

A group of five professionals (three men and two women) are gathered around a table in a meeting room, looking at a document. The scene is dimly lit, with a large window in the background. The image is overlaid with a dark, semi-transparent grid pattern. The title text is in a large, white, sans-serif font.

# Life of an Agency Child Support Case

Maryland Judiciary Child Support Symposium – March 24, 2023

Presented by:

**Mark A. Tyler**

Magistrate

Somerset County Circuit Court

First Judicial Circuit

**Samantha Phillips-Chester, J.D.**

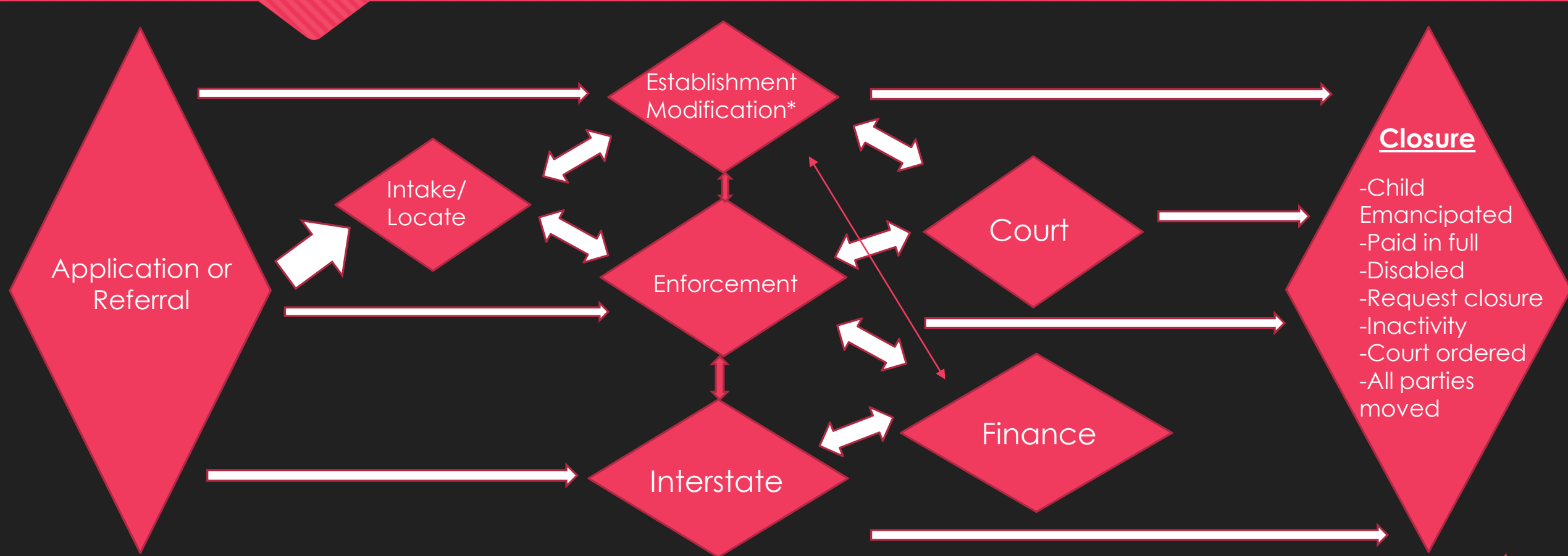
Director

Prince George's County Office of Child  
Support

# Disclaimer

- The information and comments presented here are those of the individual presenters, not the agency or branch of State government with which they are affiliated.
- No part of this presentation should be construed as legal advice.

# Lifespan of Agency Cases



# Sources of IV-D cases

1. Applications  
(online or paper available; fee: \$15\*)
2. Temporary Cash Assistance; Medical Assistance;  
Purchase of Care  
(intra-agency referral; no application fee)
3. Foster Care; Voluntary Placements  
(intra-agency referral; no application fee)
4. Out-of-state case registrations/referrals
5. Private litigation (divorce, custody, support)  
(copy of order, guidelines & data form; fee: \$15)
6. Private paternity inquiries (Family Law Article, §5-1010) Requires consent of attorney for CSA



# Applications

Any custodian\* of a minor child is eligible for services. This includes parents, aunts, uncles, grandparents, court-appointed guardians, or others who are caring for a child. The services available include establishing paternity for their child(ren), establishing a court order for child support and/or medical support or collecting current or past due child support payments.

The non-custodial party may also apply for child support services to determine paternity of a child born out of wedlock, to sign up for voluntary wage withholding of child support, or to request modification of the child support ordered amount.

\* Does NOT require court ordered custody.



# Intra-agency referrals

## Family Investment Administration

### (TCA, MA, CCSP)

- To be eligible for TCA, applicant must apply and assign to State all right and interest in support for period that receive TCA (COMAR 07.03.03.10)
- To be eligible for CCSP, applicant must pursue establishment/enforcement of support obligation (COMAR 13A.14.06.04)

## Social Services Administration

### (Foster care, Voluntary Placements)

- The Local Department shall initiate child support for every child in out of home placement unless parental rights have been terminated (COMAR 07.02.11.29)
- The parents and CSA must finalize a binding child support agreement detailing amount and manner for child support before completing a VPA (COMAR 07.02.11.06(b))



# Out-of-state cases

## **Uniform Interstate Family Support Act (UIFSA)**

Family Law Article, Title 10, Subtitle 3

- a. Incoming cases (via Central Registry)
  - Registrations of existing support orders
  - Register and modify existing order
  - Modification of existing orders
  - Establishment requests
  - Enforcement requests
- b. Outgoing cases

## **Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance**

- a. International child support





# Private Litigation (Divorce, Custody, Support)

## DO YOU WANT IV-D SERVICES?

Judgment of  
Absolute Divorce

Order of  
Custody

**Need certified or true test copy of order;  
Need data collection sheet and fee paid**

Foreign  
Judgment  
(no party in issuing  
state)

Order of  
Modification

**Note: Not emergency family maintenance.**

# Intake/Locate

- The agency shall complete all location efforts within 75 days of determining that location is necessary. COMAR 07.07.03.03
- Federal Parent Locator Service
- Westlaw PeopleMap; LEXIS Accurint
- Government database searches (Judiciary; MVA; etc.)
- Social Media

# Establishment

- Within 90 days of locating an absent parent, the agency shall establish an order for support, complete service of process, or document unsuccessful attempts to serve process. COMAR 07.07.05.02
- Office appointment meetings scheduled with caseworkers; income/expense information to be brought by each party for verification if necessary
- - If case is not resolved or party does not attend, case scheduled for court
  - Use of Sheriff, Private Process Server, U.S. certified mail, or alternative service for service of court paperwork
- Genetic testing appointments scheduled as needed, court order may be requested for testing
- Pre-court settlement conferences (immediately prior to court docket)

# Modification reviews (36 months)

Every 36 months, the agency **shall notify each parent** subject to a child support order of the right to request that the agency review the order.

If support assigned - reviews at 36 months without request of a parent.

Intergovernmental - shall be reviewed at the request of another state if the request "is appropriate."

Material change in circumstances - **may** be conducted in less than the 36-month interval by request of party.

See COMAR 07.07.05.03



*If it qualifies for review, within 180 calendar days of receiving a request or locating the non-requesting parent, whichever occurs later, the agency shall conduct a review and take appropriate steps.*

# Enforcement

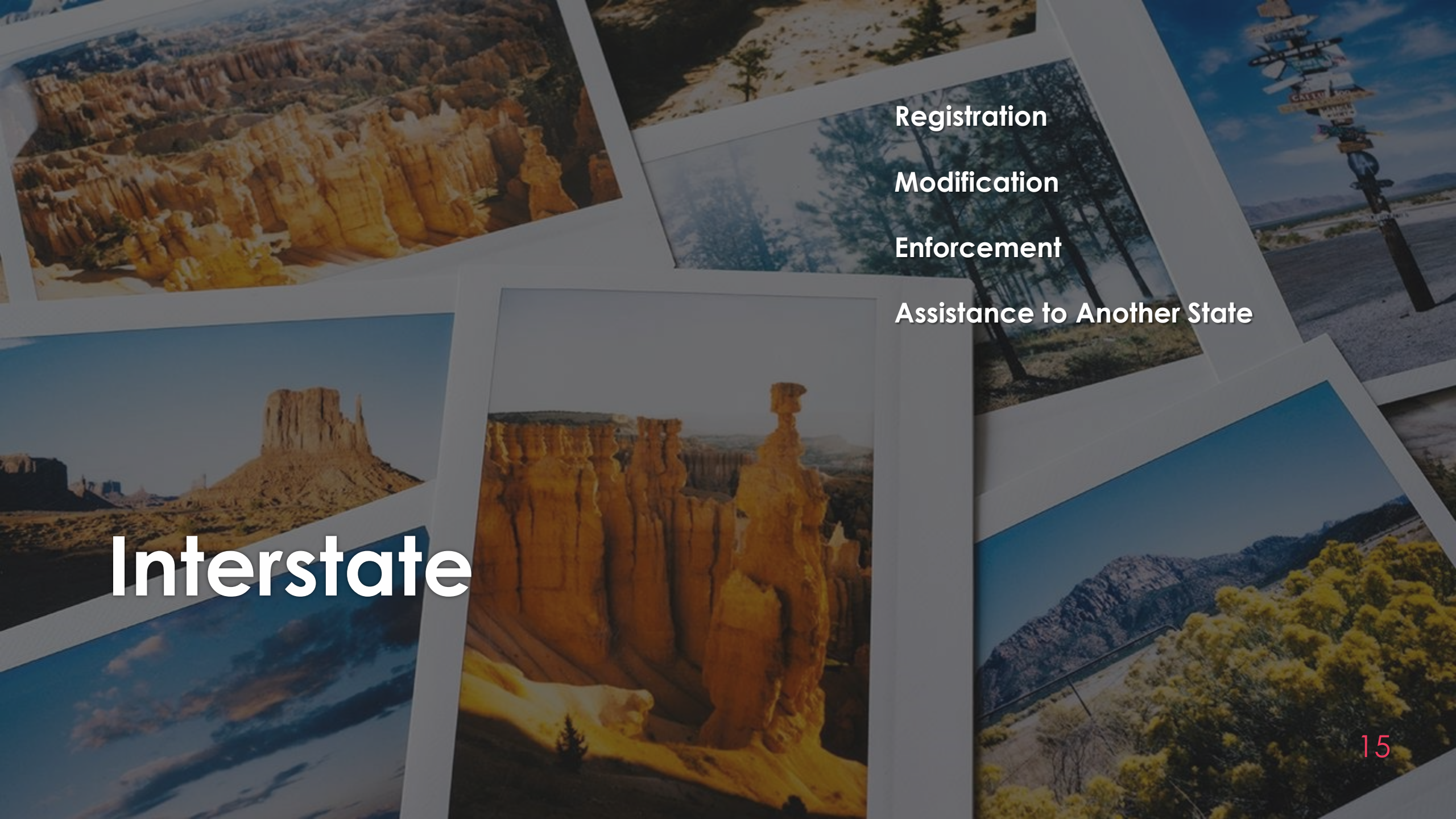
- Earnings withholding
- Contact/Meeting with obligor
- Court action (civil contempt [+30 days arrears]; lien judgment; garnishment)
- Administrative garnishment of financial accounts
- Federal/State Tax intercepts
- Lottery intercepts
- Driver's, Recreational and Professional License Suspensions
- Passport Program
- National Medical Support Notice
- Consumer reporting (credit)
- Interstate registration for enforcement
- Criminal non-support; criminal contempt prosecution



# Monitoring



- The support enforcement agency shall review, at least once a month, the payment status of each case for which it is responsible. COMAR 07.07.06.03
- Delinquency reports
- Unprocessed payment reports
- Court action, if necessary



Registration

Modification

Enforcement

Assistance to Another State

**Interstate**

# Fiscal services

## Payments

- Cash, check, credit card, money order, EFT,
- Unprocessed payments

## Fiscal Reconciliations/Investigations

- COMAR 07.07.08.05 (if obligor disputes
- arrears amount)

## Account adjustments (per Orders of Modification, etc.)

## Arrearage certifications for foreign registration

## Reallocations

## Refunds



# Case closure

This is a list of some reasons for case closure. There may be other actions that the agency has to perform before using any particular closure code in the case management system, CSMS.

CP non-cooperative; no current support or arrears are assigned to the state

Inappropriate Referral

Initiating State – Services Not Needed

Initiating State Closed Case

Initiating State Failed to Provide Necessary Documents

Location-only Services Completed

NCP Deceased

NCP in Long Term Care, No Income or Assets

NCP in Non-Reciprocal Country

NCP is unknown

NCP Lives with Minor Child

NCP Lives with Minor Child or intact household

NCP Not Located After 1 Year with Unverified SSN

NCP Not Located After 2 Years with Valid SSN

NCP Not Located After 6 Months with No SSN

NCP Receiving SSI, Unable to Pay

NCP Unable to Pay/Disabled

NCP Unable to Pay/Incarcerated

NCP Unable to Pay/Institutionalized

No Current Support / Arrears Under \$500

No Current Support / Arrears Under \$500 / Arrears Paid in Full

No Current Support, All Arrears Assigned to State

Non-IV-A CP Request Closure

Not in Child's Best Interest, Good Cause/Adoption

Paternity Exclusion order received

Paternity Not Established, Statute of Limitations Exceeded

Paternity-only Services Complete

Unable to Contact CP

Unable to establish due to Child's Best Interest, Good Cause/Adoption

Unenforceable / all arrears due the state

Unenforceable / arrears paid in full

Unenforceable / No Incomes/Assets

Jurisdiction	Caseload	Collection
ALLEGANY COUNTY	2,379	\$ 6,014,043.33
ANNE ARUNDEL COUNTY	12,350	\$ 45,784,728.68
BALTIMORE CITY	33,924	\$ 69,196,873.23
BALTIMORE COUNTY	18,018	\$ 60,281,865.83
CALVERT COUNTY	1,924	\$ 9,870,445.84
CAROLINE COUNTY	1,220	\$ 3,469,831.40
CARROLL COUNTY	2,646	\$ 9,189,661.02
CECIL COUNTY	3,149	\$ 7,998,133.73
CHARLES COUNTY	5,429	\$ 20,726,699.48
DHS	157	\$ 4,857.44
DORCHESTER COUNTY	1,873	\$ 3,825,074.00
FREDERICK COUNTY	4,542	\$ 13,705,632.08
GARRETT COUNTY	808	\$ 2,103,236.60
HARFORD COUNTY	5,382	\$ 19,751,231.84
HOWARD COUNTY	4,089	\$ 18,891,786.31
KENT COUNTY	623	\$ 1,893,818.65
MONTGOMERY COUNTY	15,402	\$ 59,976,452.38
PRINCE GEORGE'S CTY	30,720	\$ 112,387,946.10
QUEEN ANNE'S COUNTY	974	\$ 4,112,096.89
SOMERSET COUNTY	1,403	\$ 12,419,284.06
ST MARY'S COUNTY	4,031	\$ 2,697,553.02
TALBOT COUNTY	831	\$ 2,871,115.70
WASHINGTON COUNTY	5,400	\$ 11,626,030.43
WICOMICO COUNTY	3,845	\$ 8,735,653.62
WORCESTER COUNTY DSS	1,312	\$ 3,081,034.00
Totals	162,431	\$ 510,615,085.66

Source: CSA  
Reported as of October,  
2022

# Suggested Best Practices



- Orienting customers to program services
- Having recurring meetings between local court and agency
  - Local process review and problem solving
  - Ensuring shared expectations
  - Discuss developing rules and substantive law or needs for training
- Understanding nuances of agency operating systems (i.e. distribution rules)



**Questions?**