



ADMINISTRATION FOR  
**CHILDREN & FAMILIES**

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April 10, 2015

TO: Kandace Yearsley  
FROM: Nancy Mathieson  
HHS/ACF/OCSE  
RE: UIFSA 2008

Question: What would realistically happen if Idaho didn't pass UIFSA 2008? The committee needs specific details what would happen if their State Plan was determined to not be in compliance.

Response: Idaho's IV-D caseload is 120,869 cases and Idaho collects \$174,000,000 in child support payments for these families. Idaho's program ranks in the top 10 states for cost-effectiveness - \$7.66 in child support collected for every dollar spent on the program.

Section 455(a)(1)(A) of the Social Security Act (Act) specifies that funds appropriated under title IV-D shall be paid to States with approved State IV-D plans. There is no authority to expend Federal funds under title IV-D of the Act for the operation of a Child Support Enforcement program unless a State has an approved State IV-D plan.

In FFY 2012, the Federal share of expenditures for the Idaho IV-D program, including incentive payments, was \$16,120,927. Idaho's state share of expenditures for the IV-D program was \$9,626,720. The total administrative expenditures for Idaho's child support program (FFY 2012) were \$22,825,157. Without the Federal share, Idaho would need to fund its child support program using state funds.

In addition, if Idaho's State IV-D is disapproved, there would be no authority for Idaho to use the following Federal tools for collecting child support from individuals who owe child support and are not paying:

- Federal Parent Locator Service
- National Directory of New Hires
- Federal Tax Refund Offset
- Passport Denial Program
- Federal Case Registry
- Access and Visitation grants
- Administrative offset programs – to garnish federal payments for child support
- Interstate automated communication tools – CSENet (an electronic case management system for transferring necessary information on interstate cases), QUICK (an electronic



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communication tool for state caseworkers to communicate real-time on interstate cases – especially useful for preparing for and participating in child support hearings)

If the state does not enact UIFSA 2008, it is unclear if other states would continue to process Idaho's interstate cases, when Idaho could not provide an equivalent level of services (without access to the automated tools noted above) or operate under standardized uniform interstate procedures available throughout the rest of the country. At a minimum, assuming that Idaho continued to operate under its current UIFSA 1996 law, there would be legal inconsistencies among states in processing interstate cases.

Idaho's citizens could choose to apply for IV-D services in neighboring states, but it would certainly be burdensome on these citizens and, in many cases, it is unlikely that these states would have personal jurisdiction over an Idaho obligor to take action on the case. Most custodial parents in need of paternity establishment or child support enforcement would have to resort to employing private counsel.

Research has shown that the State/Federal child support program ranks at the top in government effectiveness and efficiency. The reason is the development of numerous automated tools and standardized interstate case processing procedures (under the Uniform Interstate Family Support Act) over the past two decades. This strong partnership of federal and state government has been instrumental in improving services to families. UIFSA has been a mandatory component of the title IV-D system since 1996, and the 2001 and 2008 amendments, approved by the Uniform Law Commission, have further enhanced local and interstate procedures.

Finally, and of immediate consequence, if a State IV-D plan is disapproved, OCSE would be required to immediately suspend all Federal payments for the State's child support enforcement program, and such payments would continue to be withheld until the State convened another legislative session, enacted UIFSA 2008, and the IV-D plan could be approved by OCSE. In addition, section 402(a)(2) of the Act provides that the chief executive officer of the State must certify that it will operate a child support enforcement program under an approved IV-D plan as a condition of eligibility for a TANF block grant under title IV-A of the Act. Therefore, the State should be aware that TANF funds would also be at risk. For FFY 2012, the TANF block grant to Idaho was \$30,412,562 million.