

Chapter 1: Confidentiality and Security

1.3 Domestic Violence

B. Release of Information- Family Violence (~~xx~~/2023)

1. The State Case Registry interfaces with the Federal Case Registry (FCR) and contains child support information on all IV-D cases and non-IV-D child support orders. The case registry participant record includes a data element known as the Family Violence Indicator (FVI).
2. Division cases are updated with
 - a. "Set Affidavit/Nondisclosure," used when there is an *Affidavit of Nondisclosure* (*Affidavit*) or *UIFSA Nondisclosure Finding* or
 - b. "Set Protective Order," used with a protective order (PO).
3. A Participant Event is created when the FVI is initially set and any time thereafter when the indicator is updated. Any time the indicator is set or updated, the new or revised information is transmitted to the FCR. No location information is disclosed about that person without a court order.
4. The FVI date on the automated system is
 - a. The date the *Affidavit* is signed ~~and notarized~~
 - b. The date the PO was entered or
 - c. The date the FVI is removed.
5. The FVI follows a participant who has multiple cases or who moves to another case.
6. The automated system updates the FVI to PO when a match is received from the State Police Protective Order file (SPPO).
7. The SPPO match contains
 - a. Protective orders entered in Virginia or other states' protective orders registered in Virginia
 - b. Information about the person against whom the PO was entered and
 - c. The expiration date of the PO
8. An SPPO match will override an existing Set Affidavit/Nondisclosure.

9. Any time a party on a Division case notifies the Division that he, she and/or the child is at-risk of physical and/or emotional harm from the other party, the Division has the at-risk party complete the *Affidavit* if the party does not have a PO.
10. The at-risk party submits the completed ~~and notarized~~ *Affidavit* to the Division. Division staff update the FVI on the Participant Detail page upon receiving the signed ~~and notarized~~ *Affidavit*. If the FVI is set for the CP, the automated system attaches the FVI to the children on the case during nightly batch processing.
11. If the at-risk party provides the Division with a copy of a PO after an *Affidavit* has been updated on the automated system, Division staff manually update the FVI to reflect the PO.
12. The *Affidavit* is part of the permanent case record.
13. The at-risk party must submit a written request to have the FVI removed. Do not remove the FVI for a PO before it expires unless the at-risk party provides the Division with an order dismissing the PO.
14. Once the FVI is set, do not release the at-risk party's address or include the address on any documents that are made available to the other party.
 - a. If the other party requests information the Division is required to provide (e.g. the *Financial Statement*), redact any references to the location of the at-risk party on documents, photocopy the redacted documents and provide the other party with the photocopy of the redacted documents.
 - b. The automated system only prints the at-risk party's name on the *ASO*.
 - c. The automated system only prints the at-risk party's name on court petitions. Address information prints on the *Non-Disclosure Addendum* (DC-621) that automatically prints with the petition. The *Non-Disclosure Addendum* allows the court to have the at-risk party served for the hearing and notifies the process server that the at-risk party's information is to remain confidential. Refer to [General Rules for Taking Judicial Action](#).
15. The FVI and children
 - a. The FVI attaches to a child if
 - 1) A PO has been entered for the child or
 - 2) The CP is updated with an FVI.
 - b. If a minor child with an FVI becomes a CP, NCP or PUTF on another case, do not remove the indicator.

- c. If a minor child has an FVI and the Division receives an application for the child with a new CP, Division staff should contact the new CP to verify the new CP does not need to complete an *Affidavit* if the CP
 - 1) Does not have a PO in place
 - 2) Did not complete an *Affidavit* and
 - 3) Did not indicate on the application that he or she believes that they or the child are at-risk of physical and/or emotional harm
 - d. If an emancipated child completes an *Affidavit* for himself or herself, update the automated system to reflect the new *Affidavit*.
 - e. If an emancipated child does not complete a new *Affidavit* for himself or herself, remove the FV code.
16. The Address Confidentiality Program (ACP) helps recently relocated domestic violence victims keep their new address confidential. The Office of the Attorney General of Virginia (OAG) administers the ACP.
- a. The OAG accepts of service of process for ACP participants. Participants may also use the substitute address as their legal address and mailing address. The participant's actual physical address available only to
 - 1) The OAG's office
 - 2) Employees involved in the operation of the ACP and
 - 3) Law enforcement officers
 - b. If the Division receives an ACP case, update the FVI using "Set Affidavit/Nondisclosure".
 - 1) An ACP case may be received by direct application or DSS referral.
 - 2) If an ACP participant applies directly, he or she must provide a copy of the ACP authorization. District Office staff make a copy and retain in the case record.
 - c. Most LDSS ACP cases are not referred to the Division as they are considered Good Cause cases.
17. The OAG's website provides an [Information Sheet for Agencies](#) that also includes a depiction of the ACP authorization card.

(01/2017)

Chapter 2: Case Management

2.1 Documentation

K. Batch Documents (xx/2023)

Most batch documents generate when certain criteria or events occur on a case. These documents are system-generated and are not found on the Document Generation menu in the automated system.

1. Batch documents that the automated system generates
 - a. Do not require an original signature or attachments
 - b. Do not require supplemental information
 - c. Are automatically documented in Case Events
 - d. Print at the Home Office or at the location of the vendor
 - e. Are mailed in 2-window envelopes with the return address of the District Office responsible for responding to questions regarding the document as the return address
2. Batch Only Documents
 - a. *Consumer Agency Reporting*
 - b. *Due Diligence Letter*
 - c. *EFT Prenotification Letter*
 - d. *Final Notice of Payment in Error*
 - e. *Important Notice About Child Support*
 - f. *Notice of Eligibility for Enrollment in DEERS*
 - g. *Second Notice of Payment in Error – Repayment Options*
 - h. *State Income Tax/ Lottery Winnings/ Vendor Payment Intercept Notification*
 - i. *Support Collections Notice to CP*
 - j. *TANF Case Opening Letter*
 - k. *Transition Letter*

(08/2017) (12/2020)

2.3 Interviewing and Communications

B. Interviewing Participants (XX/2023)

1. ~~If both parties are present at the interview, only Division staff, the CP, the NCP or PUTF, the children, and the Division's Legal Counsel may be present. Others may be present if both parties consent.~~
2. ~~If the CP and NCP or PUTF consent to a third party being present at the interview, written permission is needed from them before any discussion of the case information and/or copies of the case data can be released.~~
3. 1. If only one party is present at the interview, that party may have any other person present.
4. 2. If both parties are present, Division staff, the Division's Legal Counsel and legal counsel for either or both parties may be present. Other third parties may also be present with the parties' consent.
5. 3. If any third party is disruptive during the interview, Division staff can require them to leave the interview area.
6. 4. Division staff may speak with a third party via telephone without written authorization, only if the Division case participant (CP or NCP) is present during the conversation and provides verbal authorization.
7. 5. Document Case Events to specify all parties present at the interview.
8. 6. Identification Requirements
 - a. In a paternity case, require the CP, the mother (if not the CP) and the PUTF to provide photo identification (ID).
 - b. For other interviews, require the CP and the NCP to provide photo ID.
 - c. If photo ID is not provided, interview the party and get as much information as possible and, when necessary, reschedule the party to return with appropriate ID.
9. 7. Advance Preparation
 - a. Allow enough time to prepare for the interview.
 - b. Have all needed handouts or brochures ready.
 - c. Review the case information as necessary.

- d. Review any other cases for the NCP, PUTF or CP, if appropriate.
- e. Verify the obligation and arrears information for obligated cases.
- f. Take any other needed actions such as contacting another agency or the assigned Specialist on related cases.

10. **8. Safety Precautions for In-Person Interviews**

- a. If there may be a problem in the interview, alert another Division staff person or have another Division staff person sit in during the interview.
- b. Consider the physical arrangement of the interview when Division staff and the parties are in the same room.
 - 1) Division staff should indicate where the party/ parties should sit.
 - 2) Division staff should sit closest to the door.
- c. Avoid leaving the interview room; use the telephone if necessary. For example, call and ask the notary to come to the interview room.

11. **9. Conducting the In-Person Interview**

- a. Introduce yourself.
- b. Request photo ID and confirm identity.
- c. Do not call the parties by their first names.
- d. Do not interview both parties together unless they consent to being interviewed together.
- e. For a party with multiple cases, make sure the party knows which will be discussed.
- f. For a scheduled interview,
 - 1) State the reason for the interview and
 - 2) Provide basic case facts
- g. For an unscheduled interview, ask the party the reason for his/her visit.
- h. Keep all statements neutral. For example, do not say "Your ex-wife said..." Instead, say "We have information that..."
- i. Stay focused on the purpose of the interview. Acknowledge the party's concern about non-related issues but tactfully bring the discussion back to the interview's purpose.
- j. Avoid interruptions.

k. Keep group interviews under control by explaining

- 1) The agenda
- 2) Conduct expectations for all attendees
- 3) When you will take questions and
- 4) That individual interviews will be available after the general interview

l. Deal tactfully with disruptions.

m. Use simple terms when explaining the program; ask the party if he/she understands and provide an opportunity to ask questions.

12. 10. Safeguarding Information

If you must leave the interview room any time during the interview

- a. Do not leave any case documents in the room.
- b. Sign off any system programs and lock the computer desktop.

13. 11. Verbal Abuse during an Interview

a. Verbal abuse is threatening language, cursing or yelling to the extent that the interview is out of the interviewer's control. Division staff are not expected to tolerate verbal abuse.

b. If verbal abuse occurs during an in-person interview and is directed at you

- 1) Caution the abusive party the abuse must stop.
- 2) If the abuse continues, call in a supervisor.
- 3) Terminate the interview if the abuse does not stop.

c. If the abuse occurs between the 2 parties, separate them and interview them individually.

d. If the interview is terminated because of the abuse, ensure the abusive party exits from the office area.

e. If the abuse occurs during a telephone interview,

- 1) Caution the party to stop the abuse.
- 2) If the abuse continues, calmly tell the party that you
 - a) Cannot continue the conversation and
 - b) Are willing to talk with them at another time

3) Terminate the call if the abuse does not stop.

14. **12.** Physical Abuse during an Interview

- a. Physical abuse is brandishing a weapon, attempting to inflict bodily harm or inflicting bodily harm.
- b. If the abuse is directed at you
 - 1) Leave the room and
 - 2) Get assistance from office security or call 911 according to District Office procedure.
- c. If the abuse occurs between parties
 - 1) Do not try to intervene
 - 2) Leave the room and
 - 3) Get assistance from office security or call 911 according to District Office procedure.

15. **13.** Concluding the In-Person Interview

- a. Check to see that all forms
 - 1) Are completed correctly
 - 2) Have all required signatures and notarizations, if needed and
 - 3) Distributed as appropriate. Refer to Documents: [Purpose, Service, Distribution and Worklist.](#)
- b. Emphasize any important points.
- c. Ask if they have any additional questions or concerns.
- d. Provide a payment card and let them know it includes the Division's contact information.
- e. Ensure they exit the interview area.

(07/2014) (01/2017)

2.7 Adding Orders to the Automated System

A. Overview (xx/2023)

1. Division staff must ensure the accuracy of order information updated in the automated system. To meet documentation requirements, order notes must be included when adding a support order to the automated system.
2. Do not add an order to the automated system without a copy of the order in the case record.
3. Virginia support orders issued on or after July 1, 2006 usually have a first of the month start date.
4. District Office establishment, enforcement, locate, court, review and adjustment, family engagement, and intake staff can add support orders to the automated system.
5. Do not adjust subaccounts when entering subsequent orders or updating extensions in the automated system. Refer cases to fiscal to complete adjustments in the automated system. The automated system creates financial events to maintain a record of adjustments.
6. Fiscal staff adjust arrearages to add the amount of support that accrued between the effective date and the first of the month when charging begins. Fiscal staff determine the partial month's obligation by pro-rating the monthly obligation by the number of days from the effective date through the end of the month to determine the adjustment amount.
7. Effective Date
 - a. Effective July 1, 2006, a Virginia court order from an initial proceeding is effective the date of the filing of the petition. For a modification proceeding, the effective date is the date of the notice from the court to the responding party. However, in either proceeding, the court may establish a different effective date.
 - b. An initial ASO is effective the date of service or the date the NCP signs the *Waiver of Formal Service*.
 - c. A modified ASO based on a review and adjustment is effective the date the *Notice of Proposed Review* (NOPR) is served on the non-requesting party. If both parties are nonrequesting, it is the date of service of the last party served. If the modification is not due to a review and adjustment, the effective date is the date the ASO is served on the NCP or the date the NCP signs the *Waiver of Formal Service*.
 - d. A modified ASO based on a review and adjustment is effective the date the NOPR is generated on an ARRP case when the CP is deceased or cannot be located.

- e. The first payment is due the first of the month following the effective date of the order and on the first of the month each month thereafter.

8. Start Date

- a. In most cases, the start date for Virginia orders issued after July 1, 2006 will be the first of the month.
- b. A Virginia Court Order's start date is the first day of the month following the court date, unless otherwise ordered by the court. For example, if the court hearing date is March 3, 2014, the order start date is April 1, 2014 unless the court orders a different start date.
- c. An initial ASO's start date is the first day of the month following the effective date. The order is effective the date of service of the ASO or the date the NCP signs the Waiver of Formal Service. For example, if the NCP is served with an initial ASO on March 2, 2014, the order start date is April 1, 2014.
- d. A modified ASO's start date is the first day of the month following the effective date. The order is effective the date the NOPR is served on the nonrequesting party. For example, when the NCP requests a review and the CP is served with the NOPR on January 24, 2014, the order start date is February 1, 2014.

9. Charge Date

The date the automated system charges the support obligation for the month.

10. Order Date

The date a judge signs the court order or the date printed on the ASO.

11. Debt Assessment

- a. An initial ASO for debt to the state is assessed from the date of receipt of TANF, IV-E FC, or SLFC.
- b. An initial ASO, established prior to 7/1/2021, for debt to DJJ was assessed from the date DJJ received the dependent.
- c. For administrative orders, the debt cannot be assessed prior to the date that paternity is established.

For more information, refer to [Establishment of a Debt for Reimbursement to the State](#).

(07/2018) (07/2021)(09/2022)

Chapter 4: Intake

H. Automated Referrals of TANF and IV-E Foster Care Cases (xx/2023)

1. The automated system builds TANF and IV-E FC cases if sufficient and accurate information is received via the IV-A/IV-D interface.
 - a. Eligibility staff in the LDSS automatically refer NCPs information on TANF cases to the Division using the Absent Parent Demographic screens in VaCMS.
 - b. IV-E FC cases are sent automatically using the FC referral screen in VaCMS.
 - c. Division staff will
 - 1) Set up a case within 20 calendar days of receipt of the referral.
 - 2) Review all worklists daily. Pay attention to ADC CASE STATUS ASSIGNED, FC CASE STATUS ASSIGNED and ADCU CASE STATUS ASSIGNED as these worklists identify cases successfully built.
2. Review the participant and case related pages in the automated system for completeness.
 - a. Review each case and participant record built through the interface.
 - b. Determine if participants are linked to other cases.
 - c. Confirm that participants and cases are built appropriately.
 - 1) Review and update the Born Out of Wedlock (BOW) Indicator and Paternity Disposition on the Participant Detail page for each child on the case.
 - a) Use available resources to attempt to verify each child's paternity status, such as VPEP and requesting a search through the Electronic Birth Query System (EBQS) from the Office of Vital Records (OVR) certifiable database when the child was born in Virginia.
 - b) If the child's **was born in Virginia and the** paternity disposition status is determined to be Established Prior to IV-D or Never an Issue, then the EBQS response **or a birth certificate** is sufficient to verify the paternity status. Refer to Section 2.4, Participant Detail Page, in the iAPECS User Guide [Chapter 4, Participant Management](#).
 - c) **If the child was born in another state and the paternity disposition status is determined to be Established Prior to IV-D or Never an Issue, Division staff will verify on the IRG that the father's name on the birth certificate is sufficient verification that**

paternity has been established for that state. Refer to Section 2.4, Participant Detail Page, in the iAPECS User Guide [Chapter 4, Participant Management](#).

d) If the IRG is unable to verify the sufficiency of the paternity for the child born out of state and for audit purposes, Division staff will contact the other state and request a copy of the paternity establishment documents.

e) If the child's paternity status cannot be verified, paternity is considered contested until determined to be otherwise.

d. Enter a request for a search through the EBQS from the OVR certifiable database to obtain a copy of a birth certificate for a child born in Virginia, if the birth certificate is needed and cannot be obtained any other way.

e. Update the NCP's information in the automated system with the information passed from IV-A when appropriate.

f. If the number provided for either party as the SSN is determined to be a pseudo SSN or an Individual Taxpayer Identification Number (ITIN), remove the number from the SSN field in the automated system. Only true Social Security Numbers should be recorded in the SSN field in the automated system.

g. If a court order exists and a copy is not provided, request a copy of the order from the court.

1) Do not add the order to the automated system without a copy of the order in the case record.

2) Create a self-generated worklist for the next worker assigned to the case. In the Worklist Description field, type CT ORDER DETAILS UNKNOWN, COPY REQUESTED ON (DATE).

3. Initiate automated locate activities if there is no NCP address or employment information.

4. Update the NCP address in the automated system if an address is found. Document the Event Notes section to indicate the address source.

5. Check "Referral Supplement" data provided by the IV-A agency. If order information is provided, contact the CP and/ or the court for a copy of the order so that the order can be added to the system.

6. The LDSS also provides the Division with information to help locate the NCP or PUTF. Transfer this information manually from the NCP 501 Notes screens (UNA and UNB), to the NCP Supplemental page in the automated system.

7. Contact the LDSS to clarify errors, omissions or to get additional information.
8. If a case opening/reopening fails an interface, the automated system generates an error report.
 - a. Review the cases on the TANF Opening Error Report (D623) and the Update Error Report (D622) daily to determine the appropriate action needed. It may be necessary to create the participant record or the case record as it is possible for the participant record to be successfully created via the interface but not the case record.
 - b. Update the automated system to make corrections and to document actions taken to resolve the errors.
9. When a TANF case close with a general discontinuance closure code the automated system transitions the case type from ADC to NADC. The automated system generates the *Transition Letter*. This letter provides the CP with information about the Division's services and gives the CP a choice to discontinue services with the Division.
 - a. If a CP elects to receive services or does not contact the Division, the case type remains NADC.
 - b. If a CP elects not to receive services, review the case for arrearages.
 - 1) If no debt is owed to the Commonwealth, close the case. Refer to [Reasons for Case Closure](#).
 - 2) If no debt is owed to the Commonwealth, close current support and adjust debt due to the CP to zero. Update the case type to the correct case type.
10. When a TANF case closes with a non-general discontinuance closure code (AF20), the automated system generates the AF20 worklist.
 - a. Review the case and IV-A closure reason to determine whether the case should be closed to IV-D services or transitioned to another case type. It may be necessary to contact the LDSS for clarification.
 - b. If it is a valid IV-D closure reason and no debt is owed to the Commonwealth, close the case. Refer to [Reasons for Case Closure](#).
 - c. If the case should not be closed, change the case type from ADC to the correct case type.
11. When IV-E FC cases close, the automated system notifies the specialist of closure, but does not change the case type. Contact the LDSS to determine who has custody of the child.

(08/2017) (12/2018) (05/2019)

J. Establishing a Non-TANF Case (xx/2023)

1. To set-up a non-TANF case

Review the application package to ensure it is complete and has been signed by the applicant.

2. When applicable, ensure that there is a complete and legible *Statement of Payments (SOP)* covering any period that the case was obligated and not open for IV-D services.

a. Image the SOP and retain in the case record.

b. Send the SOP to the applicant when one was not received with the application.

3. Set up the case, but do not add any arrearages to the case for the period that would be covered by the *SOP*.

4. For cases previously open to IV-D, updates may be required to the Update Support Order Extensions page when reopening a case. Refer to the iAPECS User Guide [Chapter 5, Order Management](#) for detailed instructions for reopening current support extensions.

5. Contact the applicant (if the applicant is the CP) to clarify errors and omissions.

6. Contact the caretaker applicant when they apply for services for only one noncustodial parent.

a. Inquire if they want to pursue support for both noncustodial parents.

b. Provide the benefits of establishing paternity, if paternity has not been established and encourage them to pursue the establishment of paternity.

c. Ask for identifying information and income information about the other parent that is not being pursued for support.

1) Name

2) Address

3) Date of birth

4) Social Security Number

5) Employer

6) Income verification

d. Update the Caretaker Indicator in the automated system when the caretaker chooses to pursue only one parent or PUTF. Refer to the iAPECS User Guide [Chapter 3, Case](#)

[Management](#). Document any information gathered and any attempts made to contact the applicant in the Notes under the CTCE CARETAKER CASE EVENT Case Event.

7. Image court orders and retain in the case record. If copies of the order are not attached to the application or are not in the case record, contact the applicant and/or the court for copies of the orders. Refer to [Support Order Information](#).
8. Intake staff determines if a case already exists in the automated system.
 - a. If an open case exists
 - 1) Update the case information and
 - 2) Ensure the correct locality code is assigned to the case.
 - b. If a closed case exists for the same CP and NCP
 - 1) Open the case and
 - 2) Assign the case to the locality where the applicant resides
 - c. If a case does not exist for the same CP and NCP
 - 1) Establish the case and
 - 2) Assign the case to the locality where the applicant resides
 - d. Provide the CP and NCP with the Division case number.
9. Enter all available information on the automated system. If the SSN of a parent is not known or the parent does not have a SSN, leave the field blank in the automated system. Only true Social Security Numbers should be recorded in the SSN field in the automated system.
 - a. Do not enter a pseudo-SSN or an Individual Taxpayer Identification Number (ITIN).
 - b. If the number provided by either party as the SSN is determined to be a pseudo-SSN or Individual Taxpayer Identified Number (ITIN), remove the number from the SSN field in the automated system.
10. Update the following on the child's Participant Detail page for every active child on the case
 - a. Emancipation date
 - 1) The date must be based on the age of majority for that child according to the law of the state that entered the order and/or the specific terms of the order. If the order is not from Virginia, consult the [Intergovernmental Reference Guide](#) (IRG) for information about the emancipation age in the state that issued the order.

- 2) If the order is from Virginia and does not include any unusual provisions regarding emancipation, the automated system will automatically enter the child's 18th birthday as the emancipation date, and no further action is required.
- b. Born Out of Wedlock (BOW) Indicator and Paternity Disposition
- 1) Use available resources to attempt to verify each child's paternity status, such as VPEP and requesting a search through EBQS from the Office of Vital Records (OVR) certifiable database when the child was born in Virginia.
 - 2) If the child ~~s~~ **was born in Virginia and the** paternity disposition status is determined to be Established Prior to IV-D or Never an Issue, then the EBQS response ~~or a birth certificate~~ is sufficient to verify the paternity status. Refer to Section 2.4, Participant Detail Page of the iAPECS User Guide [Chapter 4, Participant Management](#).
 - 3) **If the child was born in another state and the paternity disposition status is determined to be Established Prior to IV-D or Never and Issue, Division staff will verify on the IRG that the father's name on the birth certificate is sufficient verification that paternity has been established for that state. Refer to Section 2.4, Participant Detail Page, in the iAPECS User Guide [Chapter 4, Participant Management](#).**
 - 4) **If the IRG is unable to verify the sufficiency of the paternity for the child born out of state and for audit purposes, Division staff will contact the other state and request a copy of the paternity establishment documents.**
 - 5) If the child's paternity status cannot be verified, paternity is considered contested until determined to be otherwise.
11. Enter a request for a search through EBQS from the OVR certifiable database to obtain a copy of a birth certificate for a child who was born in Virginia, if the birth certificate is needed and cannot be obtained any other way.
 12. The automated system automatically sets the Charge Interest Indicator to YES and the interest rate at 6% (current judgment rate) based on Virginia law.
 - a. If a Virginia support order specifies an interest rate different from the judgment rate, change the interest rate in the automated system by entering the interest rate specified in the support order or
 13. If the support order was issued by another state
 - a. The system automatically sets the Charge Interest Indicator and Interest Rate based upon the Interest Indicator and Rate Table information for the state. The Charge Interest Indicator updates to

- 1) Y (YES) when the other state charges interest at a specified rate
 - 2) N (NO) when the other state does not charge interest
 - 3) V (VARIABLE) when the other state charges interest at a variable rate. When the rate is variable, the worker enters the correct Interest Rate in the automated system.
- b. If the order issued by another state specifies a different interest rate, change the interest rate in the automated system by entering the interest rate specified in the support order.
 - c. Refer to the iAPECS User Guide [Chapter 5, Order Management](#) for more information.
14. When the NCP is the applicant, follow the same procedures outlined for setting up a NTANF case and document the automated system that the NCP has applied for services.
- (01/2017) (08/2017) (05/2018) (06/2018) (12/2018) (05/2019) (01/2020) (05/2020) (06/2020) (07/2020) (04/2023)

O. Family Violence Indicator (xx/2023)

1. Have the applicant complete the *Affidavit of Nondisclosure* when the *Child Support Enforcement Services Application* indicates
 - a. A protective order exists but the applicant cannot or did not provide the Division with a copy.
 - b. The applicant feels that he or she and/or the child or children are at risk of emotional or physical harm.
 2. Update the Family Violence Indicator (FVI) on the Participant Detail page when a party
 - a. Submits a signed ~~and notarized~~ *Affidavit of Nondisclosure* or
 - b. A copy of a protective order
 3. If a child is on a case with a CP that has an FVI attached to him or her and the Division receives an application for the child with a new CP, refer to [Release of Information- Family Violence](#).
- (09/2012) (07/2014) (01/2017)

Chapter 7: Enforcement

7.2 Income Withholding for Support

D. Issuing the IWO (XX/20XX)

1. Issue an *IWO* when:
 - a. The support order includes a provision for immediate income withholding.
 - b. Support payments are past due in an amount equal to one month's support payment
 - c. The employer becomes known and either a or b above applies.
 - d. The NCP misses a payment after signing the *Alternative Payment Arrangement Agreement (Agreement)*. A notice is not required.
 - 1) Update the Alternative Payment Arrangement Agreement field on the Order Management > Update Support Order page to N- No alternative payment arrangement is in place.
 - 2) Document Case Events to indicate the NCP defaulted on the *Agreement*.
2. Determining the Arrears Payment
 - a. If the support order specifies an arrears payment, record this information in the Ordered Arrears Amount field on the Order Management > Update Support Order page in the automated system.
 - b. When current support is due, the income withholding amount for the arrears payment is
 - 1) The ordered amount when the order specifies an arrears payment or
 - 2) 25% of current support or \$65, whichever is greater, when the order does not specify an arrears payment and all arrearages are payable to the Division.

Example: If current support is \$200, the withholding amount is \$65 because \$65 is greater than \$50 (25% of \$200).

- c. Current support is due if at least 1 child on the support order has not emancipated and the order has not been abated or terminated, unless the order specifies a different duration.
- d. When current support is no longer due, the income withholding amount for the arrears payment is

1) For Virginia orders,

a) The current support plus arrears amount from the most recent order or

Example – Court Order: most recent support order ordered the NCP to pay \$200 towards current support and \$50 towards arrearages = \$250 is the withholding amount

Example – *Administrative Support Order (ASO)*: most recent support order ordered the NCP to pay \$200 towards current support plus the provision that includes the statement, “Even if a monthly arrear payment is not ordered at this time, an amount equal to 25% of the current support obligation or \$65 per month, whichever is greater, will be withheld if arrears are due in the future”, was checked = \$265 is the withholding amount (\$65 because \$65 is greater than \$50 (25% of \$200))

Example – *ASO*: most recent support order ordered the NCP to pay \$200 towards current support and \$50 towards arrearages = \$250 is the withholding amount

b) The current support amount from the most recent order if the order does not specify an arrears payment

Example – Court Order and *ASO*: most recent support order ordered the NCP to pay \$200 towards current support and no amount was specified to be paid towards the arrears = \$200 is the withholding amount

c) The ordered arrears payment from a new court order or adjusted *ASO* entered after all ~~dependents~~ children on the order emancipate

Example – Court Order and *ASO*: arrears only amount ordered on most recent support order after all children emancipated is \$100 = \$100 is the withholding amount

2) For other states' orders, the ordered arrears payment **from the most recent support order**. If there is no ordered arrears payment, use **25% of the former current support amount or \$65.00, whichever is greater** ~~the most recent current support amount~~.

e. If a debt to the Commonwealth was established, but current support was never ordered, the income withholding amount for the arrears payment is

1) \$65 per month when all children on the order have not emancipated or

2) The ordered arrears amount on the most recent support order, ~~when~~ when all children **on the order** have emancipated.

f. If the Division is no longer collecting current support due to a change of physical custody and at least 1 child on the order has not emancipated, only collect the arrears payment for the arrears only case.

3. Generating the *IWO*

- a. *IWOs* are generated online or via batch processing.
- b. Online *IWOs* are generated from the Document menu in the automated system. Refer to item 5 below.
- c. Batch generation of the *IWO* is automated. However, the Specialist can generate an *IWO* through batch processing. Refer to item 6 below.
- d. When the *IWO* is generated, the automated system
 - 1) Creates a “WWEA-Withholding of Income” Case Event and updates the Process Served Date and the Method of Service fields.
 - 2) Updates the NCP’s Participant Management > Participant Employment Detail page to show that an *IWO* is in place for that employer
- e. Send a *Notification of Action Taken (Notice)* to notify the CP that the *IWO* has been issued.
 - 1) For online *IWOs*, the Specialist sends the *Notice*.
 - 2) For batch *IWOs*, the system generates the *Notice* on all cases except FC, SLFC and ARRP case types.
- f. If the employer rejects the *IWO*, document Case Events, correct the *IWO* and re-serve the employer.

4. Service of Process

- a. For online *IWOs*, serve the NCP’s employer by first class mail or electronic means.
- b. For batch *IWOs*, the Process Served Date is auto-populated as 5 days after the document generation date and the Method of Services indicates services by first class mail. Batch *IWOs* are sent by vendor using first class mail.
- c. If the employer does not respond to the *IWO*, resend using a different method of service. Refer to [Service Methods](#).
- d. Employers are liable for failing to honor the *IWO* if the Division can show that the employer had actual notice of the *IWO*. Refer to [Employers’ Responsibilities, Rights, and Reporting](#).

5. Online *IWOs*

- a. There are four options:
 - 1) Original *IWOs*

- 2) Amended *IWOs*. Refer to [Modifying and Releasing the IWO](#).
 - 3) Lump Sum *IWOs*. Select One-Time Order/Notice for Lump Sum Payment to attach lump sum payments. Refer to [Lump Sum Withholding](#).
 - 4) Termination *IWOs*. Refer to [Modifying and Releasing the IWO](#).
- b. For details on generating *IWOs*, refer to the iAPECS User Guide [Chapter 8, Documents](#).
6. Batch *IWOs*
- a. If a copy of a batch *IWO* is needed, access the document repository.
 - b. System-initiated batch *IWOs* are created through the new hire match process. Refer to [Employers' Responsibilities, Rights and Reporting](#).
 - c. Exceptions to the automatic generation of the *IWO* create the NHRM worklist for Division staff follow-up. The *IWO* will not generate if:
 - 1) The names do not match
 - 2) The case type is NIVD or LOCO
 - 3) The case has a UADC or USSI unworkable code
 - 4) The Alternative Payment Agreement field on the Update Support Order page indicates "Y- alternative payment arrangement is in place"
 - 5) The Interstate field on the Case Detail page indicates "I- VA Initiating State"
 - 6) The Income Withholding field on the Case Detail page is blank
 - 7) There is no active order and no open subaccounts
 - 8) The case never had a current extension built or
 - 9) The case has no frequency amount on an open current support extension or open arrears subaccounts with no balance due.
 - d. When the Specialist receives the NHRM worklist, when appropriate, the *IWO* must be sent within 2 business days of receipt of the worklist.
 - e. To send the *IWO* via batch, the Specialist completes the Maximum Allowable % field and checks the Income Withholding Indicator and Print Withholding in Batch fields on the Participant Management > Participant-Employment-Detail page anytime a new employer is linked to a NCP.
7. Electronic Income Withholding for Support (*EIWO*)

- a. The Federal Office of Child Support (OCSE) uses an electronic format to allow states to securely transmit electronic income withholdings (*EIWO*) to employers.
- b. The Division does not send *IWOs* in a paper format to *EIWO* employers. If a paper *IWO* is returned by an employer who indicates that they are an *EIWO* employer, send the *EIWO*.
- c. The SDNH and NDNH batch function process new hire information reported by any of the employers participating in *EIWO*.
- d. The Specialist generates the *EIWO* using the same method as worker-initiated batch *IWOs*. Refer to item 6 above.
- e. The Specialist selects Amendment or Termination on the Participant Management > Participant- Employment-Detail page to modify or release the *EIWO*.
- f. Case Events for the *EIWO* appear as WWEA -Withholding of Income - *EIWO*.
 - 1) The notes section of the Withholding of Income -*EIWO* event indicate if the order is an original, amendment or termination.
 - 2) The Method of Service on the case event WWEA - Withholding of Income is "E" for Electronic.
- g. *EIWO* employers send electronic notification of the *EIWO's* rejection or the NCP's termination date. The notification
 - 1) Creates a worklist. The worklist and descriptions are
 - a) *IWO1*: NCP No longer at this employer
 - b) *IWO2*: NCP not known to employer
 - c) *IWO5*: Other reason
 - d) *IWO6*: Terminated from this employer
 - e) *IWO7*: Lump sum (has not been implemented by DFAS at this time)
 - f) *IWO8*: Employer could not process the *IWO*
 - g) *IWOM*: Duplicate received from other state
 - 2) Updates the NCP's Participant Management > Participant-Employment History page with an end date for the employer for worklist types *IWO1*, *IWO2* and *IWO6* along with a brief explanation as to why the end date is provided.
- h. Division staff must review the *IWO5*, *IWO7*, *IWO8* and *IWOM* worklists and take the next appropriate action.

i. The EIWO employer may also update the Division by mail, email, fax or telephone.

(06/2015) (03/2016) (06/2016) (04/2017) (08/2018) (09/2020) (10/2020) (04/2023)

7.4 License Suspension

B. Driver's License Suspension (XX/20XX)

1. The Division has the authority to request that the Department of Motor Vehicles (DMV) suspend a delinquent NCP's driver's license.
2. If an NCP owes at least \$5,000 in child support or has the child support arrearages totaling at least 90 days of the support obligation, then the NCP is eligible for license suspension.
3. Once the Division suspends the license, the Division will not notify DMV to cease suspension or reinstate the driver's license until the NCP
 - a. Pays the child support arrearages in full
 - b. Enters into a payment agreement with the Division. Refer to item 11 below. Or,
 - c. Completes or successfully participates in a court or administrative intensive case monitoring program
4. The automated system identifies NCPs and generates the *Notice of Intent to Suspend Driver's License (NISD)* to NCPs that
 - a. Have a Virginia driver's license
 - b. Have child support arrearages on cases with current support that total
 - 1) At least \$5,000 or
 - 2) Are past due in an amount greater than or equal to 90 days' obligation and total at least \$500
 - c. Owe at least \$1,000 on arrears only cases. Although the automated system will generate the NISD with a \$1,000 balance, to proceed with the license suspension, the \$1,000 balance must be the equivalent of at least 90 days of the support obligation
 - d. Have not made a payment via income withholding, cash, check or money order in the last 90 days
 - e. Have an open workable case type.
 - f. A mail address

g. Have one or more of the following case types or a subaccount type of OSTA

- 1) ADC
- 2) FC
- 3) SLFC
- 4) NADC
- 5) ARRP
- 6) ARRN

h. Are not CPs on an open ADC or ADCU case type

i. Do not have an active appeal

j. Do not have a current *Income Withholding for Support* in place and one cannot be issued

k. Are at least 18 years' old

l. Received the *Important Notice about Child Support* at least 30 days earlier

m. Are not coded as active in the review and adjustment process for receipt or pending approval of Social Security benefits. Ensure that the Benefits field on the NCP Supplemental page is appropriately updated to prevent the *NISD* from generating.

n. Have a blank Action Type field on the DMV License Suspension page.

5. The *NISD* can be served on the NCP by

a. The sheriff or process server. Refer to [Service Methods](#).

b. Using certified mail, return receipt requested. For the *NISD*, service by certified mail, return receipt requested, is considered to be successful when the mailing is sent unless returned indicating the address is invalid or the recipient has moved. It is not necessary to receive proof of service.

- 1) When the *NISD* is generated during the batch process, the automated system updates the Service Method field with "SERVICE BY CERTIFIED MAIL" and updates the Served Date with a date allowing 3 days for delivery.
- 2) If the *NISD* is returned as undeliverable, update the Unsuccessful Reason field on the *NISD* event with an unsuccessful service reason and the Returned Date field with the date that the document was returned to the Division.

3) Updating the event for a return also updates the Action Type field on the DMV License Suspension page to “B” for Bad Service. Attempt to find a new address, and once a valid address is obtained, generate the *NISD* again if the NCP continues to meet the criteria for suspension.

c. By signing a *Waiver of Formal Service of Process*

6. The NCP must contact the Division within 33 calendar days from the date on the *NISD* to either pay his or her support in full or negotiate a payment agreement.
7. Review the NCP’s case(s) to determine if he or she qualifies for license suspension based on the amount owed and the date of the last payment, as well as ensuring that the criteria listed in item 4.a-m above are met.
8. If the NCP qualifies for driver’s license, the Specialist must diligently attempt to speak with the NCP to determine if the NCP’s license should be suspended.
 - a. Attempt to call the NCP to discuss the case review results.
 - b. If the NCP cannot be reached by phone, contact the NCP using the *Contact Letter to NCP*, the *Administrative Summons*, *Virtual Administrative Summons* or email.
 - c. The *Driver’s License Suspension Flyer* may be provided to the NCP.
 - d. After speaking with the NCP or documenting unsuccessful efforts to contact the NCP, if the NCP qualifies for driver’s license suspension, continue as listed in items 10, 11, and 12 below as applicable.
9. If the NCP does not qualify for license suspension, see item 14 below.
10. Ask the NCP to pay the child support arrearages in full. Orally agree to a payment due date.
 - a. Create a self-generated worklist to see if the payment is made as agreed.
 - b. If the NCP does not make the payment as agreed, is unable to make payment in full or is unable to sign a *Payment Agreement*, determine if the NCP qualifies for participation in an Administrative Intensive Case Monitoring Program (AICMP) and if the NCP has been found in contempt in the last 12 months or there is an outstanding *capias*.
 - 1) If the NCP qualifies for participation in AICMP, refer the NCP to the Family Engagement Services (FES). Referrals to the FES Team are made via the FES Team shared mailbox at fes.team@dss.virginia.gov.
 - 2) If the NCP qualifies for participation in the Pre-Court Monitoring Program (PRCM), enroll the NCP in PRCM. Refer to [Pre-Court Monitoring Program](#).

- 3) If the NCP does not qualify for an AICMP and there has been a finding of contempt within the last 12 months or there is an outstanding capias, continue with the suspension process.
- 4) If the NCP does not qualify for an AICMP and there has been no finding of contempt within the last 12 months and there is no outstanding capias, do not proceed with suspension until no payments are made 90 days after a finding of contempt or until a capias is issued.

11. Payment Agreements

- a. Negotiate a payment agreement with the NCP if the arrearages cannot be paid in full.
 - 1) The required payment towards arrearages may be made in installments as negotiated and agreed to by the Division.
 - 2) Use the *Payment Agreement- Pre-DMV Suspension- Driver's License Suspension* or *Payment Agreement- Post DMV Suspension- Driver's License Suspension* (both referred to as *Payment Agreement*) as appropriate.
 - 3) If current support is still due, the NCP must pay the full current support due each month in addition to the agreed upon arrearage payment to comply with the *Payment Agreement*.
 - 4) If an NCP defaults on a *Payment Agreement* and has his or her license suspended, the license cannot be reinstated unless the NCP pays the arrearages in full or meets the requirements for and signs a new *Payment Agreement*.
- b. The *Payment Agreement* must include at least one payment towards the required minimum payment.
 - 1) For an initial *Payment Agreement*, the minimum payment is \$600 or 5% of the total past-due child support, whichever is less, with 10 years to satisfy the arrearages.
 - 2) If the NCP previously failed to comply with 1 *Payment Agreement*, the minimum payment is \$1200 or 7% of the total past-due child support, whichever is less, with 7 years to satisfy the arrearages.
 - 3) If the NCP previously failed to comply with 2 or more *Payment Agreements*, the minimum payment is \$1800 or 10% of the total past-due child support, whichever is less, with 7 years to satisfy the arrearages.
- c. The required lump sum payment may be made in installments as agreed to by the Division. Referral will not be made to DMV to reinstate the NCP's driver's license until the

full minimum payment is received. The NCP must also pay the full current support due each month and the agreed upon arrearage payment in order to be compliant with the *Payment Agreement*.

- d. Any involuntary payment received within 12 months of the date of the signed *Payment Agreement* may be used to offset the required lump sum payment. The involuntary payment may only be used one time as a lump sum for a *Payment Agreement*. Document the use of the involuntary payment as a lump sum per the instructions in the [SELF Event Documentation Table](#).

Example: Involuntary payment received on January 15, 2020 may be used for a lump sum payment for a *Payment Agreement* dated January 10, 2021.

Example: Involuntary payment received on January 15, 2020 may not be used for a lump sum payment for a *Payment Agreement* dated January 20, 2021.

- e. The *Payment Agreement's* terms must satisfy the delinquency within a period of no more than 10 years for an initial agreement, and no more than 7 years if the NCP previously failed to comply with one or more *Payment Agreements*.

- f. To determine the monthly payment amount for the *Payment Agreement*, use the procedures below in conjunction with the [Payment Agreement Calculator Worksheet](#)

1) Take the total child support arrearages for all of the NCP's cases with the Division plus accrued interest divided by 120 months for an initial agreement or 84 months for subsequent agreements.

2) Determine the following

~~a) Use 25% of current support or \$65, whichever is greater, when no arrears payment has been set or ordered and current support is still due.~~

~~b) Use the court or ASO ordered monthly arrears payment and current support is still due.~~

~~c) Use the former monthly current support obligation for any arrears only cases in which there is no court or ASO ordered arrears payment.~~

~~d) Use the figure which is the total of current support plus arrearages once current support ends and a court order or ASO includes a current support payment and a payment for arrearages.~~

a) When current support is still due

1. Use 25% of current support or \$65.00, whichever is greater, when no arrears payment has been set or ordered, or
2. Use the court or *Administrative Support Order (ASO)* ordered monthly arrears payment.

b) When current support is no longer due, for Virginia orders

1. Use the former monthly current support obligation amount from the most recent support order if the order does not specify an arrears payment, or
2. Use the figure which is the total of current support obligation amount plus arrears payment amount from the most recent support order if a court order or *ASO* includes a current support payment and a payment for arrearages.
3. Use the ordered arrears payment from a new court order or adjusted *ASO* entered after all children on the order emancipate.

c) When current support is no longer due, for other states' orders

1. Use the ordered arrears payment from the most recent support order, or
2. Use 25% of the former current support obligation amount from the most recent support order or \$65.00, whichever is greater, if there is no ordered arrears payment.

d) If a debt to the Commonwealth was established, but current support was never ordered

1. Use \$65.00 per month when all children on the order have not emancipated, or
2. Use the ordered arrears amount on the most recent support order when all children have emancipated.

- 3) Upon determining the monthly arrears payment amount for each of the NCP's cases, the Specialist will add each of the monthly amounts together to get one total monthly amount of arrearages due. Compare the results in 1 and 2 and use the calculation that results in the largest monthly arrears payment to complete the payment agreement.
- 4) A fourth method of calculation may be used if the NCP is acting in good faith and there is no reasonable possibility that he or she can pay the delinquency in the required time frame. The District Manager's approval is required to use this method.

- a) Calculate the total amount of arrearages due, plus accrued interest, and multiply that total by 75%.
 - b) Divide the result of this calculation by 119 for an initial *Payment Agreement* and by 83 for each subsequent agreement. The resulting figure will be used for the monthly payment on the *Payment Agreement*.
 - c) The remaining 25% of the arrearages plus interest will be payable at the 120th or 84th month as a lump sum or balloon payment.
- 5) Complete and generate the *Payment Agreement*. Generating the *Payment Agreement* creates a Participant Event entry.
- 6) Have the NCP sign the *Payment Agreement* and provide him or her with a signed copy. Entering a *Payment Agreement* does not prevent the Division from taking other enforcement actions to collect the arrearages.
- a) Issue an *IWO* if employment information is provided.
 - b) When issuing an *IWO*, the amount to withhold for the arrears payment may differ from the arrears payment in the *Payment Agreement*.
 - c) Issue the *IWO* as indicated in [Issuing the IWO](#). If the arrears payment for the *IWO* is less than the amount of the arrears payment for the *Payment Agreement*, the NCP must send in the difference.
- 7) The signed *Payment Agreement* is a legal document. Give a copy to the NCP and retain a copy for Division records.
- 8) Suspend the driver's license if the NCP fails to pay the required amount due each month as provided in the *Payment Agreement*.
12. The automated system checks for payments on arrearages posted 31 calendar days after good service is received on the NISD. If a payment on arrearages has posted, the automated system creates a Participant Event entry; the event does not specify the amount of the payment, only that a payment was posted.
- a. The Event Type is RPAY and the Event Description is DR LIC SUSP STOPPED DUE TO PAYMENT.
 - b. If no payments other than intercept payments have posted, a worklist generates to the Specialist.
 - c. The Specialist reviews the NCP's cases to decide if driver's license suspension is appropriate.

13. If the review reveals that the arrearages do not qualify for driver's license suspension, the Specialist

- a. Notifies the NCP that the Division will not suspend his or her license now
- b. Corrects the data that caused the notice to be issued in error

14. NCP Requests a Court Hearing

The NCP is entitled to a judicial hearing if he or she sends a written request for a hearing to the Division within 30 days after the service of the NISD. Within 2 business days of receiving the request, the Specialist generates the *Petition and Order to Suspend Driver's License - Failure to Pay Child Support (Petition and Order)*. The Division files the petition with the appropriate Circuit or Juvenile and Domestic Relations District (JDR) Court.

a. ASOs

- 1) If both parties live in Virginia or only the NCP lives in Virginia, file the *ASO* and the *Petition and Order* with the JDR court where the NCP lives.
- 2) If the NCP lives out-of-state and has an *ASO* and a driver's license issued by the Commonwealth, file the *ASO* and the *Petition and Order* with the JDR court where the CP lives.

b. Court Orders

- 1) If both parties live in Virginia and have a Virginia court order, file the *Petition and Order* with the court enforcing the order with the highest arrearages.
- 2) If both parties live in Virginia and have an out-of-state court order, register the order in the appropriate jurisdiction, and file the *Petition and Order* with the same court.
- 3) If the CP resides out of state, the NCP resides in Virginia and there is a Virginia court order, file the *Petition and Order* with the court enforcing the order.
- 4) If the CP resides out of state, the NCP resides in Virginia and there is an out-of-state court order, register the order and file the *Petition and Order* in the jurisdiction in which the NCP resides.

c. Generating the *Petition and Order* creates a Participant Event entry and a worklist.

d. District Office staff

- 1) Update Schedule Maintenance when the court provides the hearing date.
- 2) Notify Legal Counsel of the hearing date.

- e. After the hearing, the Court Specialist updates the hearing disposition code in Schedule Maintenance.
- f. If the court orders the driver's license suspended, the authorized staff updates the DMV system to request driver's license suspension.
- g. If the court orders the Division not to suspend the driver's license, wait 90 days before starting the process again.
- h. Send the CP a *Notification of Action Taken* with the outcome of the court hearing if the CP was not present and any other relevant case information.

15. Staff authorized to use the DMV Driver's License Suspension Screen

- a. Each District Office designates appropriate numbers and type of staff to update the DMV system for driver's license suspension.
- b. When designated staff changes, the District Office Security Officer notifies DSS Security
 - 1) To deactivate the code for that staff member to be removed and
 - 2) To activate the code for the new staff member (if applicable)

16. Suspension Notification to the DMV

The authorized staff member enters a code in the DMV system to suspend a driver's license.

- a. Access the suspension screen using
 - 1) The SSN or the DMV control number for the NCP or
 - 2) The name and date of birth, if the SSN or DMV control number is not available
- b. Enter the code for court ordered suspension or administrative ordered suspension as applicable.
- c. The participant identification number field requires 10 digits. This is the NCP's Participant ID number in the Division's automated system. If the number has less than 10 digits, use leading zeros to fill the field.
- d. Compare the Division's address for the NCP with the address on the DMV system. If they are different, enter the Division's address on the screen.
- e. Use the change function to correct the following data elements in the DMV system
 - 1) Participant Identification Number
 - 2) District Office

- 3) Worker
 - 4) Address, if the need to change is identified on the day the NCP is added to the system.
- f. Use the delete function if the NCP needs to be removed from the DMV system when:
- 1) The NCP referred is not the correct NCP.
 - 2) The wrong address was entered, and the error is not discovered until after the day the data is entered. If the correct address is available, add the NCP back to the DMV system.
 - 3) The arrearages do not qualify for driver's license suspension.
- g. When an NCP is deleted from the DMV system, the DMV generates an apology letter to the deleted NCP.
- h. Do not send a second suspension request to DMV if the Division has a driver's license suspension already in place.
17. The DMV automatically issues the suspension notice when staff enter the suspend code on the DMV system.
- a. When an address is entered by a Division worker, the DMV mails the suspension notice to both the DMV's and the Division's addresses via certified mail.
 - b. The NCP has 15 calendar days to appeal the notice to the DMV.
 - c. The suspension goes into effect whether or not the NCP signed for the certified mail.
18. If a payment from the NCP posts after his or her license is suspended, the automated system worklists the Specialist with PYRR to indicate that a payment has posted. The payment must pay the arrearages in full or be in the amount pursuant to the payment agreement.

19. Reinstatement Notification to DMV

On the same work day that a payment is received according to the terms of a *Payment Agreement* that pays the arrearages in full or that a determination is made that the NCP has completed or is successfully participating in ICMP or AICMP, the authorized staff member must enter the appropriate code on the DMV system to reinstate the NCP's driver's license.

20. Reinstatement Fees

The DMV charges a fee to reinstate a suspended driver's license. The fee is paid directly to the DMV. If the NCP makes arrangements with the Division, and the suspension code is

removed from the DMV system within the 15 calendar days before the suspension is effective, the NCP does not owe the fee.

21. Restricted Driver's License

- a. The NCP may be unable or unwilling to comply with the requirements to reinstate his or her driver's license. In this instance, the NCP may file a *Petition for Restricted Driver's License-Failure to Pay Child Support* with the JDR court in the jurisdiction where he or she resides after the *NISD* is received.
- b. The NCP may petition the court at any time after receiving service of the *NISD*. The court may grant the NCP a restricted license based on the child support suspension; however DMV may still be unable to issue the restricted license if the NCP has other unresolved licensing matters.
- c. If the NCP does not comply with the child support order and he or she has a restricted driver's license, submit a *Legal Services Case Referral* to the District Office's Legal Counsel asking for guidance regarding court action to address suspension of the restricted license.
 - 1) Proceed according to Legal Counsel's advice regarding this matter.
 - 2) Do not send a suspension request to DMV if the NCP has a restricted driver's license. Submitting a suspension request to DMV when the NCP has a restricted driver's license will result in DMV suspending the restricted license.

(09/2012) (05/2013) (04/2014) (06/2015) (09/2015) (12/2015) (10/2016) (08/2017) (05/2019)
(07/2019) (09/2020) (04/2021) (09/2022)(04/2023)

7.6 Federal and State Offset Programs

C. Passport Denial Program (XX/2023)

✚ The Federal Office of Child Support Enforcement (OCSE) administers the mandated Passport Denial Program as part of the Federal Offset Program.

1. Referral Criteria

- a. The NCP meets the criteria for the Federal Offset Program. Refer to [Federal Offset Processes](#).
- b. The NCP's child support arrearages exceed \$2,500. Spousal support arrearages are not considered for meeting the certification threshold of \$2,500.

- c. The Division submits new cases to OCSE along with updates to the arrearage amounts on previously submitted cases weekly.
 - d. OCSE submits qualifying NCPs to the Department of State for passport denial or withdrawal daily.
2. When the NCP qualifies for Federal Offset, the *Pre-Offset Notice (Notice)* tells the NCP the Secretary of State will refuse to issue a passport, and may revoke, restrict, or limit a previously issued passport when the NCP's child support arrearages exceed \$2,500. The NCP may contest the arrearages within 30 days from receipt of the *Notice* by requesting an administrative appeal. Refer to Administrative Appeals <<ADD LINK>>
3. The certification to the Department of State remains active until
- a. The NCP's child support arrearages are zero or
 - b. The Division excludes the NCP from the Passport Denial process using the Passport Denial Indicator on the Case Management > Enforcement > Update Offset Indicators page in the automated system.
4. Criteria for removing referred NCPs
- a. OCSE allows states to establish their own criteria for removing referred NCPs from the Passport Denial process. The Virginia Administrative Code establishes the Division's criteria for removal as
 - 1) The child support arrearages are paid in full or
 - 2) The IV-D agency director (Deputy Commissioner) or his or her designee has the discretion to grant an exception based on written documentation of
 - a) A life or death situation of an immediate family member.
 - b) Erroneous submittal resulting from mistaken identity or an incorrect SSN.
 - c) Current employment or an offer and acceptance of employment that requires the NCP to have a passport. For this exception, the Division must be able to implement an *Income Withholding Order for Support (IWO)* and the NCP must make a lump sum payment and sign a payment agreement.
5. When an NCP contacts the Division because his or her application for a passport has been denied, take the following steps:
- a. Verify that the correct person has been submitted. If the wrong person was referred (mistaken identity or incorrect SSN), refer to item 11 below.

- b. Verify that Virginia is the state that referred the NCP for Passport Denial.
 - 1) If Virginia is not the referring state, tell the NCP that Virginia is not the submitting state and that he or she needs to contact the state that made the referral.
 - 2) If both Virginia and one or more other states have submitted the NCP for Passport Denial, the NCP will need to make separate arrangements with each state involved.
 - c. Verify the debt meets the threshold for Passport Denial.
 - 1) If the arrearages reported are a combination of child support and spousal support arrearages, refer to item 8 below.
 - 2) If the arrearages reported are the result of “instant debt” created by an initial or modified order, refer to item 9 below.
6. Upon verifying that the Division’s referral is correct, inform the NCP that the Passport Denial will remain in place until the child support arrearages are paid in full unless the NCP meets exception criteria.
- a. If the NCP alleges a life or death situation, refer to item 10 below.
 - b. If the NCP alleges that the passport is needed as a condition of continuing employment or a requirement for an accepted job offer, refer to item 12 below.
 - c. If the NCP has an imminent need for travel and payment is made in full, refer to item 13 below for the expedited withdrawal process.
7. Arrearages include a combination of child and spousal support arrearages.
- a. Determine what portion of the debt is attributable to child support and what portion is attributable to spousal support at the time of the initial referral.
 - 1) If it is determined that the child support arrearages met \$2,500 criteria at any point in time for Passport Denial, the NCP is not eligible to have the Passport Denial removed until the child support arrearages and interest are paid in full unless another exception is met (i.e. life or death situation).
 - 2) If the referral for Passport Denial occurred because the inclusion of spousal support arrearages met the \$2,500 criteria, thoroughly document Case Events and forward the case to the District Manager for review.
 - a) If the District Manager determines the NCP should not have been referred, update the Passport Denial Indicator on the Update Offset Indicators page in the automated system.

b) Do not issue the *Emergency Notice of Withdrawal of Passport Denial*; the NCP will be removed via the weekly automated process. Refer to item 13.a below for information on the automated withdrawal process.

8. Arrearages include “Instant Debt”

For cases in which the NCP had “instant debt” created by an initial or modified child support order

- a. If the NCP pays the arrearages in full or has paid support consistently as ordered since the entry of the initial or modified support order, thoroughly document the automated system with this information, and forward the case to the District Manager for review.
- b. If the NCP does not pay the arrearages in full or has not complied with the initial or modified support obligation as ordered, the NCP is not eligible to have the passport denial removed until the child support arrearages and interest are paid in full unless another exception is met (i.e. life or death situation).
- c. If the NCP met the submission criteria at the time of the submittal and has since made a payment, the NCP is not eligible to have the Passport Denial removed until the child support arrearages are paid in full unless another exception is met.
- d. If the District Manager determines that the case meets the circumstances for withdrawal, update the Passport Denial Indicator on the Update Offset Indicators page in the automated system.
- e. Do not issue the *Emergency Notice of Withdrawal of Passport Denial*; the NCP will be removed via the weekly automated process. Refer to item 13.a. below for more information on the automated withdrawal process.

9. Life or Death Situation

When the NCP alleges a life or death situation involving a family member, tell the NCP

- a. The Department of State defines life or death situations as serious illness, dangerous operation, or imminent death or funeral. The Department of State requires a letter from a doctor or Red Cross notification. The NCP is responsible for providing verification of the life or death situation.
- b. The Department of State defines an immediate family member as
 - 1) Parent or guardian of the obligor
 - 2) Spouse of the obligor

- 3) Child (natural or adopted)
 - 4) Grandparent
 - 5) Sibling
 - 6) Aunt
 - 7) Uncle
 - 8) Step parent
 - 9) Step sibling
 - 10) Step child
- c. Request the NCP make payment in full. If the NCP is unable to make payment in full
- 1) The NCP will need to make satisfactory payment arrangements.
- d. The decision to withdraw the NCP from Passport Denial lies solely with the Deputy Commissioner (IV-D Director) or his or her designee.
- e. If the Deputy Commissioner (IV-D Director) or his or her designee approves the payment arrangement and all other requirements are met, release the Passport Denial via the emergency withdrawal process. Refer to 13.c. below.

10. Erroneous Referral

- a. The Department of State defines erroneous referral as
- 1) Mistaken Identity- The wrong person is identified. This happens when a passport application partially matches information in the system used by the Department of State. Information used includes at least 2 matches from name, date of birth, place of birth, gender or SSN.
 - 2) The child support agency submitted the wrong SSN.
- b. When the NCP was referred erroneously, documentation in the automated system must clearly substantiate that the referral was in error.
- c. Release the Passport Denial via emergency withdrawal process. Refer to item 13.c. below.

11. Passport Needed as a Condition of Employment

- a. If the NCP alleges that the passport is needed as a condition of continuing employment or as a requirement for an accepted job offer, request payment in full. If the NCP is unable to make payment in full, inform the NCP

- 1) He or she must provide written proof from the employer that the passport is needed for employment.
 - 2) The Division requires verification from the employer that an *IWO* can be implemented.
 - 3) Satisfactory payment arrangement must be made that includes a lump sum payment.
 - 4) The decision to withdraw the NCP from the passport denial lies solely at the discretion of the Deputy Commissioner (IV-D Director) or his or her designee.
- b. If the Deputy Commissioner (IV-D Director) or his or her designee approves the payment arrangement, release the Passport Denial via the expedited withdrawal process. Refer to item 13.b. below.

12. Withdrawal Processes

a. Automated Withdrawal Process

- 1) NCPs are removed from the Passport Denial Program when the Division notifies OCSE through the weekly automated process.
- 2) District Office staff update the Passport Denial Indicator on the Update Offset Indicators page in the automated system to exclude an NCP from Passport Denial.

b. Expedited Withdrawal Process

- 1) The Deputy Commissioner (IV-D Director) or his or her designee may approve the payment arrangement and expedited withdrawal of the NCP from Passport Denial.
- 2) An NCP qualifies for expedited withdrawal from Passport Denial if the NCP has paid arrearages in full and has an imminent need to travel or the NCP has been approved to travel for employment.
- 3) When expedited withdrawal criteria is met
 - a) Document the automated system when approval is received.
 - b) Update the Passport Denial Indicator on the Update Offset Indicators page in the automated system.
 - c) Send an encrypted email to the regional Special Assistant that includes the NCP's name, date of birth, SSN, and reason for expedited withdrawal. The regional Special Assistant will notify OCSE of the expedited withdrawal via the Child Support Portal after verifying that the Passport Denial Indicator is updated correctly.

d) Do not issue the *Notice of Emergency Withdrawal of Passport Denial* for an expedited withdrawal.

c. Emergency Withdrawal Process

1) The Department of State's regulations establish the exceptions to the automated process as life or death situations involving an immediate family member or the erroneous submittal of an individual.

2) OCSE guidance indicates that the emergency withdrawal process may not be used for an NCP that was legitimately referred and has since met the Division's other requirements for release.

3) When emergency withdrawal criteria is met

a) Document the system when approval is received.

b) Complete the *Notice of Emergency Withdrawal of Passport Denial* on Division letterhead.

c) Update the Passport Denial Indicator on the Update Offset Indicators page in the automated system.

d) Scan, encrypt, and email the *Notice of Emergency Withdrawal of Passport Denial* to the regional Special Assistant. For life and death situations, include the verification of the death or medical emergency as listed in 10.a. above. The regional Special Assistant will notify the Department of State of the emergency via fax after verifying that the Passport Denial Exclusion Indicator is updated correctly.

e) Do not instruct the NCP to give the *Notice of Emergency Withdrawal of Passport Denial* letter to the Passport Agency. The Department of State requires that all states strictly adhere to the procedures.

13. Once a passport is issued, it is valid for 10 years, even if the NCP's arrearages later exceed \$2,500. The passport can only be revoked during this period if it is submitted to the Department of State for revision, such as a change of name or to have pages added to a passport book.

14. Send the *Passport Issuance Tracking Letter* to the Department of State via overnight courier to obtain the passport issuance date.

(04/2013) (04/2014) (06/2016) (08/2017) (01/2018) (12/2018)

D. State Income Tax, Lottery Winnings, and Vendor Payment Intercept (xx/2023)

1. Federal regulations require states to have state laws with procedures for obtaining overdue support from State Income Tax refunds. The [Virginia Setoff Debt Collection Act](#) authorizes the Division to intercept State Income Tax refunds, Lottery Winnings and Vendor Payments for delinquent NCPs. This intercept process is handled through the Virginia Department of Taxation (Virginia Taxation).
2. Arrears Certification criteria
 - a. Arrearages are owed to the Commonwealth, CPs or other agencies that have applied for IV-D Services.
 - b. The arrearages equal or exceed 2 months' current support (monthly obligation x 2) for cases with current support due.
 - c. The child support arrearages excluding fees equal or exceed \$25 for arrears only cases.
 - d. The arrearages are enforceable. Refer to [Enforcement Rules](#).
3. District Office staff take manual actions to prevent or delete the arrearages certification to the Department of Taxation when
 - a. The arrearages are not enforceable. Refer to [Enforcement Rules](#),
 - b. A court order prohibits the Division from certifying the arrearages; the order may be entered before or after certification.
 - c. A court order holds the arrearages in abeyance.
 - d. The Director of Field Operations decides not to certify the arrearages based on exceptional circumstances.
 - e. The Commissioner discharges the arrearages.
4. Monthly Additions, Modifications, and Deletions
 - a. Additions, modifications, and deletions to the certified arrearages and updates to the intercept module are automated processes when
 - 1) Arrearages accrue on a case not previously certified.
 - 2) Additional arrearages accrue on a previously certified case.
 - 3) A payment is posted to the arrearages.
 - 4) An adjustment decreases or increases the arrearages.
 - 5) The arrearages are paid in full or

6) The Commissioner discharges the arrearages and the automated system subaccount is adjusted.

b. IT Operations

- 1) Receives notification of the transmission of modifications and deletions to Virginia Taxation from the Division of Information Systems (DIS);
- 2) Receives notification of the transmission of the Rejection Report from Virginia Taxation to the DIS and
- 3) Sends bi-weekly addition, modification and deletion updates to Virginia Taxation.

5. Virginia Taxation

- a. Receives certification files,
- b. Flags potential intercept cases on an on-going basis throughout the year,
- c. Rejects cases that do not match because
 - 1) The SSN is not on the Virginia Taxation file.
 - 2) The name does not agree with the name on the Virginia Taxation file or
 - 3) The combination of name and social security number are not on the Virginia Taxation file.
- d. Generates reports of NCPs that Virginia Taxation rejected,
- e. Freezes potential state tax refunds upon match,
- f. Mails the initial notice informing the NCP that the state tax refund payment will be forwarded to the Division and if only a portion of the payment is to be forwarded to the Division or the Division releases the entire payment, informs the NCP of the amount,
- g. Notifies any other agency that certified the NCP of the amount available,
- h. Forwards any refund remaining after all agencies have released the payment to the NCP, and
- i. Forwards an *Interagency Transfer Voucher* and an Agency list of Offset Payments to the Division

6. Notification to and from Other States

For intergovernmental cases, the automated system generates the Monthly Interstate Status Report to notify any other state enforcing the support order that a case is certified for or removed from state intercept, and when a collection is received from state intercepts.

7. Notification to the NCP

- a. Virginia Taxation mails the NCP a notice that the state tax refund is being held for the Division.
- b. The automated system generates a notice within 10 days of receiving notice from Virginia Taxation that the refund is being held. The NCP has 30 calendar days to file a written appeal. Refer to [State Income Tax, and Lottery Winnings and Vendor Payment Intercept](#).

8. Notices Returned by the USPS

- a. State intercept notices are returned to the District Office
- b. Update Participant Events indicating STATE TAX NOTICE RETURNED BY PO as the Event Description and enter the date the notice was returned in the Notes.
- c. If the address on the automated system is different from the address on the notice, re-mail the notice to the new address. Update Participant Events indicating STATE TAX NOTICE REMAILED as the Event Description and enter the date the notice was remailed in the Notes.
- d. If the address on the automated system and the notice is different from the address on the tax return
 - 1) Add the tax return address to the automated system,
 - 2) Remail the notice and
 - 3) Update Participant Events indicating STATE TAX NOTICE REMAILED as the Event Description and enter the date the notice was remailed and Department of Taxation as the information source in the Notes.
- e. If the address on the automated system is the same as the address on the notice and there is no known employer for the NCP, refer the case to locate. Remail the notice when a new address is found.

9. When the Division receives intercept notification from Virginia Taxation,

- a. Daily, the automated system
 - 1) Generates the *State Income Tax*/~~or~~ *Lottery Winnings/Vendor Payment Intercept Notification to NCP*,

- 2) Transmits appeals to the Department of Taxation and
- 3) Generates the State Set-Off Debt Collection report.
- b. ~~The State Disbursement Unit (SDU) manually generates the Vendor Payment Intercept Notification.~~

10. State Intercept Collections Files

The automated system automatically

- a. Processes payments.
 - b. Refunds payments to NCP if the non-TANF case is closed.
 - c. Generates reports and
 - d. Updates the NCP Intercept Data Page.
11. District Office staff immediately initiates a refund when arrearages were certified in error and the Division receives an intercept payment.

12. Payments Transferred by the Department of Taxation in Error

The SDU receives notice that a payment was transferred in error and processes the refund to the Virginia Taxation by Inner-Agency Transaction after the payment posts to the automated system.

(03/2016) (08/2017) (03/2020)

7.7 Other Enforcement Services

F. Consumer Credit Agency Reporting (XX/2023)

1. Federal and state law require child support agencies to report delinquent NCPs to Consumer Credit Reporting Agencies (CRA).
2. The Division reports arrearages to 4 consumer reporting agencies.
 - a. [Innovis](#)
 - b. [Equifax](#)
 - c. [TransUnion](#)
 - d. [Experian](#)

3. The Division only reports to the CRAs. These agencies also gather information by searching public records.
4. The Consumer Response Team Supervisor in Home Office is the liaison between the Division and consumer credit reporting agencies. This manager requests program and procedure changes and resolves concerns with interaction between the agencies and the Division.
5. The Home Office Consumer Response Team
 - a. Initiates files, reports and automated updates
 - b. Monitors the actions initiated
 - c. Coordinates with the CRAs and
 - d. Provides technical assistance to District Office staff
6. District Office staff
 - a. Monitor and adjust subaccount balances,
 - b. Review cases and set indicators to prevent or correct erroneous referrals,
 - c. Use e-OSCAR to remove arrearages referred to the CRAs in error,
 - d. Process *Consumer Agency Reporting Notices* returned by the US Postal Service,
 - e. File authorizations to release arrears information documents signed by the NCP and
 - f. Review the Monthly Credit Bureau Removal Report, D398.

7. Notification and Referral Process

Automated Notification to NCP

- a. The automated system generates monthly the *Consumer Agency Reporting Notice* (the *Notice*) via batch processing. The *Notice* tells NCPs that their arrearages will be referred to the CRAs and the initial reporting amount.
- b. Criteria for generating the *Notice*
 - 1) Arrearages are owed to the Commonwealth and/ or the CP on an active IV-D case.
 - 2) On cases with current support due, arrearages are equal to or greater than 3 months of current support.
 - 3) On arrears only cases, arrearages are at least \$500.

- 4) The Present Status field on the Credit Bureau Reporting Status page is either blank if the NCP has not been previously submitted or D if the NCP was previously deleted.
 - 5) The NCP lives in Virginia or, in long arm situations, the NCP resides out-of-state and no other states are enforcing the case. The Case Detail page shows the Interstate field as an R RESPONDING or blank.
 - 6) The arrearages are enforceable. Refer to [Enforcement Rules](#).
- c. The automated system creates a Participant Event when the *Consumer Reporting Agency Notice* generates. L-LETTER -10 DAYS TO CONTEST appears in the Present Status field on the Credit Bureau Reporting Status page indicating that a letter has been generated to notify the NCP of the Division's intent to refer the arrearages to consumer credit reporting agencies.
8. New Referrals
- a. When the automated system selects a NCP, it creates a Participant Event and changes the L-LETTER -10 DAYS TO CONTEST in the Present Status field to SUBMITTED-TO-AGENCIES to indicate the NCP's arrearages were referred to the CRAs.
 - b. The automated system refers the arrearages if the NCP does not contest the action within 10 calendar days by requesting an Administrative Review. Refer to [Reporting the NCP to Consumer Credit Reporting Agencies <<ADD LINK>>](#)
 - c. The file is forwarded to the CRAs.
 - d. The file includes new referrals and increases or decreases to arrearages previously reported.
 - e. The automated system updates the L-LETTER -10 DAYS TO CONTEST with SUBMITTED-TO-AGENCIES in the Credit Bureau Reporting Status field to indicate arrearages have been reported to the CRAs.
 - f. The automated system updates the SUBMITTED-TO-AGENCIES with E-YOUNGEST CHILD EMANCIPATED on the Credit Bureau Reporting Status screen when the participant is no longer being reported because the youngest child has emancipated and the delinquency date is 7 years or older. This reporting status change creates the Participant Event NCP REMOVED FROM CRA CHLD EMANCIP.

9. Cases Not Referred

- a. If the NCP has an L-LETTER -10 DAYS TO CONTEST in the Present Status field and his or her arrearages are less than 3 months of support or \$500 on an arrears only case, the

automated system changes the L-LETTER -10 DAYS TO CONTEST to a blank and does not select the NCP for submission.

b. If the Present Status field has an

- 1) A-AP APPEAL FILED. The referral is delayed for 60 calendar days while an appeal hearing and result is pending.
- 2) T- 60-DAY SUSPENSION. The referral is delayed for 60 days. Use this status when the NCP contests the arrearages and Division staff need to review information to determine if the case should be referred.
- 3) P- PERMANENT EXCLUSION. This reason is used when the Division decides that the NCP needs to be permanently removed from CRA reporting.

10. Referral with no Confirmed Address

- a. If the NCP has an L-LETTER -10 DAYS TO CONTEST in the Present Status field and does not have a mail address or IRS address, *Notice* will still be generated and sent to the NCP automatically using batch processing. The notice will be sent to the last “old” address on the Participant Address History for the NCP.
- b. Generating the *Notice* to an NCP with an old address will create the worklist CBLN: CRED BUREAU LTR TO NCP OLD ADDR.
- c. Upon receipt of the worklist the Specialist immediately initiates locate for the NCP.
- d. Make diligent locate efforts when the *Notice* is returned for a bad address. Document every locate method used.
- e. Locate resources should include, but are not limited to:
 - 1) DMV and Virginia Employment Commission
 - 2) Department of Corrections
 - 3) SPIDeR and VaCMS
 - 4) The Employer Information Request
 - 5) CLEAR
 - 6) Review of other cases that pertain to the NCP and contact with CPs
- f. Update the New Status field on the Credit Bureau Reporting Status page to T- 60-DAY SUSPENSION when the Division is unable to complete the locate process in 10 days.

g. Update the NCP's Participant Address List page when a verified address is found. Send the *Contact Letter to the Noncustodial Parent* to notify the NCP that the Division is referring the past due child support debt to the CRAs.

1) The arrears amount must be noted.

2) Suggested language to use

THIS IS A NOTICE TO YOU OF OUR INTENT TO REPORT YOUR SUPPORT ARREARAGES IN THE AMOUNT OF [ENTER ARREARAGES AMOUNT] TO THE CONSUMER CREDIT REPORTING AGENCIES. IF YOU CAN PROVIDE EVIDENCE WHY THIS AMOUNT IS INCORRECT OR SHOULD NOT BE REPORTED TO THESE AGENCIES, YOU MUST CONTACT THE DIVISION WITHIN 10 DAYS AT 1-800-468-8894.

11. Manually Generated Referrals

NCPs who owe less than the amounts listed above are reported manually when a consumer credit reporting agency requests information for a specific NCP as part of a security check or loan application.

12. Inquiry Functions

- a. Review the Credit Bureau Reporting Status and Effective Date fields on the Intercept Data page to see if the arrearages have been referred.
- b. If the Credit Bureau Reporting Status and Effective Date fields are not completed, review the case record to find out why the arrearages were not referred. Refer to the discussion of Stopping Automated Referrals below for reasons not to refer arrearages.

13. Administrative Reviews and Appeals

Refer to [Administrative Reviews and Appeals](#).

14. Stopping Automated Referrals

- a. Division staff prevent the referral or initiate removal of arrearages referred to the CRAs when:
 - 1) The arrearages are not enforceable. Refer to [Enforcement Rules](#).
 - 2) The NCP does not live in Virginia.
 - 3) A judge orders the arrearages held in abeyance.
 - 4) The Director of Field Operations decides not to refer the arrearages based on exceptional circumstances.

- 5) The Commissioner discharges the arrearages.
- b. District office staff take manual actions to prevent the referral of or to remove arrearages referred to the CRAs in error. Update case management and financial information as needed when the arrearages are unenforceable.
- c. If updating case information resolves the referral, update Participant Events to explain the action taken.
- d. If updating case information does not resolve the referral, update Participant Events with the Event Description CASE REFERRED TO SUPERVISOR. Document the Event Notes to explain the reason for the referral to the Field Supervisor and the requested action.
- e. Field Supervisors, the assigned Specialist or designee
 - 1) Set the New Status on the Credit Bureau Reporting Status page.
 - a) A-AP APPEAL FILED
 - b) P-PERMANENT EXCLUSION
 - c) R-REMOVE AP SUBMITTAL
 - d) T-60 DAY SUSPENSION
 - 2) Reasons b and c require District Manager or designee approval.
- f. Updating the system with P-PERMANENT EXCLUSION creates a Participant Event.
- g. For the other update status changes, update Participant Events, using the appropriate Event Description
 - 1) For A, NCP APPEAL CRA REPORTING
 - 2) For R, NCP REMOVED FROM CRA REPORTING
 - 3) For T, NCP CONSUMER CREDIT REPORT SUSP
- h. Update the Event Notes for all of the reasons listed.
 - 1) If the NCP is removed from current submittal or permanently removed from submittal, the notes must indicate the District Manager or designee approved the removal.
 - 2) If the NCP's submittal is being delayed for 60 days, clearly document the reason for the postponement.

15. Removing a Referral

- a. Remove NCPs previously referred when

- 1) The arrearages are unenforceable
 - 2) The arrearages were erroneously reported
 - 3) A default order is amended and the amended arrearage balance is less than 3 months' support or \$500 on an arrears only case.
 - 4) A mistake was made in the NCP's identity
 - 5) The Director of Field Operations authorizes the removal due to extraordinary circumstances or
 - 6) Virginia requests the assistance of another state to enforce the order.
- b. To remove the NCP's name from the CRAs
- 1) Ensure that the NCP is not linked to other cases where the arrearages are more than 3 months' current support or \$500 on an arrears only case.
 - 2) Complete an automated Universal Data Form using e-OSCAR for each NCP.
 - 3) e-OSCAR sends the automated Universal Data Form to
 - a) Equifax
 - b) Innovis
 - c) TransUnion
 - d) Experian
 - 4) Update the New Status field to R -REMOVE AP SUBMITTAL on the Credit Bureau Reporting Status page.
 - 5) Document Participant Events with the Event Description NCP REMOVED FROM CRA REPORTING and document Event Notes with the detailed reason(s) for removal.
 - 6) The automated system updates to indicate that the NCP has been referred for removal and includes the NCP on the Control-D Monthly Credit Bureau Removal Report, D398.
 - 7) The Specialist sends the *Contact Letter to the Noncustodial Parent* to notify the NCP that he or she has been removed from consumer credit agency reporting.
16. If an NCP contacts the Division about his or her referral to a consumer credit reporting agency
- a. The Consumer Response Team and Customer Service Center

- 1) Document Case Events to show the contact and provide details in Event Notes. Refer to [Case and Participant Events](#).
 - 2) Worklist the Specialist to report contact,
 - 3) Worklist the Specialist's Field Supervisor to report second contacts made after 10 days, with worklist notes explaining the situation.
- b. The assigned Specialist receives the written request for an administrative review or appeal hearing. Within 2 business days of receiving the request
- 1) Forward the request for an appeal hearing if an appeal is requested. If a review is requested, conduct the review.
 - 2) Update the New Status filed on the Credit Bureau Reporting Status page with A-AP APPEAL FILED for appeal requests or T-60 DAY SUSPENSION for review requests.
 - 3) Verify the arrearages or worklist a fiscal staff to request arrearages verification and include notes explaining the situation.
 - 4) Remove the temporary hold after the case is reviewed and all necessary action is taken or the appeal decision is received.
17. Consumer Response Team staff receive, process or coordinate the processing of from consumer credit reporting agencies and financial institutions inquiries for a specific NCP.
- a. For a financial institution inquiry, request a signed authorization for release of information. Provide the information when the authorization is received.
 - b. For a consumer credit reporting agency inquiry, verify the identity of the caller or validity and request the NCP's name, address and SSN.
 - c. Limit the information provided to
 - 1) High balance
 - 2) Current balance and
 - 3) The last 2 payments received
 - d. Document Participant Events with the Event Description ARREARAGES INFO REQUESTED and document Event Notes with the
 - 1) Name of the entity and person requesting the information
 - 2) Date of the request and how it was received (mail, fax or phone)

- 3) Date of the written authorization (for all inquiries other than the consumer credit reporting agencies)
 - 4) High balance reported
 - 5) Current balance reported and
 - 6) Last 2 payments received reported
- e. Include all additional documentation necessary. Refer to [Case and Participant Events](#).
18. The Consumer Response Team coordinates research of disputed referrals and complete Consumer Dispute Verification documents. Consumer credit reporting agencies delete disputed amounts when no response is received within 30 calendar days.
- a. Reviews the NCP's cases' Case Account Statements and complete the Consumer Dispute Verification within 1 working day.
 - b. Create 2 Participant Event entries
 - 1) CRA DISPUTE DOC RECVD MM/DD/YY using the date received.
 - 2) CRA DISPUTE REV COMPL MM/DD/YY using the date verification was completed and returned.
 - c. Add Event Notes that indicate the
 - 1) Name of the consumer reporting agency that submitted the dispute document and
 - 2) Amount reported in response to the dispute
19. *Notices* Returned by the Postal Service
- a. **Returned *Notices* are sent to Home Office to the Consumer Response Team, who sort and forward the *Notices* to the District Offices.**
 - b. District Office staff create a Participant Event with Event Description CRA LTR RETD BY PO. Include in the Event Notes the date the *Notice* was received in the District Office and all additional documentation necessary. Refer to [Case and Participant Events](#).
 - c. If the automated system as a different mail or residential address than the address the *Notice* was sent to, re-mail the *Notice* and update Participant Events with the Event Description CONSUM AGENCY LTR REMAILED MM/DD/YY using the date the *Notice* was remailed.

- d. If the automated system lists the same address and no new address is found for the NCP, refer the case to [Locate](#).

20. Case Closure

When a case closes and the receivable subaccount balance is adjusted to zero, the automated system reports the case to consumer credit reporting agencies one more time to update the files to zero.

(08/2017)

Chapter 8: Review and Adjustment

8.1 Review and Adjustment Process

G. CP Lost of Contact or Deceased on an ARRP Case (xx/2023) **New Section

1. If an NCP requests a review on an ARRP case and the CP is deceased or cannot be located, proceed with the review process as the only parties necessary to complete the review are the NCP and the Division. When these circumstances apply, take the following steps
 - a. Create a SELF Event in Case Events to document that the CP is deceased or cannot be located.
 - b. Except for not serving the NOPR on the CP, follow procedures already in place for conducting a review for *Administrative Support Orders (ASO)* and court orders. Refer to *Determining Income* [ADD LINK], *Deviation from the Child Support Guidelines* [ADD LINK] and *Review and Adjustment Procedures*[ADD LINK].
2. For ARRP cases with an ASO, conduct the review.
 - a. Once the review is completed and the ASO is modified, the effective date of the ASO is the date the NOPR is generated.
 - b. In the event the NCP appeals the modified ASO, the only appeal period applicable is the NCP's.
3. For ARRP cases with a court order, complete the appropriate documents to e-file the *Motion to Amend or Review Order*, for the court to address the modification request.

8.2 Review and Adjustment Procedure

A. Processing the Review Request (xx/2023)

1. Either party in a IV-D case can submit a request for the review. The request can be submitted using the *Request for Review and Adjustment*, informally in writing, via email, via the MCS portal or verbally.
2. When the review request is received, the responsible Review and Adjustment (R&A) caseworker
 - a. Creates a SELF event in Case Events with the event descriptor REVIEW REQUEST RECEIVED.
 - b. Documents in the Event Notes which party requested the review, the date the review request was received, the manner in which the review was received (verbal, by email, etc.) and, when provided, the reason for the review request.
 - c. Reviews the request, the support order and the case facts.
 - 1) If the support order is not a Virginia order but Virginia is the appropriate state to modify, take action to have the support order registered in Virginia. Refer to [Registration for Modification of Interstate Support Orders](#).
 - 2) If the support order needs to be remanded from circuit court, complete a *Legal Services Referral*. Refer to [Referring Cases to Legal Counsel](#).
 - 3) If neither the CP nor NCP reside in the Virginia jurisdiction that issued the order, the prepare a *Motion to Amend or Review Order* selecting the Venue Transfer option and file simultaneously with the *Motion to Amend or Review Order* (Proposed Modified Order or Standard) with the issuing court.
 - 4) **If the CP is deceased or cannot be located on an ARRP case when an NCP has requested a review, proceed with the review as the only two parties necessary to conduct the review are the NCP and the Division.**
 - d. Determines within 3 days of receiving the review request, or within 5 days of receiving the CFRA worklist, whether or not to conduct the review. If the caseworker does not disposition the CFRA worklist or generate the *Notice of Proposed Review (NOPR)* the day the worklist is received, the automated system starts the review process and issues the *Notice of Proposed Review* via overnight batch-processing.
 - e. **The Division only initiates reviews for incarcerated NCPs using RQDC when the review request received indicates incarceration as the reason for the request and the NCP has**

been incarcerated for less than 180 days. Within 15 calendar days of receiving a review request from an incarcerated NCP, the Review and Adjustment caseworker will verify that the NCP has been incarcerated 180 consecutive days. If the NCP has not been incarcerated at least 180 consecutive days, the Review and Adjustment caseworker will

- 1) Add the NCP's name to the Review and Adjustment tracker, including date the NCP will reach 180 days.
 - 2) Use the NRIN (Incarcerated NCP) code to disposition the Review and Adjust page to indicate the review was denied.
 - 3) Send the *Notice of Right to Request a Review of Your Child Support Due To Incarceration Status* to the NCP.
 - 4) When the review tracker indicates the NCP has been incarcerated 180 days, the Review and Adjustment caseworker will verify the NCP has been continuously incarcerated.
 - 5) The Review and Adjustment caseworker will initiate the review using the RQDC request type after incarceration verification.
- f. When Virginia does not have CEJ and it is determined that the other state will complete the review and adjustment, terminate the review using the RQWD code and document the case specifying that the other state will conduct the review. Send all required UIFSA forms and attachments to the other state. Refer to the [UIFSA forms Matrix](#).
3. When the review request is submitted via email to the askdcse@dss.virginia.gov, upon receipt of the email, the Resolution Specialist forwards the email to the Division's Review and Adjustment Team at dcsevadjteam@dss.virginia.gov. The R&A Team images the email and the accompanying documents to Perceptive.
 4. When the review request is submitted via direct email to Division staff other than the R&A Team, staff document case events, complete the [Review Request Form](#) and forward to the Review and Adjustment Team Perceptive queue within 3 business days. The email recipient images the email and any attachments to Perceptive. Refer to the [SELF Events Documentation Table](#) and [Electronic Communications](#) for documentation requirements.

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B. Obtaining the Review Information (xx/2023)

1. Within 3 business days of receiving a review request or 5 business days of receiving the CFRA worklist, contact both parties, conduct an interview, explain the review process and provide direct contact information.

a. Because the determination whether to conduct the review must be made within 3 or 5 business days, staff should attempt phone contact within 1 business day of receiving the worklist or the request.

b. If the initial contact with either party is unsuccessful, within 1 business day there should be at least 1 additional attempt to contact the party by phone. Use all available phone numbers. If unable to contact a party by phone, if an email address is available, send an email requesting the party contact the review and adjust caseworker.

c. Refer to [Interviewing and Communications](#) for documentation requirements.

2. Requesting Party

a. If the review request was not submitted on the *Request for Review and Adjustment* and the reason was not provided in the informal request, obtain this information. If the *Financial Statement* and, when applicable, the *Health Insurance Verification Notice*, were not submitted with the review request, request the information needed over the phone.

b. If the request is a special circumstances review request and supporting documentation was not submitted with the request, advise the party that the documentation must be submitted within 5 business days.

c. Request the party provide any needed documentation within 5 business days and submit it via

1) The MCS portal

2) Email to the R&A caseworker

3) Mail to the District Office

4) Fax to the District Office

d. Verify if the party is willing to receive documents from the Division via the MCS portal or email and document this information in the Case Event notes.

3. Nonrequesting Party

a. Advise the party that the other party has requested a review of the support order.

- b. Ask for information needed, including financial information. Do not obtain financial information from a TANF recipient or caretaker and do not send a *Financial Statement* to a TANF recipient or caretaker.
- c. **If the nonrequesting party is deceased or cannot be located on an ARRP case, create a SELF event in Case Events, document your findings that the CP is deceased or cannot be located, and proceed with the review process.**
- d. Determine if the party is willing to receive documents and accept service of any required documents via the MCS portal or email, including the *Waiver of Formal Service of Process (Waiver)*. If the party agrees to receive documents via the MCS portal or email, explain that they will need to sign and return the *Waiver* when it is received, and that signing the *Waiver* indicates they are willing to accept the *NOPR* via MCS or email.
- e. Request the party provide any needed documentation within 5 business days and submit it via
 - 1) The MCS portal
 - 2) Email to the R&A caseworker
 - 3) Mail to the District Office
 - 4) Fax to the District Office.
- f. If the party is willing to receive documents from the Division via the MCS portal or email, document this information in the Case Event notes.

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C. Corroborating Documentation (XX/2023)

- 1. For a special circumstances review, the requesting party is required to provide proof of a change in circumstances within ~~5-business~~ **15 calendar** days. Acceptable documentation of a proof of change in circumstances includes
 - a. An employer letter stating that the individual was laid off or furloughed, including a form letter not addressed to a specific employee,
 - b. Proof of application for unemployment benefits,
 - c. Verification of receipt of unemployment benefits,
 - d. A physician's letter indicating the individual's inability to work due to illness, including specific dates (if known),

- e. Proof of childcare costs increase or decrease,
 - f. Proof of health care cost increase or decrease,
 - g. Proof of changes due to a pandemic, such as letter from childcare provider or school stating closure date.
2. If documentation is not provided and cannot be verified using available resources, attempt to contact the employer, childcare provider, etc., by phone to verify changes. Make at least 2 attempts by phone to obtain the information. Document Case Events with the information obtained. Refer to [Interviewing and Communications](#).
 3. ~~If the contact attempts are unsuccessful and no other documentation is available, a written statement from the affected party is sufficient.~~
 4. While the requesting party has ~~5-business~~ 15 calendar days to provide documentation, the decision to conduct the review must still be made within 3 business days of receiving the review request. If the proof of change in circumstances has not been verified within the 3 business day period, start the review.
 5. ~~If the requesting party fails to provide the appropriate documentation within 15 calendar days and the Division is unable to substantiate that special circumstances exist, terminate the review.~~

(02/2021) (09/2022)

D. Issuing the Notice of Proposed Review (xx/2023)

1. Once the decision is made to grant the review, update the Request Type field on the Review and Adjustment page. Refer to Updating the Review and Adjust page in the iAPECS User Guide [Chapter 5, Order Management](#).
2. Generate the *Notice of Proposed Review (NOPR)*. Send the *NOPR*, and when applicable, the *Financial Statement* and the *Health Insurance Verification Notice*, to the parties via the MCS portal or email when the parties have agreed to receive the documents in this manner.
 - a. If the nonrequesting party has agreed to receive documents via MCS or email, include the *Waiver of Formal Service of Process*.
 - b. Request the parties return the documents within 5 business days.
 - c. ~~The NOPR is not served on an ARRP case when the CP is deceased or cannot be located.~~

- d. Use the language found in [Review and Adjustment Customer Contact Standard Language](#) in the body of the MCS message or email, ensuring that the party's name/ title is correct and that it only lists the documents attached to the MCS message or encrypted email.
 - e. If a party has not agreed to receive documents via the MCS portal or email or 5 business days have passed and the party has not returned required documentation,
 - 1) For the requesting party, send the NOPR and any accompanying documents via first class mail.
 - 2) For the nonrequesting party, send NOPR and any accompanying documents for formal service. If sent for sheriff or private process server service, send 2 copies to the sheriff's office or private process server and send one copy via first class mail. For certified mail, send 1 copy via certified mail and 1 copy via first class mail, ensuring that the certified mail tracking number is documented in the Notes for the REVP Case Event.
3. When the *NOPR* is generated by the automated system, the mail vendor sends the *NOPR* to the requesting party by first-class mail and to the nonrequesting party by certified mail return receipt requested and first-class mail. Access the "Daily Reports from BMS" to obtain the certified mail tracking number from the vendor and add this information to the notes under the REVP event type.

(02/2021) (09/2022)

F. Issuing Administrative Support Orders (xx/2023)

1. Send the modified *Administrative Support Order (ASO)* to the NCP (which includes the *Child Support Guidelines Worksheet*). Review Case Event notes to determine if the parties agreed to receive documents via the MCS portal or email.
 - a. If the NCP agreed to receive service via the MCS portal or email, send the ASO (which includes the *Child Support Guidelines Worksheet*) and a *Waiver of Formal Service of Process (Waiver)* to the NCP with a request that he/she return the signed *Waiver* within 5 business days via the MCS portal or email. Refer to [Review and Adjustment Customer Contact Standard Language](#) and [Interviewing and Communications](#) for documentation requirements.
 - b. If the NCP did not agree to receive service via the MCS portal or email or the NCP does not return the signed *Waiver* within 5 business days, proceed with other methods of service.
 - 1) Sheriff, or private process server. Send 2 copies to the sheriff or private process server and send 1 copy via first class mail or

- 2) Certified mail, restricted delivery. Send 1 copy via certified mail, recording the USPS tracking number in Case Event notes for the EASO Case Event.
- c. Once the served ASO is received, send a copy of the served ASO to the CP within 5 business days.
 - 1) Send via the MCS portal or email, if the CP agreed to receive documents via these methods.
 - 2) Send via first class mail if the CP did not agree to receive documents via these methods.
- d. The appeal period is 10 days. For the NCP, it is 10 calendar days from the date the NCP signed the *Waiver* or received formal service. For the CP, it is 10 calendar days from the date the served ASO is sent. If the served ASO is sent via first class mail, allow an additional 5 calendar days for mailing.
- e. **Only the NCPs appeal period is applicable on an ARRP case when the CP is deceased or cannot be located.**
- f. If an appeal is filed, refer to [Administrative Appeals](#) and [Administrative Hearings](#).
- g. Enter the modified order and update the automated system within 2 days of the expiration of the appeal periods or the Hearing Officer's decision. Use the appropriate Modification Reason code on the order record; do not use MCOR. Refer to [Adding Subsequent Support Orders](#) and [Special Status Indicator](#).

(02/2021) (09/2022)

Chapter 9: Intergovernmental Services

C. Division Responsibilities (XX/2023)

1. General Responsibilities

- a. Use federally approved forms unless a country has provided alternative forms as part of its chapter in the OCSE publication [A Caseworker's Guide to Processing Cases with Foreign Reciprocating Countries](#). When using a paper version, this requirement is met by providing the number of complete sets of required documents needed by the responding agency.
- b. Transmit requests for information and provide requested information electronically to the greatest extent possible.

- c. Within 30 working days of receiving a request, provide any order and payment record information requested by a State IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the agency when the information will be provided.
- d. Notify the other agency handling an intergovernmental case within 10 working days of receipt of new information on the case.
- e. Cooperate with requests for the following limited services
 - 1) Quick locate
 - 2) Service of process
 - a) Directly contact via telephone, fax, or other means, the sheriff or other appropriate official in another agency in another state to request personal service of process in the other jurisdiction.
 - b) Send the request for assistance/discovery on the Transmittal #3 only if attempts have been unsuccessful. Attach documentation as necessary for service of process.
 - 3) Assistance with discovery
 - 4) Assistance with genetic testing
 - 5) Teleconferenced hearings
 - 6) Administrative reviews
 - 7) High-volume automated administrative enforcement
 - 8) Providing copies of court orders and payment records
 - 9) Attaching unemployment compensation benefits and
 - 10) Any other appropriate services

2. Communication Responsibilities

UIFSA communication provisions assist in expediting actions to establish, enforce or modify a support order.

- a. Use the *Child Support Enforcement Transmittal #1- Initial Request, Child Support Enforcement Transmittal #2- Subsequent Action (Transmittal#2) or Child Support Enforcement Transmittal #3- Request for Assistance/Discovery* for referring a case and/or for providing new information.
- b. Use the *Transmittal #2* to provide information about specific actions taken on a case (e.g., the status of a case).

- c. Send documents via the Electronic Document Exchange (EDE) application in the Child Support Portal when applicable.
 - 1) For the most current information about state participation, once in the EDE application, select the EDE State Status Map and Information and click on a specific state.
 - 2) After uploading a document to EDE, staff must remove any saved document that contains PII from their PC.
 - d. Review incoming EDE requests within 5 business days of the EDE document receipt date to download the document(s) and/or to view document requests. If the incoming request has an incorrect FIPS code, District Office staff update the request with the correct FIPS code to allow the EDE to automatically route the request to the appropriate locality.
 - e. Any state or tribe can request, in writing or verbally, information about the UIFSA laws of another state or tribe; the legal effect of a judgment, decree or order of that tribunal or the status of a proceeding in the other state. Provide this information to another state or tribe when a request for information concerning Virginia's laws or legal effect of a judgment, decree or child support order upon receipt of a request.
 - f. Refer to Initiating State Responsibilities <ADD LINK> and Responding State Responsibilities <ADD LINK>
3. ~~As the~~ Initiating State Responsibilities Process intergovernmental cases according to the following program standards:
- a. Access all appropriate sources, including Federal Parent Locator Service (FPLS), and ensure that location information is sufficient to take the next appropriate action within no more than 75 calendar days of determining that location is necessary.
 - b. Follow this priority of action when determining what remedy to use in a case:
 - 1) Use administrative processes whenever possible.
 - a) Administrative long arm
 - b) Income withholding directly to the NCP's employer
 - 2) Initiate an intergovernmental request to the other state's IV-D agency, or
 - 3) File a UIFSA petition.

- c. Determine whether ~~or not~~ there is a support order or orders in effect in a case using the Federal and State Case Registries, State records, information provided by the recipient of services, and other available information.
- d. Determine in which state a determination of the controlling order and reconciliation of arrearages may be made where multiple orders exist.
- e. Determine whether the NCP is in another jurisdiction and whether it is appropriate to use long-arm jurisdiction to establish paternity and to establish, enforce and modify a support order, including medical support and income withholding.
- f. Within 20 calendar days of completing the actions required in paragraphs c through e above, and if appropriate, receipt of any information needed to process the case.
 - 1) If a determination of the controlling order and reconciliation of arrearages are needed, file a request for that determination and reconciliation within the appropriate Virginia court or refer the case to the appropriate agency in the responding jurisdiction to have that determination and reconciliation made; and
 - 2) If the use of long-arm jurisdiction is not appropriate, refer the case to the appropriate jurisdiction for action.
- g. Provide the responding agency with sufficient and accurate information to act on the case by submitting with the case any necessary documentation and intergovernmental forms.
- h. Within 30 calendar days of receipt of a request for information, provide the responding agency with requested additional information or notify the responding agency when that information will be provided.
- i. ~~Send documents via the Electronic Document Exchange (EDE) application when applicable. Division staff save a soft copy of the document from Perceptive when available or export the document from the automated system. When the document is not available in Perceptive, save a soft copy through the personal computer (PC) from the Managed Printer and list the locate district FIPS code. After uploading a document to EDE, staff must remove any saved document that contains PII from their PC. The EDE State Status Map and Information and the EDE Quick Guide provide the most current listing of participating states.~~
- j. ~~Review incoming EDE requests within 5 work days of the date that the document is received in EDE to download documents and/or to view requests to upload documents. For incoming requests received with the incorrect FIPS code, District Office staff update the request with the correct FIPS code, and the EDE will automatically route the request to the appropriate locality.~~

- k. Notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under a Virginia order being enforced in the responding jurisdiction.
 - l. In a case in which the support order was issued in a foreign currency, reconcile the arrearages every 12 months with the appropriate foreign country because the exchange rate is constantly changing. Provide the parties to the case a statement of the recalculated arrearages in U.S. dollars. Refer to [Receivables Maintenance](#).
 - m. Submit all past-due support owed in IV-D cases that meet the certification requirements for Federal tax refund offset.
 - n. Send a request for review of a child support order to another state within 20 calendar days of determining that the request should be sent to the other state and of receipt from the requestor of information necessary to conduct the review.
 - o. Distribute and disburse any support collections received in accordance with applicable state and federal law.
 - p. Notify the responding agency within 10 business days of receipt of new information, and of case closure that the Division has closed its case, and the basis for closure.
 - q. Before sending an income withholding order to an employer with respect to an intergovernmental case, instruct the responding agency to stop any income withholding order it has sent to an employer on the same case, unless the 2 states reach an alternative agreement on how to proceed.
 - r. If the Division has closed its case but has not notified the responding agency to close its case make a diligent effort to locate the obligee, including use of the FPLS and the State Parent Locator Service, and accept, distribute and disburse any payment received from the responding agency.
 - s. Forward 3 copies of the petition and its accompanying documents to the Responding State's Central Registry.
 - t. When requesting IV-D services from another state, District Offices should send the request to the Central Registry in that state.
4. ~~As the~~ Responding State **Responsibilities**– Process intergovernmental cases according to the following program standards:
- a. Accept and process an intergovernmental request for services, regardless of whether the initiating agency elected not to use long-arm jurisdiction or other remedies that may be available under the law of that jurisdiction.

- ~~b. Send documents via the Electronic Document Exchange (EDE) application when applicable. Division staff save a soft copy of the document through their PC and list their local district FIPS code. After uploading a document to EDE, staff must remove any saved document that contains PII from their PC. The EDE State Status Map and Information and the EDE Quick Guide provide the most current listing of participating states.~~
- ~~c. Review incoming EDE requests within 5 work days of the date that the document is received in EDE to download documents and/or to view requests to upload documents. For incoming requests received with the incorrect FIPS code, District Office staff update the request with the correct FIPS code, and the EDE will automatically route the request to the appropriate locality.~~
- d. Within 75 calendar days of receipt of a request of an intergovernmental form and documentation from Virginia's Central Registry:
 - 1) Provide location services if necessary
 - 2) Notify the Initiating State of additional documents or information needed or corrections to the request
 - 3) If the documentation received is incomplete and cannot be remedied without assistance from the Initiating State, process the case to the extent possible pending receipt of additional information requested from the Initiating State. The Division cannot reject a request from another state or return it to that state. The case may be closed when the intergovernmental case closure criteria are met.
- e. Cases received by a District Office directly should be forwarded to the Central Registry within 1 business day.
- f. When the Central Registry is unable to update a payee code for an incoming UIFSA because the CP has a direct pay companion case in Virginia, a case level hold is placed on the interstate case and forwarded to the appropriate District Office.
 - 1) When a payment is received, the payee code will need to be added so that the payment can be processed to the other state.
 - 2) The payee code is immediately removed after the payment is processed and the case level hold added back. This process will need to occur every time that a payment is received. The Division may contact the CP about the option of applying for intergovernmental services for his or her other case; however, the CP is not required to do so.

- g. When a UIFSA petition is received in the District Office in error, forward it to the appropriate Division Office or Central Registry in the other state. Notify the Initiating State where and when the UIFSA petition was sent.
- h. Within 10 working days of locating the NCP in a different State, the Division must return the forms and documentation, including the new location, to the initiating agency, or if directed by the initiating agency, forward the forms and documentation to the Central Registry in the State where the NCP has been located and notify the Division Central Registry of that action.
- i. If the request is for a determination of the controlling order:
 - 1) File the request with the appropriate Virginia court within 30 calendar days of receipt of the request or location of the NCP, whichever is later; and
 - 2) Notify the Initiating State agency, the controlling order State, and any State where a support order in the case was issued or registered, of the controlling order determination and any reconciled arrearages within 30 calendar days of receipt of the determination from the tribunal.
- j. Provide any necessary services as would be provided in an intrastate IV-D case, including:
 - 1) Establishing paternity and, if the initiating agency requests it, attempting to obtain a judgment for child birth costs if paternity is established
 - 2) Establishing a child support obligation
 - 3) Reporting overdue support to consumer credit reporting agencies
 - 4) Processing and enforcing orders referred by an initiating agency, either pursuant to UIFSA or using other legal processes, and submitting the case for such other Federal enforcement techniques as the Division determines to be appropriate, including administrative offset and passport denial
 - 5) Collecting and monitoring any support payments from the NCP and forwarding payments to the location specified by the initiating agency within 10 business days after receipt of the payment, except certain tax refund intercepts. When forwarding payments, include
 - a) Sufficient information to identify the case
 - b) Date of collection and
 - c) The Division's state identifier and locator code

- 6) Reviewing and adjusting Virginia child support orders upon request
- k. Provide timely notice to the initiating agency of any hearing before a tribunal that may result in establishment or adjustment of an order.
- l. Identify any fees or costs deducted from support payments when forwarding payments to the initiating agency.
- m. Within 10 working days of receipt of instructions for case closure from an Initiating State agency, stop the Division's income withholding order and close the intergovernmental case, unless the 2 states reach an alternative agreement on how to proceed.
- n. Notify the initiating agency when a case is closed.
- o. Pay the costs incurred in processing intergovernmental cases, including the costs of genetic testing. If paternity is established, the Division may seek recovery of the costs of testing from the alleged father who denied paternity.
- p. Visitation cannot be made a part of a support petition in Virginia.
- q. Send the *Child Support Enforcement Transmittal #2- Subsequent Actions* to the Initiating State to inform of the actions taken on the case. If a support order is issued, attach copies of the order and send it by first class mail.
- r. Use administrative remedies when possible when responding to a request from an Initiating State.
- s. An NCP cannot raise paternity as an issue when paternity has already been determined in another state.
- t. File the petition with the court only when administrative action cannot be taken or in conjunction with an administrative action.

5. ~~As a~~ Responding Tribunal Capabilities,

Virginia may

- a. Issue or enforce a support order
- b. Modify a child support order
- c. Establish paternity
- d. Order an NCP to comply with a support order, specifying the amount and manner of compliance
- e. Order income withholding

- f. Determine the amount of any arrearage, and specify a method of payment
 - g. Enforce orders by civil or criminal contempt, or both
 - h. Seize and sell property of the NCP
 - i. Place liens on the NCP's property
 - j. Order an NCP to keep the Division informed of his or her current residential address, telephone number, employer, address of employment, and telephone number at the place of employment
 - k. Request a *capias* (issued by the court) for an NCP who failed after proper notice to appear at a hearing ordered by the tribunal and enter the *capias* in any local and state computer systems for criminal warrants
 - l. Order (or ask the court to order) the NCP to seek appropriate employment by specified methods
 - m. Award reasonable attorney's fees and other fees and costs
 - n. Suspend professional licenses
 - o. Any other available remedy
6. A Virginia tribunal may not condition the payment of a UIFSA- issued support order upon a party's compliance with visitation provisions.
7. Send the *Child Support Enforcement Transmittal #2- Subsequent Actions* to the Initiating State to inform of the actions taken on the case. If a support order is issued, attach copies of the order and send it by first class mail to the parties and the initiating tribunal.
8. Notify the Initiating State of the receipt of new information within 10 business days.
9. Notify the Central Registry when the case closes. Refer [Closure of Intergovernmental Cases](#).
10. Use administrative remedies when responding to a request from an Initiating State.
11. An NCP cannot raise paternity as an issue in a case brought under UIFSA when paternity has already been determined in another state.
12. File the petition with the court only when administrative action cannot be taken or in conjunction with an administrative action.
13. NCPs residing outside of Virginia who have a Virginia court or administrative support order may participate in the TANF Debt Compromise Program (the Program).
- a. The NCP must speak directly with the Enforcement Specialist in person or telephonically.

- 1) The Specialist determines the NCP's income and the tier of the Program for which the NCP qualifies.
 - 2) Non-resident NCPs only qualify for Tier 2 or Tier 3 of the Program.
- b. For intergovernmental cases, use the *Transmittal #2* to notify the responding state when the NCP enrolls in the Program. Include a copy of the completed *TANF Debt Compromise Payment Agreement* and notify the responding agency that
- 1) The Division will only compromise debt owed to the Commonwealth of Virginia and
 - 2) The Division will send an account summary when an adjustment is made to provide accurate arrears information.
- c. Refer to [TANF Debt Compromise Procedures](#).

(04/2017) (4/2018) (05/2018) (07/2018) (06/2019) (12/2020)

D. Central Registry Responsibilities (XX/2023)

1. The Division's Central Registry is responsible for receiving, distributing, and acknowledging receipt of all incoming intergovernmental cases, except when another state sends an income withholding order directly to a NCP's employer.
2. The Central Registry is responsible for forwarding non-IV-D cases to the appropriate court. Non-IV-D cases are generally
 - a. Spousal only
 - b. Cases received directly from an individual (e.g., an attorney), where there is no application for services included
 - c. Cases received directly from a Virginia court to be forwarded to the other state's court or
 - d. Cases received directly from another state's court to be forwarded to a Virginia court
3. The Central Registry receives new requests for IV-D services, UIFSA documents, and solicited and unsolicited documents without a local FIPS code via the Electronic Document Exchange (EDE). Central Registry staff
 - a. Receive incoming non-UIFSA requests for existing Division cases, update the request and route it to the appropriate locality in the EDE;
 - b. Upload the EDE UIFSA document to Perceptive and
 - c. Forwards certified and original UIFSA documents to District Offices via the Department's interoffice courier.

4. Inquiries from other states include initial requests for IV-D action, UIFSA petitions, locate only requests, requests for intergovernmental income withholding in IV-D cases and other services as specified in [Division Responsibilities](#).
5. All cases initiated by another IV-D child support agency or foreign country should pass through the Central Registry in Virginia, except when an income withholding request is sent directly to the NCP's employer.
6. Cases initiated by a foreign country should be coded IV-D and forwarded to the appropriate District Office for processing. The UIFSA package serves as an application when it comes from the child support agency of a foreign country. Refer to the [OCSE website](#) for a list of countries declared by the U.S. government as foreign reciprocating countries.
7. If the payee code cannot be updated for the incoming UIFSA because the CP has a direct pay companion case in Virginia, proceed with timely processing of the UIFSA. Put detailed notes in case events about the payee code status, put a hold on the case, and forward the case to the appropriate District Office.
8. While Central Registry may receive a *Transmittal #1 – Initial Request* via the Child Support Enforcement Network (CSENeT), the Division requires a paper *Transmittal #1* to provide services. The paper *Transmittal #1* can be received via the Electronic Document Exchange (EDE). If received via EDE, it must be downloaded and scanned into Perceptive.
9. Within 10 business days of receiving an intergovernmental case, the Central Registry
 - a. Reviews the documentation submitted with the case to ensure that it is complete.
 - b. Requests any missing documents or information
 - c. Forwards the case to the SPLS, if the NCP's address information is insufficient
 - d. Determines whether Virginia is the correct state to modify the order when modification is requested
 - 1) If it is determined that Virginia is not the correct state to modify
 - a) Determine which is the correct state
 - b) Forward the request to the appropriate state
 - 2) Notify the Initiating State that, under UIFSA principles, Virginia would not be the correct state to modify the order and that its request has been forwarded to the appropriate state for modification.

- 3) Indicate in the "Acknowledgments" section of the *Child Support Enforcement Transmittal #1 Initial Request – Acknowledgement (Acknowledgement)* or *Child Support Enforcement Transmittal #2- Subsequent Actions (Transmittal #2)* or the name of the state the case was forwarded to.
- e. Adds the case to the automated system or updates the case if the case already exists.
 - f. Sets the FVI if the other state has checked the box for “Nondisclosure Finding/ Affidavit Attached” on any intergovernmental documents.
 - g. Sets up the case record
 - h. Forwards the case record along with the *Interstate Request for Provision of IV-D Services* to the appropriate District Office for action
 - i. Sends the completed *Transmittal #1- Initial Request/Acknowledgment* or *Transmittal #2* to the Initiating State giving the Initiating State the name of the District Office to which the case was assigned
 - j. Requests missing documentation or information from the Initiating State and processes the case to the extent possible pending receipt of that documentation or information
 - k. If the Initiating State fails to send documentation necessary for registration, forward the case to the appropriate District Office for enforcement anyway, as the Division is still able to take some enforcement actions without registration
 - l. Request the Initiating State to complete the *Acknowledgment of Paternity* when it has requested paternity establishment but has not provided a sworn statement from the mother
 - m. Do not ask the Initiating State to complete the *Acknowledgment of Paternity* when it has provided the mother's sworn statement
 - n. Respond to inquiries from other states within 5 business days of receipt of a request for a case status review
 - o. If the documentation received from the other jurisdiction is incomplete and cannot be remedied by the Central Registry without assistance from the initiating agency, forward the case for any action that can be taken while waiting for needed action by the initiating agency. The Division does not have the option of rejecting or returning intergovernmental requests whose documentation is incomplete or inadequate. Such cases may eventually be closed if the closure criteria are met. Refer to [Reasons for Case Closure](#).
10. Work incoming UIFSA requests for Limited Services cases.

- a. A Limited Services case results when an Initiating State asks another State to take 1 or 2 specific actions that will allow the case to still be worked as a one-state case (e.g., by long-arm jurisdiction). Generally, in a Limited Services case, the Initiating State just needs a small, but often crucial, part of the case processing activity completed by another IV-D agency. The idea is to help the Initiating State process its case by providing a one-time service. The Responding State is not involved for the life of the case.
- b. Virginia will act as a Responding State in response to an incoming *Child Support Enforcement Transmittal #3- Request for Assistance/Discovery (Transmittal #3)*. A few Limited Services request require a *Transmittal #1*. Virginia may also choose to ask another state IV-D agency for assistance with a case by sending a *Transmittal #3* request.
- c. The Initiating State can ask the Responding State to conduct or help secure one of the following:
 - 1) "Quick locates"
 - 2) Service of process

Directly contact via telephone, fax or other means, the sheriff or other appropriate official in another agency in another state to request personal service of process in the other jurisdiction. Send the request for assistance/discovery on the *Transmittal #3* only if attempts have been unsuccessful. Attach documentation as necessary for service of process.

- 3) Genetic testing
- 4) Assistance with discovery for court or hearing purposes
- 5) Certified payment records
- 6) Seizure of assets
- 7) Order copies
- 8) Lien filings
- 9) Teleconferencing hearings
- 10) Administrative reviews
- 11) Attachment of unemployment compensation benefits
- 12) High-volume automated administrative enforcement (interstate FIDM); and
- 13) Any other limited service that can appropriately be provided.

d. When a *Transmittal #3* is received, it is handled by the Central Registry.

1) The following *Transmittal #3* requests require that a case be set up on the automated system. These cases will be closed as soon as the action is completed and the Initiating State notified

a) Genetic testing

b) Lien filings

2) The following *Transmittal #3* requests do not have a case set up on the automated system

a) "Quick locates"

b) Service of process

c) Assistance with discovery

d) Certified payment records

e) Order copies

3) The following *Transmittal # 1* requests require a case to be set up on the automated system

a) Attachment of unemployment compensation benefits. These requests will require a closure request from the Initiating State in order to close the case.

b) Seizure of assets. These cases will close as soon as the action is completed and the Initiating State is notified.

e. When building a Limited Services case on the automated system

1) Use the case type NIVD (non-IV-D)

2) Use locality code 900 (Home Office/Central Registry)

3) Create a Case Event using the Event Description "Limited Services Case". Update the Event Notes stating what action the Initiating State requested.

f. Accepting the Limited Services Requests Requirements

1) Receipt of a *Transmittal #1* or *Transmittal #3*

2) If the request is for assistance with lien filing or seizure of assets, a certified arrearages balance/payment history is necessary.

- 3) If the request is for attachment of unemployment compensation benefits, a certified arrearages balance/pay history and certified court order are necessary. If the Initiating State does not provide the certified pay history, continue with case processing and notify the Initiating State to provide this information.
 - 4) If the request is for the seizure of a bank account, the other state must provide the FIDM financial institution and account information. In addition to the existing criteria for filing an *Order to Withhold*, Virginia will not process the request unless there is a minimum balance of \$500 in the account. Refer to [Order to Withhold](#).
 - 5) When filing an *Order to Withhold*, Central Registry staff will attach the *Order to Withhold Addendum ~~Non-IV-D Limited Services Case~~* to the document. The addendum provides the NCP with the appropriate contact information for the Initiating State in the event he or she wishes to file an appeal the *Order to Withhold*.
- g. Central Registry staff takes requested *Transmittal #3* actions according to existing procedures for working intrastate and intergovernmental full services cases. Refer to the appropriate section of the Program Manual for procedures on specific actions.

(11/2013) (04/2016) (04/2017) (08/2017) (04/2018) (05/2018) (12/2018)

I. ~~Tribunal Communication and Cooperation (08/2017)~~ (moved to Section C above)**

1. ~~UIFSA allows for much broader communication between states to expedite establishment, enforcement or modification of a support order.~~
2. ~~A request for information about the laws of another UIFSA state; the legal effect of a judgment, decree or order of that tribunal or the status of a proceeding in the other state may be made in writing or by telephone.~~
3. ~~Provide the same information to another state when a request for information concerning Virginia's laws or legal effect of a judgment, decree or child support order is made in writing or by telephone.~~
4. ~~Use the *Child Support Enforcement Transmittal #1 – Initial Request, Child Support Enforcement Transmittal #2 – Subsequent Action (Transmittal#2)* or *Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery* for referring a case and/or for providing new information.~~
5. ~~Use the *Transmittal #2* to provide information about specific actions taken on a case (e.g., the status of a case).~~
6. ~~Provide assistance to another state when~~

- a. ~~Asked to assist in obtaining discovery and~~
 - b. ~~Upon request, request the NCP to respond to a discovery order issued by another state.~~
7. ~~The Division's District Offices will cooperate with other state IV-D agencies by providing appropriate locations for depositions or testimony of parties by telephone, audiovisual or other electronic means.~~

Chapter 10: Legal

10.1 Administrative Reviews and Appeals

D. Administrative Appeals (~~xx/2023~~)

1. An administrative appeal is a formal hearing that gives an appellant the opportunity to contest actions taken by the Division.
2. Either party may formally appeal any of the provisions of an ASO.
3. The NCP appeals an action when he or she formally contests certain enforcement actions taken by the Division. These actions are:
 - a. [Federal Income Tax Offset – FMS Offset Notice](#)
 - b. [Federal Income Tax Pre-Offset Notice](#)
 - c. [Passport Denial](#)
 - d. [Order to Withhold](#)
 - e. [State Income Tax ~~Intercept/~~ and Lottery Winnings Intercept](#)
 - f. [Vendor Payment Intercept ~~Notification~~](#)
 - g. [Income Withholding for Support](#)
 - h. [Consumer Credit Agency Reporting](#)
4. The NCP may only appeal the Division's actions to enforce a support order enforcement based on
 - a. Mistake of fact
 - 1) An error in the identity of the NCP or
 - 2) An error in the amount of current support or past due support or,

- b. Whether the funds to be held are exempt from garnishment by law
5. Administrative appeals requests must be made in writing.
 - a. If a party verbally indicates that he or she wishes to appeal an action, Division staff and Customer Service Center staff notify the party that he or she must submit a written appeal request within the appropriate timeframe for the given action. If requested, provide the address for the Division of Appeals and Fair Hearings and Civil Rights.
 - b. If the last day of an appeal period falls on a weekend or a holiday, the appellant has until close of business on the next business day to appeal.
 - c. Use the postmark date on the envelope to determine the date of the appeal request.
 6. Immediately forward any written appeal requests received in the District Office to the Department's Division of Appeals and Fair Hearings and Civil Rights.
 7. The Hearing Officer denies appeals requests if the appellant gives an appeal reason other than those allowed by law or regulation or if the appeal request is invalid.
 8. Either party may withdraw his or her administrative appeal request at any time while the appeal is pending.
 9. The administrative appeal process must be completed before the appellant can file a *de novo* appeal of the Hearing Officer's decision with the court.
 10. An appeal to court must be made within 10 or 30 days of receiving the Hearing Officer's decision, depending on the action appealed.
 11. An appeal is abandoned if the appellant fails to appear and does not contact the Hearing Officer to reschedule prior to the date and time of the hearing.
 - a. The Hearing Officer generates and sends an *Administrative Appeal Ruling* to the appellant by certified mail, return receipt requested when the appeal request is abandoned. A copy is sent to the District Office at the same time.
 - b. If the appellant contacts the Hearing Officer after the *Administrative Appeal Ruling* is issued and gives a valid reason for not appearing, the Hearing Officer may schedule another hearing.
 12. Once the Hearing Officer generates the *Administrative Appeal Ruling* notifying the appellant that the appeal request is abandoned, and no notice is received of a rescheduled hearing, the Specialist proceeds with the planned action.

(08/2017)

10.2 Administrative Hearings

F. State **Income Tax and Lottery Winnings Intercept (xx/2023)**

1. State **Income Tax** Offset and Lottery Winnings **Intercept** appeals are based on mistake of fact.
2. The NCP has 30 calendar days from the date of the *State Income Tax **Intercept**/Lottery Winnings/**Vendor Payment Intercept** Notification* to request an administrative appeal.
3. The NCP may appeal the Hearing Officer's decision to Circuit Court within 30 calendar days of the date of receipt of the decision.

(04/2017)

G. **Vendor Payment Intercept (xx/2023)**

1. The Division may intercept a payment due to a vendor of products or services to a state agency when the vendor is an NCP with child support arrearages.
2. Vendor payment intercept appeals are based on
 - a. The amount of the debt claimed is incorrect
 - b. No arrearages are owed or
 - c. The payment is ineligible for intercept
3. The NCP has 30 calendar days from the date of mailing the *State Income Tax/Lottery Winnings/**Vendor Payment Intercept** Notification* to request an administrative appeal.
4. The NCP may appeal the Hearing Officer's decision to the Circuit Court within 30 calendar days of receipt of the decision.
5. The appeal is filed in the locality where the NCP lives. If the NCP does not reside in Virginia, the appeal is filed in the locality of the appropriate District Office.

(08/2017)

K. **Responsibilities of Division Staff (xx/2023)**

1. When the Division of Appeals and Fair Hearings and Civil Rights staff enter an appeal request, a worklist generates to the assigned worker.

2. When the worklist is received, District Office staff
 - a. Review the case to determine if appropriate policy was followed.
 - b. Provide the Hearing Officer with the completed [Summary of Facts for Appeal \(Summary\)](#), found on Fusion, within two days of receipt of the worklist. The Hearing Officer sends a copy of the Summary to the parties.
 - c. Document case events indicating that the *Summary* was provided to the Hearing Officer.
 - d. When the Division receives additional information after sending the Summary to the Hearing Officer or if the Hearing Officer requires more information, provide the information to the Hearing Officer at least 3 working days prior to the hearing.
 - e. Place a hold on the case until completion of the appeal process.
 - 1) For actions other than the **Order to Withhold**, State or Federal Tax Offset, **Lottery Winnings** or Vendor Payment Intercept, once the administrative appeal has been resolved:
 - a) Proceed to work the case and
 - b) Distribute payments received whether a de novo appeal is made to court or not. Refer to [Allocation and Distribution](#) and [Disbursements](#).
 - 2) **Orders to Withhold**
 - a) Do not disburse any payment received until all appeal rights (administrative and court) have been exhausted.
 - b) Once the appeal process is complete, issue either the *Order to Deliver* or the *Notice of Full or Partial Release of Order to Withhold*.
 - 3) State and Federal Tax Offsets, **Lottery Winnings** and Vendor Payment **Notification Intercept**
 - a) Do not disburse any payments received until all of the NCP's appeal rights (administrative and court) have been exhausted.
 - b) Proceed as appropriate once the appeal process is completed.
3. If Division staff receive an appeal request directly, email the request to the Division of Appeals and Fair Hearings and Civil Rights mailbox.
4. Division staff may withdraw an action prior to the hearing date if case review reveals that the action taken was incorrect.

- a. Provide written notice to the NCP, copying other parties as necessary. For ASOs, this includes both parties.
 - b. Create a Case Event indicating the action was withdrawn and the reason.
 - c. Notify the Hearing Officer that the action was withdrawn by sending a worklist.
5. The Specialist receives a worklist providing the date and time of the hearing.
 6. The Specialist or Field Supervisor attends the administrative hearing and explains the Division's actions.
 7. Review Case Events for the Hearing Officer's decision.
 8. Comply with the Hearing Officer's decision within 2 business days of receiving the APHD worklist to check the document repository for a copy of the decision.
 9. If the Hearing Officer modifies the ASO based on evidence presented in the administrative hearing
 - a. Generate a revised ASO using the option titled Revised-Administrative Appeal Hearing Decision.
 - 1) Only update information changed by the Hearing Officer (all other information remains the same as it was on the order that was appealed)
 - 2) The effective date of the revised ASO is the effective date of the ASO that was appealed
 - 3) The start date of the revised ASO is the start date of the ASO that was appealed
 - 4) Provide a copy of the revised ASO to each party (service is not required)
 - b. Document that the amount of the support order has been changed by the Hearing Officer.
 - c. Update the order information in the automated system.
 - d. Send a worklist to the fiscal unit requesting account adjustments if needed.
 - e. Attach a copy of the served *Administrative Hearing Decision* to the revised ASO it amends upon receipt of the document from the Hearing Officer. Refer to the [Perceptive Technical User Guide](#) Section 2.3: Capturing Documentation to Perceptive Content Using Click and Drag or Section 3.5: Merging Documents in Perceptive.
 10. Courts in the Commonwealth and other states recognize the actions taken in item 8 above and afford it the same authority as the ASO it amends.

11. Mail a copy of the served *Administrative Hearing Decision* to the CP when the appellant is the NCP.
12. Send a *Request for Registration of Foreign Support Order* and other court forms necessary to take enforcement action to the Juvenile and Domestic Relations (JDR) Court within 5 working days of receiving a written appeal request of the Hearing Officer's decision in an intergovernmental case. The JDR court notifies both parties when the order is registered.

(11/2014) (03/2016) (04/2017) (08/2017) (03/2020) (12/2020) (09/2022) (04/2023)

Chapter 11: Fiscal

11.11 State Disbursement Unit

C. Electronic Funds Transfer Unit (xx/2023)

1. Virginia law requires all companies with at least 100 or more employees and all payroll processing companies with 50 or more clients to submit child support payments electronically.
 - a. Automated Clearing House (ACH) Credits-Contact may be initiated by the employer to the Electronic Funds Transfers (EFT) Unit or by the EFT Unit to the employer
 - b. The employer is provided with the following information
 - 1) The Commonwealth's account name
 - 2) Name of bank
 - 3) Bank address
 - 4) Account number
 - 5) Routing number
 - 6) Swift Code (International)
 - 7) Federal taxpayer ID
 - 8) FIPS Code
 - 9) Accepted file formats
 - 10) VDSS EFT contact information
 - 11) Payment instructions and file formatting details

12) Bank ACH Department phone number, 800-221-9792

- c. The employer submits a case reconciliation to the EFT Unit to verify their employee(s) has an established case in the automated system.
- d. The employer transmits the payment instructions and remittance information to its financial institution. Prior to submitting a live file, the employer will transmit a “test file” consisting of either zero dollars (\$0.00) or a penny (\$0.01).
- e. The employer’s financial institution originates the ACH entries to transfer the payments and payment information through the ACH Network to the financial institution used by the Division of Finance.
- f. The Commonwealth’s bank electronically transmits the file to the Department of Social Services, in the agreed file format automatically posting the payments to the automated system.
- g. As a result, the automated system generates these reports
 - 1) EDI Payments Edit Report- Provides details and summary information regarding employer name, employee SSN, payment effective date, dollar amounts and number of transactions for EFT payments.
 - 2) EDI Adjustment Report- Provides detail and summary information regarding dollar amounts and total transactions for adjustments to EFT payments made by Virginia Department of Accounts for state employees. The report is used to manually work adjustments and set up recoupment accounts.
 - 3) EDI Error Report – Provides detail information of payments sent with an improperly formatted payment file that cannot be uploaded into the automated system. The EFT Unit researches these payments to identify the NCP and the payments are manually posted in the Payment Processing Unit (PPU).
 - 4) EDI Duplicate Payment Error Report – Provides detail information of new payments which appear to already be posted to the automated system. The EFT Unit researches these payments and those that are not actually duplicates are manually posted in PPU.
 - 5) EV19 Other State Fee Retention Report – Provides detail information of payments sent by cost recovery states. The EFT Unit places a hold on the NCP’s level so the payment will not disburse when posted. When the payment appears on the automated system the following day, the EFT Unit backs off the amount of the fee retained by the sending state. The EFT Unit also adjusts the debt on the case by the amount of the fee retained, to keep Virginia’s case balance aligned with the reciprocating state’s case.

2. EFT MyChildSupport Payment allows NCPs and employers to make child support payments via a secure online payment application at <https://mychildsupport.dss.virginia.gov>.
 - a. Employers may enroll online with the MyChildSupport Payment for payment application. The employer must provide
 - 1) Username and password,
 - 2) Employer FEIN and contact information, and
 - 3) Employer financial institution information
 - b. The employer may report a single income withholding payment or multiple employee payments at one time.
 - c. NCPs may enroll online with the MyChildSupport Payment for payment application. The NCP must provide
 - 1) Username and password.
 - 2) NCP contact information including the NCP's case/participant number and the last 4 numbers of their social security number.
 - 3) NCP financial institution information
 - d. Once successfully enrolled, the NCP can make payments. Pending verification of funds, first time payments of \$400 or more are held for 5 business days.
 - e. The employer or the NCP can submit payment any time using the MyChildSupport Payment Interactive Voice Response application by calling 1-877-670-2941.
3. At 4:30 p.m., IT Operations (IT Ops) transmits that day's scheduled payments to the Commonwealth's bank for processing. A file is also sent to the Department of Social Services.
4. The automated system generates a MyChildSupport Payment report that provides detailed information of payments made by employers, NCPs, OBOs (On Behalf of Others: payments made by another person) and guests.
5. The report is reviewed for
 - a. Duplicate payments,
 - b. First time payments that are over \$400. Holds are placed on these payments for 5 business days,

- c. Payments submitted using a bank account that is different than the account used for previous payments (and the account has never been used before), a hold is placed for 3 business days,
 - d. Payment greater than 5 times the average MCS NCP payment for that participant over the last six months, and
 - e. Potential fraudulent payments. The length of the hold is based upon the case situation.
6. The following day, the Commonwealth's bank transmits a file to IT Ops with processed and failed transactions. The payment status varies in MCP. The status could be longer or shorter than 5 business days.
7. The EFT Unit accesses the ACH Final Debits Report in the Commonwealth bank's Connections website.
8. EFT Unit staff enters the SSN submitted with the payment and the Participant ID, if it exists; writes "Recoup" next to items that need to have recoupment set up; and forwards this information to the Exceptions Processing Unit. These payments are on hold in the automated system until the EFT Unit backs those items off the automated system.
9. The EFT Unit Manager or designee contacts, by telephone, payors whose payments were returned due to
- a. Invalid account number
 - b. No account/cannot locate
 - c. Non-participating Depository Financial Institution (DFI)
 - d. Unauthorized corporate debit
10. Recurring Bank Debits assist NCPs enlisted in the military in making child support payments in a timely manner. Existing Recurring Bank Debits remain in place; however, new requestors are directed to MyChildSupport to submit payments.
11. Federal Tax Intercept Procedures
- a. Access the OCSE computer system to answer all inquiries from Division staff, NCPs and CPs regarding IRS tax intercept payments and reversals.
 - b. Print the Federal Tax Adjustments Report (C414) and Daily Adjustment Report (D320) from Control D.
 - c. Respond to inquiries regarding passport denials.

12. Virginia Department of Taxation Intercept Procedures

a. ~~Vendor Debt Offset~~

- 1) ~~Access the Virginia Department of Taxation's external web application Integrated Revenue Management System (IRMS) daily for potential cases with payment offsets.~~
- 2) ~~Each case is researched in the automated system to determine the outstanding debt to verify certification for offset.~~
- 3) ~~If there is no debt, the case is released and the money can be released to the vendor. A copy is kept in the Division's files.~~
- 4) ~~The Vendor Payment Intercept Notification is automatically sent to everyone certified for offset through the automated system~~
- 5) ~~The individual payments are reconciled to the reported total of the list~~

a. State Tax Refund, ~~/~~ Lottery Winnings, and Vendor Payment Intercepts- Check the following reports daily

- 1) WELUA24 – Notification Letter to Absent Parent – Review letters every day for date of notice.
- 2) WELUA18 – Set Off Finalization Notice – Review the status of each listed case in the automated system to determine validity of tax intercept. Note the certification status on the report.
- 3) Access the Virginia Department of Taxation's external web application IRMS weekly for Default List. These are cases that are close to default and have not been finalized.
- 4) View the case debt on the automated system and note the determination to certify or release money on the Default List.
- 5) Maintain the disposition of each case in IRMS.
- 6) Contested Cases- View the automated system to determine appeal status
 - a) If a case status is still contested, consult with the Division of Appeals and Fair Hearings and Civil Rights to verify the status of the case.
 - b) When a case is no longer contested, call the EFT Tax Intercept Coordinator to have the case certified or deleted in IRMS.

13. EFT Outgoing Payments

- a. EFT outgoing payments allow the CP to have his or her child support payments deposited into a financial institution or on a state-issued debit card.
- b. There are 2 ways a CP can receive his or her support payments electronically.
 - 1) Direct deposit authorizes the Division's EFT Unit to electronically deposit the CP's child support payments directly into a checking or savings account.
 - 2) Way2Go Card allows a CP to receive child support payments electronically through a state-issued debit card by retrieving his or her child support funds through an ATM or from a participating retailer. CPs with a valid SSN and date of birth on the system can request a debit card.
- c. Direct Deposit
 - 1) To enroll in direct deposit, the CP sends the EFT Unit the *Direct Deposit Authorization* via fax, upload to the MyChildSupport (MCS) portal or through the mail, selecting the direct deposit option.
 - 2) The agreement must have 1 of 4 verifying documents attached to it before direct deposit can be established.
 - a) A voided check with the client's name, address and financial institution account number preprinted by their financial institution. Starter and counter checks are not accepted. The financial institution account must be in the CP's name.
 - b) A deposit slip with the CP's name, address and financial institution account preprinted by their financial institution
 - c) A copy of the CP's financial institution statement with their name, address and financial institution account number preprinted by their financial institution
 - d) An account verification form prepared by the CP's financial institution.
 - 3) The agreement must be signed and dated by the CP requesting direct deposit.
 - 4) The verifying document must agree with the checking or savings account information written on the *Direct Deposit Authorization* form.
 - 5) If no verifying document is submitted or the agreement is not signed, an EFT Customer Service Representative mails a letter to the CP to request the missing information. A Participant Event is entered in the automated system under the CP's participant ID to document the letter to the CP. The rejected agreement is filed in the EFT Unit.

- 6) If the agreement has all the necessary information, EFT Unit staff enter the routing number, account number and type of account (checking or savings) into the automated system with the CP's Participant ID.
- 7) When the automated system is updated, the system automatically
 - a) Generates the pre-notification letter to the CP to inform him/her of the banking information set up for their direct deposit payments. The letter asks for verification of the account number and advises the CP to call the EFT Unit if the account number is incorrect; otherwise, payments will be sent to this account number after 15 days.
 - b) Creates a Participant Event that a direct deposit has been set up
 - c) Enters PRENOTIFICATION MAILED TO CLIENT FOR VERIFICATION in the EFT Indicator on the automated system
 - d) Changes the PRENOTIFICATION MAILED TO CLIENT FOR VERIFICATION to CLIENT/AGENCY IS PARTICIPATING IN DIRECT DEPOSIT after 15 days, unless EFT Unit staff manually change the information.
 - e) Creates a Participant Event note to indicate that the direct deposit has been activated
- 8) Within 48 hours of receipt into the EFT Unit, all agreements are rejected or entered into the automated system. Most requests are processed with 24 hours of receipt.
- 9) The EFT Unit maintains 2 files of the agreements
 - a) Rejected agreements are filed alphabetically.
 - b) Agreements are filed by the date the direct deposit was set up in the automated system.
- 10) The automated system generates a participant event every time a change is made to a direct deposit account. EFT Unit staff add any additional information to the event page in the automated system.
- 11) If a CP wishes to reactivate the direct deposit in the future, the CP must complete a new *Direct Deposit Authorization* form.
- 12) The Commonwealth's bank generates a daily Return Item & Notification of Change Report, commonly known as the Bank Settlement Report. The EFT Unit receives the report by fax and uses it to update CPs' direct deposit records in the automated system. The Bank Settlement Report also lists the child support payments returned to

the Division because the CP's account is closed or unable to be located. Staff must place each payment back on the CP's Participant Account in the automated system daily.

- 13) If a CP closes a case and opens a new one in the future, the direct deposit information submitted previously will be used for the new case unless a new *Direct Deposit Authorization* form is submitted or the CP selects a different disbursement option.

d. Way2Go Card

- 1) This option allows the CP to receive his or her child support payments electronically through a state-issued debit card. The CP can contact the CSC, the District Office or visit the Division's public website to request the form. The CP submits the request to the EFT Unit.
- 2) To receive a debit card, the CP sends the EFT Unit the *Debit Card Authorization* via fax or through the mail, selecting the debit card option.
- 3) When a CP does not request a debit card, the automated system generates a monthly file of CPs eligible for the Way2Go Card. The criteria for eligibility include
 - a) The CP has received a regular child support payment (no special collections) for 2 consecutive months.
 - b) The CP does not have direct deposit.
 - c) The CP does not receive payments collected by the Division through another state's SDU.
 - d) The CP is not incarcerated.
 - e) The CP resides in the United States.
- 4) The Division sends a letter to these CPs giving each a choice between direct deposit or the Way2Go Card. The letter includes the *Direct Deposit Authorization* and the *Debit Card Authorization*.
- 5) The EFT Unit manually enters the CP information online. A batch process sends the information to the debit card vendor for a bank card.
- 6) The next day, the vendor sends the file back to the Division with the Way2Go Card account information for each CP. This information is uploaded into the automated system.

- 7) Ten days later, the automated system activates all of the new debit card accounts and disburses the payments to the CPs' Way2Go Cards.
 - 8) A CP must send a written request to the EFT Unit to cancel the debit card account. EFT Unit staff update the system appropriately to exclude the CP from the debit card program.
 - 9) EFT Unit staff create a Participant Event in the automated system stating CP EXCLUDED FROM DEBIT CARD PROGRAM BY FAXED OR MAILED REQUEST and mail the CP a letter stating that his or her debit card account has been cancelled in the automated system.
 - 10) It is the CP's responsibility to notify the Commonwealth's vendor to cancel his or her debit card.
- e. Unpinned Report-The EFT Unit receives an Unpinned Report quarterly from the vendor. This report contains a list of CPs who have not pinned (activated) their Way2Go Cards, but payments have disbursed to their debit card account. The report is worked daily if there is a large volume of unpinned CPs. The EFT Unit staff must notify each CP on the report that they have funds on their Way2Go Card.
- 1) Staff access the vendor's administrative module (website) to verify that the Way2Go Card is still unpinned
 - 2) If the card is still not pinned, then the events for each of the CP's cases in the automated system are researched for any card or CP related notes.
 - 3) If the CP is deceased, incarcerated, or has an interstate case, a reversal of funds request is sent to request the money from the vendor.
 - 4) Letters are sent to the remaining CPs to inform them that they were issued an Way2Go Card, but it has not been pinned.
 - 5) If the letter is returned to the EFT Unit with a postal forwarding label, a second letter is sent to the forwarding address.
 - 6) If no forwarding address is provided, staff researches the address through CLEAR and check all cases in the automated system related to the CP for information to locate the CP. If an address is located, a new letter is mailed.
 - 7) If a telephone number is found, an attempt is made to call the CP.
 - 8) If either the mail or telephone contact is successful, document case events.
 - 9) If the CP never received the Way2Go Card, the CP must contact the vendor's call center and request a reissued Way2Go Card.

- 10) If a CP appears on the new Unpinned Report and has previously been sent 2 letters, their name and participant ID is placed on the Research Address List.
 - 11) The Research Address List includes the CP's participant ID, name, dates of previous letters sent, old address, researched address1, research address2, new letter sent, and date letters were returned.
 - 12) If a CP cannot be found, EFT staff calls the Specialist and explains the situation. The Specialist also tries to locate the CP. If the CP is not found, the Specialist starts the procedures to close the case.
 - 13) A Weekly Status Report is submitted to the manager/supervisor every Tuesday, and includes: vendor's issued date, total number of cards, number of pinned cards, number of unpinned cards, number of letters mailed, number of returned letters, number of CPs contacted, and the number of reversals requested. A graph is included in this report showing the increase or decrease of data captured.
 - 14) A CP must send a written request to the EFT Unit to cancel his/her debit card.
 - 15) A CP can switch to direct deposit from the debit card at any time by submitting a *Debit Card Authorization* form cancelling the debit card and a *Direct Deposit Authorization* form requesting direct deposit to the EFT Unit.
 - 16) It is the CP's responsibility to contact the vendor to withdraw any remaining funds from the debit card and to cancel their card.
- f. Way2Go Card reversal requests are requested from the vendor for payments of deceased CPs, jailed CPs, interstate cases, TANF cases, and Foster Care cases. Take the following steps when sending reversal requests to the vendor.
- 1) A letter is submitted to the vendor to request the reversal of funds.
 - 2) The letters for reversal requests are prepared semi- monthly (1-15 and 16-30/31).
 - 3) As applicable, the following backup documentation must be submitted with the request from the automated system
 - a) A copy of the Federal Case Registry (FCR) Death Notice,
 - b) The CP's address at the correctional facility or
 - c) Any notes from the automated system indicating that the case is an intergovernmental, TANF or foster care case.

- 4) Document Participant Events when a reversal request is sent, the funds are returned and the funds are manually disbursed.
- g. Deposit Certificates Procedures - A Deposit Certificate (DC) is prepared daily from the Return Items Report and the Balance/Detail Inquiry Report.
 - 1) The DC records direct deposits of CPs which are returned to the Division due to closed or invalid account numbers; funds disbursed from the Division for international payments to CPs; and My Child Support Payment debits returned to the Division due to insufficient funds or incorrect routing and account numbers.
 - 2) The DC is prepared and verified to the Detailed Inquiry Report and signed by the EFT Manager.
- h. International Payments Procedures
 - 1) The EFT Unit processes international child support payments to CPs and child support agencies. A hold is placed in the automated system on any CP whose payments are transferred by international ACH.
 - 2) The Undistributed Receipts Report (C221) in Control D is reviewed daily to determine if there are payments on these CPs' accounts that need to be transferred.

(01/2015) (03/2015) (06/2016) (04/2017) (08/2017) (01/2018) (04/2019) (12/2020)

Chapter 13: Non-IV-D Cases

A. Overview (XX/2023)

Federal regulations required support orders initially issued on or after January 1, 1994 that have a provision for income withholding be paid through a State Disbursement Unit (SDU), even if the case is not a IV-D case. A non-IV-D (NIVD) case is a support case where the parties have a support order with a provision for income withholding but do not have ~~IV~~-D services.

1. The Division establishes these cases when the court issues an *Income Withholding for Support* (District Court form DC-645) that orders the employer to mail payments to the SDU, and the Division has not received an application for services or a referral from an LDSS.
 - a. SDU staff post payments to NIVD cases.
 - b. The automated system prorates, allocates, posts and distributes payments to all cases. The same hierarchy for current support and arrearages applies to IV-D and NIVD cases.

2. These cases are handled by the ~~Central Registry~~ Division's Financial Response Team's NIVD staff only. Unless otherwise specified, all information ~~provided~~ in this chapter pertains to the NIVD staff.

(11/2017)

B. Instate Non-IV-D Cases (XX/2023)

1. ~~Central Registry~~ Financial Response Team

- a. Receives a copy of the support order and court-issued *Income Withholding for Support (IWO)* from a court.
 - b. Contacts the court to request corrected documents if the support order and/or the *IWO* do not have sufficient information for the Division to set up the NIVD case.
 - c. Returns to the court any NIVD support order without an *IWO* and send the *Request for Information from the Court* along with the documents received from the court unless the court order specifies that payments be made to the SDU without an *IWO*.
2. To establish the case when the Division already has a case
- a. If the case is an open ARRP or ARRN case type with a debt to the state, establish a NIVD case to add the new court order/*IWO*, resulting in both a IV-D case and a NIVD case with the same participants.
 - b. If the ~~case is an open~~~~is a~~ case type other than ARRP or ARRN and ~~the Division receives a new court order with an IWO, the Financial Response Team a new court order with an IWO is received in Central Registry~~
 - 1) Document Case Events with the receipt of and details of the court order and *IWO* and
 - 2) Forward the court order/ *IWO* to the responsible case worker in the District Office to update the existing IV-D case.
 - c. If a closed IV-D case exists, request the District Office
 - 1) Reopen the case
 - 2) Change the case type to NIVD and
 - 3) Transfer the case to ~~Central Registry~~ the Financial Response Team.
3. If a case does not exist in the automated system with these participants, establish a NIVD case in the automated system within 2 work days of receiving the court order and the copy of the *IWO*.

- a. Enter all available information on the automated system
- b. Set up a case record
- c. Mail the new NIVD customer an application packet that includes the
 - 1) *Notice Child Support Payment Processing Procedures* letter to the CP and NCP
 - 2) *Child Support Enforcement Services Application*
 - 3) *Statement of Payments* and
 - 4) *Every Child Needs Support* brochure
4. Update the automated system when the court or either party supplies new information.
5. Worklist SDU staff to process financial adjustments when necessary. Refer to [Receivables and Cash Adjustments](#) for types of allowed adjustments.
6. For *IWO* overpayments, the SDU will continue to disburse payments to the CP; do not refund the payment to the NCP.
 - a. In the case of the death of the CP, notify the NIVD caseworker at Home Office to contact the court to stop the *IWO*.
 - b. Do not place any holds on the case. NIVD cases cannot be worked.
7. If appropriate, complete a *Request for Refund/Transfer* and send it to the SDU staff to request a refund, transfer, or payment to a CP.
8. Do not initiate enforcement action of any type on a NIVD case.
9. The parties are responsible for petitioning the court to have the *IWO* transferred, adjusted or terminated for a NIVD case.
10. Forward employment status changes received from employers to courts.
11. If the CP or the NCP applies for Division services
 - a. Add additional information included on the application.
 - b. Change the case type from NIVD to NADC (which also prompts the system to send the *Important Notice about Child Support* to the NCP).
 - c. Update the alternative payment agreement field from “Y- alternative arrangement is in place” to “N- No alternative arrangement is in place” on the Update Support Order page.
 - d. Update the locality code.

- e. If the applicant is the CP, generate the *Contact Letter to Noncustodial Parent* to notify the NCP that the CP has applied for Division services.
 - f. If the applicant is the NCP, generate the *Notification of Action Taken* to notify the CP that the NCP has applied for services.
 - g. Send the applicant a *Statement of Payments*. Refer to [Statement of Payments Process Guide](#).
 - h. Transfer the case to the responsible worker in the District Office. Refer to [Case Transfer](#).
12. If a NIVD case becomes a TANF case with the same participants, when NIVD staff are notified,
- a. Change the case type to ADC (which also prompts the system to send the *Important Notice about Child Support* to the NCP)
 - b. Update the alternative payment agreement field from “Y- alternative arrangement is in place” to “N- No alternative arrangement is in place” on the Update Support Order page
 - c. Update the locality code.
 - d. Transfer the case to the responsible worker in the District Office. Refer to [Case Transfer](#).
13. If an ARRP or ARRN case with a debt to the state becomes a TANF case, District Office Intake staff checks to see if there is a NIVD case for the same participants.
- a. If there is an open NIVD case, then Intake staff contact NIVD staff and request the NIVD case be closed.
 - b. NIVD staff close the NIVD case and provide any necessary information to the District Office.
14. Closing NIVD cases
- a. NIVD cases are closed when
 - 1) The court notifies the Division that the parties agreed to an alternative payment arrangement.
 - 2) The court notifies the Division to close the case.
 - 3) An ARRP or ARRN case with a debt to the state reopens to TANF.
 - 4) Refer to [Circumstances That May Require Case Closure](#)
 - b. The automated system creates a Case Event. Document the reason for closure in Case Events.

- c. The automated system monthly closes cases meeting NIVD closure criteria. The system automatically closes the current support extension and zeroes out any arrearages.
- d. Division staff cannot close NIVD cases at the request of the NCP or CP. Refer the requesting party to the court.

15. Stop current support from charging when

- a. Notified by the court
- b. Notified by the CP that the youngest child on the order is 18 and not a full-time high school student who is not self-supporting and who lives in the home of the parent or party receiving the support or
- c. When the youngest child on the order attains the age of 19, unless the court order extends support beyond 19. If any arrearages accrued after current support should have closed, deduct them from the arrears balance.

16. District Office staff

- a. Forward any copies of court orders and *IDO*s for NIVD cases to the Central Registry when received in the District Office.
- b. Follow guidance indicated in 13 above.
- c. Cooperate with NIVD staff when assistance **is** requested and consult with NIVD staff prior to changing a NIVD case type.
- d. Refer NIVD parties (both walk-ins and callers) with case inquiries to the Customer Service Center or to the court and provide them with contact information.
- e. Contact the Intergovernmental and Financial Response Team Managers ~~when necessary~~ for assistance with a NIVD case.

(09/2014) (10/2014) (06/2016) (04/2017) (10/2017) (03/2020) (09/2022)

Chapter 14: Resources

14.2 Automated Matches

Automated Match Type	Submits Frequency	Match Frequency
Child Support Lien Network (CSLN)	Monthly	Daily
Computerized Criminal History	Quarterly	Quarterly

Automated Match Type	Submits Frequency	Match Frequency
Concealed Weapons Permit	No Submit	Quarterly
Death Records- FCR Social Security Admin	No Submit	Daily
Death Records- Vital Records	No Submit	Quarterly
Dept. of Corrections - Current	No Submit	Weekly
Dept. of Health Professionals	No Submit	Quarterly
Dept. of Human Resource Management	No Submit	Quarterly Monthly
Dept. of Motor Vehicles	Weekly	Weekly
DOD Medical Match	No Submit	Quarterly
Dominion Virginia Power	Quarterly	Quarterly
FIDM- FCR	No Submit	Daily
FIDM- Instate	Quarterly	Weekly
FPLS	Daily	Daily
Game and Inland Fisheries - Boat Data	No Submit	Weekly
Game and Inland Fisheries - Licenses	No Submit	Monthly
Insurance Data Match - FCR	No Submit	Daily
Local Inmate Data System-Correctional Information System (LIDS-CORIS)	Weekly	Weekly
Longshoreman (ILA-HRSA)	No Submit	Semi-YR
National Change of Address	Weekly	Weekly
State Police Protective Order	No Submit	Monthly
SVES	Daily	Daily
VEC Unemployment	Weekly	Weekly

14.5 Documents: Purpose, Service, Distribution and Worklist

Document Name	Purpose	Document Location	Service of Process	Distribution	Event	Worklist Timeframe/ Purpose
Health Insurance Notice	To notify the CP that health insurance for the dependents has been obtained, terminated, changed, or is not available through the NCP's employer.	iAPECS	No	CP	MHIN	None
Health Insurance Order Release	To notify the employer to release the requirement to enroll all or certain children on the case in employer sponsored health insurance.	iAPECS	No	Employer	MHIR	MHIR- 15 days to verify that employer has released NMSN
Health Insurance Verification Notice	To gather healthcare information from the CP for the children on the case so that an order may be established or modified appropriately.	Fusion	No	CP	SELF	None
Important Notice About Child Support	To notify the NCP about important information that affects those responsible for paying support.	iAPECS	No	NCP	INCS*	None
Important Notice Regarding Court Action	To notify the NCP when the Division has filed a civil contempt action, where ability to pay support will be the critical issue in determining whether the NCP will be held in contempt. The Notice generates with the Motion for Show Cause.	Fusion iAPECS	No	NCP	SELF INRC	None

Document Name	Purpose	Document Location	Service of Process	Distribution	Event	Worklist Timeframe/ Purpose
Income Withholding for Support	To notify the employer to withhold support from the NCP's earnings; to notify the employer to modify or terminate an existing support withholding order.	iAPECS	First class mail; electronic service on employer	Employer, NCP (employer provides copy to NCP)	WWEA	WWE1- 35 days after generation if no payment received to review for follow up as applicable

Document Name	Purpose	Document Location	Service of Process	Distribution	Event	Worklist Timeframe/ Purpose
Order to Withhold - Insurance Assets (also CSLN Assets)	To notify the insurance company in possession of assets belonging to an NCP that such property is to be withheld to satisfy a support debt and to notify the NCP of his/her appeal rights.	iAPECS	Yes	Holder of assets, NCP	IORW- Insurance Company IOAP- NCP	IOR2- 10 days after generation to verify service on insurance company IOAP- 21 days after date generation to verify service on NCP
Order to Withhold Addendum -- NIVD Limited Services Case	To provide the NCP with the appropriate information to request an appeal when an Order to Withhold has been issued on a NIVD Limited Services case; accompanies the <i>Order to Withhold</i> or <i>Order to Withhold Insurance Assets</i>	Fusion iAPECS	No	Holder of assets, NCP	SELF	None
Order to Withhold Joint Account Holder Notice	To notify a joint account holder that the Division has placed a hold on his/her financial account and to advise of his/her appeal rights.	iAPECS	Service on both	Joint account holder, Holder of assets	AJAH	AJAH- 6 days after generation to check for service

Document Name	Purpose	Document Location	Service of Process	Distribution	Event	Worklist Timeframe/ Purpose
Service of Process Cover Letter	To advise the private process server or out-of-state agency that service is needed.	Fusion	No	OOS agency or private process server	SELF	None
State Income Tax/Lottery Winnings/ Vendor Payment Intercept Notification	To notify the NCP that his/her state income tax, or lottery winnings or payment as a vendor will be applied to the child support debt.	iAPECS	No	NCP	TSTI	None
State Referral: Federal Criminal Prosecution for Non-Support- Project Save Our Children	To provide required and requested information for a Project Save Our Children referral.	OCSE Website	No	OCSE PSOC Coordinator	SELF	None

Document Name	Purpose	Document Location	Service of Process	Distribution	Event	Worklist Timeframe/ Purpose
Transmittal form under Article 12(2)	To provide necessary information for an application to request services from a Hague Convention country.	OCSE Website	No	Intergovernmental agency	SELF	None
Uniform Support Petition	To provide the legal pleading needed for the responding state to initiate action on an interstate case.	iAPECS	No	Intergovernmental agency	IUSP	None
Vendor Payment Intercept Notification	To notify the NCP that his/her payment as a vendor will be applied to the child support debt.	APECS	No	NCP	TVPI	None
Virginia's Intensive Case Monitoring Program Funds Request	To request approval for expenditures related to Family Engagement Programs.	Fusion	No	Division	SELF	None