumption would be for $20,800 in yearly earnings. Courts consider a parent's education, training, and past employment history to determine presumed income. For example, DOL wage survey information may be used to determine median income for different professions in Massachusetts. Additionally, the MA Child Support Guidelines have this provision regarding attribution of income to a parent: "Income may be attributed where a finding has been made that either party is capable of working and is unemployed or underemployed. The Court shall consider all relevant factors including without limitation the education, training, health, past employment history of the party, and the availability of employment at the attributed income level. The Court shall also consider the age, number, needs and care of the children covered by this order. If the Court makes a determination that either party is earning less than he or she could through reasonable effort, the Court should consider potential earning capacity rather than actual earnings in making its order."	1/14/2016 10:00 AM
47	min wage X 40 hours	1/13/2016 5:29 PM
48	minimum wage X 40 hours for either or both parents	1/12/2016 3:50 PM
49	historically minimum wage X 40 hours per week; however, we have begun seeking 20-30 hours per week to reflect employer's hiring practices post ACA.	1/12/2016 3:37 PM
50	1) the parent's probable earnings level based on employment potential, recent work history, and occupational qualifications in light of prevailing job opportunities and earnings levels in the community; 2) If a parent is receiving unemployment compensation or workers' compensation, that parent's income may be calculated using the actual amount of the unemployment compensation or workers' compensation benefit received; or 3) the amount of income a parent could earn working 30 hours per week at 100 percent of the current federal or state minimum wage, whichever is higher. (This is effective March 1, 2016. Current law uses 40 hours x 1.5x min. wage). Minn. Stat. §518A.32	1/12/2016 11:59 AM
51	Minimum wage for both	1/8/2016 3:22 PM
52	Typically we have two basic presumptions. 1) Presumption of minimum wage (for those that typically work minimum wage, incarcerated, or actual minimum wage income) and 2) Annual Pay Standard (currently $3224 per month/$38,689 per year) for those when income is unknown or self employed. The process is the same for new obligations and modifications.	1/5/2016 9:19 AM
53	Unless there is evidence to the contrary, it will be presumed that a party is capable of working full time, 40hrs a week, and earning at least minimum wage.	12/31/2015 10:22 AM

Q38 If your state considers the parent's occupation or job skills, what sources of data are used to determine an appropriate amount of presumed income?

Answered: 51 Skipped: 2

#	Responses	Date
1	Again, we don't presume income, we presume ability to earn. State wage information is available from the Department of Workforce Development.	2/18/2016 7:47 AM
2	Past wages, data from state labor department and court testimony.	2/12/2016 10:20 AM
3	full-time minimum wage or income from last employment	2/10/2016 6:48 AM
4	In some cases the court will consider occupation and look at previous earnings or possible wage data published for particular occupations at the courts discretion.	2/4/2016 3:36 PM
5	CSS staff look first at information provided by the parent (such as check stubs or tax returns). If those are not available or not provided, CSS may use wage tables prepared by third parties or other agencies (such as the Oklahoma Employment Security Commission).	2/1/2016 11:59 AM
6	On a case by case basis we consider the parent's occupation and/or job skills. These issues mostly arise in what we call an "intentional unemployment or underemployment" case. In such cases we use evidence of past wages for the obligor, federally published wage information from the Bureau of Labor Statistics, or other relevant and appropriate evidence.	1/29/2016 10:23 AM
7	Our state considers recent job history and reviews in some instances the past 2 years of employment income.	1/28/2016 1:29 PM
8	The Child Support Services division most frequently uses a parent's past earnings to determine the appropriate presumed income. In doing so, the Child Support Services Division relies on in-court testimony from both parents, pay stubs and tax returns provided by the parents, income information from previous orders, employer statements, formal and informal discovery and reported quarterly wages. In cases where this information is not available, the Child Support Services Division may use data from the U.S. Bureau of Labor Statistics to determine an appropriate wage for a parent's occupation. The Child Support Services Division may request that the Court impute a full-time minimum wage income to a parent with no training or work history, is not in receipt of means tested public assistance, and has demonstrated a lack of commitment to job searching.	1/28/2016 10:52 AM
9	Data from the Department of Economic Development	1/27/2016 4:55 PM
10	Typically in those types of situations the parent has voluntarily terminated employment and if the Court finds that the parent is voluntarily unemployed or underemployed will use the parent's prior income in the new guideline calculation.	1/27/2016 2:47 PM
11	Our Employment Security administration submits earnings data to our agency. We also can look at case files that contain recent or historical wage information, such as employer inquiry forms and tax returns. If we know a person's occupation, another state agency maintains a website containing the average wage for that occupation.	1/27/2016 7:09 AM
12	We use a Job Service North Dakota publication entitled "Employment and Wages by Occupation." This publication summarizes employer estimates, based on employer surveys, of employment and wages (annually and hourly) for most occupations in the state.	1/26/2016 12:51 PM
13	Tax returns, paystubs	1/25/2016 11:32 PM
14	According to the parent's occupation or job skills, the agency may recur to data procided by the Department of Labor concerning the average income earned by a person with the same occupation or job skills.	1/25/2016 2:05 PM
15	Occupational wage as published by the state's work force agency.	1/25/2016 10:32 AM
16	check stubs/earnings statement, employer information.	1/21/2016 7:09 PM
17	former employment records, information from obligee	1/21/2016 2:07 PM
18	Previous employers obtained from state and federal interfaces. Level of education obtained from interview with the custodial parent or Defendant.	1/21/2016 8:14 AM
19	We would only use the individual's past wage information, or his testimony in an earlier action.	1/21/2016 8:06 AM

20	Past wages, occupational tables (published wage surveys),	1/20/2016 5:31 PM
21	yes	1/20/2016 1:55 PM
22	n/a	1/20/2016 9:59 AM
23	This varies as well. Some courts use evidence of prior income, CP testimony, or evidence of similar jobs available in the area.	1/20/2016 9:44 AM
24	Department of Labor Quarterly earnings, employer job information forms	1/20/2016 9:40 AM
25	Occupational employments services (averages of certain trades); college degrees, prior earnings/positions held	1/19/2016 6:48 PM
26	The Louisiana Occupational Employment Wage Survey is used to determine income.	1/19/2016 12:56 PM
27	Statute identifies extensive criteria to consider when utilizing potential income.	1/19/2016 11:12 AM
28	See above	1/19/2016 10:09 AM
29	In general, income is not imputed based on occupation of job skills. If a parent has a recent history of employment and income, that history may be used to impute the current income.	1/19/2016 9:43 AM
30	Michigan's IV-D policy lists the U.S. Bureau of Labor Statistics and the Michigan Labor Market Information websites as possible sources.	1/19/2016 7:17 AM
31	tax information Dept. of labor standards	1/19/2016 7:16 AM
32	Minimum wage tables are used. The tables capture wage information from different municipalities in New Mexico and from other states.	1/18/2016 10:46 PM
33	Quarterly wage history, employment verifications, occupational qualifications, prevailing earnings in the geographic area of the parent for his or her occupation	1/18/2016 11:00 AM
34	See Response to Question #23 herein.	1/15/2016 7:18 PM
35	The Oregon wage guide, at https://www.qualityinfo.org/	1/15/2016 4:54 PM
36	n/a	1/15/2016 3:37 PM
37	department of labor	1/15/2016 3:10 PM
38	In cases where imputed income is appropriate, the amount is based on the following: (a) the parent's recent work history; (b) the parent's occupational and professional qualifications; and (c) existing job opportunities and associated earning levels in the community or the local trade area. A parent’s past wage data, contained in the Montana Dept. of Labor & Industry interface and database, is a primary source of information used. In addition, wage information provided directly by the parent is considered as well.	1/15/2016 3:07 PM
39	Employer verifications of earnings, Department of Labor wage reports, documentation provided by the parties to include tax returns. This is a partial list of data used.	1/15/2016 11:42 AM
40	If a parent does not provide income information and CSRU cannot locate verified income but knows the parent’s occupation, the worker uses the Iowa Workforce Development document showing wages for various occupations.	1/15/2016 7:36 AM
41	Occupations in Demand listings are available, but these statistics are not liked by the courts in Utah and are only resorted to in extremely rare circumstances.	1/14/2016 8:13 PM
42	Varies by the case. Professional affiliations, previous wages. We should present whatever information we have to the court so that it can make its determination.	1/14/2016 5:50 PM
43	Administratively this is not applicable. The agency does not consider occupation or job skills. Judicially, data from the Virginia Employment Commission or the U.S. Department of Labor on average wages for occupations by region are sometimes used, though practices vary by locality.	1/14/2016 3:26 PM
44	published wage survey, local economy and testimony, etc.	1/14/2016 12:19 PM
45	DOR will use information from current and/or previous employers, information from the custodial parent the noncustodial parent’s state tax return information, and quarterly wage reports to determine a parent’s income. The MA Guidelines also have this provision regarding unreported income: “When the Court finds that either parent’s gross income, in whole or in part, is undocumented or unreported for tax or other governmental purposes, the Court may reasonably impute income to the parent based on all the evidence submitted, including but not limited to evidence of the parent’s ownership and maintenance of assets, and the parent’s lifestyle, expenses and spending patterns.”	1/14/2016 10:00 AM
46	we use a Department of Labor statistics table to determine pay based on occupation and training	1/13/2016 5:29 PM
47	If we don't have an actual employer or parents information we just use minimum wage at 40 hours	1/12/2016 3:50 PM

48	State Salary Survey Wages earned at past employment Ads with current job openings	1/12/2016 11:59 AM
49	This would be attempted in rare cases. Perhaps a professional who maintains they can no longer work with no valid reason for not working,	1/8/2016 3:22 PM
50	Typically we have two basic presumptions. 1) presumption of minimum wage (for those that typically work minimum wage, incarcerated, or minimum wage earners) and 2) Annual Pay Standard (currently $3224 per month/$38,689 per year) for those when income is unknown or self employed.	1/5/2016 9:19 AM
51	Employment potential and probable earnings level based on the parent's work history, occupational qualifications, prevailing job opportunities, and earnings levels in the community. If there is no work history and no higher education or vocational training the facts of the case may indicate that weekly gross income be set at least at the federal minimum wage level.	12/31/2015 10:22 AM

Q39 For an able-bodied parent who is underemployed or unemployed, what kind of formula is used to impute income to the parent (e.g. $7.25 per hour x 40 hours per week)?

Answered: 53 Skipped: 0

#	Responses	Date
1	We only use a formula when we can't establish earning capacity. See #37.	2/18/2016 7:47 AM
2	For establishment cases, CT minimum wage - $9.60 X 40 hours.	2/12/2016 10:20 AM
3	actual income	2/10/2016 6:48 AM
4	The formula stated would be used when imputing minimum earnings on the parent.	2/4/2016 3:36 PM
5	Minimum wage for a 40 hour work week.	2/1/2016 11:59 AM
6	Texas law differentiates intentional unemployment and intentional underemployment from mere unemployment. In cases where the court finds intentional unemployment or intentional underemployment, the court can apply the child support guidelines to the "earning potential of the obligor" rather than use actual income. In these situations, courts will typically impute an earning potential of at least the federal minimum wage for a 40 hour work week.	1/29/2016 10:23 AM
7	Minimum Wage (Currently set at $9/ hour) is utilized at 30-40 hours per week when imputing income for a parent who is underemployed or unemployed.	1/28/2016 1:29 PM
8	The Child Support Services Division may impute income to an able-bodied parent who is under-employed or unemployed, and refuses to search for employment. For an under-employed parent, the Child Support Services Division will first look to a parent's work history to determine the appropriate wage to impute. Typically, the attorney in court will review the parent's pay stubs and/or tax return, income listed on previous orders and employer statements, quarterly wages and take in-court testimony to determine the appropriate wage to impute. In cases where a parent has job skills or training, but has never worked at a job that utilizes these skills or training, the Child Support Services Division may use data from the U.S. Bureau of Labor Statistics to determine an appropriate wage to impute for the parent's occupation. In cases where a parent is working part-time at a job that appropriately utilizes his or her job skills or training, the Child Support Services Division may impute full time hours using the parent's current wage. If a parent is unemployed and has no job skills or training, the Child Support Services Division may impute a full-time minimum wage for the parent using the minimum wage for the jurisdiction in which the parent resides (i.e. $10.50 per hour x 35 hours per week). For all income imputations, courts typically impute full-time wages at 35 hours per week, as many parents in the area are not paid for their daily lunch-hour.	1/28/2016 10:52 AM
9	Same as 37	1/27/2016 4:55 PM
10	Minimum wage x 40 hours per week or prior income if greater – also see statute below in Question 40	1/27/2016 2:47 PM
11	In the absence of historical income data, we use WA state minimum wage ($9.47) x full-time hours (40 hours a week). If we have historical data within the last five years, we will impute full time hours based on that hourly rate.	1/27/2016 7:09 AM
12	Assuming the obligor is not uncooperative regarding providing income information, the general rule for imputing income would be applied, resulting in imputing income at the greatest of: a) an amount equal to 167 times the hourly federal minimum wage; b) an amount equal to 60% of statewide average earnings for persons with similar work history and occupational qualifications; or c) an amount equal to 90% of greatest average gross monthly earnings for any 12 consecutive months within a look-back period that includes the current calendar year plus the two previous calendar years.	1/26/2016 12:51 PM
13	Minimum Wage x 40 hours per week. Importantly, NY's self-support reserve may result in a poverty level order even with this imputation.	1/25/2016 11:32 PM
14	As a general rule, the agency will impute the minimum wage prevalent in PR per hour x 40 hours a week to an underemployed/unemployed parent. If the parent provides proof of continuous efforts to acquire employment, the imputed income will be reduced to the minimum wage prevalent in PR per hour x 30 hours a week.	1/25/2016 2:05 PM
15	State average wage as published by state's work force agency.	1/25/2016 10:32 AM
16	$8.25 (Minimum) x 40 hours per week.	1/21/2016 7:09 PM

17	minimum wage x 40 hours per week	1/21/2016 2:07 PM
18	The formula varies by court. Generally, imputed minimum wage is deemed to be $7.24/hr at 40 hours per week. An imputed deduction for taxes is usually between 10% and 20% of the gross imputed income.	1/21/2016 8:14 AM
19	We would calculate forty hours per week at minimum wage. We are, however, reviewing this practice presently.	1/21/2016 8:06 AM
20	We use federal minimum wage, $7.25 per hour x 40 hour unless Judge determines NCP underemployed (then a higher wage could be used).	1/20/2016 5:31 PM
21	past employment	1/20/2016 1:55 PM
22	n/a	1/20/2016 9:59 AM
23	It varies. Sometimes courts use $20/wk, sometimes full time minimum wage. It depends on employment history and other evidence presented.	1/20/2016 9:44 AM
24	$8.25 x 40 hours	1/20/2016 9:40 AM
25	minimum wage X 2080 hours (full time)	1/19/2016 6:48 PM
26	Minimum wage x 40 hours	1/19/2016 12:56 PM
27	minimum wage x 40 hours per week	1/19/2016 12:48 PM
28	Statute identifies extensive criteria to consider when utilizing potential income.	1/19/2016 11:12 AM
29	see above	1/19/2016 10:09 AM
30	The Arkansas trial court may impute minimum wage of $8.00 per hour x 40 hours less all allowable federal and state tax deductions to obtain a net income.	1/19/2016 9:43 AM
31	The Michigan Child Support Formula lists eleven relevant factors that must be considered when determining the appropriate amount of presumed income. MCSF 2.01(G)(2)	1/19/2016 7:17 AM
32	full time minimum wage	1/19/2016 7:16 AM
33	The hourly rate x 2080 / 12 determines monthly gross income (2080 is equal to 52 40-hr work weeks divided by 12 months).	1/18/2016 10:46 PM
34	A standard dollar amount per hour per x number of hours per week is not used. If wage and income history is available during the past 5 years consideration is given regarding if the parent is capable of working full time by reviewing work history for trends and verifying that disability is not an issue. The parent's average monthly wage is determined by adding all the parent's income from the wage history for the previous 12 months and dividing by 12. Full time employment is figured at 40 hours per week when parent is considered underemployed and there is no wage history available for the parent for the past 5 years. For judicial cases the Florida minimum wage when the parent lives in Florida; Federal minimum wage when the parent lives outside of Florida. In administrative cases the federal minimum wage is used when there is a lack of sufficient reliable information concerning the parent's actual earnings.	1/18/2016 11:00 AM
35	Imputed income is used if supporting parent did not voluntarily quit a job. Courts may look at past earnings.	1/15/2016 7:18 PM
36	As described in answer 37, Oregon's guidelines require consideration of the individual parent's earning ability in light of the available work in the community. This includes education and prior employment. Just because someone previously had a higher income does not automatically result in imputation of that income This assessment is a holistic analysis made on a case-by-case basis with the ultimate goal of determining the parent's current ability to earn and thus to support. The parent's health is considered, along with the time since the parent practiced in the prior job or profession, and the availability of that type of employment in that parent's community.	1/15/2016 4:54 PM
37	Only the court may impute income. See list of California citations for legal authority.	1/15/2016 3:37 PM
38	minimum wage @ 40 hours per week	1/15/2016 3:10 PM
39	It is presumed that all parents are capable of working at least 40 hours per week at minimum wage, absent evidence to the contrary.	1/15/2016 3:07 PM
40	Generally hourly rate at 40 hours per week. There may be imputation of weekly hours between 35 to 40 if there is a specific reason why the parent is working fewer hours per week.	1/15/2016 11:42 AM
41	Iowa CSRU does not impute income.	1/15/2016 7:36 AM
42	Federal minimum wage. ($7.25/hour x 2085.6 full time hours per year) / 12 months.	1/14/2016 8:13 PM
43	Minimum Wage	1/14/2016 5:50 PM

44	If a determination is made that an obligor is voluntarily unemployed or underemployed, staff are advised to use the obligor's most recent (within the last year) earnings for income. If there is no income information on file for the prior year, the agency uses zero for the party's income. If staff determines that the resulting obligation would be considered unjust, the case is referred to IV-D counsel for possible court action.	1/14/2016 3:26 PM
45	Depending upon the facts of the case, they may impute guideline amount or minimum wage in setting an initial order of support. For modification of orders, they may use minimum wage or increase 10% annual income, depending upon the facts of the case.	1/14/2016 12:19 PM
46	See responses to #37 and 38 above.	1/14/2016 10:00 AM
47	min wage X 40 or wages consistent with prior work training and history, depending on the case	1/13/2016 5:29 PM
48	minimum wage X 40 hours based upon what our guidelines say we use absent other information (even when unemployed or in jail)	1/12/2016 3:50 PM
49	see question 37	1/12/2016 3:37 PM
50	1) the parent's probable earnings level based on employment potential, recent work history, and occupational qualifications in light of prevailing job opportunities and earnings levels in the community; 2) If a parent is receiving unemployment compensation or workers' compensation, that parent's income may be calculated using the actual amount of the unemployment compensation or workers' compensation benefit received; or 3) the amount of income a parent could earn working 30 hours per week at 100 percent of the current federal or state minimum wage, whichever is higher. (This is effective March 1, 2016. Current law uses 40 hours x 1.5x min. wage). Minn. Stat. §518A.32	1/12/2016 11:59 AM
51	Minimum wage x 40 hours	1/8/2016 3:22 PM
52	For those that are unemployed, they would be imputed at minimum wage x 40 hours per week. For those that are underemployed, the referee could use the current earnings, or could deviate upwards based on their underemployment. It would depend on the circumstances of the situation. Either party may object to that deviation and then the Judge would ultimately decide at an objection hearing.	1/5/2016 9:19 AM
53	Employment potential and probable earnings level based on the parent's work history, occupational qualifications, prevailing job opportunities, and earnings levels in the community. If there is no work history and no higher education or vocational training the facts of the case may indicate that weekly gross income be set at least at the federal minimum wage level.	12/31/2015 10:22 AM

Q40 What are the grounds in your state, if any, for a parent to avoid the imputation of income in the amount in Question 39 as part of the base calculation under the child support guidelines?

Answered: 53 Skipped: 0

#	Responses	Date
1	Parent would have to establish that they do not have the ability to earn at the rate that we've determined based on their past work history. Often this is due to health issues and they would have to provide medical documentation of disability.	2/18/2016 7:47 AM
2	N/A – see link to guidelines http://www.jud.ct.gov/Publications/ChildSupport/CSguidelines.pdf	2/12/2016 10:20 AM
3	actual income	2/10/2016 6:48 AM
4	The parties would have an opportunity to provide testimony or proof as to why imputing wages would be unreasonable or unjust.	2/4/2016 3:36 PM
5	Oklahoma law allows a court to consider "the most equitable" of four choices: all actual income, average of monthly income for last three years, minimum wage for a 40 hour work week, or an imputed amount. Each case is fact-specific and the determination of income is at the discretion of the court. CSS requests the use of actual income whenever possible.	2/1/2016 11:59 AM
6	The grounds would be a finding that the unemployment or underemployment was not intentional. In those situations, the guidelines would be applied to actual earnings.	1/29/2016 10:23 AM
7	Instances such as disability and parents who are utilizing public assistance are reviewed and considered when determining the appropriateness of imputing income.	1/28/2016 1:29 PM
8	A parent may avoid income imputation if he or she makes a good faith showing that he or she is looking for gainful, full-time employment commensurate with his or her job skills or training. Also, income is not imputed to parents who make a showing that they are unable to work full time due to a disability or other extenuating circumstance. Additionally, District of Columbia law prohibits income imputation to any parent receiving means-tested public assistance (i.e. food stamps or TANF).	1/28/2016 10:52 AM
9	All calculations are a presumption until an order is entered. The party may request a hearing and provide evidence as to why the amount is incorrect.	1/27/2016 4:55 PM
10	KRS 403.212(2)(d) states if a parent is voluntarily unemployed or underemployed, child support shall be calculated based on a determination of potential income, except that a determination of potential income shall not be made for a parent who is physically or mentally incapacitated or is caring for a very young child, age three (3) or younger, for whom the parents owe a joint legal responsibility. Potential income shall be determined based upon employment potential and probable earnings level based on the obligor's or obligee's recent work history, occupational qualifications, and prevailing job opportunities and earnings levels in the community. A court may find a parent to be voluntarily unemployed or underemployed without finding that the parent intended to avoid or reduce the child support obligation.	1/27/2016 2:47 PM
11	In preparation of the original notice, our agency discretion to not impute is somewhat limited, however, a party can request a hearing and explain to the tribunal why income should not be imputed. If there is a proof of a disability or if a parent is only receiving payments from a pension/retirement account such as Social Security – we will only use that income. If a parent is receiving TANF and is working, we will use the actual income from that job at the current hours being worked. We will not impute income to a parent who is incarcerated. We will not impute income to a parent who is on SSI or another cash assistance state program such as housing or general cash assistance.	1/27/2016 7:09 AM

12	Income may be imputed at less than the general rule described in response to Question 39 if the obligor shows that: a) the cost of child care for a child in the obligor's home exceeds 70% of the amount that would be imputed under the general rule; b) the obligor has a disability severe enough to preclude employment that would produce earnings equal to 167 times the hourly federal minimum wage; or c) the obligor has a child in the home with unusual physical or emotional needs and, as a result, the obligor's presence in the home is required for so much time that the obligor is precluded from gainful employment that produces earnings equal to 167 times the hourly federal minimum wage. There are also limitations on imputing income if: a) the obligor shows that employment opportunities within the obligor's community are limited; b) the obligor is a minor or is under age 19 and still in high school; c) the obligor is receiving certain types of disability payments; or d) the obligor is incarcerated.	1/26/2016 12:51 PM
13	The parent must show a diligent search for employment in areas or his/her job skills; Could show inability to work	1/25/2016 11:32 PM
14	For NCP, none. For CP, imputation may be avoided when showing proof that he or she is the sole caretaker for the child, and that it would be onerous and not cost-effective to find employment and have to cover for day-care expenses at the same time.	1/25/2016 2:05 PM
15	None.	1/25/2016 10:32 AM
16	evidence of medical condition or other inability to work.	1/21/2016 7:09 PM
17	appear at hearing, provide financial information, present information about inability to work full time	1/21/2016 2:07 PM
18	The child support guidelines to not explicitly require the imputation of income. The courts have the discretion to impute income based upon the totality of the circumstances.	1/21/2016 8:14 AM
19	Currently, there are none. Recognition of economic realities, especially in certain parts of the state, however, have brought this into question.	1/21/2016 8:06 AM
20	Inability to work, health or mental illness, incarceratoin	1/20/2016 5:31 PM
21	look at past history / facts	1/20/2016 1:55 PM
22	n/a	1/20/2016 9:59 AM
23	15 VSA sec 653 includes as a definition of income "the potential income of a parent", The exceptions are (1) if the parent is physically or mentally incapacitated, (2) the parent is attending a vocational or technical education program, or a job training program, or (2) if the un/der employment is in the child's best interest.	1/20/2016 9:44 AM
24	Need to provide income information	1/20/2016 9:40 AM
25	to provide the iv-d agency with actual income information in the form of pay stubs, tax returns, doctors letters, etc.	1/19/2016 6:48 PM
26	If the parent is physically or mentally incapacitated or caring for a child of the parties under the age of five years old, child support is not calculated based on a determination of income earning potential.	1/19/2016 12:56 PM
27	Judge or hearing officer's finding of exceptional circumstances	1/19/2016 12:48 PM
28	Statute identifies extensive criteria to consider when utilizing potential income.	1/19/2016 11:12 AM
29	see above	1/19/2016 10:09 AM
30	Evidence of actual earnings and testimony of why earnings are at this amount. Evidence of physical disability or medical proof of illness of injury that would prevent the noncustodial parent from working 40 hours at minimum wage.	1/19/2016 9:43 AM
31	A parent who provides actual income information and works at least 35 hours per week will avoid imputation of income.	1/19/2016 7:17 AM
32	proof of the lack of ability to work full time or at all.	1/19/2016 7:16 AM
33	Income will not be imputed when the parent is the primary caretaker of a child under the age of six or the child is disabled. Other reasons for not imputing can be raised in judicial proceedings.	1/18/2016 10:46 PM
34	State law requires imputation when the parent is voluntarily un- or underemployed. To avoid having income imputed all the person needs to do is provide full financial disclosure as required by law. If the person is unemployed or underemployed they can offer evidence as to why that is so. If the condition is involuntary, income is not imputed.	1/18/2016 11:00 AM
35	Imputation can be avoided upon evidence the underemployment or unemployment status was not voluntary.	1/15/2016 7:18 PM
36	Potential mitigating factors include high unemployment rates in a particular job sector, disability – either temporary or permanent, and duty to provide care for a child or other dependent (such as an elderly family member). Under OAR 137-050-0715(8), potential income may not be imputed to a parent unable to work full-time due to a verified disability, a parent receiving workers' compensation benefits, or an incarcerated obligor.	1/15/2016 4:54 PM
37	See list of California citations for legal authority	1/15/2016 3:37 PM

38	minimum wage @ 40 hours per week unless there's reliable evidence that income potential is less than 40 hours per week	1/15/2016 3:10 PM
39	Income is not imputed if any of the following conditions exist: (a) the reasonable and unreimbursed costs of child care for dependents in the parent's household would offset in whole or in substantial part, that parent's imputed income; (b) a parent is physically or mentally disabled to the extent that the parent cannot earn income; (c) unusual emotional and/or physical needs of a legal dependent require the parent's presence in the home. (d) the parent has made diligent efforts to find and accept suitable work or to return to customary self-employment, to no avail; or (e) the court or hearing officer makes a finding that other circumstances exist which make the imputation of income inequitable. However, the amount of imputed income shall be decreased only to the extent required to remove such inequity.	1/15/2016 3:07 PM
40	There are statutory exceptions to imputation for education, good faith career change, disability, and child of the case is in the home and under 30 months of age.	1/15/2016 11:42 AM
41	N/A	1/15/2016 7:36 AM
42	UCA 78B-12-203(7)(d): Income may not be imputed if any of the following conditions exist and the condition is not of a temporary nature: (i) the reasonable costs of child care for the parents' minor children approach or equal the amount of income the custodial parent can earn; (ii) a parent is physically or mentally unable to earn minimum wage; (iii) a parent is engaged in career or occupational training to establish basic job skills; or (iv) unusual emotional or physical needs of a child require the custodial parent's presence in the home.	1/14/2016 8:13 PM
43	Varies by specifics of the case; usually the proof of an inability to pay.	1/14/2016 5:50 PM
44	If the obligor is involuntarily unemployed or underemployed (for example, due to health reasons). If the obligor is currently receiving unemployment benefits, the Division will use the amount of the unemployment benefits to compute income. If the obligor was previously incarcerated but has been released and is unable to find employment, the Division will not impute income. If the obligor is currently incarcerated, with no prior support obligation. The agency will also consider the good faith and reasonableness of an employment decision that results in un- or underemployment (for example, a party returns to school in order to improve future employment prospects).	1/14/2016 3:26 PM
45	The parent has to present actual, credible evidence of income	1/14/2016 12:19 PM
46	A parent can avoid imputation of income by demonstrating an inability to work due to factors such as incarceration, disability, enrollment in an educational program or information about prior work history and pay, or by providing any other information that would indicate the imputation does not comport with the facts of the parent’s situation.	1/14/2016 10:00 AM
47	disability	1/13/2016 5:29 PM
48	If you receive SSI benefits or TANF	1/12/2016 3:50 PM
49	documented permanent disability	1/12/2016 3:37 PM
50	A parent who is unemployed, underemployed or employed on a less than full-time basis (or when there is no direct evidence of any income) is subject to imputation. Parents are not considered voluntarily unemployed, underemployed, or employed on a less than full-time basis upon a showing by the parent that: 1) the unemployment, underemployment, or employment on a less than full-time basis is temporary and will ultimately lead to an increase in income; 2) the unemployment, underemployment, or employment on a less than full-time basis represents a bona fide career change that outweighs the adverse effect of that parent’s diminished income on the child; or 3) the unemployment, underemployment, or employment on a less than full-time basis is because a parent is physically or mentally incapacitated or due to incarceration, except where the reason for incarceration is the parent’s nonpayment of support. Minn. Stat. §518A.32	1/12/2016 11:59 AM
51	able bodied implies no disability. Perhaps proof the person cannot secure full time work.	1/8/2016 3:22 PM
52	They could object to any recommendations made and a circuit court Judge would decide.	1/5/2016 9:19 AM
53	Incarceration with no assets or other sources of income. Imputation may also be avoided if a parent is able to show that they are unable to obtain employment due to a debilitating mental illness or physical health issue, where the parent is caring for a disabled child or where the cost of child care makes employment economically unreasonable.	12/31/2015 10:22 AM

Q41 What are the grounds in your state, if any, for a parent to avoid the imputation of income in the amount in Question 39 as a deviation from the amount of support determined under the child support guidelines?

Answered: 52 Skipped: 1

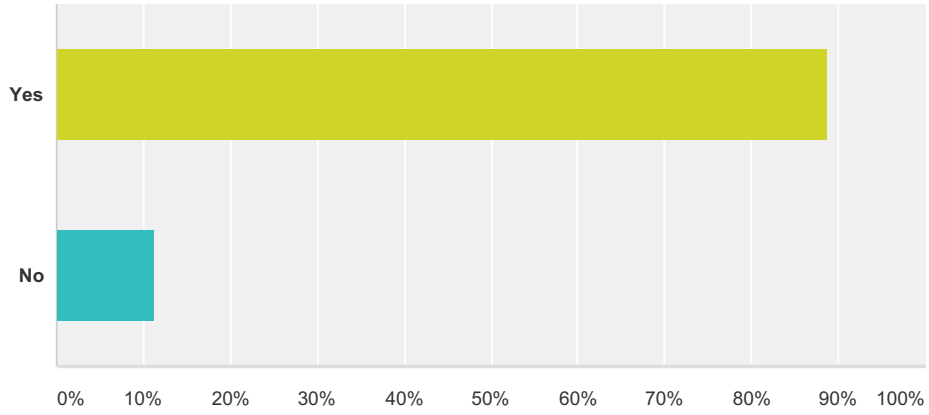
#	Responses	Date
1	Same	2/18/2016 7:47 AM
2	N/A – see link to guidelines http://www.jud.ct.gov/Publications/ChildSupport/CSguidelines.pdf	2/12/2016 10:20 AM
3	The parties would have an opportunity to provide testimony or proof as to why imputing wages would be unreasonable or unjust.	2/4/2016 3:36 PM
4	Oklahoma law allows a court discretion to deviate from the guideline amount if there is a finding that the deviation is in the best interest of the children and the guideline amount is unjust/inequitable or the parties have agreed upon a different amount with advice of counsel.	2/1/2016 11:59 AM
5	The grounds would be a finding that the unemployment or underemployment was not intentional. In those situations, the guidelines would be applied to actual earnings.	1/29/2016 10:23 AM
6	Foster Care is a potential example.	1/28/2016 1:29 PM
7	A parent may avoid income imputation if he or she makes a good faith showing that he or she is looking for gainful, full-time employment commensurate with his or her job skills or training. Also, income is not imputed to parents who make a showing that they are unable to work full time due to a disability or other extenuating circumstance. Additionally, District of Columbia law prohibits income imputation to any parent receiving means-tested public assistance (i.e. food stamps or TANF).	1/28/2016 10:52 AM
8	All calculation are a presumption. The party may request a hearing and provide evidence as to why the amount is incorrect.	1/27/2016 4:55 PM
9	KRS 403.211 (3) states a written finding or specific finding on the record that the application of the guidelines would be unjust or inappropriate in a particular case shall be sufficient to rebut the presumption and allow for an appropriate adjustment of the guideline award if based upon one (1) or more of the following criteria: (a) A child's extraordinary medical or dental needs; (b) A child's extraordinary educational, job training, or special needs; (c) Either parent's own extraordinary needs, such as medical expenses; (d) The independent financial resources, if any, of the child or children; (e) Combined monthly adjusted parental gross income in excess of the Kentucky child support guidelines; (f) The parents of the child, having demonstrated knowledge of the amount of child support established by the Kentucky child support guidelines, have agreed to child support different from the guideline amount. However, no such agreement shall be the basis of any deviation if public assistance is being paid on behalf of a child under the provisions of Part D of Title IV of the Federal Social Security Act; and (g) Any similar factor of an extraordinary nature specifically identified by the court which would make application of the guidelines inappropriate.	1/27/2016 2:47 PM
10	If there is a proof of a disability or if a parent is only receiving payments from a pension/retirement account such as Social Security – we will only use that income. If a parent is receiving TANF and is working, we will use the actual income from that job at the current hours being worked. We will not impute income to a parent who is incarcerated. We will not impute income to a parent who is on SSI or another cash assistance state program such as housing or general cash assistance.	1/27/2016 7:09 AM
11	None. Imputing income or not is a factor in determining the base calculation under the guidelines.	1/26/2016 12:51 PM
12	Show proof of diligent search for employment in party's occupation or job skills.	1/25/2016 11:32 PM
13	The parent would have to show that just cause is present for not imputing income that would result from the application of the guidelines.	1/25/2016 2:05 PM
14	none.	1/25/2016 10:32 AM
15	evidence of medical condition or other inability to work	1/21/2016 7:09 PM
16	depends on circumstances of the case	1/21/2016 2:07 PM

17	The parent must present proof to the court that the imputation of income would not be equitable.	1/21/2016 8:14 AM
18	Currently, only a Judge's decision would exempt a standard imputation. However, we are reviewing this.	1/21/2016 8:06 AM
19	Courts discretion with regard to deviation	1/20/2016 5:31 PM
20	court	1/20/2016 1:55 PM
21	n/a	1/20/2016 9:59 AM
22	There are 9 specific deviation factors, but none are specific to avoiding income imputation.	1/20/2016 9:44 AM
23	any deviation from the calculation would have to be as a result of an agreement of the parties and blessed by the court.	1/20/2016 9:40 AM
24	non, we follow our 90.3 guidelines and the imputation in number 39 is on the list but one of the last items used.	1/19/2016 6:48 PM
25	If the parent is physically or mentally incapacitated or caring for a child of the parties under the age of five years old, child support is not calculated based on a determination of income earning potential.	1/19/2016 12:56 PM
26	N/A	1/19/2016 12:48 PM
27	Defined Statute ORC 3119.23 [A-P}	1/19/2016 11:12 AM
28	see above	1/19/2016 10:09 AM
29	See response to Question 40. Evidence of actual earnings or reduced earning capacity may avoid the imputation of income.	1/19/2016 9:43 AM
30	N/A	1/19/2016 7:17 AM
31	deviations are varied and numerous	1/19/2016 7:16 AM
32	A deviation, upward or downward, can be requested for unjust or inappropriate circumstances which would create a substantial hardship to the obligor, obligee or subject children. NMSA 1978, Section 40-4-11.2 states that deviations shall be supported by a written finding in the decree, judgment, or order of child support.	1/18/2016 10:46 PM
33	N/A. A parent cannot avoid imputation via deviation.	1/18/2016 11:00 AM
34	See Response to Question #40 herein.	1/15/2016 7:18 PM
35	The guideline support amount includes any appropriate income imputation. The presumption that the guideline support amount is the correct support amount may be rebutted by a finding that sets out the presumed amount, concludes that it is unjust or inappropriate, and sets forth a different amount and a reason it should be ordered. The criteria that may be the basis for rebuttal include but are not limited to evidence of the other available resources of the parent, the reasonable necessities of the parent, net income of the parent remaining after withholding required by law or as a condition of employment, a parent’s ability to borrow, special hardships of a parent affecting the parent’s ability to pay, desirability of the custodial parent remaining in the home as a full-time parent or working less than full-time to fulfill the role of parent and homemaker, and several other factors. For more examples, see OAR 137-050-0760.	1/15/2016 4:54 PM
36	See list of California citations for legal authority	1/15/2016 3:37 PM
37	low income or other deviations available	1/15/2016 3:10 PM
38	For full-time students, whose education or retraining will result, within a reasonable time, in an economic benefit to the child for whom the support obligation is determined, a deviation from the imputation of income may be considered.	1/15/2016 3:07 PM
39	A court is permitted to deviate from the guidelines where application of the guidelines would be inequitable, unjust, or inappropriate. Written or oral findings must be made by the court in order to deviate. But where the court deviates, the guideline amount has already been calculated, presumably based on imputed income to the party.	1/15/2016 11:42 AM
40	N/A	1/15/2016 7:36 AM

41	42. Deviation is addressed in 78B-12-210. The question only deals with imputation but there can be a deviation where actual income is used. 78B-12-210. Application of guidelines -- Use of ordered child support. (1) The guidelines in this chapter apply to any judicial or administrative order establishing or modifying an award of child support entered on or after July 1, 1989. (2) (a) The guidelines shall be applied as a rebuttable presumption in establishing or modifying the amount of temporary or permanent child support. (b) The rebuttable presumption means the provisions and considerations required by the guidelines, the award amounts resulting from the application of the guidelines, and the use of worksheets consistent with these guidelines are presumed to be correct, unless rebutted under the provisions of this section. (3) A written finding or specific finding on the record supporting the conclusion that complying with a provision of the guidelines or ordering an award amount resulting from use of the guidelines would be unjust, inappropriate, or not in the best interest of a child in a particular case is sufficient to rebut the presumption in that case. If an order rebuts the presumption through findings, it is considered a deviated order. (4) The following shall be considered deviations from the guidelines, if: (a) the order includes a written finding that it is a deviation from the guidelines; (b) the guidelines worksheet has: (i) the box checked for a deviation; and (ii) an explanation as to the reason; or (c) the deviation is made because there were more children than provided for in the guidelines table. (5) If the amount in the order and the amount on the guidelines worksheet differ by $10 or more: (a) the order is considered deviated; and (b) the incomes listed on the worksheet may not be used in adjusting support for emancipation.	1/14/2016 8:13 PM
42	Varies by case; usually the demonstration of an inability to pay.	1/14/2016 5:50 PM
43	See answer to 40, above.	1/14/2016 3:26 PM
44	The parent has to present actual, credible evidence of income and other extraordinary expense or lack there of.	1/14/2016 12:19 PM
45	See response to #40.	1/14/2016 10:00 AM
46	disability	1/13/2016 5:29 PM
47	SSI or TANF	1/12/2016 3:50 PM
48	parent attending school fulltime in effort to increase earning potential	1/12/2016 3:37 PM
49	Deviations are considered separately, not as part of the imputation consideration. Factors for deviation are: 1) all earnings, income, circumstances, and resources of each parent, including real and personal property, but excluding income from excess employment of the obligor or obligee that meets the criteria of section 518A.29, paragraph (b); 2) the extraordinary financial needs and resources, physical and emotional condition, and educational needs of the child to be supported; 3) the standard of living the child would enjoy if the parents were currently living together, but recognizing that the parents now have separate households; 4) whether the child resides in a foreign country for more than one year that has a substantially higher or lower cost of living than this country; 5) which parent receives the income taxation dependency exemption and the financial benefit the parent receives from it; 6) the parents' debts as provided in subdivision 2; and 7) the obligor's total payments for court-ordered child support exceed the limitations set forth in section Additionally income disparity between parents and certain debts to private creditors may be considered. Minn. Stat. § 518A.43	1/12/2016 11:59 AM
50	Same	1/8/2016 3:22 PM
51	Referees have the ability to grant deviations. If one party objects, then a Circuit Court Judge would make the final determination.	1/5/2016 9:19 AM
52	Incarceration with no assets or other sources of income. Imputation may also be avoided if a parent is able to show that they are unable to obtain employment due to a debilitating mental illness or physical health issue, where the parent is caring for a disabled child or where the cost of child care makes employment economically unreasonable.	12/31/2015 10:22 AM

Q42 Will your state impute or presume income for the custodial parent?

Answered: 53 Skipped: 0



Answer Choices	Responses	
Yes	**88.68%**	47
No	**11.32%**	6
Total		**53**

Q43 Can obligors have a zero-dollar obligation in your state and, if so, under what circumstances?

Answered: 52 Skipped: 1

#	Responses	Date
1	Yes, may happen if there is equal placement and comparable incomes or if father is a minor and still in school.	2/18/2016 7:47 AM
2	Circumstances are usually determined /established via judicial authority hearing case.	2/12/2016 10:20 AM
3	no	2/10/2016 6:48 AM
4	Yes, there can be a zero support order; one circumstance might be an SSI recipient.	2/4/2016 3:36 PM
5	Yes. Under Oklahoma law, certain types of income are excluded for child support purposes (particularly means-tested benefits such as SSI). If a parent is permanently physically or mentally disabled, the court is required to use the parent's actual income for child support. If the only income is excluded, the parent will have a zero-dollar obligation. The Parenting Time Adjustment may also result in a zero-dollar child support obligation if the parent has enough overnights with the child and the other parent earns a significant amount more. Finally, if a parent is incarcerated, CSS requests the court use the parent's actual income for the duration of incarceration. If the parent has no passive income while incarcerated, this would result in a zero child support order.	2/1/2016 11:59 AM
6	Yes. Proven lack of net resources coupled with a proven lack of ability to generate "net resources" can result in a zero-dollar order.	1/29/2016 10:23 AM
7	Some obligors have a zero-dollar obligation. This is sometimes the obligation that is ordered when a parent is receiving SSI and has a disability that restricts their ability to work. This also occurs in situations where there is an intact family and our agency's involvement ends after establishing paternity only. It is also true in some circumstances where a medical support obligation is obtained but a custodial parent requests to waive child support.	1/28/2016 1:29 PM
8	Obligors may have $0.00 obligations in the District of Columbia. Such orders are typically entered when the court finds that an obligor has a duty to support his or her child(ren), but has presented sufficient evidence to show that he or she is unable to pay court-ordered child support. Additionally, $0.00 orders are entered by agreement of the parents.	1/28/2016 10:52 AM
9	If the obligor is receiving SSI.	1/27/2016 4:55 PM
10	There are some cases where the Judge has ordered support set at zero but these are not common occurrences and the reasons varies such as split custody situations, parent is unable to work and has no income, setting support would impact a family reunification plan established by the Protection and Permanency Agency, etc.	1/27/2016 2:47 PM
11	In administrative process, we will create a zero dollar obligation for a parent who is incarcerated. In superior court, we may assess anywhere from $0 to the minimum child support obligation of $50/mo/child In administrative process we will create a zero dollar obligation for a parent who is on SSI or another cash assistance state program such as housing or general cash assistance.	1/27/2016 7:09 AM
12	Theoretically possible under the criterion that allows for a downward deviation in situations where the child has a reduced need to support from the obligor because the obligee's net income is at least three times higher than the obligor's net income.	1/26/2016 12:51 PM
13	Yes, if the support magistrate determines a poverty level obligaton would be unjust or inappropriate.	1/25/2016 11:32 PM
14	No.	1/25/2016 2:05 PM
15	Statute provides for a minimum obligation of $100/child/month. However, courts have the discretion to deviate, based on a finding of facts, and set an obligation less than the minimum to include a zero order.	1/25/2016 10:32 AM
16	No	1/21/2016 7:09 PM
17	yes, depends on circumstances of the case, including equal parenting time, division of children's expenses etc.	1/21/2016 2:07 PM
18	Yes. This occurs when the Defendant is incarcerated or drawing SSI benefits. (Although, some courts will set support based upon SSI benefits.)	1/21/2016 8:14 AM
19	Currently - no.	1/21/2016 8:06 AM
20	Possibly. Deviation if obligor's only income is SSI.	1/20/2016 5:31 PM

21	no	1/20/2016 1:55 PM
22	Yes. Non financial obligations are based on ability to work and pay for the foreseeable future.	1/20/2016 9:59 AM
23	Yes. If the guideline falls below the self-support reserve, if parties share custody evenly with similar incomes, if NCP is incarcerated, if parties agree to deviate to $0 under a delineated deviation factor, if custody changes, or if the parties have reunited, there may be a $0 obligation.	1/20/2016 9:44 AM
24	equal shared placement, disabled (proven)	1/20/2016 9:40 AM
25	No	1/19/2016 6:48 PM
26	No.	1/19/2016 12:56 PM
27	yes. The Judge or hearing officers discretion	1/19/2016 12:48 PM
28	yes, if their income is means tested (SSI)	1/19/2016 11:12 AM
29	If the guidelines calculation results in zero for the NCP, then an obligation will not be created.	1/19/2016 10:09 AM
30	Yes, An obligor with no income per the MCSF could have a zero-dollar obligation.	1/19/2016 7:17 AM
31	yes if they have no ability to earn	1/19/2016 7:16 AM
32	A zero-dollar obligation can exist if the parties have shared responsibility and the guideline worksheet calculates a zero amount based on the proportion of time the child spends with the parent as well as income and expenses entered. Shared responsibility does not automatically result in a zero-dollar obligation.	1/18/2016 10:46 PM
33	Yes, when the court or department determine the obligor does not have the present ability to pay support and there is no basis to impute income.	1/18/2016 11:00 AM
34	Yes. Generally, if the supporting parent is unemployed or incarcerated, a zero-dollar order will be entered.	1/15/2016 7:18 PM
35	Yes. The Oregon guidelines include a self-support reserve, currently $1145 but indexed to the federal poverty guidelines and updated annually. OAR 137-050-0745. If the first obligor's income is less than that figure, only the $100 minimum order will apply. The minimum order does not apply, and thus the obligation would be zero, if the parent's sole income source is disability benefits, the parent is incarcerated and without ability to pay, or the parent receives certain public benefits. OAR 137-050-0755. Also, an incarcerated obligor's existing obligation can be modified to zero.	1/15/2016 4:54 PM
36	Yes, see list of California citations for legal authority. Incarceration, disability (SSI), public assistance recipient.	1/15/2016 3:37 PM
37	Yes in certain circumstances where verifiable income is zero or dependents are receiving RSDI benefits which results in zero additional support	1/15/2016 3:10 PM
38	Yes. See answer #46, below.	1/15/2016 3:07 PM
39	The minimum child support order is $50.00 per month in a circumstance where the noncustodial parent has income less than $1100.00 per month. However, a zero dollar order may result if there is a circumstance of shared or split custody.	1/15/2016 11:42 AM
40	Yes, but only if the party's only source of income is SSI. Otherwise, the minimum support amount is $30 for 1 child and $50 for 2 or more children.	1/15/2016 7:36 AM
41	Under the statute, the minimum support order is $30.00; however, the court has discretion to enter a less than $30.00 order or to rebut the guidelines in a judicial process.	1/14/2016 8:13 PM
42	Yes. Usually we will get a zero order when the NCP is incarcerated. Other various reasons as well (parties agree).	1/14/2016 5:50 PM
43	Yes. A zero dollar current support order may be entered when the noncustodial parent is the recipient of Social Security benefits and the child's derivative benefit is more than the support that would be ordered based on guidelines. Split and shared custody guidelines can result in a zero order. Also, Va. Code § 20-108.2(B) provides exceptions from the presumptive minimum support amount in sole custody cases for certain parties who earn less than 150% of the federal poverty guideline, including persons who are imprisoned for life, institutionalized, permanently disabled, or otherwise involuntarily unable to produce income and lack sufficient assets with which to pay support.	1/14/2016 3:26 PM
44	Yes, for example, in cases where their only source of income being means tested such as SSI.	1/14/2016 12:19 PM
45	MA child support guidelines provide for a minimum obligation of $80 per month; however, the court has discretion to deviate from this amount when it is determined that this amount would be unjust or inappropriate. That would include the ability to enter a zero-dollar obligation.	1/14/2016 10:00 AM
46	yes: incarceration, receipt of SSI, joint shared physical custody	1/13/2016 5:29 PM
47	no	1/12/2016 3:50 PM

48	documented permanent total disability incarceration	1/12/2016 3:37 PM
49	This could occur if a Court sets the obligor's income at $0 (this would occur for incarcerated obligors not receiving income from any source.)(518A.42), obligors medically unable to work, if the Court deviated downward from the guidelines (518A.43), or if parenting time is equal and parental incomes are also equal.	1/12/2016 11:59 AM
50	Yes if the court makes a specific finding there is no income,	1/8/2016 3:22 PM
51	The only time a support obligation will be established at zero is if the parties have a shared parenting agreement, approved by the court, which established the cross credit to arrive at a $0 obligation.	1/5/2016 9:19 AM
52	Yes, if a parent is incarcerated with no other assets or income then the court can enter a zero-dollart support obligation against that parent. Additionally if a parent's only source of income is Supplemental Security Income, a zero-dollar support obligation is appropriate against that parent.	12/31/2015 10:22 AM

Q44 Does your state provide for a low-income adjustment in your child support guidelines, such as a self-support reserve? If so, how are the adjustments applied or made in a case?

Answered: 53 Skipped: 0

#	Responses	Date
1	Yes. No self support reserve, but child support amounts are reduced for low income payers. We have a chart in our administrative code.	2/18/2016 7:47 AM
2	Yes. See link to Connecticut's Child Support Guidelines publication - http://www.jud.ct.gov/Publications/ChildSupport/CSguidelines.pdf	2/12/2016 10:20 AM
3	no	2/10/2016 6:48 AM
4	Yes. The self-support reserve is included in the Schedule of basic CS Obligations table.	2/4/2016 3:36 PM
5	Oklahoma law does not currently provide for a self-support reserve. CSS by policy requests that a court not use a parent's SSDI income if the parent is also receiving SSI.	2/1/2016 11:59 AM
6	Not per se. However, Texas child support guidelines presumably have that element factored in. Additionally, Texas law does allow courts to consider a set list of additional factors which would allow them to deviate from the child support guidelines.	1/29/2016 10:23 AM
7	Yes, the Federal Poverty Guideline is considered.	1/28/2016 1:29 PM
8	District of Columbia law provides for a self-support reserve in guideline calculations ($15,654.00). The self-support reserve is applied uniformly to all guideline calculations. In each guideline, the first $15,654.00 that an obligor earns yearly is not considered income for purposes of calculating child support; it is only income above the self-support reserve that is considered income in the guideline. If an obligor earns below the self-support reserve, the minimum $50.00 per month guideline may be applied.	1/28/2016 10:52 AM
9	Yes. The self support reserve is part of the Schedule of Basic Child Support Obligations (the Chart).	1/27/2016 4:55 PM
10	No	1/27/2016 2:47 PM
11	Yes, child support obligation cannot exceed 45% of the party's net income. Also, the self-support reserve applies.	1/27/2016 7:09 AM
12	No. However, the schedule whereby the presumptively correct amount is determined addresses very low monthly net income amounts, down to $100 or less.	1/26/2016 12:51 PM
13	If order already exists, a modification petition must be filed for court to make determination on self support reserve. NY does have the following low income protections in its guidelines: 1. poverty level protections and 2. self-support reserved order protection.	1/25/2016 11:32 PM
14	Yes. The child support amount is deducted from the parent's net income. If the result is less than the self-support reserve, the child support amount is reduced as necessary to preserve the parent's self-support reserve.	1/25/2016 2:05 PM
15	no	1/25/2016 10:32 AM
16	No	1/21/2016 7:09 PM
17	self support reserve is part of the child support guidelines calculation	1/21/2016 2:07 PM
18	No	1/21/2016 8:14 AM
19	Yes. If an obligor's income fails to exceed the self support reserve, only his income is used in the calculation of support.	1/21/2016 8:06 AM
20	No	1/20/2016 5:31 PM
21	yes. depends	1/20/2016 1:55 PM
22	Yes	1/20/2016 9:59 AM

23	Yes, the self support reserve is linked the federal poverty guideline and changes yearly. The self support reserve is used when calculating the guideline, so absent a motion, there is no automatic adjustment to an obligation as the SSR increases.	1/20/2016 9:44 AM
24	NO	1/20/2016 9:40 AM
25	No don't believe so.	1/19/2016 6:48 PM
26	The child support guidelines have a built in self support reserve.	1/19/2016 12:56 PM
27	Self support reserve is part of the Hawaii guidelines and is applicable to all situations not just low income.	1/19/2016 12:48 PM
28	yes, minor, currently under review with significant recommendation to expand a more broader SSR	1/19/2016 11:12 AM
29	Self-Support Reserve - The self-support reserve is a factor in calculating a child support award only when one or both of the parents have income at or near the poverty level. The self-support reserve is 105% of the U.S. poverty guideline for one person. It attempts to ensure that the obligor has sufficient income to maintain a basic subsistence level and the incentive to work so that child support can be paid. A child support award is adjusted to reflect the self-support reserve only if payment of the child support award would reduce the obligor's net income below the reserve and the custodial parent's (or the Parent of the Primary Residence's) net income minus the custodial parent's share of the child support award is greater than 105% of the poverty guideline. The latter condition is necessary to ensure that custodial parents can meet their basic needs so that they can care for the children. As of January 22, 2015, the self-support reserve is $238 per week (this amount is 105% of the poverty guideline for one person).	1/19/2016 10:09 AM
30	No	1/19/2016 9:43 AM
31	When a parent's net income does not exceed the low income threshold, that parent's income is not included in the monthly net family income used to calculate the other parent's general care support obligation. 2013 MCSF 2.09(B)	1/19/2016 7:17 AM
32	yes--the adjustment is tied to income level	1/19/2016 7:16 AM
33	No	1/18/2016 10:46 PM
34	Yes, it is built in to the child support guidelines and table.	1/18/2016 11:00 AM
35	No	1/15/2016 7:18 PM
36	Yes. The Oregon guidelines provide a self-support reserve, currently $1145 but indexed to the federal poverty guidelines and updated annually. OAR 137-050-0745. The self-support reserve is applied after computing the initial support amount. If the initial support amount would leave the obligor with less than $1145, it is reduced or eliminated so that the obligor is left with $1145. This adjustment is subject to the minimum order as described in question 43.	1/15/2016 4:54 PM
37	Yes, see list of California citations for legal authority	1/15/2016 3:37 PM
38	Yes, Georgia allows for low income deviation	1/15/2016 3:10 PM
39	Yes. There is a personal allowance, in an amount which reflects 1.3 multiplied by the federal poverty guideline for a one person household. This amount is deducted when determining child support. See answer #46, below.	1/15/2016 3:07 PM
40	Yes. There is a low-income adjustment included in the guideline statute, which is applied where the noncustodial parent’s income is between $1100.00 and $1900.00 per month.	1/15/2016 11:42 AM
41	Yes. The adjustments are income based and incorporated into the schedule of basic support obligations in Iowa Court Rules Chapter 9.	1/15/2016 7:36 AM
42	Any adjustments to the amount would require a modification resulting in a new order. Utah has a low-income table as part of the guidelines tables which could apply.	1/14/2016 8:13 PM
43	Yes.	1/14/2016 5:50 PM
44	Yes. Although the guidelines do not include a self-support reserve, Va. Code § 20-108.2(B) provides exceptions from the presumptive minimum support amount in sole custody cases for certain parties who earn less than 150% of the federal poverty guideline, including persons who are imprisoned for life, institutionalized, permanently disabled, or otherwise involuntarily unable to produce income and lack sufficient assets with which to pay support. If the facts are undisputed, the agency will not establish an obligation or will close an existing case. If the facts are disputed, the agency will refer the matter to IV-D counsel for possible court action.	1/14/2016 3:26 PM
45	Yes, low-income adjustment is included in the income shares guidelines.	1/14/2016 12:19 PM
46	There is no specific low-income adjustment; however, one of the principles listed in the MA Guidelines is “to protect a subsistence level of income of parents at the low end of the income range whether or not they are on public assistance,” so it is something the court must consider.	1/14/2016 10:00 AM
47	no	1/13/2016 5:29 PM

48	no	1/12/2016 3:50 PM
49	Yes. Self Support Reserve of $50 is accounted for in the formula	1/12/2016 3:37 PM
50	The guidelines require that the base amount be calculated. Then the obligor's "income available for support" is calculated by subtracting a monthly self-support reserve of 120 percent of the federal poverty guidelines. If the income available for support is equal to or greater than the support obligation originally calculated, that amount is ordered. If the income available for support is less than the amount originally calculated, the Court applies a reduction (unless it is less than the minimum support obligation explained below). The reduction applies first to medical support, then child care support, and finally to basic support until the order is equal to the obligor's income available for support. Incarcerated obligors do not benefit from the self-support reserve. Minn. Stat. § 518A.42	1/12/2016 11:59 AM
51	Yes Built within the guideline chart itself	1/8/2016 3:22 PM
52	The low income adjustment is accounted for in the established support guidelines.	1/5/2016 9:19 AM
53	No, it is presumed that the amount of child support calculated using the child support guidelines is the correct amount. However, the court has discretion to deviate from this amount if the amount computed would be unreasonable considering the circumstances of the case.	12/31/2015 10:22 AM

Q45 Is there a minimum support obligation in your state? If so, how is it applied, what is it, and are there exceptions to the minimum obligation?

Answered: 53 Skipped: 0

#	Responses	Date
1	No	2/18/2016 7:47 AM
2	See link to Connecticut's Child Support Guidelines publication - http://www.jud.ct.gov/Publications/ChildSupport/CSguidelines.pdf	2/12/2016 10:20 AM
3	no	2/10/2016 6:48 AM
4	The schedule starts at $50 but judges use their discretion at ordering the amount of CS if wages fall below the scale.	2/4/2016 3:36 PM
5	There is no minimum obligation, as the court has discretion to set a parent's income at zero. The guidelines schedule starts at $50/month for one child, which would be apportioned between the parents according to their percentages of the total income.	2/1/2016 11:59 AM
6	No	1/29/2016 10:23 AM
7	There is a $50.00 minimum support obligation that is determined by the Child Support Guidelines of the Supreme Court and supported by case law. Our state also utilizes direct support orders in some instances where disability of a parent is a factor.	1/28/2016 1:29 PM
8	District of Columbia law establishes a presumption of a $50.00 per month minimum child support obligation. The minimum obligation is applied where application of the facts of the case to the child support guideline yields a guideline amount at the minimum obligation. Typically, this occurs in cases where the obligor earns below the self-support reserve, and in cases where the obligor earns just above the self-support reserve, but is given credits and/or adjustments in the guideline. There are no exceptions to the minimum support obligation. However, District of Columbia courts are given discretion to deviate both above and below the $50.00 guideline.	1/28/2016 10:52 AM
9	No	1/27/2016 4:55 PM
10	The guideline statutory minimum is $60 per month.	1/27/2016 2:47 PM
11	Yes, the presumptive minimum for child support is $50 per month, per child. Case law allows for downward deviation from the presumed minimum. Our state has circumstances outlined in our policy that would allow us to produce a notice for zero dollars in administrative process. A party can always request a hearing and ask for other deviations from the presiding judicial officer.	1/27/2016 7:09 AM
12	No. However, the schedule whereby the presumptively correct amount is determined addresses very low monthly net income amounts, down to $100 or less.	1/26/2016 12:51 PM
13	A $25/month obligation is ordered when the annual amount of the basic child support obligation would reduce the ncp's income below the federal p overty level incone guidelnes amount for asingle person, unless a court finds that amount to be unjust or inappropriate. The court can order a different amount they find to be just and appropriate.	1/25/2016 11:32 PM
14	Yes (e.g. $125). A minimum child support amount is established per case, depending on the total amount of obligees.	1/25/2016 2:05 PM
15	$100/child/month. Courts may deviate.	1/25/2016 10:32 AM
16	The minimum support is $50.00 per child. If the guideline amount falls below the minimum then the $50.00 per child applies.	1/21/2016 7:09 PM
17	$50 per month, court can determine that a lesser amount is appropriate under the circumstances of the case	1/21/2016 2:07 PM
18	No.	1/21/2016 8:14 AM
19	Minimum is $100 per month. However, factors such as the number of children involved in his total obligations can reduce that amount. SSA payments may also be considered, if made to the children from an obligor's account.	1/21/2016 8:06 AM
20	Yes, $50. See 43.	1/20/2016 5:31 PM
21	50$	1/20/2016 1:55 PM

22	no	1/20/2016 9:59 AM
23	No.	1/20/2016 9:44 AM
24	Yes, If the support calculation determines an amount lower then the minimum ordered amount $100 for one child and $160 fir multiple children the courts will order the minimum.	1/20/2016 9:40 AM
25	Yes $50/month or $600/year. There are varieties of these. If they're incarcerated, live in a distressed community, mental disability, under the age of 19, etc.	1/19/2016 6:48 PM
26	Yes, the minimum child support award is $100, except in cases involving shared or split custody. If the obligor has a medically documented disability that limits his ability to meet the minimum, the court may set an award at less than $100.	1/19/2016 12:56 PM
27	yes, minimum support obligation is $77 per child. However, it can be less at the discretion of the judge or hearings officer.	1/19/2016 12:48 PM
28	guidelines or court order	1/19/2016 11:12 AM
29	No	1/19/2016 10:09 AM
30	In the state of Arkansas, net earnings of $100 per week of the noncustodial parent will establish a minimum support obligation of $26 per week. In appropriate cases, the court may deviate from the guidelines and it would be therefore possible for an obligation lower than the minimum.	1/19/2016 9:43 AM
31	There is currently no minimum order amount in Michigan.	1/19/2016 7:17 AM
32	no	1/19/2016 7:16 AM
33	The minimum support obligations are $100.00 for one child and $150.00 for more than one child. An exception could be shared responsibility cases (both parents have physical custody more than 35% of the time) if the guideline worksheet calculates a lesser amount based on the proportion of time the child spends with the parent as well as income and expenses entered. Another exception is Foster Care cases, for which code recommends but does not require using the Child Support minimum obligation amounts.	1/18/2016 10:46 PM
34	no	1/18/2016 11:00 AM
35	No. State guidelines are to be followed. Courts may deviate from the guidelines in accordance with the statute.	1/15/2016 7:18 PM
36	Yes. It is rebuttably presumed that an obligated parent is able to pay at least $100 per month as child support. The minimum order does not apply if the parent’s sole income source is disability benefits, the parent is incarcerated and without ability to pay, or the parent receives certain public benefits. OAR 137-050-0755.	1/15/2016 4:54 PM
37	No	1/15/2016 3:37 PM
38	$100 for one child and $50 for each additional child or less depending on the pro rata share of the obligation	1/15/2016 3:10 PM
39	Yes. Provision for a minimum support obligation is built into the worksheet formula but does not result in the same amount for each child. Because Montana uses its personal allowance (self-support reserve) on the front end of the calculation, low-income parents may run out of income before meeting their children’s needs. To overcome this, we compare the parent’s “income after deductions” with the parent’s personal allowance and the minimum contribution depends on the ratio determined. For example: If a parent’s income after deductions is $10,000 and the personal allowance is $15,301 (130% of 2015 Federal Poverty Guidelines), the ratio of funds available to the need for funds is .65 (10,000 / 15,301 = .65). Based on the table at ARM 37.62.126 (copy attached), the obligation is .06, or 6% of the parent’s income after deductions. Exceptions are made for those parents whose income after deductions is less than 25% of the personal allowance and for a parent who rebuts the presumption of the minimum contribution.	1/15/2016 3:07 PM
40	Yes. The minimum child support order is $50.00 per month for one child, with an additional $20.00 per month for each additional child up to 6 children. That amount is applied where a parent has income of less than $1100.00 per month. Typically, that amount would result where a parent is incarcerated or disabled with income under $1100.00 per month.	1/15/2016 11:42 AM
41	The minimum support obligation amount is $30 for 1 child and $50 for 2 or more children, unless the parent’s only source of income is from SSI.	1/15/2016 7:36 AM
42	Utah has a $30.00 minimum support obligation pursuant to state statute which can only be applied when a party meets the statutory requirements demonstrating that he/she is not capable of earning federal minimum wage. Otherwise, obligations are based on full-time federal minimum wage as the lowest threshold. The court has discretion to enter a less than $30.00 order or to rebut the guidelines in a judicial process	1/14/2016 8:13 PM
43	No.	1/14/2016 5:50 PM

44	Yes. For sole custody guidelines the minimums are as follows: $68/month for one child. $104/month for two children, $126/month for three children, $141/month for four children, $155/month for five children, $169/month for six children. The minimums are applied to all sole custody cases with these limited exemptions per Va. Code § 20-108.2(B): Persons who earn less than 150% of the federal poverty guideline with no ability to pay the presumptive minimum, provided that setting the obligation below the minimum does not seriously impair the custodial parent's ability to maintain minimal adequate housing and provide basic necessities. Exemptions shall include persons who are imprisoned for life, institutionalized, permanently disabled, or otherwise involuntarily unable to produce income and lack sufficient assets with which to pay support. There is no minimum obligation for the net result in split custody cases. There is no minimum obligation in shared custody cases, though in limited situations a court can determine that use of a sole custody guideline is more appropriate (for example, if the sole guideline is less than the shared guideline, or if either party earns less than 150% of the federal poverty guideline). In such cases, the sole guideline minimums could apply.	1/14/2016 3:26 PM
45	No	1/14/2016 12:19 PM
46	The minimum support obligation under the MA Guidelines is $80 per month, but the court has discretion to deviate from this amount when it is determined that this amount would be unjust or inappropriate.	1/14/2016 10:00 AM
47	presumed minimum of $50 which can be over come by evidence and in joint custody situations	1/13/2016 5:29 PM
48	Yes, minimum wage at 40 hours a week.	1/12/2016 3:50 PM
49	Minimum order is $50 Exceptions for zero orders stated above	1/12/2016 3:37 PM
50	Yes. The minimum order is $50 for 1-2 children, $75 for 3-4 children, and $100 for 5 or more children. It applies whenever the income available for support drops below those thresholds. If this applies, the obligor is presumed unable to pay child care support and medical support. The minimum basic support amount does not apply when a court finds that the obligor receives no income and completely lacks the ability to earn income. It also does not apply to incarcerated obligors. Minn. Stat. § 518A.42	1/12/2016 11:59 AM
51	The Court may order a nominal amount for an ncp who is still in school living with parents and working part time.	1/8/2016 3:22 PM
52	Current minimum BASE obligation is $314 (one child, minimum wage earner as the obligor). With deviations or adjustments due to health insurance credits/travel expenses/daycare etc, the amount could be lower than the $314 per month.	1/5/2016 9:19 AM
53	No	12/31/2015 10:22 AM

Q46 If there is a minimum obligation in your state, is it applied only when there is no income information available, or is it also applied when the child support program has some income information?

Answered: 51 Skipped: 2

#	Responses	Date
1	N/A	2/18/2016 7:47 AM
2	In both scenarios if applicable.	2/12/2016 10:20 AM
3	no, minimum obligation	2/10/2016 6:48 AM
4	The minimum obligation is applied when no income information is used depending on the testimony provide by those present in court.	2/4/2016 3:36 PM
5	Only when there is no income information.	2/1/2016 11:59 AM
6	N/A	1/29/2016 10:23 AM
7	Yes a minimum obligation is also applied at times when we have income information for the non-custodial parent (NCP). For example, if the NCP has other children that reside with him that he is supporting or if the NCP has other child support orders. For those cases, the NCP would get a deduction for the other children and as a result a $50.00 minimum order could be entered pursuant to the child support guidelines. Additionally, NCP's monthly gross income might be so low that he can only afford the minimum amount. For example, he might be collecting social security disability income	1/28/2016 1:29 PM
8	The minimum $50.00 per month obligation is applied in both cases where the obligor's income is unknown, and in cases where the obligor's income is known, but application of the facts in the case to the child support guideline yields a guideline calculation at the minimum amount.	1/28/2016 10:52 AM
9	N/A	1/27/2016 4:55 PM
10	The minimum can be applied when the parent is imputed with zero income or when actual income is applied (for example often the guideline calculation for a parent that is receiving SSI typically reflects the statutory minimum of $60 per month)	1/27/2016 2:47 PM
11	Absent information regarding SSI or incarceration, there are some circumstances where child support may be set at the presumptive minimum, which is $50 per month per child: It may be applied in Washington orders when using the child support schedule and self-support reserve when a parent's income is less than full time hours within an industry where part time hours are standard business practice. It may be applied in Washington orders when using the child support schedule and self-support reserve when a parent is working full time hours but have numerous children on the child support worksheets. Absent any information about income or individual circumstances, a Washington order may use minimum wage income imputed to full time hours.	1/27/2016 7:09 AM
12	Not applicable.	1/26/2016 12:51 PM
13	Both circumstances apply.	1/25/2016 11:32 PM
14	Both.	1/25/2016 2:05 PM
15	The minimum obligation applies when the calculated obligation (percentage of obligor income) is less than the minimum.	1/25/2016 10:32 AM
16	If we have no income info then we impute minimum wage income. if we have income but below the minimum, then imputed income is applied.	1/21/2016 7:09 PM
17	can be applied if some information is known	1/21/2016 2:07 PM
18	In general, it is used only in situations of very low known income, disability, or an unusually large number of children are included in the calculations.	1/21/2016 8:06 AM
19	Generally applied in cases where obligor can prove inability to work and earn income.	1/20/2016 5:31 PM
20	yes when no income can be deterrmined	1/20/2016 1:55 PM

21	n/a	1/20/2016 9:59 AM
22	No.	1/20/2016 9:44 AM
23	both	1/20/2016 9:40 AM
24	No it's not only applied when there is no income information available, it can be applied when there is some income information available.	1/19/2016 6:48 PM
25	It is used when there is no earning potential.	1/19/2016 12:56 PM
26	yes to both	1/19/2016 12:48 PM
27	both	1/19/2016 11:12 AM
28	N/A	1/19/2016 10:09 AM
29	The answer to the first part of the question is "not always," but the trial court may base the child support obligation upon the facts and circumstances. Answer to part two: Arkansas requires proof of net earnings to establish a child support obligation. If the Arkansas Child Support Agency has information of net earnings from the noncustodial parent, this evidence is submitted to the trial court for the trail court to establish the child support obligation.	1/19/2016 9:43 AM
30	N/A	1/19/2016 7:17 AM
31	The minimum obligation is also applied when the child support program has some income information and the guideline worksheet results in a minimum amount.	1/18/2016 10:46 PM
32	NA	1/18/2016 11:00 AM
33	The guidelines are to be followed.	1/15/2016 7:18 PM
34	The minimum order presumption applies regardless of the source of income information.	1/15/2016 4:54 PM
35	n/a	1/15/2016 3:37 PM
36	Applied only when we have income information	1/15/2016 3:10 PM
37	The minimum obligation is applied in every case because it is part of the formula for support. A parent's minimum obligation can range from a true zero where the parent's income after deductions is less than 25% of the personal allowance ($15,301 for 2015), to the point where income after deductions equals the personal allowance. The minimum obligation begins at zero and advances one percentage point at a time to 11% as income after deductions gradually increases to equal the amount of the personal allowance. Once a parent's income after deductions is greater than the personal allowance, the parent's minimum contribution for child support is 12% of income after deductions. The child support worksheet includes checks throughout to compare the calculated support amount with 12% of income after deductions to ensure the resulting obligation is at least the minimum amount. NOTE: Montana's child support guidelines worksheet requires all entries to be based on annual amounts.	1/15/2016 3:07 PM
38	The minimum obligation is applied where a parent has income less than $1100.00 per month. Where no income information is available, minimum wage is generally imputed, which would result in an obligation higher than the minimum obligation.	1/15/2016 11:42 AM
39	It is applied when the income provided or found that warrants a minimum obligation.	1/15/2016 7:36 AM
40	Utah has a $30.00 minimum support obligation pursuant to state statute which can only be applied when a party meets the statutory requirements demonstrating that he/she is not capable of earning federal minimum wage. Otherwise, obligations are based on full-time federal minimum wage as the lowest threshold.	1/14/2016 8:13 PM
41	N/A	1/14/2016 5:50 PM
42	Both	1/14/2016 3:26 PM
43	N/A	1/14/2016 12:19 PM
44	The minimum support obligation can be applied when there is no actual income information available, if the court determines it is appropriate to attribute income to the parent.	1/14/2016 10:00 AM
45	it can be in either situation	1/13/2016 5:29 PM
46	It is applied when there is no info or if it is lower.	1/12/2016 3:50 PM
47	Both	1/12/2016 3:37 PM
48	Refer to Question 45	1/12/2016 11:59 AM
49	See sbovr	1/8/2016 3:22 PM

50	Current minimum BASE obligation is $314 (one child, minimum wage earner as the obligor). With deviations or adjustments due to health insurance credits/travel expenses/daycare etc, the amount could be lower than the $314 per month.	1/5/2016 9:19 AM
51	N/A	12/31/2015 10:22 AM

Q47 Scenario 1 – Unresponsive Parent Assume Dad has signed an acknowledgment of paternity in the hospital when the child was born and he and Mom were living together (unmarried). After they break up, Mom applies for IV-D services and IV-D wants to establish a child support order. What steps will take place between the initial effort to contact Dad (be specific on the method of each attempted communication) through establishment of the support order, assuming Dad is not responsive at any point? In your response, please be clear on the efforts your program makes to obtain income information from Dad or Mom and the points in the process where Dad or Mom can provide income information that will affect the size of the obligation. Please also describe any formula for presuming income in this scenario and the actual child support amount established for Dad's child.

Answered: 53 Skipped: 0

#	Responses	Date
1	There will likely be variations among our counties on how they proceed. State wage information will be checked and any information CP can provide on father's work history will be reviewed. We will send letters to known employers seeking information on wages.	2/18/2016 7:49 AM
2	If the 'dad' does not provide income information, CT will contact employer, use data from state labor dept. or whichever other means may be available If there are current wages. The custodial party – 'mom' would be requested to provide income information. In this scenario, a guidelines study will be done using Dad's actual income. If his actual income is less than what the amount is for 40 hrs @ min. wage, the information is presented to the court (actual and imputed at min. wage x 40 hrs) and the court (Family Support Magistrate) will use their judicial discretion to determine an appropriate amount of support.	2/12/2016 10:22 AM
3	There are a variety of income verifications, such as IRS Records.	2/10/2016 6:49 AM
4	Once the CP comes in to apply for child support services, the worker will obtain a copy of the child's birth record and AOP and load the case on the system. An employment verification letter will be mailed to his employer, if he has one and a postal verification will be sent to the post office to verify his address. Once the Dad's address has been verified, he will be mailed a contact letter. If after 2 weeks, he hasn't responded, the case will be referred to court for support. Once the case is set for court, if the Dad doesn't appear and court records show he was properly served, then an order of support will be established by default. If the dads employer provides his wage information, then that is what is used for his wages, if no wages are available, then his income will be imputed based on minimum wage. The CP's income will either be verified prior to court. If no one provides their current income information prior to court, then they can bring it to court with them.	2/4/2016 3:36 PM

5	• Mom would be asked about dad's employment history and assets as part of the application process. CSS also sends follow-up requests for information as part of the case initiation procedure. • CSS staff would review available information provided by the FCRL or data matches with other state and federal agencies for proof of actual income (quarterly wages, tax return information, etc.) or disability (receipt of SSDI/SSI benefits. CSS staff also review to see if dad is receiving state benefits himself (such as SNAP or TANF) and may use income provided to those programs. • CSS staff may send an informal (not filed in court) request to dad inviting him to make an appointment to discuss the case or attend a settlement conference. • If dad fails to respond to an informal request, formal court papers are filed and dad is served and required to be present in court with income information. • Court paperwork generally sets a hearing date, but may also include a date for a settlement conference. In the past, CSS attempted providing copies of proposed orders to parents in advance of the court date, but a low return rate made this process inefficient and it is not used statewide. • On the initial hearing date, a CSS staff member would meet with dad and interview him about his employment and education history. Staff would request dad provide proof of actual income (if available) or other information about his ability to earn. • If no agreement is reached prior to the court date and dad fails to appear for court, CSS will use the available information (data sharing and information provided by mom, as well as any information provided by dad) to request an amount of income to be determined by the court. The court has discretion whether to accept CSS's requested income amount, whether to grant the default, etc. • If CSS has no information that dad is unable to work (based on lack of training or a disability), CSS generally asks the court to impute dad's income at minimum wage for a forty hour work week. If both parents make minimum wage for a forty hour work week, the child support for one child is $222.50.	2/1/2016 12:04 PM
6	The first contact is generally with the custodial parent or the parent that has applied for or is referred for Title IV-D services. Information about the child and the other parent is requested. Once sufficient information is received, cases are scheduled for a CSRP conference, which is the quasi-administrative process discussed above. Other cases, such as those where a parent/party has alleged family violence, are referred for judicial action which entitles the parties to notice. In Texas, the OAG notifies parties of CSRP negotiation conference not later than the 10th day before the date of the conference. If a CSRP negotiation conference is rescheduled, notice is sent to the parties not later than the 3rd day before the date of the rescheduled conference. For judicial actions, unless waived by the parties, a final hearing will not occur unless the parties' answer times have passed under state law. CSRP conferences are regularly rescheduled at the request of any party. If no response is received, it is possible for a non-agreed order to be pursed with notice to any non-agreeing party. If determined to be appropriate, the CSRP process may be terminated and a judicial action may be pursued. As stated in the earlier response, CSRP may not be appropriate for all cases. A judicial action may be immediately pursued for those cases. A party may waive service, enter a general appearance, or may be personally served when receiving notice of a proceeding. The order would be based upon evidence provided of the obligor's actual income, but in the absence of evidence of income, a minimum wage presumption may be used by the court to compute the child support amount. A percentage guideline calculation method is normally used by the court to compute the child support amount unless there are statutory grounds to deviate from the guideline). When an order is obtained, a copy of the order is provided to all parties. If a party is not present or does not wait to receive their copy of the order, a copy is sent to the party, generally by regular mail. Early intervention and monitoring activities are performed by staff to ensure that parties understand and begin to fulfill their responsibilities under the child support order. Additionally, dedicated call center and field office staff are available to respond to customer questions.	1/29/2016 10:24 AM
7	Place a phone call to Dad to obtain personal information -Send Postmaster Letter to verify location of Dad -Send Employment Verification Letter with Health Insurance form to Dad's potential employer -File complaint and Serve Dad (personally), Notice of hearing, and have the hearing. -Will impute income using minimum wage between 30 and 40 hours per week. -With regard to income information will use EVL as primary, SEW, pay stubs, Social Security information when relevant and sometime income tax information or the self-report of the party.	1/28/2016 1:42 PM
8	After the obligee contacts the Child Support Services Division requesting assistance, an appointment letter will be mailed informing him or her of the need to report to the office for an intake meeting. After this meeting, a petition will be filed with the court. The Child Support Services Division will serve the obligor, and send the obligee notice of the hearing. If the obligor's employer is known, the Child Support Services Division will send an employer statement before the hearing. Both the notice sent to the obligee and the documents served to the obligor direct both parents to bring income information to the court hearing. At the hearing, all income information is considered. It is unlikely that presumed income would be used for either parent at the initial hearing. However, if the court uses presumed income, the method used would be that described in the answer to question 37.	1/28/2016 10:53 AM
9	Contact is made a couple of times then staff use information that is available or impute. One the motion is served, the party has an opportunity to request a hearing or provide additional information.	1/27/2016 5:03 PM

10	At the time of the initial interview with the mother, the worker will typically ask if the father is willing to set support by agreement. If so, the worker may send the father an appointment letter first to come into the office and provide his/her income information. If the father is cooperative, an agreed order for support is prepared and submitted to the Court for entry without the necessity of a hearing. If the father is not cooperative, the worker will file a complaint to set support with the Court and issue for service by certified mail or law enforcement. The father has 20 days to file a response after being served. If no response is filed or the father is not otherwise cooperative, the worker utilizes the income related programs that are available and contacts the employer if known to obtain income information, prepares a guideline calculation, and files a motion for default judgment. If the father does not appear on the Court order or enter into an agreed order prior to the Court date, the child support attorney requests the Court to set support based on the income information gathered. The income used to determine the support obligation is actual income if known, prior income if not currently employer but prior income is greater than minimum wage, or imputed income (minimum wage X 40 hours per week) if an employer cannot be located.	1/27/2016 2:48 PM
11	When a case is initially set up, the state agency will send a “welcome to the registry” letter to both parents, which contains detailed information as to how child support obligations are established. This is the first point of contact where a party has an opportunity to work with the state agency in providing income and other information needed for child support services. If paternity is not at issue and the state agency has good locate for each parent, the state will look at the available resources (income/earning data, state services provided for the parties, etc) to calculate income and the child support amounts for each parent based on the Washington state child support schedule worksheets. Primarily, we look to the data to show us actual income, but if none is available, we look to historical wages within the last five years and impute that to full time hours within that industry. If no income data is known, state law allows for a “median net” standard (using the age and gender of the party to tell us what the presumed monthly income would be), but this is a last resort method and is often not used in favor of imputation at minimum wage to full time hours ($9.47 x 40 hours a week). Other things that may be considered on a case by case basis is: parties having children from other relationships (if known), daycare and medical expenses, health insurance costs, etc. These factors may also be considered when determine child support obligations. If we have good locate (a mailing address where we can serve the noncustodial parent), we will prepare a “Notice and Finding of Financial Responsibility” and send it certified mail or by personal service to the noncustodial parent (NCP). Once we have good proof of service, the NCP and custodial parent (CP) have 21 days to call our office to object to the notice. If no objection within that time, the Notice defaults into an administrative order, fully enforceable. If an objection comes in 22 days – one year from the time it was served, the parties have a right to a hearing with no requirement to show good cause for the late objection. If more than one year has passed, the party making the request for a hearing will have to show good cause for an administrative hearing. If, as a reason for an objection, a party disagrees with the income calculation, they are asked to provide anything they like to show what their actual earnings potential is, such as wage stubs, tax returns, proof of disability, etc. If we do not have good locate for the parties, our staff attempts due diligence to obtain locate information, yet the stalls the establishment process.	1/27/2016 7:09 AM
12	The initial contact can vary, depending on the strategy choices made by the regional IV D attorney. Assume that the first contact is a phone call to Dad to request an appointment/conference but that Dad subsequently fails to show up. Assume that the second contact is a letter to Dad with a request that he complete an enclosed financial affidavit within 14 days but that Dad doesn’t respond. Assume that the regional IV D attorney then prepares a summons and complaint and forwards it to the sheriff’s office to serve on Dad but that Dad fails to file an answer or otherwise appear. Based on the silence from Dad, the regional IV D attorney begins to assemble income information for Dad from other sources. From Mom, the worker finds out where Dad is employed and issues a request for information to the employer. At the same time, the worker makes a request to the tax department for a copy of Dad’s most recent tax return. The worker also asks Mom to see if Dad left any financial information behind when he moved out and Mom is able to locate some of Dad’s recent pay stubs. From these collateral sources, the IV D attorney is able to apply the guidelines to calculate a child support amount based on his actual income and sends a settlement proposal to Dad. Again, there is no response from Dad. At the end of 21 days after service of the summons and complaint, the attorney files a motion for a default judgment. Since Dad didn’t appear, it is not necessary to notice him of the motion but the attorney elects to do so anyway. Dad is served with the motion, the child support worksheet as an exhibit, and proposed concluding documents, including a proposed order and proposed judgment. Dad does not respond to the motion so a default judgment is entered. Although styled as a default judgment, it is based on actual, and not imputed, income	1/26/2016 12:52 PM
13	If Dad does not appear at the hearing, a second court hearing will be scheduled and personal service of the hearing notice/summons will be ordered. If Dad was personally served and does not appear at the next hearing a default order will be entered. If there is information on Dad's wages, then an order will be entered in accordance with the State's guidelines. If no wage information is available, and income cannot be imputed, then the court may enter an order based on the child's needs or standard of living.	1/25/2016 11:47 PM

14	In regards to the last question, in Puerto Rico income is imputed according to Rule 10 of the mandatory guidelines. Income is imputed to the CP or NCP when: (a) there are signs of income being more than what it is informed; (b) the person is unemployed; (c) the person is working part-time and the income he/she receives is less than federal minimum wage x 40 hours a week; (d) the person has a monthly gross income lower than the federal minimum wage x 40 hours a week; (e) the person has reduced his/her productive capability to evade providing support, or has been released from employment for reasons attributable to him/her.	1/25/2016 2:40 PM
15	Obligor would be served with a complaint to establish an order based on either average wage if employment information is unknown or actual income if employer known.	1/25/2016 10:36 AM
16	If dad is unresponsive, service of legal complaint will be initiated; court proceeding will take place; income information on the parents are obtained from employers and/or other available resources to calculate the guideline amount. if either party has information on their income to affect the guideline amount can provide it before the scheduled hearing; if either parent's income is below the minimum, IV-D will compute income at minimum wages x 40 hours weekly	1/21/2016 7:20 PM
17	Mom provides information about Dad on her initial application for service letter to Dad, no response service on Dad by sheriff or certified mail, no response hearing at court, Dad does not attend, Mom appears, Mom provides information she knows about Dad's income/employment, income information would have been electronically gathered through FPLS if any received Attorney would request default order against Dad based on information received or on imputed income Order sent to all parties, Dad has opportunity to ask court to reconsider/schedule another hearing once order received, would need to appear at hearing to provide financial information to court and parties	1/21/2016 2:24 PM
18	We would treat this scenario like any new action where paternity is not an issue. We would proceed in default only with personal service and the presence of the custodial parent. Otherwise, we would attempt to serve him and have him attend the hearing or administrative conference.	1/21/2016 8:15 AM
19	An appointment letter will be sent to Dad. If he does not respond, the case will be referred to legal, and the IV-D agency will attempt to serve Dad with a summons notifying him of the court hearing. The IV-D agency will attempt to obtain detailed employment information for Mom during her initial interview. If Dad responds to the appointment letter, the IV-D agency will request current pay stubs to aid in the calculating an accurate amount of support. If Dad does not cooperate, the IV-D agency will use whatever wage information it has obtained from any source (previous employers, federal and state interfaces, current employer, Mom) to establish support. If no information is available, most courts would calculate child support based upon an imputed minimum wage calculation.	1/21/2016 8:14 AM
20	A petition, summons, order to appear for settlement hearing (date and time included), and a financial affidavit are served on both mom and dad. If no information is provided about dad's income and he does not come to the hearing, his income will be imputed using full-time minimum wage. In some areas, initial contact will be made with Dad asking him to contact the child support office. If he doesn't the steps discussed above are followed.	1/20/2016 5:45 PM
21	Facts. talk with parents and if no response - court action	1/20/2016 1:57 PM
22	Delaware is Judicial. No hearings can take place unless personal service is perfected. Once initial service is perfected, future service is completed by regular mail. If personal service is not perfected the IV-D agency keeps trying until accomplished... NO hearing will take place. If the NCP does not show once personal service is perfected, the state IV-D program will enter evidence as to income(DOL quarterly data, employer information, testimony) to the court and that information will be used in absence of the NCP for determining ordered amounts.	1/20/2016 10:15 AM
23	Earning subpoena would be mailed along with conference scheduling, orders to appear include instructions to bring income info with them. Automated interfaces for income would also provide information.	1/20/2016 10:03 AM
24	If initial efforts show him unresponsive, OCS will know of his failure to participate by the first court event. In Vermont, most cases are scheduled for a more informal settlement conference in attempts to narrow issues and avoid a hearing. If NCP fails to appear at the conference, the matter is set for a hearing. Notices often warn parties of the statutory presumptive income to persuade them to appear in court with the required income information. As part of hearing preparation, NCP may be called to provide income information, CP may be contacted for information, and all income information available is reviewed. Even if the NCP fails to provide income information, there is access to DOL database, income information from prior or current employer, etc. It is possible to determine that subpoena or discovery is necessary, but the court may go forward on the information gathered without those things. As part of its preparation, OCS can also review criminal records, domestic cases and other child support obligations, as this may impact a person's ability to obtain employment.	1/20/2016 9:48 AM
25	If the dad signs the acknowledgment then we proceed with a child support order. In Alaska the acknowledgment is a legal binding document and they have to petition the courts for genetic testing.	1/19/2016 6:52 PM
26	An appointment is set with NCP by regular mail. If he does not respond. A suit is filled and served to NCP, if locate is not an issue. If there is no income information, earning potential is used.	1/19/2016 1:04 PM

27	1) Mom's income is required at the time she applies for IV-D services. 2) request for income information is sent to dad by regular mail 3) state attempts to obtain income information for both parties thru an interface with the hawaii dept of labor. 4) proposed order includes an amount of child support based upon the information received and is served via certified mail or personal service. 5) upon sucessful service either party can request a hearing if they disagree with proposed order. 6) action to hearing and parties can provide updated income information or the proposed order is filed as a default if no hearing request is received. There is no presumption of income in this process and the actual child support amount is based upon the income information received from the parties or obtained from the Hawaii Dept. of Labor	1/19/2016 1:03 PM
28	Please see responses to questions 6-16. The formula for calculating support in California is found in the Family Code sections 4050-4076, see citations for text.	1/19/2016 11:40 AM
29	1st step is Certified Notice to Appear, a non responsive dad, will result in court referral do to lake of services.	1/19/2016 11:18 AM
30	Once dad is located, we will send a complaint and summons for a hearing. Both parties bring their income information to court and an order is established.	1/19/2016 10:13 AM
31	Once a case is opened, the CP is sent a contact letter to complete paperwork or for an appointment to come into our office to complete that paperwork. During this time, staff researches the information provided by the referral to obtain information such as the NCP's employer and/or current address and verification is attempted. If no information can be found, NCP goes into locate until after the interview/ or paperwork is completed by the CP in the hopes that CP can provide current information. After the CP has completed paperwork, the absent parent is sent a letter requesting that he or she contact the office within 10 days. If the absent parent responds to the letter he/she is given the opportunity to provide income and general financial information in hopes that an Agreed Order can be obtained. If the absent parent is employed in a position in which they received a lot of over-time but it's sporadic, we use the year to date to calculate average income. If the NCP wishes to agree, a proposed order is prepared and signed and the file is forward to the Legal Department to review and proceed with the Agreed Order. If the NCP responds, however, and declines the Agreed Order, the worker ensures all information in the system such as the absent parent, SSN, DOB, and employer and address is verified, and we inform the absent parent that the file will be sent to legal and the steps they need to take once they are served. If there is no response from the absent parent, the information the CP provided, any verified income information, and verified address information is forwarded to the Legal Department. The complaint and summons is filed and served to the NCP. The NCP has an opportunity to file a formal response to the pleading and contact the attorney. Income information may be provided at any time in this process prior to entry of the order. If there is no response from the absent parent after service has been obtained, the case will proceed to entry of a default order. If there is any evidence of current or recent earnings, that information will be used to set the current support according to the Arkansas Child Support Guidelines. Usually the chart amount is based strictly on the absent parent's employer(s) information. Income is imputed based on the formula described at question 39 in the absence of any income information.	1/19/2016 9:53 AM
32	personal service initiates the process to establish an order. Request for income information and statement of resources are provided and used to prepare a proposed order when received. Obligors are notified that if they do not provide any income information and participate, an order will be established based upon information available. If no response, another statement or resources and request for income is sent with another warning. Information is requested from the custodial parent for both their income and the obligor's--the CP must respond of we will not move forward. If no response from the obligor after the second mailing, a proposed order will be issued based upon income information known. If none is known, full time minimum wage is typically used. The proposed order is issued to the parties with the chance to object before a final order is issued. A final order can be appealed within the first year.	1/19/2016 7:26 AM
33	1. The father will receive a complaint to establish child support. This is considered the Service of Process step. Many counties send information regarding the IV-D program including the collection of income information along with SOP. 2. Many county offices schedule a conference with the parents to determine if there are any agreements and to obtain income information. 3. A written request for income information will be sent to the father. 4. A child support recommendation will be mailed to the father, stating the amount of income being used/imputed. 5. A notice of a court hearing will be sent to the father, stating the entry of the support order, and requesting his appearance at the court hearing.	1/19/2016 7:21 AM
34	The IV-D agency will send a contact letter to Dad requesting he contact the agency regarding the case. The case will proceed to petition status and Dad will be served with the action. If Dad does not respond in 30 days, the action will proceed to default, though some jurisdictions require a court hearing before issuing an order. Staff will use a number of tools to verify and/or impute income such contacting parties to request income and expense information, subpoenas, employment verifications, social security wage information, wage tables, etc… The "hourly rate x 2080 / 12 determines monthly gross income (2080 is equal to 52 40-hr work weeks divided by 12 months)" formula would be used to determine Dad's monthly income, which would be used in the guideline worksheet along with child care expenses, cost of insurance, extraordinary expenses and credits for court ordered spousal support or child support for a prior child or for responsibility for a prior child in the household.	1/18/2016 10:50 PM

35	We request financial information from the parent due support first before obtaining information from the parent owing support. If a response is received from the parent due support we initiate contact with the parent owing support. If a response is not received from the parent owing support a non-cooperation letter is sent and the parent has 10 days to respond before 60 day case closure is initiated. When the parent due support has cooperated, contact is made to the parent owing support through a service of process method. If service is unsuccessful, we conduct address location and/or contact the parent due support to obtain additional information that would allow a successful service of process. The parent owing support is served with a notice and financial documents. In judicial cases, income determination is made by a judge in court. In administrative cases, if financial documents are not received from the parent owing support, other methods are used to determine income, such as using our SUNTAX system for quarterly wage, contact with the other parent to gather income information, come-in-by date appointments, request sent to employer (if known) and subpoena for information. If there is no success with the methods, income is imputed based on whatever information is available.	1/18/2016 11:02 AM
36	See Responses to Questions #12, 13, 14, 15 and 16 for the steps taken. See Response to Question #23 for income information. See Response to Questions #37 & 39 for imputed income.	1/15/2016 7:21 PM
37	Our first attempt to contact the parents is by telephone. If there is no response to the telephone call then an information request packet is sent to the parent by regular mail. We may also send at the same time an inquiry to a potential employer if there is one available. If there is no response from the parent wage resources are checked for potential income. If recent income history is found, and work of that type is available in the area where the parent lives, we will presume the parent is able to work in that field and use full time wages at that rate of pay (or less, in occupations where work is typically less than full-time). If insufficient information is found to make a determination of actual or potential income is found then minimum wage is used.	1/15/2016 4:56 PM
38	We follow the procedures as previously described	1/15/2016 3:17 PM
39	a. Send case opening letter by regular mail b. Caseworker may contact Dad personally by mail or by telephone and attempt to get financial information c. Caseworker may request information about Dad from Mom and any other reliable source. d. Caseworker reviews CSED sources of income and employment information (state and federal computer interfaces). e. Have Notice and Order Concerning Support (NOCS) personally served on Dad; package includes financial affidavit which requests information for child support calculation and three years of tax returns. (Caseworker has discretion to attempt informal contact with Dad before the Notice is served. Either way, a child support calculation worksheet is included with the NOCS package based on the best information available to CSED at the time.) f. Mom is served with NOCS by personal service or by regular mail and asked to sign an acknowledgment of service. She is asked to complete the same financial affidavit as served on Dad and to provide three years of her tax returns. g. Parents may provide financial information that will affect the size of the obligation at any time up to and including the telephonic hearing that either party may request. h. Montana does not use the term “presumed income” in its child support guidelines. Instead, in the absence of current employment information, we would usually impute income based on work history, education, and the employment opportunities available in his area. The formula for imputing full-time income is pay per hour multiplied by 2080 hours per year (52 weeks X 40 hours/week).	1/15/2016 3:08 PM
40	If early intervention methods are used, Dad would first be called by phone to arrange for him to come in to the child support office to sign a waiver and participate in a negotiation conference. If he failed to respond to that call, Dad would then be personally served with a Notice of Financial Responsibility and Subpoena to Produce, requiring him to appear for an administrative process negotiation conference at the child support office. Prior to the negotiation conference, the child support office would search for any information available regarding Dad’s income. If Dad participated in the conference, the child support office would use any income information he provided. If Dad failed to appear for the conference, the child support office would proceed to calculate a child support amount using any available income information, and would impute full-time minimum wage to Dad. An administrative process default order would be filed with the court for approval by the judge or magistrate.	1/15/2016 11:43 AM
41	We serve Dad a notice using cert mail; the packet includes a request for financial information. We also request financial information from Mom. 10 days after service, we can calculate the recommended amount of support (guidelines). If Dad doesn’t return financial information, we use automated sources to find his actual income. See question 23. If Mom doesn’t return financial information, we use automated sources to find her actual income. See question 23. If we cannot find actual income, we use presumed income based on the Iowa caseload median income, or Iowa occupational wage information. See questions 37 – 39. We notify both parties by mail about the recommended amount of support. In our effort to better engage alleged father and payors, we also make Connections Equal Collections (CEC) phone calls at this time. In addition, we contact payees by phone to see if they have questions about the guidelines. If the parties disagree with the income used to calculate the recommended amount of support, they have the opportunity to provide different income, and request a hearing to present information to the court. We will accept new information until an order is filed with the court.	1/15/2016 7:38 AM

42	Administrative Process 1. Initiating agent searches all sources for income information. 2. Prepare Notice of Agency Action (“complaint”). Packet includes request for income information, ability to request a hearing (either administrative or judicial), and timeframes for response. 3. Serve Notice of Agency Action packet on both parents (Initial contact). (Paternity is not an issue, so certified mail with returned receipt is the minimum threshold for process service.) 4. Monitor for 35 days after the second parent is served for responses from either party. (Parties are told 30 day response time. By policy, we add an additional five-day grace period). 5. Assuming no response, a presiding officer reviews the income information assembled by the initiating agent and reviews the process service documentation. If all is in order, a default order is issued. Judicial Process 1. Receive referral packet from agency, which includes party information and all results of agency searches for all sources of parties’ income information. 2. Prepare judicial complaint. Complaint is based on best available income information or federal minimum wage is imputed if there is not other income information available and there is no evidence the party is unable to work. Includes summons and notice that parties’ failure to answer can result in default order. I would delete the last sentence. It is more appropriate in #3). 3. Send complaint for hand-delivered, personal service on each party. I suggest changing this to "Personally serve the complaint and summons on each party." 4. Each party then has 21 days to file an answer with court and upon legal counsel for agency (the party has 30 days if the party lives out of state). 5. If the parties do not answer, legal counsel prepares (change "prepares" to "files") a default certificate and files it with the court (the certificate requests that the court default the party). 6. Upon the court’s entry of the default certificate, legal counsel prepares the default order, which it sends to the parties and files with the court. The parties have 14 days to contest entry of the default order. If neither party contests entry of the default order, the court will enter the default order.	1/14/2016 8:16 PM
43	Varies by caseload, I apologize for generalization. AZ should clearly document all attempts to contact the NCP and document the unresponsiveness. We would ask for income information from both parties and we will take whatever information they give us at any point. If presented in court, the judge will make a determination on how to proceed.	1/14/2016 5:55 PM
44	Administrative: An administrative summons is sent to the NCP (dad) for an appointment to establish an order. If Dad does not appear for this appointment, staff will check return service. If the NCP was not found, staff will attempt to locate a good address for service and may also contact the NCP by phone or email. If the NCP was served properly, staff will attempt to verify income through VEC and/or other sources and complete a default order. Service of process is the delivery of a child support document to the person for whom the document is intended. Service can include hand-delivery to the NCP, service on a household member, or posting on the entrance of NCP’s residence. Service is considered valid when the subject waives formal service, or the “proof of service” copy of the child support document is returned, properly documented to indicate that service has been accomplished as prescribed by law. Judicial: If the agency is unable to serve the NCP with an ASO, or if there is an allegation of shared custody, a petition will be filed with the court. NCP will be served with a summons to appear in court. Service can include hand-delivery to the NCP, service on a household member, or posting on the entrance of NCP’s residence. If NCP is served and fails to appear, no further effort will be made to obtain income information from the NCP. At trial, NCP’s income will be presumed based on the evidence available, which could include a broad range of sources, such as the CP, NCP’s employer, past wage data, or published average earnings for NCP’s trade.	1/14/2016 3:28 PM
45	Phone call both parties. Then mail and/or service of process. Parties are advised to bring income information to court.	1/14/2016 12:31 PM
46	The steps DOR uses are outlined in answers to previous questions. DOR will attempt to obtain income information through a number of sources, including prior state tax returns, wage reports, and information from current or previous employers. (DOR would also have information if the parent is or was receiving unemployment benefits or workers’ compensation.) All child support orders are established in court. The court requires all parties to complete a financial statement. Before appearing before the judge, DOR staff meet with parents to explain the case and gather additional information from the parents. In the absence of contrary information, DOR may presume a parent is capable of obtaining at least full-time minimum wage employment.	1/14/2016 10:02 AM
47	try to call (3 different times), send letter and/or email trying to contact Dad. We contact mom, check all sources such as Department of Labor, Work Number, etc to find employment info. If no income info we use min wage X 40 hours. We send both parents the results when we refer it to our attorneys and then they are served prior to obtaining the order allowing them the opportunity to appear in court and discuss circumstances with the Judge.	1/13/2016 5:29 PM
48	We try to call dad to come in to do an agreed order, otherwise we serve him. We impute min wage at 40 hours a week per guidelines.	1/12/2016 3:56 PM
49	Dad would be sent administrative subpeona to complete income questionaire. If not returned after 21 days, complaint would be filed to establish support and hearing would be sent. A judicial subpoena would be issued to submit income/asset information prior to hear. Such information would be used, if submitted. Otherwise, all resources would be used to determmine father's income which would be used at the hearing to establish appropriate support amount. As a last resort, imputation of inocme would be used.	1/12/2016 3:47 PM

50	Both Mom and Dad will be mailed and asked to fill out the same financial statement. The last section of the financial statement contains an “Additional Information” section where parents are asked to provide information about the other parent’s employment, wages, education and/or professional licenses. In this scenario, if Dad fails to return the financial statement, the Child Support Officer may make additional attempts to contact Dad by mail or phone. The CSO also obtains and/or verifies information from the CP, DEED, Unemployment, etc. If the Child Support Officer has sufficient, verifiable current income information for Dad, the Child Support Officer will move forward with the establishment action using that information. If the Child Support Officer has insufficient current income information, the Child Support Officer will at least make one additional attempt to contact Dad, if unsuccessful, the Child Support Officer will go forward with the establishment action, using the best information it has available and imputing potential income to Dad if necessary.	1/12/2016 12:00 PM
51	Simply file a Motion for Supprt notify the parties by mail to appear in court. If either party fails to appear we then serve the parties to appear. Both parties receive an income and expense sheet to be completed and presented at the hearing.	1/8/2016 3:33 PM
52	The combined monthly net incomes of both parents will be used in determining the support obligation and divided proportionately between the parents based upon their respective net incomes. To determine the NCPs income, the Child Support Specialist will review Department of Labor wages; unemployment information; FCR information for quarterly wages, SSI, SSDI, retirement and other possible benefit information; IV-A system; and any other resources available to the Division of Child Support. The NCPs income will be imputed at the state minimum wage, if verified wages are less than minimum wage, or the NCP is hospitalized or incarcerated, unless the applicant or DCS has verification that the noncustodial parent has other income. If the NCP is receiving benefits due to SSI, Social Security or Veterans disability, retirement etc, the CSS will verify the benefit amount. Unless the applicant can provide verification of the NCPs income, the Annual Pay Standard (currently $3224 per month) will be used for NCPs residing out of state, self-employed or in military service. Once the CSS has both parents’ incomes, they will generate the Notice of Support Debt (NSD) which will list the monthly support obligation and any prior period support judgment. This NSD is sent, by certified mail, return receipt requested along with a financial statement, obligation worksheet, insurance questionnaire, affidavit of arrears (if NCP had made voluntary payments). If the certified mail is signed by an adult member of the NCPs household or employer, this is satisfactory service. (SDCL 15-6-4(E). Proof of the service of process must be attached to the NSD with the original signature and forwarded to the Clerk of the Court when requesting the court to enter an order for support. Since NCP is not responsive – after 18 calendar days after service, the CSS will send the necessary documents to obtain an order for support signed by the Circuit Court Judge.	1/5/2016 9:21 AM
53	1. Possible initial contact by letter sent first class US mail 2. If no response, then a legal complaint is filed. In many instances this is the initial contact with the noncustodial parent. 3. A court date is secured and the noncustodial parent is served with notice of the complaint filed against them and the date and time of the court hearing. 4. If at any time before the court date the parents contact the IV-D agency to come to an agreement, the IV-D agency will attempt to meet with the parties to facilitate an Agreed Order on all issues. 5. If the parties do not contact the IV-D agency prior to the court date, the IV-D agency will use this time to gather income information from sources made available to the agency through FPLS, including quarterly wage information. 6. If an Agreed Order cannot be reached prior to the court date and all parties appear at the hearing, testimony is taken and a child support obligation worksheet is prepared in court and a request for child support made at that time. 7. If the noncustodial parent is served with process and fails to appear, evidence is presented to the court of any earnings or potential earnings of the noncustodial parent as well as testimony of the custodial parent regarding any work history they are aware of for the noncustodial parent. Testimony is also taken from the custodial parent as to their earnings. If documentary evidence is available that information is also submitted to the court, a child support obligation worksheet is prepared and a child support order requested. 8. If neither parent appears, and the case is a TANF case, then the same process occurs in terms of presenting any documentary evidence to the court of both parties’ earnings. If no documentary evidence is available, then both parents may be imputed at full time minimum wage earnings and a support order requested. 9. If the court does not enter a default order on the case and the case is a non TANF case then the court may dismiss the action without prejudice and the IV-D agency may close their case. 10. If the court enters a default order on the case, both parties are sent a copy. 11. The court also has the option of not entering an order and issuing a warrant for the party who failed to appear. In this circumstance, a temporary order could be issued until the party who failed to appear presents himself/herself to the court or in the alternative, no child support obligation is entered at the time of the hearing.	12/31/2015 10:53 AM

Q48 Scenario 2 – MalingererDad is 19 years old and has not looked for work since graduating from high school about 6 months ago. He resides off and on with friends or relatives who are willing to support him. He lacks motivation to work, but otherwise has no known disabilities or barriers to employment. Child support is seeking to establish an obligation for Dad's child (paternity was acknowledged in the hospital), but Dad simply has no income. What is your state's approach to imputing income to Dad?

Answered: 53 Skipped: 0

#	Responses	Date
1	We will impute income based on 35 hours at minimum wage.	2/18/2016 7:49 AM
2	40 hours based on minimum wage would be imputed.	2/12/2016 10:22 AM
3	full-time minimum wage	2/10/2016 6:49 AM
4	If the Dad is unemployed, then wages for him will be imputed based on minimum wage. The formula used would be $7.25 an hour x 40 hours per week. If there is a fatherhood initiative program, then he will be referred to it as well. In some cases the judge may phase-in the order.	2/4/2016 3:36 PM
5	• Under CSS policy, CSS would request the court use either minimum wage for a forty hour work week, or another amount that a person with comparable education, training, and experience could reasonably earn. • In order to determine an appropriate earning amount to request from the court, CSS would interview dad about his past earnings and education. CSS would also consider earning reports from outside sources (for example, the Oklahoma Employment Security Commission) for any skills or licenses dad might have. Finally, CSS would question dad about any reason he would have a reduced earning ability. • If dad is simply unable to supply any information about a reduced earning ability, CSS would likely request a minimum wage imputation.	2/1/2016 12:04 PM
6	The child support aspect of this case would likely be handled under either the statutory minimum wage salary presumption if no evidence of income is provided, or under the intentional unemployment or underemployment statute. If there is no evidence of income from employment (or any other source) coupled with lack of evidence of disabilities, this young father is likely to be ordered to pay child support based on at least a minimum wage earning ability. This amount could be higher than minimum wage if the father is found to have talents or skills which would increase his earning capacity and he is found to be voluntarily unemployed or underemployed.	1/29/2016 10:24 AM
7	Will usually use minimum wage x 30-40 hours/week and impute income to the NCP allowing for any deductions for other child support orders or other deductions etc.	1/28/2016 1:42 PM
8	At an initial hearing, the Child Support Services Division would request that the court issue a temporary order for $50.00 (the minimum obligation), and continue the case to allow the obligor an opportunity to secure employment. The Child Support Services Division would request that the court order the obligor to bring proof of at least ten job searches weekly for each week between the initial and continued hearings. If the obligor is unemployed at the continued hearing, fails to bring job search efforts, and not in receipt of means tested public benefits, the Child Support Services Division would request that income be imputed to the obligor, commensurate with his or her work history, job training and skills, or at minimum wage if the obligor has no training or employment history. If the obligor brings job search efforts, the case would likely be continued at least once more for the obligor to find work. If the obligor is still unemployed at the next hearing, the court may impute income, or make the temporary order permanent.	1/28/2016 10:53 AM
9	minimum wage x 40 hours per week	1/27/2016 5:03 PM
10	Minimum wage at 40 hours per week will be used as the father's income in the guideline calculation	1/27/2016 2:48 PM

11	State law strongly suggests that we can impute income at minimum wage using full time hours when the parent is a high school student. In this scenario, our staff would generate a notice using WA state minimum wage ($9.47 for 2016) at full time hours (40 per week) and submit that into the state child support worksheets to calculate an obligation. If the parent resides outside of WA, we would use the minimum wage amount of the parent's home state.	1/27/2016 7:09 AM
12	Assuming that Dad is not uncooperative regarding providing information about his lack of income, the guidelines would provide for imputing income to him according to the general rule described in response to Question 39 above.	1/26/2016 12:52 PM
13	If Dad can show a diligent effort to find employment but has been unsuccessful, then a poverty level order may be entered. If Dad does not show a diligent effort to find employment then his income may be imputed based on minimum wages/forty hour work week or prior employment information, if known.	1/25/2016 11:47 PM
14	As a general rule, income will be imputed based on federal minimum wage (e.g. $7.25) an hour x 40 hours per week.	1/25/2016 2:40 PM
15	per statute income would be imputed based on the average wage as determined by the state workforce agency.	1/25/2016 10:36 AM
16	Imputation at minimum wage x 40 hours weekly	1/21/2016 7:20 PM
17	Dad has ability to work, may get temporary minimum order and be required to provide work search records, income can be imputed if employment not obtained	1/21/2016 2:24 PM
18	We would impute minimum wage and set the case to be reviewed in three or six months for a possible modification of the amount.	1/21/2016 8:15 AM
19	The IV-D agency would ask the court to establish support based upon an imputed minimum wage calculation.	1/21/2016 8:14 AM
20	Impute dad at full-time minimum wage.	1/20/2016 5:45 PM
21	May be a 50$ order	1/20/2016 1:57 PM
22	Minimum wage	1/20/2016 10:15 AM
23	Would be considered a non financial obligation and required to participate in job services.	1/20/2016 10:03 AM
24	In this scenario, there would likely not be much employment and wage history. If he's not working, the court could order him to participate with an employment services program, issue an order with the obligation based on his voluntary unemployment, or issue a nominal obligation. Most would recommend the former.	1/20/2016 9:48 AM
25	we would most likely impute minimum wage X 2080 hours (full time)	1/19/2016 6:52 PM
26	Income earning potential (40 hours at minimum wage)	1/19/2016 1:04 PM
27	The administrative process does not impute income unless a hearing is held and the party requests it.	1/19/2016 1:03 PM
28	We would follow our presumed income statute found at FC 17400 (d)(2). See citations for text.	1/19/2016 11:40 AM
29	Local agency and court discretion	1/19/2016 11:18 AM
30	If the court finds that either parent is, without just cause, voluntarily underemployed or unemployed, it shall impute income to that parent according to the following priorities: a. impute income based on potential employment and earning capacity using the parent's work history, occupational qualifications, educational background, and prevailing job opportunities in the region. The court may impute income based on the parent's former income at that person's usual or former occupation or the average earnings for that occupation as reported by the New Jersey Department of Labor (NJDOL); b. if potential earnings cannot be determined, impute income based on the parent's most recent wage or benefit record (a minimum of two calendar quarters) on file with the NJDOL (note: NJDOL records include wage and benefit income only and, thus, may differ from the parent's actual income); or c. if a NJDOL wage or benefit record is not available, impute income based on the full-time employment (40 hours) at the New Jersey minimum wage ($8.25 per hour). In determining whether income should be imputed to a parent and the amount of such income, the court should consider: (1) what the employment status and earning capacity of that parent would have been if the family had remained intact or would have formed, (2) the reason and intent for the voluntary underemployment or unemployment, (3) the availability of other assets that may be used to pay support, and (4) the ages of any children in the parent's household and child-care alternatives. The determination of imputed income shall not be based on the gender or custodial position of the parent. Income of other household members, current spouses, and children shall not be used to impute income to either parent except when determining the other-dependent credit. When imputing income to a parent who is caring for young children, the parent's income share of child-care costs necessary to allow that person to work outside the home shall be deducted from the imputed income.	1/19/2016 10:13 AM
31	In Arkansas, if Dad fails to respond or appear at hearing before the trial court, the trial court may impute Arkansas' minimum wage at 40 hours less deductions for federal and state taxes to obtain a net income to establish a child support obligation. If the Dad responds and appears, the trial court will consider all facts and circumstances in establishing a child support obligation and may impute income at minimum wage.	1/19/2016 9:53 AM
32	Full time minimum wage without evidence or a claim for Dad that he cannot work full time	1/19/2016 7:26 AM

33	In most offices, income would be imputed to Dad at 35 hours per week at minimum wage.	1/19/2016 7:21 AM
34	New Mexico would consider Dad an able bodied individual who is unemployed, not receiving unemployment compensation or not receiving disability. New Mexico would impute Dad based on earnings history and ability and minimum wage table.	1/18/2016 10:50 PM
35	In judicial cases, this is determined by a judge based on the availability of employment to the individual and the prevailing wage. In Administrative cases, income is imputed at Florida minimum wage.	1/18/2016 11:02 AM
36	Supporting parent will be ordered to participate in a job search program. The outcome must be reported to the Court.	1/15/2016 7:21 PM
37	Dad's income would follow the usual formula: actual income + any additional potential income. Actual income is determined to be zero. Because there is no evidence that dad is disabled, incarcerated, or receiving worker's compensation, imputation is appropriate. The amount of income to be imputed depends on the specific circumstances. Because he has no work history, he is unlikely to obtain work above the minimum wage. It may be appropriate, if sufficient opportunities exist in the community, to impute full-time minimum wage. This might be different if there are opportunities in the community for greater earnings. For example, if a local car manufacturer regularly hires high school graduates full-time at $12 per hour, and a number of dad's similarly-situated classmates have gone to work there, the higher income imputation might be appropriate. On the other hand, if dad lives in a location with few job opportunities even at the minimum wage (most common in rural areas), it may not be appropriate to ascribe full-time work. Part-time income or perhaps, in extreme circumstances, little to no income, may be the appropriate imputation. The $100 minimum order will still apply in the absence of an exception.	1/15/2016 4:56 PM
38	Ask court to impute income at 40 hours per week in conjunction with Outreach services	1/15/2016 3:17 PM
39	Montana's approach is to first ensure there is no evidence that Dad has work experience or education that would qualify him for a higher paying job and no evidence of an inability to work full-time. Absent other information, income would be imputed to him at the higher of federal ($7.25/hr.) or state (Montana's is currently $8.05/hr.) minimum wage for 2,080 hours per year.	1/15/2016 3:08 PM
40	Imputation is based on state statute and case law. Therefore, it is a case-by-case, fact-specific determination made by the child support office and/or the court. Dad would have to found to be shirking his child support obligation, and several factors are reviewed, including job search efforts. In this case, where Dad is not seeking employment, the law would require him to be imputed at his potential earnings.	1/15/2016 11:43 AM
41	Iowa CSRU does not impute income. If Dad returns a financial statement claiming no income, we follow our standard procedures and check automated sources for income. If we find no evidence to the contrary, we use zero income to calculate the recommended amount of support. This results in a minimum order, according to the Schedule of Basic Support Obligations.	1/15/2016 7:38 AM
42	By state statute, without known disabilities or barriers to employment, income would be imputed at full-time, federal minimum wage. ($7.25/hour x 2085.6 full time hours per year) / 12 months	1/14/2016 8:16 PM
43	Minimum wage; AZ would also refer the NCP to the Employer Administration, and other community partners, to assist him in finding work. We would do this at the first contact with the NCP.	1/14/2016 5:55 PM
44	With no prior earnings on record, the agency would use zero for NCP's income. The resulting obligation would be considered unjust given the facts, and the matter would be referred to IV-D counsel for court referral. A petition would be filed with the court. NCP would likely be presumed capable of earning minimum wage at 30 to 40 hours per week.	1/14/2016 3:28 PM
45	We look at Dad's job skills, area economy, and/or guidelines.	1/14/2016 12:31 PM
46	A court may impute at least full-time minimum wage employment assuming it finds the parent could find employment. DOR will also provide the court with information regarding the parent's education and past employment history. The court may also refer the parent to a workforce development program and review the case after a short period of time.	1/14/2016 10:02 AM
47	min wage X 40	1/13/2016 5:29 PM
48	Per guidelines it has to be min wage at 40 hours.	1/12/2016 3:56 PM
49	Agency would seek support at fulltime minimum wage level. Agency would also seek order that he be required to participate in and document job search activities.	1/12/2016 3:47 PM
50	Since Dad is able to work, the Child Support authority would ask that income be imputed to him, likely 30 hours per week times the minimum wage, though depending on market conditions the CSO may ask for something different.	1/12/2016 12:00 PM
51	The Court would refer the ncp for job training and placement first and establish an order based upon that income. If the ncp fails to cooperate the court may establish an order based upon minimum wage x 50 hours,	1/8/2016 3:33 PM
52	Dad would be imputed at minimum wage x 40 hours per week.	1/5/2016 9:21 AM
53	If there is no work history and no higher education or vocational training the facts of the case may indicate that weekly gross income be set at least at the federal minimum wage level.	12/31/2015 10:53 AM

Q49 Scenario 3 – IncarceratedBefore IV-D can establish a support obligation, Dad in Scenario 2 is convicted of dealing drugs and sentenced to a minimum of 30 months in jail (and could serve as much as 5 years). He has no ability to earn income within the jail and is not eligible for work release. Does your state impute income to Dad and, if so, in what amount? Would the outcome be different if Dad already had a child support obligation at the time he went to jail?

Answered: 52 Skipped: 1

#	Responses	Date
1	We would not impute income to establish an order but if one already existed, it would depend on the individual county as to whether the court would consider a modification.	2/18/2016 7:49 AM
2	No	2/12/2016 10:22 AM
3	no	2/10/2016 6:49 AM
4	Does your state impute income to Dad and, if so, in what amount? In most cases, no. Would the outcome be different if Dad already had a child support obligation at the time he went to jail? Most likely, yes. Some judges grant relief while incarcerated.	2/4/2016 3:36 PM
5	• CSS recently changed its policy regarding incarcerated obligors. • Establishing: CSS would ask the court to set a zero-dollar support obligation for the time period dad is incarcerated, with an obligation at minimum wage to begin roughly 90 days after his release from incarceration. Dad would have the opportunity to request a review of the "automatic" child support order upon his release from incarceration and could show that a minimum wage order is inappropriate under his circumstances. • Modifying: CSS would request a temporary modification to a zero-dollar child support obligation for the time period of dad's incarceration. CSS would request the court order the previous child support order be automatically put back into place upon dad's release from incarceration, unless there is some information at the time of modification that dad will not be able to earn the same income upon release (for example, if the criminal conviction will result in the loss of a professional license).	2/1/2016 12:04 PM
6	In the situation where Dad goes to jail before the obligation: No. Texas law does not allow the wage and salary presumption to be used in situations where Dad is incarcerated in a state or federal facility and serving a sentence of at least 90 days. Unless there was proof of net resources, this fact pattern would result in a zero support order in most situations. In a situation when the child support obligation pre-dates incarceration: There is no per se trigger that changes child support just because an obligor is incarcerated. There would have to be some catalyst to prompt a review. However, if for example, the obligor were to request a review and adjustment, the obligor would likely prospectively qualify for a zero support order under these facts.	1/29/2016 10:24 AM
7	Usually, our courts will enter a minimum order of $50.00 per month pursuant to the guidelines / case law. Some counties will not order a child support obligation if the NCP is incarcerated when the initial support order is entered. -If the NCP becomes incarcerated after the order is established. The NCP may file for modification to reduce is child support obligation using typical judicial procedures. NCP's child support obligation can be reduced to a minimum amount (typically $50.00/month). However, the NCP is not entitled to a reduction in every case. For example if he had a documented history of will non-payment of his existing child support obligation then he would not be entitled to the reduction.	1/28/2016 1:42 PM
8	At an initial hearing, a $0.00 per month child support order would be entered for the obligor if he or she has no assets with which to pay support while incarcerated. An existing child support order is suspended in the District of Columbia if an obligor is incarcerated, and the Child Support Services Division is unable to prove that he or she has an ability to pay support through other resources while incarcerated (i.e. savings). If the obligor has an ability to pay support while incarcerated, the child support obligation will be based on of the obligor's current assets, not imputed income.	1/28/2016 10:53 AM

9	If dad is in state prison, his stipend would be used. This general comes to a $1 to $50 obligation. Stipends are not used when modifying orders. Imputing using minimum wage is used for modification.	1/27/2016 5:03 PM
10	In Kentucky our policy surrounding this issue has changed in the past couple of years. Today, policy recommends not setting support in this situation when a support order does not already exist; however, if the parent becomes incarcerated after support is set policy prohibits the child support agency from filing action to reduce the support obligation because we deem incarceration to be a form of voluntary unemployment. This is also support by case law, Kentucky Court of Appeals, Redmon vs. Redmon No 91-CA-328-S	1/27/2016 2:48 PM
11	In this scenario, our state would not impute income to this parent due to his prolonged incarcerated status. Incarceration is not considered voluntary unemployment under our state statutes. Our policy, support by case law, allows a downward deviation to zero because this parent will be incarcerated for longer than 12 months (admin process) Sup court would likely assess anywhere from $0 to min child support of $50/mo/ch .	1/27/2016 7:09 AM
12	North Dakota's guidelines include a specific provision for imputing income to an incarcerated obligor. The amount to be imputed is phased down and eventually phased out based on how long the obligor has been incarcerated. For example, if an obligation is being established for an inmate who has been incarcerated for at least one year but less than two years, income is imputed in an amount equal to 80% of 167 times the federal hourly minimum wage. The already-established obligation will continue to accrue even after Dad is incarcerated. However, per program policy, incarceration is a factor that has been identified as meriting an accelerated review. Thus, if Dad requests a review, the 'new" obligation will be based on the specific inmate imputation provision in the guidelines.	1/26/2016 12:52 PM
13	Either a zero dollar order or a poverty level order will be established if Dad is incarcerated prior to an order being entered. If Dad already has a child support obligation, then he would need to file a modification to reduce the amount of the obligation.	1/25/2016 11:47 PM
14	As a best practice a zero-dollar order would be requested with a provision that the obligation will increase to the state minimum 30 days after release. If an order was already in place arrears would accrue based on the order and obligor would be told a mod could be requested.	1/25/2016 10:36 AM
15	Imputing at minimum wage x 40 hours weekly	1/21/2016 7:20 PM
16	If order exists at time of incarceration, obligor must file for modification/request services for assistance in modification. For new support orders after incarceration, minimum order is usually entered.	1/21/2016 2:24 PM
17	We would not impute an amount if no order had been established. However, if it had, it would continue to accrue while he was incarcerated, at the ordered rate.	1/21/2016 8:15 AM
18	The IV-D agency would not request that income be imputed to Dad, who is incarcerated. If Dad currently had a support obligation, the IV-D agency would not filed a petition to suspend or terminate Dad's support obligation.	1/21/2016 8:14 AM
19	No, his income would be set at $0 and his support would be the statutory minimum, $50. If he has other obligation, that order could be modified down to the $50.	1/20/2016 5:45 PM
20	no	1/20/2016 1:57 PM
21	Minimum wage going in and if already in jail, he could modify the existing order. The court has created a step down effect.... Order in effect at the time of incarceration for 12 months, Month 13- month 36, it would automatically reduce to a min order (100/160) and at month 37 automatically reduce to 1/2 the minimum for the rest of incarcerated time.	1/20/2016 10:15 AM
22	No	1/20/2016 10:03 AM
23	It varies, but many courts would issue a $0 order while incarcerated. Those courts imputing income may consider the offense voluntary, and impute income at a prior rate of employment, though this would not be ideal. The outcome would be the same if the obligation were sought to be modified upon his incarceration.	1/20/2016 9:48 AM
24	Yes it would be a minimum order of $50/month or $600/year. If they're incarcerated for 6 months or more.	1/19/2016 6:52 PM
25	Yes, income would be imputed as if he had standard income earning potential (40 hours at minimum wage). If Dad had a support obligations for different children, his income may be credited for the previous child support obligation.	1/19/2016 1:04 PM
26	Same as scenario #2. Income is not imputed unless a hearing is requested and a party requests to impute income. No, the outcome would not be different is the Dad already had a child support obligation.	1/19/2016 1:03 PM
27	If an order was being established it would be set at ZERO as NP has no ability to earn. If dad had a pre-existing support obligation, FC 4007.5 would apply. See citations for text.	1/19/2016 11:40 AM
28	Local agency and court discretion	1/19/2016 11:18 AM
29	We would not establish an order while dad was in jail. If he already had an order before going to jail, the order would continue to charge. Based on New Jersey case law, Halliwell v Halliwell, the NCP can file a motion or application while incarcerated to suspend enforcement. If he also files a motion or application within 60 days of his release, the court will review the order and can determine to vacate arrears from the time he was incarcerated.	1/19/2016 10:13 AM

30	Answer to the first question: As a general rule no but the trial court may establish a child support obligation based upon the facts and circumstances of the Dad and of the child or children. Answer to the second question: Incarceration is not a basis for abatement of child support under Arkansas case law.	1/19/2016 9:53 AM
31	No income is imputed for incarcerated Dads. No	1/19/2016 7:26 AM
32	Income would not be imputed to an incarcerated father. If he already had the obligation when sentenced, he would be able to notify the FOC and the order would be reviewed, or if the FOC became aware of a sentence longer than 1 year, they would review the order at their own initiative. MCL 552.517(1)(f)(iv)(B)	1/19/2016 7:21 AM
33	New Mexico does not have a Right Sized Orders program at this time and does not waive or abate support during incarceration. New Mexico would impute Dad's potential income, based on earnings history and ability. The outcome may not be different if Dad already had a child support obligation at the time he went to jail, however, Dad would be able to request a modification and raise the imputing issue within the judicial process.	1/18/2016 10:50 PM
34	We do not establish an order for a parent who is incarcerated. If the parent already had a child support obligation that obligation would remain, but no new support order would be obtained until such time as the parent is released.	1/18/2016 11:02 AM
35	No, support is not imputed. Guidelines are applied which may result in the entry of a zero-dollar order.	1/15/2016 7:21 PM
36	Income would not be imputed to Dad while incarcerated. He is rebuttably presumed unable to pay. If Dad already had a child support obligation, and was expected to be incarcerated more than six months, Dad could request a modification to reduce the child support obligation to zero. State law provides that the prior child support obligation would reinstate as a matter of law on the 61st day after Dad's release from incarceration.	1/15/2016 4:56 PM
37	The Judge may impute income to the Dad however DCSS may not proceed with a request to do so	1/15/2016 3:17 PM
38	Montana does not establish or modify a child support order for a parent in "prison" because the parent is unable to exercise the right to a hearing when incarcerated. If the parent is in "jail", a local county jail, for example, it is likely he will be released within 90 days unless he is going on to prison. His release from the local jail provides us with an opportunity to have him served in jail shortly before he is released in cases where he will not go on to prison. If Dad already had a child support obligation when he went to prison then child support would accrue at the amount in the order while he is in prison. Montana treats incarceration as a voluntary act and will not review the order for modification except in rare circumstances.	1/15/2016 3:08 PM
39	Income is not imputed to a parent sentenced to incarceration for a term of more than one year. In this case, income would not be imputed to Dad, and he would most likely qualify for a minimum support order of $50.00 per month (and an additional $20.00 per month for each additional child up to 6 children). If Dad already had a child support obligation when he went to jail, a modification would need to be filed with the court, and his order would then be modified to the minimum amount.	1/15/2016 11:43 AM
40	Iowa CSRU does not impute income. We can establish an obligation if Dad participates in the establishment action, but we will not default an obligation. Iowa CSRU does not automatically modify an obligation if a party is incarcerated. We would modify if Dad requests. We do not modify to less than the minimum obligation. We won't default an obligation in a modification action if Dad does not participate in the action.	1/15/2016 7:38 AM
41	No previous order: Utah would apply actual income (most likely $0.00 in jail), yielding a $30.00 minimum obligation. The order would contain an additional support amount provision based on imputing full-time federal minimum wage to the parent which would become effective once the dad had been released for 6 months. Previous order: The existing order remains in effect unless both parents agree to the IV-D agency pursuing a modification based on actual wages during incarceration.	1/14/2016 8:16 PM
42	Incarcerated individuals have support set at $0. If we find there was a previous order, we would move to modify it to $0.	1/14/2016 5:55 PM
43	No. Yes, his existing obligation will likely remain unchanged.	1/14/2016 3:28 PM
44	State law requires the court to make a finding of voluntary unemployment and set based on facts in the case. No, it would not be different if already have obligation.	1/14/2016 12:31 PM
45	DOR would assume that the parent would not have income in this scenario, absent evidence to the contrary. If a parent has an existing child support obligation and DOR becomes aware of the incarceration, DOR can help the parent with a request for modification to decrease or terminate the child support order. Whether a judge will set a zero-dollar amount or a minimum order in this circumstance varies from judge to judge.	1/14/2016 10:02 AM
46	we would impute wages, however support would be suspended until 60 days after incarceration. yes, dad would have to request through the program or obtain a private modification to reduce his support	1/13/2016 5:29 PM
47	Yes, min wage for 40 hours. No change.	1/12/2016 3:56 PM
48	Support for incarcerated individuals must be based on actual income; therefore, if individual has no source of inomce order will be set at zero.	1/12/2016 3:47 PM

49	MN would not impute to this NCP. If he has a pre-existing Order, his liability continues until he requests a modification or the CSO reviews the case for modification. He is not eligible for a retroactive modification. Because he is expected to be incarcerated for over six months and has no income/assets for payment of support, he would qualify for a streamlined review and modification when the CSO becomes aware of the incarceration. At that time his income would be set at $0 which in this case where the NCP has no other unearned income would also result in an obligation of $0.	1/12/2016 12:00 PM
50	No	1/8/2016 3:33 PM
51	Both would have the same outcome - minimum wage x 40 hours per week.	1/5/2016 9:21 AM
52	No, IN case law requires that the actual income of an incarcerated parent be used in setting initial child support obligations and any modifications of the obligation. In this scenario since the noncustodial parent is incarcerated with no assets and no indication of any earnings while incarcerated, his income would be set at $0 which would result in a zero-dollar child support obligation.	12/31/2015 10:53 AM

Q50 Scenario 4 – Needs a Clean StartDad in Scenario 2 and 3 has completed his sentence. His time in jail has had good results, in terms of Dad wanting to improve his situation and support his child. Unfortunately, the felony drug conviction and lack of job history is significantly impairing his employment prospects, and the best he can do without relocating away from the child is work 20 hours a week at a couple part-time jobs for a little over minimum wage. Mom has requested a review of Dad's obligation after his release from jail. Does your state impute income to Dad and, if so, in what amount? Is there a period during which Dad will owe a smaller obligation while attempting to find work?

Answered: 53 Skipped: 0

#	Responses	Date
1	Court may issue a seek work order and require father to show proof of job searches. There will likely be a lot of variation between counties on whether ordered amount is limited to his current 20 hours a week or support is calculated based on an imputed income for 35 hours per week.	2/18/2016 7:49 AM
2	No	2/12/2016 10:22 AM
3	direct dad to enroll in job placement program	2/10/2016 6:49 AM
4	The court may impute based on minimum wage or on ability to earn. Is there a period during which Dad will owe a smaller obligation while attempting to find work? Most often, yes.	2/4/2016 3:36 PM
5	• In most cases, CSS requests the obligation begin at a minimum wage amount upon dad's release. However, if dad requests a review of that child support amount, CSS would look at the information he provides about his actual earning ability. Under these circumstances, CSS would likely recommend the court use dad's actual income from his part time employment to set his child support obligation. • CSS staff could also refer dad to external resources/community partners who may be able to assist him with finding work and getting job training. CSS may also request the court order dad to seek employment or retraining (for example, through seek work proceedings).	2/1/2016 12:04 PM
6	No to the question of imputing income under these facts. If the obligor has poof of actual wages and there is no evidence of intentional underemployment, the obligation will be based on the actual proven wages. We do not typically lower child support while obligor's seek work. Such obligors can seek a review and adjustment or request a request for temporary orders in such situations.	1/29/2016 10:24 AM
7	-Generally, we would still use minimum wage imputation between 30 to 40 hours per week. Generally, no allowance for a lower amount while the NCP is transitioning from jail to the general population. However, general law requires a change in circumstances to be in place for 3 month before a modification can be filed.	1/28/2016 1:42 PM
8	If an obligor presents sufficient evidence demonstrating a barrier to full-time employment, the Child Support Services Division would likely not request that an income be imputed to him or her. In this situation, the Child Support Services Division would request that the order entered be based on the obligor's current assets, income and ability to work.	1/28/2016 10:53 AM
9	Staff should use actual income when determining the obligation.	1/27/2016 5:03 PM

10	If actual income is greater than minimum wage at 40 hours per week then actual income would be used, if not the imputed amount would be used. It would be up to noncustodial parent to appear before the Court to request a temporary deviation of the child support guidelines based on his circumstances. The Judge may/may not grant. Some are more sympathetic than others to this situation.	1/27/2016 2:48 PM
11	Based on these facts, our state may impute this parent to full time hours for the industry at the parent's current hourly wage. However, an order may impute this individual to full time hour at Washington State's minimum wage, pending the findings of fact and conclusions of law. This parent would have the opportunity to explain why income would not be imputed by requesting and attending a child support hearing. WA statute allows for incremental increases in modifications if the new amount is equal or greater to 30% of the existing base child support obligation. Since this parent had a zero order, it is likely that an incremental increase would be included in the terms of the child support order (as long as the parent participates in the process). Our state does outreach in this community and works hard to ensure the correct information is used when calculating support orders.	1/27/2016 7:09 AM
12	If Dad's part-time jobs produce earnings less than an amount equal to 167 times the hourly federal minimum wage, he is presumed to be underemployed and income would be imputed to him based on the general rule described in response to Question 39. Question 2: No.	1/26/2016 12:52 PM
13	Income will not be imputed if Dad can show proof of a diligent employment search.	1/25/2016 11:47 PM
14	Yes. As a general rule, income will be imputed based on federal minimum wage an hour x 40 hours a week, unless NCP shows he has made duly efforts to find a fulltime job but has been unsuccessful, in which case income will be imputed based on the federal minimum wage an hour x 30 hours per week. There is no period during which NCP will owe a smaller obligation while attempting to find work.	1/25/2016 2:40 PM
15	If obligor is working obligation will be calculated based on actual earnings. If not, minimum required obligation applies.	1/25/2016 10:36 AM
16	Imputing at minimum wage x 40 hours weekly	1/21/2016 7:20 PM
17	If Court believes that obligor is working/earning as much as he is able, no imputation will take place.	1/21/2016 2:24 PM
18	The amount would not be changed automatically, but we will set a review date as soon as we're aware of his release. In this situation, he'd almost surely be referred to one of our fatherhood partners and we would encourage the custodial parent to consider a temporary downward modification of his obligation while he was enrolled.	1/21/2016 8:15 AM
19	The state guidelines do not require imputed income. If the IV-D agency was attempting to establish an obligation, it would request that the court order an imputed minimum wage support amount from Dad. If support had been ongoing during the time Dad was incarcerated, there is not a mechanism to allow for an automatic temporary reduction. Dad could request a review with the IV-D agency and ask that his support amount be lowered.	1/21/2016 8:14 AM
20	Impute at full-time minimum wage. No.	1/20/2016 5:45 PM
21	Look at past employment	1/20/2016 1:57 PM
22	8.25 hr. and Maybe. Deviation from any ordered amount including the min. Can only occur with agreement from the custodial parent and the court.	1/20/2016 10:15 AM
23	No	1/20/2016 10:03 AM
24	It would vary by court, but I think he would have a number of exceptions to being found voluntarily underemployed. The court could order him to go to the employment services to find additional employment.	1/20/2016 9:48 AM
25	we would use actual. Take into consideration just got out of jail, so we'd use the 20 hours/week X the wage they were making to come up with the monthly support amount.	1/19/2016 6:52 PM
26	Yes, income would be imputed as if he had standard income earning potential (40 hours at minimum wage). No, there is no period during which Dad will owe a smaller obligation while attempting to find work.	1/19/2016 1:04 PM
27	same as scenario #3.	1/19/2016 1:03 PM
28	Support would be based on dad's actual income and ability to pay. If dad had a ZERO order then support would be modified upwards based on his income at 20 hours/wk. If dad had a prior support obligation that was suspended, that amount would be reinstated per FC 4007.5 and if that amount was too high, dad would need to ask for a review and provide his current income information. See Review and Adjustment Regulations in citations.	1/19/2016 11:40 AM
29	Local agency and court discretion	1/19/2016 11:18 AM
30	They will base the obligation on dad's current earnings.	1/19/2016 10:13 AM

31	The State of Arkansas is required to set the child support obligation based upon the net income of the noncustodial parent unless the trial court finds that the noncustodial parent is willfully underemployed. The net income of the Dad will be based upon the 20 hours less federal and state allowed deductions and would be set based upon the number children and net income. Imputed minimum wage would be imputed if the court found that Dad was willfully underemployed.	1/19/2016 9:53 AM
32	no imputation if he is or has been working. actual income is used.	1/19/2016 7:26 AM
33	In most offices, the assumption would be that Dad is capable of 35 hours per week at minimum wage and his income would be imputed accordingly. Some offices would hold off on a review for 30-60 days after release to allow Dad to find work.	1/19/2016 7:21 AM
34	New Mexico would impute Dad's income as full-time. New Mexico does not have a Jails to Jobs program or graduated obligation program at this time but would also encourage Dad to participate in our Arrears Management program or a court ordered (including stipulated) payment plan to help keep arrears from becoming unmanageable.	1/18/2016 10:50 PM
35	Contact would be made to the employer to determine if the parent is working the maximum number of hours available to the parent. If the maximum number of hours is worked by the parent, actual income is used. If the available maximum number of hours is not worked by the parent, income is imputed up to the maximum number of hours available to the parent. There is not a period whereby the parent would owe a smaller obligation while attempting to find work. If the parent is unemployed and able to work, income is imputed at Florida minimum wage.	1/18/2016 11:02 AM
36	No. Guidelines will be applied.	1/15/2016 7:21 PM
37	There is no specific reference in the definition of potential income to an obligor recently released from incarceration, but this scenario certainly requires consideration in any determination of potential income. Potential income is the parent's ability to earn based on, among other things, employment potential in light of prevailing job opportunities and earnings levels in the community and any other relevant factors. It is not intended to further punish the obligor for crimes, or to establish an obligation that is outside the obligor's present ability to fulfill. If the evidence suggests that Dad is unable to work more than 20 hours per week at the minimum wage in his community, we would use likely impute income based on 20 hours at minimum wage. The result would be a $100 minimum order. This is a relatively nominal amount that will be of some modest benefit to the child and facilitates positive parental involvement. It is relatively likely to be paid and provides a basis for determining obligor's willingness to pay. Even a relatively small obligation can ultimately provide a basis for enforcement actions. A larger obligation is more likely go unpaid and could prompt Dad to leave his employment or to work for cash. As Dad's earning ability increases over time, the obligation can be modified.	1/15/2016 4:56 PM
38	The state can impute or use the verified income amount. No	1/15/2016 3:17 PM
39	Montana imputes income to parents who are able to work but for whatever reason are not currently working or not working to capacity. Imputed income is usually determined by the rate of pay the parent has earned in the past, the skills and abilities possessed by the parent, the parent's education, and the job opportunities available in the parent's area. In a case like this, however, the parent has no previous job experience and no education beyond high school. If the parent is working at least 40 hours per week, then actual income should be entered into the child support calculation and income should not be imputed according to Montana's guidelines. If working less than 40 hours, normally the balance is imputed at the same rate of pay or at minimum wage. Although there is no standard procedure for a smaller obligation while looking for work, with the help of CSED attorneys a caseworker has the discretion to fashion such an agreement.	1/15/2016 3:08 PM
40	Dad's circumstances will be considered in determining whether to impute income. In order for income to be imputed to him, he would have to be found to be shirking his child support obligation. Dad's efforts to find employment would be an important factor in the determination. While there is no mandated period of time to allow parent recently released from incarceration to find employment, many courts will set a lower amount of support and review the case again in a few months in order to give Dad sufficient time to find suitable employment.	1/15/2016 11:43 AM
41	Iowa CSRU does not impute income. No, Dad's obligation will not change while attempting to find work, unless a case party requests and is eligible for a modification.	1/15/2016 7:38 AM
42	Pursuant to Utah statute, income will be imputed at full-time, federal minimum wage as the lowest income threshold. (The only exception to this was described in scenario 3 where there is a 6 month period where the support award is based on zero income upon release.)	1/14/2016 8:16 PM
43	Varies by case & No	1/14/2016 5:55 PM
44	Administrative: No. Not applicable. Judicial: If the matter comes before a court (if a party directly petitions the court or as a result of an appeal from an administrative action), results will vary. Some courts will acknowledge that the father is doing the best he can and will not impute income, especially at the initial establishment stage. For modification cases, most courts strictly apply Edwards v. Lowery, 232 Va. 110, 348 S.E.2d 259 (1986) (holding that a party whose income has declined as a result of his own misconduct may not rely on such diminution of income as grounds for reduction of support obligation).	1/14/2016 3:28 PM

45	We would use Dad's actual earnings. We would look at Dad's actual ability to earn. Typically, yes, we do set support at a lower obligation while attempting to find work in this situation.	1/14/2016 12:31 PM
46	Under these facts, imputation of income is unlikely to occur due to the parent's work history, incarceration, and verified employment. DOR would help the noncustodial parent pursue a modification to decrease his order if his existing support obligation was based on a significantly higher income. Additionally, a court may refer a parent to a workforce development program.	1/14/2016 10:02 AM
47	for 60 days Dad will have no obligation, if a modification is requested it would be reviewed on a case by case basis	1/13/2016 5:29 PM
48	Yes, min wage at 40 hours. I do have a work for success program he can be in where I can reduce state arrears, it helps him find a job and I can significantly reduce the IWO while he gets on his feet.	1/12/2016 3:56 PM
49	Income would be imputed at a level of at least 20 hours per week minimum wage.	1/12/2016 3:47 PM
50	The CSO or CP may choose to request imputation if they believe he is able to find better work. A Court would decide whether to impute based on whether the NCP is found to be "voluntarily underemployed."	1/12/2016 12:00 PM
51	The Ivd agency would have reached out to the ncp to file a motion to modify while incarcerated. More than likely it would have been suspended. The order would then be established based upon the 20 hour work week.	1/8/2016 3:33 PM
52	Minimum wage x 40 hours a week would be imputed. No, there is not a grace period when looking for a job.	1/5/2016 9:21 AM
53	It depends, the court has discretion in this area and the practice varies among the 92 counties accross the state.	12/31/2015 10:53 AM

Q51 Scenario 5 – Health ProblemsA parent with a fairly steady employment history starts to work fewer hours and eventually IV-D is notified of termination of the parent's employment. No further payments are received and no new employment information is obtained, so IV-D contacts the parent or begins an enforcement action. The parent responds and requests a downward modification, explaining that the parent is unable to work due to health reasons. What type of documentation or verification would your state seek from the parent? After obtaining sufficient information regarding the parent's medical condition and inability to work, would your state seek a downward modification or require the parent to request that on his or her own?

Answered: 53 Skipped: 0

#	Responses	Date
1	Counties may vary in what medical documentation they would require. If it was considered sufficient, the agency would seek a downward modification in order to ensure that the support amount reflected the payer's ability to earn.	2/18/2016 7:49 AM
2	Parent would need to provide diagnosis, prognosis and physician's documentation about ability to work. State could initiate downward modification or the parent could initiate his or her own.	2/12/2016 10:22 AM
3	no, by statute the running of child support order is suspended while the obligor is subjected to certain limitations.	2/10/2016 6:49 AM
4	A request for proof of permanent and total disability is requested. After receiving the proof, the State would initiate the review and adjustment process and if warranted pursue modification based on the results of review and adjustment policy.	2/4/2016 3:36 PM
5	• CSS would request the parent provide some proof of his/her medical condition and its impact on the parent's ability to work. This could be copies of applications for Social Security benefits (CSS would also consider information provided through the FCRL data match as to whether an application for benefits had been filed) or statements from treating physicians. CSS is considering the use of an agency form that could be filled out by the parent's physician to support an allegation of inability to work. • If the parent is able to provide this information, CSS would file modification proceedings before the court requesting the court modify the child support order to an amount consistent with the parent's actual income. • If CSS does not feel the parent has provided sufficient proof of the alleged disability, CSS would likely notify the parent that it will not file a modification and provide the parent with a self-help packet the parent could use to file his/her own modification request with the court.	2/1/2016 12:04 PM
6	If the loss of employment is due to a medical condition we would require documentation from medical professionals such as diagnosis, medical limitations, and expected duration of the condition. It is possible that we would refer the obligor to a work training program to determine if he/she could be re-trained for a different job depending on the nature and extent of the medical condition. If the information was reliable and it was determined that the parent's health condition constituted a material an substantial change of circumstances, we would seek a downward modification through either CSRP or the judicial system. If we disagreed that the evidence would justify a downward modification, the parent could pursue the modification request by filing a motion to modify with notice to all parties, including the Title IV-D agency.	1/29/2016 10:24 AM

7	Generally, our office would file for a reduction in the child support obligation if we have documented evidence to show that the NCP is unable to work or his physical limitations only allow him to work a limited number of hours per week. Specifically, we would look for documentation from a medical doctor stating that the NCP is unable to work or limited in his ability to work. -IF the NCP has reduced income we would need specific income information from the NCP employer or tax information to show that the NCP income is reduced and is expected to continue. - If NCP qualifies for Social Security disability (SSA), we would suggest that he enroll his children in any benefits they may qualify for through the Social Security Administration.	1/28/2016 1:42 PM
8	To prove an inability to work due to health problems, the Child Support Services Division requests a current letter from a parent's treating physician stating the parent's disability and how it impacts his or her ability to work. Alternatively, if a parent is receiving a disability benefit, the Child Support Services Division will accept this as proof that a parent is disabled and unable to work. If a parent provides sufficient documentation, the Child Support Services Division will file a motion to modify on that parent's behalf.	1/28/2016 10:53 AM
9	If a non-TANF case, the parent must request the modification.	1/27/2016 5:03 PM
10	Our state would require a statement from a medical provider explaining that the parent is unable to work due to health reasons and a statement from the prior employer explaining the circumstances of his/her termination. After obtaining sufficient information regarding the parent's medical condition/inability to work, we would file a motion with the Court to seek a downward modification.	1/27/2016 2:48 PM
11	In this scenario, our state would ask for any and all relevant documentation which support the parent's claim that they cannot work due to health reasons. We also attempt to verify this claim via our system interfaces. The parent, along with this documentation, would also need to submit the modification forms necessary to initiate the modification process. Once submitted, the request can move to a formal review where a modification hearing may be held to consider the request. If the custodial parent agrees that the parent is unable to work, this factors into how much information is needed from the requesting parent, as we may be able to reach an agreement on child support terms and obligation amounts. Parents may also sign declarations stating their incapacities.	1/27/2016 7:09 AM
12	Medical records documenting that the obligor is on a work restriction. My response assumes that the order is old enough to be reviewed or that it meets an early review exception under program policy. In conducting the review, the IV D attorney will have to decide whether the calculation should include imputed income. Under the general rule, income would be imputed since the obligor is unemployed. If based on the medical records, the IV D attorney is satisfied that the obligor could make a showing to the court that he/she is disabled to the point of being unable to work enough to earn an amount equal to 167 times the hourly federal minimum wage, the attorney can omit imputed income from the calculation. If the result indicates that the support order should be reduced, the IV D program would seek a downward modification. Alternatively, the IV D attorney could elect to calculate support by imputing income to the obligor according to the general rule described in response to Question 39. Under this approach, it would be up to the obligor to make a showing of inability to work in order to avoid the modified order being based on imputed income.	1/26/2016 12:52 PM
13	The parent would have to request a downward modification and provide medical documentation of inability to work due to health reasons. The program would assist if the ncp applies for services.	1/25/2016 11:47 PM
14	Documentation or verification will be taken into account on a case by case basis. A list of possible information to take into accout is the following: (1) Medical Certification by a duly certified health professional; (2) Medical records; (3) Health professional's testimony; (4) Medical evidence of the condition, as well as evidence on why this condition impairs the parties ability to generate any type of income; (5) Determinations made by other agencies. In Puerto Rico, the child support agency has the faculty of acquiring the information and making a determination as to the modification, within a formal process where all parties have been notified of the request for review and modification of the child support order (in this case a request for a downward modification made by NCP).	1/25/2016 2:40 PM
15	medical records. Parent's responsibility to request but as a best practice obligor would be advised of the modification practice and encourage to submit a request.	1/25/2016 10:36 AM
16	Medical certification; IV-D will seek modification in accordance with the guidelines.	1/21/2016 7:20 PM
17	Medical records regarding the parent's health and its effect on ability to work would need to be provided. Obligor can file for modification on his own or request obligor services for assistance in modification.	1/21/2016 2:24 PM
18	We would accept any valid written form of proof from a medical professional and/or the SSA that the NCP had valid reasons for not working, and we would seek a downward modification.	1/21/2016 8:15 AM
19	The IV-D agency would require the parent to provide medical documentation regarding his or her ability to work. In addition, the IV-D agency would contact the previous employer to determine the circumstances of the termination of his or her employment. Upon obtaining sufficient information, the IV-D agency would lower the support amount by agreement if the custodial parent did not disagree. If the custodial parent did disagree, the IV-D agency would set the issue of downward modification before the court and provide both parents with an opportunity to present evidence.	1/21/2016 8:14 AM
20	Medical documentation is required from licensed physician. If received, we would seek a downward modification if there will be a 20% change in support.	1/20/2016 5:45 PM

21	Review situation	1/20/2016 1:57 PM
22	Medical documentation that was approved by the court after entered in the record. It would be the Non-custodial parent's responsibility to request a modification.	1/20/2016 10:15 AM
23	Physician's Disability Form would be required to document the inability to work.	1/20/2016 10:03 AM
24	OCS would seek medical records, to include diagnosis, prognosis and documentation of current ability to work, as well as long term ability to work. OCS would assist NCP in filing a downward modification. OCS could also encourage NCP to file for disability and make a referral to assist with this, if the disability has long-term effects on ability to work.	1/20/2016 9:48 AM
25	We would need a doctors note stating that they were unable to work otherwise we'd use the income information we had or possibly impute. If we received the letter it would be a minimum order of $50/month or $600/year.	1/19/2016 6:52 PM
26	The NCP would request a review from the state. If warranted, the state will take action to modify the order. The state would need to provide documentation of his disability which includes a diagnosis and prognosis. If case qualifies under 45 CFR 303.11, case will be closed.	1/19/2016 1:04 PM
27	Because the parent responded and requested a downward modification, the agency would initiate a modification action. Documentation would be necessary at the time of the hearing. cumentation would only be necessary if	1/19/2016 1:03 PM
28	See citations for FC 17400.5	1/19/2016 11:40 AM
29	In the above paragraph they already request the mod. Such a scenario would likely require documentation.	1/19/2016 11:18 AM
30	State or federal disability documentation. The parent would need to file and the disability would likely be garnished.	1/19/2016 10:13 AM
31	In general, some evidence of current income is needed to proceed with a modification. However, a determination of disability from a doctor or Social Security may be used. Income from Social Security Disability may be used to modify support and will generally credit the NCP with any payments the children received directly from SSA.	1/19/2016 9:53 AM
32	medical documentation to support the claim. Yes, the state would proceed with the request.	1/19/2016 7:26 AM
33	Each office has its own standards for documentation or verification deemed sufficient. Most, if not all offices will accept SSI disability as sufficient documentation of health issues that prevent work. MCL 552.517(1)(f)(iv) requires that the FOC would initiate review and modification at its own initiative for "changed financial conditions of a recipient of support or a payer."	1/19/2016 7:21 AM
34	Either party can request a modification from the IV-D agency. If the IV-D agency chooses not to pursue a modification, any party may independently pursue his or her own request within the judicial process. New Mexico would seek any available income documentation including unemployment compensation or social security disability documentation to calculate income.	1/18/2016 10:50 PM
35	A determination letter from the parent’s medical doctor is requested. Contact with the employer to verify termination reason is made. If the parent is determined to be involuntarily unemployed actual income is used which may be zero ($0.00). If the parent is receiving social security disability (SSD) the SSD income is used to complete the review. After obtaining sufficient information regarding the parent’s medical condition and inability to work, the IV-D agency would seek a downward modification.	1/18/2016 11:02 AM
36	Medical documentation verifying the medical condition, the supporting parent's inability to work and the inability to work is due to the medical condition.	1/15/2016 7:21 PM
37	We consider the response from the parent to be a request for the modification, but would require that the parent sign a form formally requesting a review and adjustment. We would require documentation from a medical professional to document the parent’s condition.	1/15/2016 4:56 PM
38	Verified information must be obtained by the social security administration or supporting documentation from a doctor that the condition will last for one or more years. Either option is available.	1/15/2016 3:17 PM
39	The Montana CSED would require a statement from the parent’s doctor and possibly medical records or testimony, verification from the Workers’ Compensation agency, if one is involved, and a disability determination from Social Security. We would initiate the modification if the order was at least three years old and the custodial party is receiving TANF but would otherwise require the parent to make the request.	1/15/2016 3:08 PM
40	Medical documentation would be required to demonstrate that the parent is disabled and has limited or no ability to work. A determination of disability from Social Security would be the best evidence, but the parent would at least need to provide documentation from their treating physician and as much supporting documentation as possible. If the parent requested a modification review, the child support office would file the modification if there was a 10% change from the existing support order amount. The child support office also has the authority to file for modification on its own volition.	1/15/2016 11:43 AM

41	Parties can request a modification, and we will change an obligation according to the guidelines, either up or down. We would request verification of the income change, and in order to use the new income amount, request verification of the medical condition.	1/15/2016 7:38 AM
42	The scenario says that the parent requests a downward modification. As long as that request is in writing, that initial request is sufficient to examine the income issues AND initiate whatever modification action becomes necessary. Our workers should instruct the client to make the modification request in writing before engaging in extensive discussions about the client's health. (Different caseworkers would assess the income issues and carry out the modification process than those who enforce.) Once the request came in writing, income information would be sought from the client using a request for income information form. If the client wants to base his/her income on this health information, we would want statements from medical providers explaining the medical condition, explaining the expected duration or future prognosis for improvement, and detailing how the condition prevents the individual from doing the type of work previously done (and if he/she want the exception to full-time federal minimum wage, explaining how the condition prevents the individual from working at all.) If all of that is provided, assuming there has been a request in writing for a downward modification, Utah would proceed if the change met the modification thresholds.	1/14/2016 8:16 PM
43	We would ask for any & all information and let the court decide. And yes, we would seek a downward modification. We would first see if a stipulation was possible.	1/14/2016 5:55 PM
44	If the obligation has not been modified in the past three years, the agency will review the obligation regardless. If the order is less than three years old, the agency would request documentation from a health care provider and/or the social security administration verifying the inability to work. After obtaining sufficient information, the agency would seek downward modification.	1/14/2016 3:28 PM
45	Medical proof, proof of disability. No, we would file on their behalf.	1/14/2016 12:31 PM
46	At minimum, DOR would require a letter from the parent's healthcare provider explaining the medical condition and the extent of the disability and inability to work. After obtaining sufficient information and depending on the length of anticipated inability to work, DOR would pursue a modification on the parent's behalf to decrease or terminate the order depending on the circumstances. If the parent provides documentation that he/she is totally and permanently disabled and has no available income or assets, DOR may close the IV-D case.	1/14/2016 10:02 AM
47	verification of the medical conditions and inability to work and yes, we would seek the downward mod	1/13/2016 5:29 PM
48	Applying for disability, SSI, dr info, we do downward mods but all depends on judge or court for next steps.	1/12/2016 3:56 PM
49	Downward modification would be sought upon receipt of medical evidence of inability to work.	1/12/2016 3:47 PM
50	The CSO should confer with the County Attorney regarding appropriate documentation of inability to work. The CSO will seek the downward modification if the new order presumptively qualifies for a modification. The presumption is met when the resulting order would be changed by 20% AND $75 (or just 20% if the order was already lower than $75). The NCP may request the change him or herself if the presumption does not apply.	1/12/2016 12:00 PM
51	Medical note. The ncp would be referred to the Social Security Administration to apply for SSI or SSDI. We would assist the ncp on filing on one of our Ivd cases.	1/8/2016 3:33 PM
52	The parent would need to submit a petition to modify their obligation. If there was a true health issue, we would request a doctor's note to confirm. If confirmed, we would not refer to court if the parent was making an effort or if the parent was unable to pay due to the seriousness of the health issue and was keeping us informed of what was transpiring (applying for Social Security, having chemo treatments for 10 weeks etc). The obligation will continue at the established rate until they modified as the modification does not apply retroactively.	1/5/2016 9:21 AM
53	This varies as well from county to county however at a minimum the parent would have to provide documentation from a physician that indicates the nature of the disability, how long it is expected for the disability to last (permanent vs. temporary) and how it impacts the parents ability to work in both their current capacity and also in any other capacity (e.g. they cannot be a physical laborer any more but they can do non-physical labor). If the parent has been approved for Social Security benefits, proof of that is required as well.	12/31/2015 10:53 AM