support ENFORCEMENT services
SECURING SUPPORT FOR CHILDREN

Connecticut IV-D Child Support Program

Reference: OMB No. 0970-0085

April 26, 2021

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The Connecticut IV-D – Judicial Branch - Support Enforcement Services unit (SES) formally submits the following comment for consideration. Connecticut appreciates the desire to renew the federal forms without changes; however, we believe the requested change is simple, will be supported by a majority of States, and will have an immediate and significant impact on IV-D child support programs and operations.

Comment/Suggestion

Modify UIFSA Transmittal #2 Section I. Case Processing Actions – Providing: Item #10 FROM:

- Notice of case receiving tax refund offset from federal collection and enforcement program

  TO:

- Notice of case receiving direct collection or receipt of child support payment

Explanation/ Justification for the Comment/Suggestion

- The current language on the Transmittal 2 *(tax refund offset from a federal collection program*) and any specific payment amount included on the Transmittal 2 meets the definition of Federal Tax Information (FTI).

- Both the sending state and the receiving state are required to properly safeguard any Transmittal #2 with #10 checked as FTI, including labeling the document, labeling any paper or electronic file that may contains the document, and logging the document and/or its destruction.

- In addition, the corresponding entry or action resulting from the Transmittal 2 in any federally certified state child support system also qualifies as FTI and the various safeguarding requirements (e.g. if the receiving state updates the case with a *federal tax refund offset* adjustment, then that adjustment is also FTI and all IV-D activity or documentation surrounding that adjustment is FTI and subject to IRS audit).

- In two-state UIFSA actions it is common for IV-D cases to have single state collections from a variety of sources: federal tax offset refund, state tax refund offset, FIDM collection, real/Personal property liens, direct income withholding receipts, direct payments to the custodial parent, administrative offset program, and any cash, credit card, or personal check payments made by the obligated parent directly to the initiating state.

- The Transmittal 2 does not have an efficient way to communicate a direct receipt, other than a federal tax refund offset.

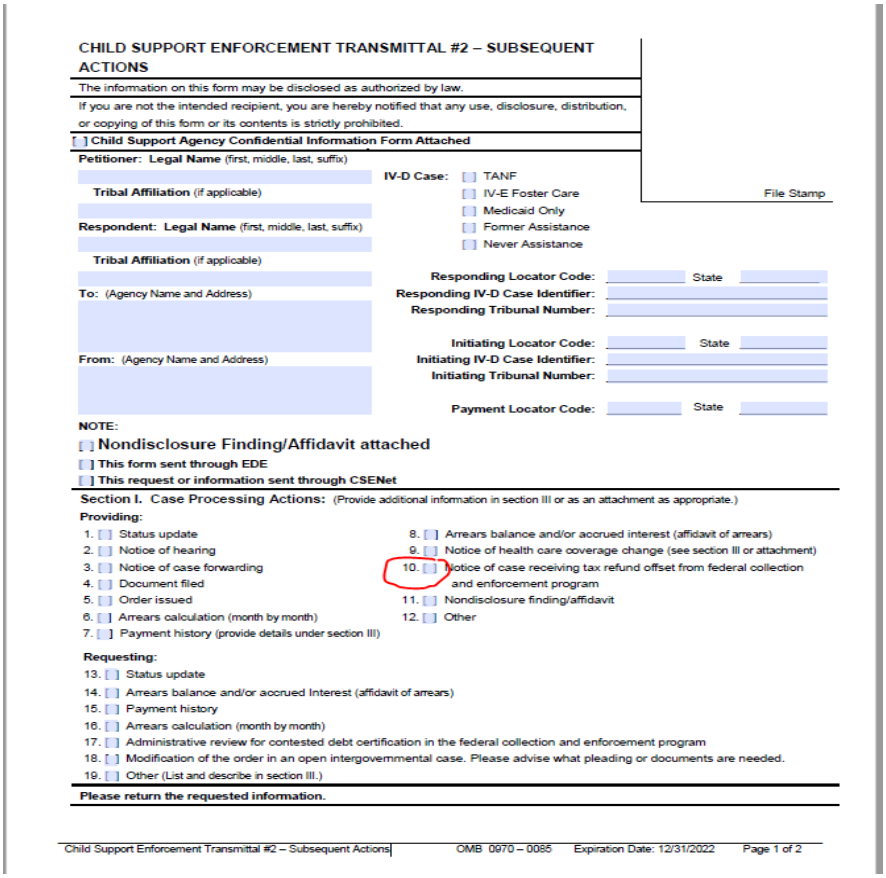
- The Transmittal 2, in its current format, gives the IV-D worker the impression that communicating the federal tax offset (FTI) is acceptable absent further instructions on the Transmittal 2.

- Currently, States are required to use Number 12. "Other", to provide information about the direct collection receipt.

- Providing notice to the other state of <u>any</u> direct collection receipt is required so that the appropriate credit can be noted in the other state's records. Providing prompt notice of <u>any</u> direct payment, significantly reduces the probability of balance discrepancies between the two states. The underlying source of the direct payment is secondary, and not materially relevant to the proper crediting of the case.

- Connecticut is not aware of any requirement or of any benefit to single out one (1) type of direct collection receipt.

- By modifying Section I. Number 10. to a more generic *Direct payment/collection*, states will be able to efficiently communicate a direct collection of any type, <u>including</u> state and federal offsets. Additionally, the federal IV-D program and will reduce both the volume of FTI produced (by the Transmittal 2) and the responsibilities of all states to properly safeguard the FTI that is produced.



CHILD SUPPORT ENFORCEMENT TRANSMITTAL #2 – SUBSEQUENT ACTIONS

The information on this form may be disclosed as authorized by law.

If you are not the intended recipient, you are hereby notified that any use, disclosure, distribution, or copying of this form or its contents is strictly prohibited.

[ ] **Child Support Agency Confidential Information Form Attached**

Petitioner: Legal Name (first, middle, last, suffix)

Tribal Affiliation (if applicable)

Respondent: Legal Name (first, middle, last, suffix)

Tribal Affiliation (if applicable)

To: (Agency Name and Address)

From: (Agency Name and Address)

IV-D Case: [ ] TANF [ ] IV-E Foster Care [ ] Medicaid Only [ ] Former Assistance [ ] Never Assistance

File Stamp

Responding Locator Code: State
Responding IV-D Case Identifier:
Responding Tribunal Number:

Initiating Locator Code: State
Initiating IV-D Case Identifier:
Initiating Tribunal Number:

Payment Locator Code: State

NOTE:

[ ] **Nondisclosure Finding/Affidavit attached**
[ ] **This form sent through EDE**
[ ] **This request or information sent through CSENet**

Section I. Case Processing Actions: (Provide additional information in section III or as an attachment as appropriate.)

Providing:

1. [ ] Status update
2. [ ] Notice of hearing
3. [ ] Notice of case forwarding
4. [ ] Document filed
5. [ ] Order issued
6. [ ] Arrears calculation (month by month)
7. [ ] Payment history (provide details under section III)
8. [ ] Arrears balance and/or accrued interest (affidavit of arrears)
9. [ ] Notice of health care coverage change (see section III or attachment)
10. [ ] Notice of case receiving tax refund offset from federal collection and enforcement program
11. [ ] Nondisclosure finding/affidavit
12. [ ] Other

Requesting:

13. [ ] Status update
14. [ ] Arrears balance and/or accrued Interest (affidavit of arrears)
15. [ ] Payment history
16. [ ] Arrears calculation (month by month)
17. [ ] Administrative review for contested debt certification in the federal collection and enforcement program
18. [ ] Modification of the order in an open intergovernmental case. Please advise what pleading or documents are needed.
19. [ ] Other (List and describe in section III.)

Please return the requested information.

Child Support Enforcement Transmittal #2 – Subsequent Actions OMB 0970 – 0085 Expiration Date: 12/31/2022 Page 1 of 2