

# **MANAGING THE JUDICIARY'S TITLE IV-D CHILD SUPPORT COOPERATIVE REIMBURSEMENT AGREEMENT (CRA)**

*MANUAL FOR ADMINISTRATIVE JUDGES,  
MAGISTRATES AND COURT ADMINISTRATORS*



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*Manuals and blank forms can be found at  
<http://mdcourts.gov/family/grantadmin.html>*

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**I. BASIC INFORMATION ABOUT THE JUDICIARY’S CRA**

**A. What is the CRA?**

Each year the Maryland Judiciary enters into a “Cooperative Reimbursement Agreement” (CRA) with the Maryland Child Support Administration (CSA). The CSA is the entity in our State designated to receive and administer Federal funds for child support. Through our CRA, the Maryland Judiciary receives Federal funds to reimburse us for the work our courts do to establish, modify and enforce child support orders involving the Offices of Child Support Enforcement. The funds are for work that is authorized under Title IV-D of the Social Security Act.

**B. What are IV-D Activities?**

The Maryland Judiciary can be reimbursed for activities that qualify as “IV-D” activities. This “Federal financial participation” is available to courts for certain key activities as defined in 45 CFR 304.20 (b) (2-8) and 45 CFR 304.21. This includes the establishment of paternity and the establishment and enforcement of support obligations to the extent that a case involves the local child support agency. In other words, it includes those cases in which a party has assigned the right to establish and enforce orders and collect support through the Maryland Child Support Administration (“agency”). This includes cases in which the party has paid \$25 for the agency to enforce support, or cases in which the parties receive or have previously received public assistance, foster care or medical assistance and have assigned the right to collect support to the State.

Note that IV-D activities do *not* include judicial salaries or other expenses, including training or travel costs, associated with judges. However, those types of expenses can be provided for non-judicial court staff including magistrates.

**C. How Much Money Does the Judiciary Receive Under the CRA?**

The Judiciary receives several million dollars each year under the CRA. We receive .66 cents for every dollar spent to support the child support system, excluding judges’ salaries and related expenditures.

The Judiciary may include in the CRA costs associated with establishing, modifying and enforcing child support in cases involving the local support agency. Those costs

may include salaries and benefits for clerk's office staff, magistrates and non-judge employees. Note that Federal child support funds may *not* be used to reimburse the State for judges' salaries, benefits, or judicial training and travel.

#### **D. Who Else Has CRAs?**

Any state entity that contributes to child support establishment, modification or enforcement can enter into a CRA with CSA and be reimbursed for those expenditures. Each local child support office is funded by a CRA. Sheriff's offices often have CRAs through which they are reimbursed for the costs of executing service. Finally, if the court has county-employed support staff that assists magistrates with IV-D work, then the magistrate's office or court administrator may manage a CRA through which the county is reimbursed for its costs in supporting those positions. Note that these county CRAs are *different* from the State CRA entered into by the Judiciary. The Judiciary's CRA provides reimbursement for state positions and expenditures only.

#### **E. Is the CRA a Grant or Contract?**

The CRA has elements of both a grant and a contract. If we expend resources in activities that are covered by the relevant Federal law, then the Federal government, through the Maryland CSA, must reimburse the State, so long as those items were included in the CRA.

#### **F. What Rules Apply in Spending These Monies?**

The Judiciary must agree to abide by certain Federal regulations that govern what type of expenditures may be included. As with all Federal grants, the Judiciary must follow its own procurement and personnel policies in expending those funds. When expenditures are covered by the CRA, it is particularly important that we follow our regular policies.

#### **G. What Happens If We Do Not Use These Funds in Accordance with the CRA or Federal Regulations?**

If funds are spent in a manner different than intended by the CRA or proscribed by the Federal regulations, we *cannot* invoice CSA to be reimbursed for those activities. The State loses Federal money it anticipated receiving and funds that were included in the Judiciary budget.

If CSA is incorrectly invoiced for activities, or Maryland Judiciary's policies are not followed, or Federal policies or regulations in expending funds are not followed, those funds may have to be returned to the Federal government. This may occur after

an audit. As a recipient of Federal funds through CSA, the Maryland Judiciary is subject to regular legislative and Federal audits.

## **II. BUDGET PLANNING WITH THE CRA**

### **A. The CRA Follows the Federal Fiscal Year**

Each CRA follows the Federal fiscal year cycle, which begins each year on October 1st. This means that each CRA spans two state fiscal year cycles. For example, the CRA for the period October 1, 2019, through September 30, 2020, involves State Fiscal Years 2019 and 2020.

In negotiating the CRA, the Administrative Office of the Courts projects positions and expenditures for each jurisdiction for both state fiscal years, even though it is not always known whether new positions will be required.

### **B. Project Needs for Three Fiscal Years**

Each spring, the Administrative Office of the Courts contacts Circuit Court Administrative Judges to determine which magistrates' positions need to be included in the CRA for the Federal fiscal year. At that time, each jurisdiction projects the number of magistrates' positions required and the number of hours each position will devote to Title IV-D activities during the next three fiscal years. Changes can be made in position usage when the fiscal year turns over.

Information on both state- and county-employed magistrates should be provided. The Judiciary reimburses local governments for the costs of magistrates' salaries and benefits, so these costs will be included in the Judiciary CRA.

The information provided for the CRA is only used to generate the new CRA application. New positions and position changes must be requested from the Chief Judge and the State Court Administrator.

## **III. MANAGING CRA POSITIONS AND EXPENDITURES**

### **A. Use Magistrates as Designated in the CRA**

Once the CRA has been negotiated, justifications for any deviations from the time allocated to work on IV-D matters should be provided to the Judiciary. Under the

CRA, the Judiciary will provide the following services relating to Title IV-D cases, specifically: the establishment of paternity and the establishment, enforcement and modification of child support and medical support cases through the offices of the Circuit Court Clerks in all jurisdictions in Maryland. The work of the magistrate related to providing these services is considered “IV-D” and, for all magistrates working less than 100% of their time on IV-D cases, this time should be reported on their timesheets.

- (1) Based on referrals from the local child support office in Title IV-D cases only, the magistrates shall conduct hearings and make recommendations to:
  - Establish paternity;
  - Establish obligations for child support and medical support;
  - Modify obligations for child support and medical support; and
  - Enforce obligations for child support and medical support.
  
- (2) The magistrate’s recommendations shall be in accordance with the Code of Federal Regulations (C.F.R.), the Annotated Code of Maryland - Family Law Article, the Maryland Rules, the Code of Maryland Regulations (COMAR), and laws governing the Uniform Interstate Family Support Act (UIFSA).

**Note:** *All time must be reported in the quarter that it occurred. Expenditures or staff time not expended in one quarter cannot be made up in later quarters.*

#### **B. Personnel Changes (Form B: Title IV-D Personnel Change Form)**

It is essential that your office notify the Administrative Office of the Courts any time there are personnel changes involving an employee included on the CRA. This includes any terminations, vacancies, new hires, or any time you substitute one employee for another, even if only temporarily. Make sure to provide the employee name, PIN, CRA Position Number, effective dates and any comments or reasons for change. Notify DJFS as soon as possible with any changes by emailing the completed form to:

Department of Juvenile and Family Services - [cra@mdcourts.gov](mailto:cra@mdcourts.gov)

#### **C. Federal Program Employee Certification Form (Form F)**

“To comply with CFR Part 200 – UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, employees that are expected to work solely on a single Federal award or cost objective are required to periodically certify that they worked solely on that program for the period covered by the certification.”

Employees that work exclusively on IV-D **must** complete the certification form immediately following the end of each six-month reporting period. Employees at 100% must solely work on the CRA. If the court needs deem it necessary for an employee's workload to deviate from CRA, they **must** report this time separately to the Department of Juvenile and Family Services.

Time Reporting Periods:

- **October 1 through March 31, current year** – forms should be signed April 1, current year, and returned to Department of Juvenile and Family Services.
- **April 1 through September 30, current year** - forms should be signed Oct 1, current year, and returned to Department of Juvenile and Family Services.

**D. Time Reporting for CRA Employees, Project Timesheets (Form A)**

Federal regulations require that all employees included on the CRA complete a project timesheet that reflects their actual hours worked on IV-D matters.

- Employees who perform IV-D duties for 100% of the time they are working (whether they are full-time or part-time employees) do not need to complete a separate project timesheet. These employees must complete and sign the *Federal Program Employee Certification Reporting Form* twice a year in April and October and submit to Department of Juvenile and Family Services, Grants Administration (reference Form F above).
- Employees who are only **performing IV-D duties for part of their work week** (whether they are full-time or part-time employees) must complete the IV-D project timesheet, in addition to their regular Judiciary timesheet. The project timesheets must be used to report the actual number of hours that each employee worked on IV-D matters for each pay period (**based on the State's pay schedule**). Both the employee and approving supervisor signatures must be on the timesheet before it can be processed. **Any IV-D Project timesheets not submitted on the current form will be returned.**

*Court administrators should retain original project timesheets in their office as they are subject to audits by the state and Federal auditors.*

*Forward a signed, scanned copy to [CRA@mdcourts.gov](mailto:CRA@mdcourts.gov) by the 10th day of the following month and retain the original document at your location for audit purposes. (Please make sure the scanned copies are legible.)*

# **APPENDIX**



## **Job Description**

**Class Title:** Child Support Magistrate

### **Definition:**

The Child Support Magistrate hears all matters pertaining to child support as a standing Magistrate. The powers of this Magistrate and a description of how hearings are to be held are delineated in Maryland Rule 2-541.

### **Examples of Duties:**

Generally, the Magistrate will be responsible for hearings dealing specifically with child support; UIFSA; contempt by reason of non-compliance with a court decree on child support; petitions for modifications of existing orders or decrees to change provisions with respect to child support and payment thereof; review all other matters filed in relation to child support such as, but not limited to, motions, proposed emergency matters and requests for continuance of scheduled hearings, provide proper recommendations to judges for signatures, be available to assist the Division of Child Support for consultation on matters pertaining to support.

### **Minimum Qualifications:**

Member in good standing of the Maryland Bar plus five (5) years experience in the area of family-related law.

### **Limitations:**

Selection and appoint of this position is made by the Circuit Court for Baltimore County pursuant to Section 2-501 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland. Each new appointment of a Magistrate will be subject to review and reappointment by the Court after five (5) years. Any attorney appointed to this position may not engage in the practice of domestic law and is subject to the personnel policies and procedures adopted by the Court.