

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

**DIVISION OF WELFARE AND
SUPPORTIVE SERVICES**

CHILD SUPPORT ENFORCEMENT MANUAL

CHAPTER VIII

FEDERAL CASE REGISTRY (800)

TABLE OF CONTENTS
CHAPTER 800 – FEDERAL CASE REGISTRY

<u>SECTION</u>	<u>SUBJECT/TITLE</u>
800	FEDERAL CASE REGISTRY [45 CFR 307.11]
800.1	IV-D CASES <ul style="list-style-type: none">A. Data ElementsB. FCR Proactive MatchingC. FCR-to-SCR Interfaces
800.2	NON IV-D ORDER/CASES
801	FAMILY VIOLENCE INDICATOR (FVI)
801.1	CASES SUBMITTED TO FCR WHEN A FVI IS IN PLACE
801.2	FVI OVERRIDE PROCESS <ul style="list-style-type: none">A. State Court ResponsibilityB. SPLS Responsibility [45 CFR 303.70]C. FPLS ResponsibilityD. Case Manager Responsibility
802	CASE MANAGER RESPONSIBILITY WHEN CLOSING A IV-D CASE WITH A NEVADA COURT ORDER
<u>EXHIBITS</u>	
Exhibit 800-1	EXPANDED FEDERAL PARENT LOCATOR SERVICES
Exhibit 800-2	COURT ORDER INFORMATION SHEET - FORM 4094-EC (Page 1 & 2)

800 FEDERAL CASE REGISTRY [45 CFR 307.11]

Effective October 1, 1998, all states were mandated by federal law (the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) to operate a State Case Registry (SCR). The SCR provides information to the Federal Case Registry (FCR) on IV-D cases and non IV-D orders established or modified in Nevada on or after October 1, 1998 (NRS 125B.055). This information is shared and compared with information in other state and federal data bases. The FCR will provide information to the SCR to facilitate the location of noncustodial parents (NCPs) who owe support, or against whom a support order is being sought and individuals to whom a child support obligation is owed.

800.1 IV-D CASES

A. DATA ELEMENTS

The data elements listed below are extracted from a IV-D case on the automated system and automatically forwarded to the FCR when changes occur:

1. name, Social Security Number (SSN) and date of birth of both parents.
2. name, SSN and date of birth of any child for whom the order requires the provision of support;
3. case number(s);
4. case status;
5. payment record(s)
 - a. amount of monthly support ordered
 - b. other amounts including arrearages, fees interest and penalties;
6. distribution of collected amounts; and,
7. liens imposed under the order.

B. FCR PROACTIVE MATCHING

Proactive matching allows states to automatically receive information on cases without filing a formal request. Each time a state adds a person to a case on the FCR, all states which previously registered that person in a IV-D case receive the other states' new information. Proactive matching on a person in a IV-D case also returns information concerning all non IV-D orders nationwide in which the person is a participant. The case manager receives an alert advising new information has been received.

C. FCR-TO-SCR INTERFACES

The FCR may return the following information:

1. acknowledgment of transactions received from the SCR;

2. locate request responses that may include verification of a participant's Social Security Number (SSN), personal address, employer address, wages, benefits and asset data from external sources from agencies such as Department of Defense (DOD), Social Security Administration (SSA), Internal Revenue Service (IRS), Federal Bureau of Investigation (FBI) and/or the Department of Veteran's Affairs (VA);
3. a response that includes existing interstate FCR information for a participant;
4. notification a Family Violence Indicator (FVI) is in place; or,
5. National Directory of New Hires (NDNH) results which may include the most recent W-4, quarterly wage and unemployment information from other states and federal agencies for all participants in child support cases except children.
6. Title II Pending Claims, SSA. Each day participants on the FCR are matched with the individuals who are applying for Title II, SSA benefits. Case managers should send an income withholding order to SSA when an application for Title II benefits is reported. The income withholding order will remain on file with SSA and will be used to withhold a portion of the regular SSA benefit and/or any retroactive lump sum payment if benefits are approved.

800.2

NON IV-D ORDER/CASES

A non IV-D order is one for which a IV-D agency is not currently providing service under the state's Title IV-A, Title IV-D, Title IV-E or Title XIX programs; has not previously provided state services under any of these programs; and has no current application or applicable fee for services paid by either parent.

To comply with federal law which mandates specific information on non IV-D cases to be submitted to the FCR, the following state regulation was adopted on September 27, 1999 requiring county clerks to provide information on non IV-D cases to the Division of Welfare and Supportive Services (DWSS).

State Regulation Adopted September 27, 1999

The following data is required to be provided to DWSS for forwarding to the Federal Case Registry:

1. Social Security Number of the parties (parents and children);
2. Names, dates of birth and driver's license numbers of the parties;
3. Names of the child(ren);
4. Residential and mailing addresses, and telephone numbers of the parties;
5. Employer names, address and telephone numbers of the parties;
6. Case identification number assigned by the court; and,
7. A statement affirming if domestic violence is present among the parties, if applicable.

Effective October 1, 1998, this information must be provided DWSS. Each county clerk's office must transmit the data to DWSS on a monthly basis (Exhibit 800-2).

801 FAMILY VIOLENCE INDICATOR (FVI)

The Social Security Act prohibits disclosure of Federal Parent Locate Service (FPLS) information if a state determines it has reasonable evidence of domestic violence and/or child abuse and if the disclosure of such information could be harmful to a parent and/or the child(ren).

When a case manager becomes aware of a domestic violence and/or child abuse situation or receives a request from a custodian (CST) or NCP to not share information in the FCR with other agencies, the case manager must set the FVI in the automated system. Case managers must refer to the NOMADS Task Guide for instructions. The information is transmitted to the FCR, but not provided to another state/federal agency on the parent or child(ren) when the FVI is in place.

Case managers requiring assistance in dealing with disclosures of domestic violence may refer to SEM 217 for general information and guidelines.

801.1 CASES SUBMITTED TO FCR WHEN A FVI IS IN PLACE

If a FVI is placed on an individual who is the subject of a locate request, Nevada will receive a Disclosure Prohibited (DP) code. The DP code indicates the FPLS is not permitted to comply with the locate request because another state has placed a FVI.

801.2 FVI OVERRIDE PROCESS

Once the FCR is notified the case is flagged with a FVI, the FPLS will refuse to release locate information on the participant. FPLS notifies the requestor the case is flagged for family violence and provides information on the FVI override process. Case managers should contact Central Office if a decision to request an override of a FVI is made by their office.

A. STATE COURT RESPONSIBILITY

A state court must determine if it is appropriate to forward an order requesting override of the FVI based on information provided by a case manager and/or requestor. If a court decides release of the information is warranted, an order is prepared and forwarded to the State Parent Locator Service (SPLS) in Central Office. Direct requests from the court to the FPLS are not honored.

If a decision to release information to Nevada is made by FPLS, a court hearing must be held to determine whether disclosure of the information could be harmful to the parent and/or child(ren) involved. Consideration should be given to contacting the IV-D agency which imposed the FVI.

If a court determines the release of information **would be harmful** to the parent and/or child(ren), the court will deny the request and not release the information. At this time, procedures for destruction of information should be considered.

If a court determines the release of information **would not be harmful** to the parent and/or child(ren), the court may release the information to the requesting party. A copy of the order must be forwarded to the Nevada SPLS.

B. SPLS RESPONSIBILITY [45 CFR 303.70]

After receiving an order requesting release of information from a court, the SPLS reviews the documentation to ensure it is from an appropriate court acting at the request of an authorized person, as defined by federal law. If the request is found to be legitimate, it is forwarded to the FPLS.

The SPLS receives the decision from FPLS and discloses the information to the state court.

C. FPLS RESPONSIBILITY

The FPLS reviews the court order requesting release of information, and if it is determined the request meets federal criteria, a one-time manual override of the FVI is conducted. The FPLS releases the information to the SPLS. In addition, the FPLS provides the requesting court with the name of the state which placed the FVI and also informs the state which placed the FVI a court of another state has requested an override.

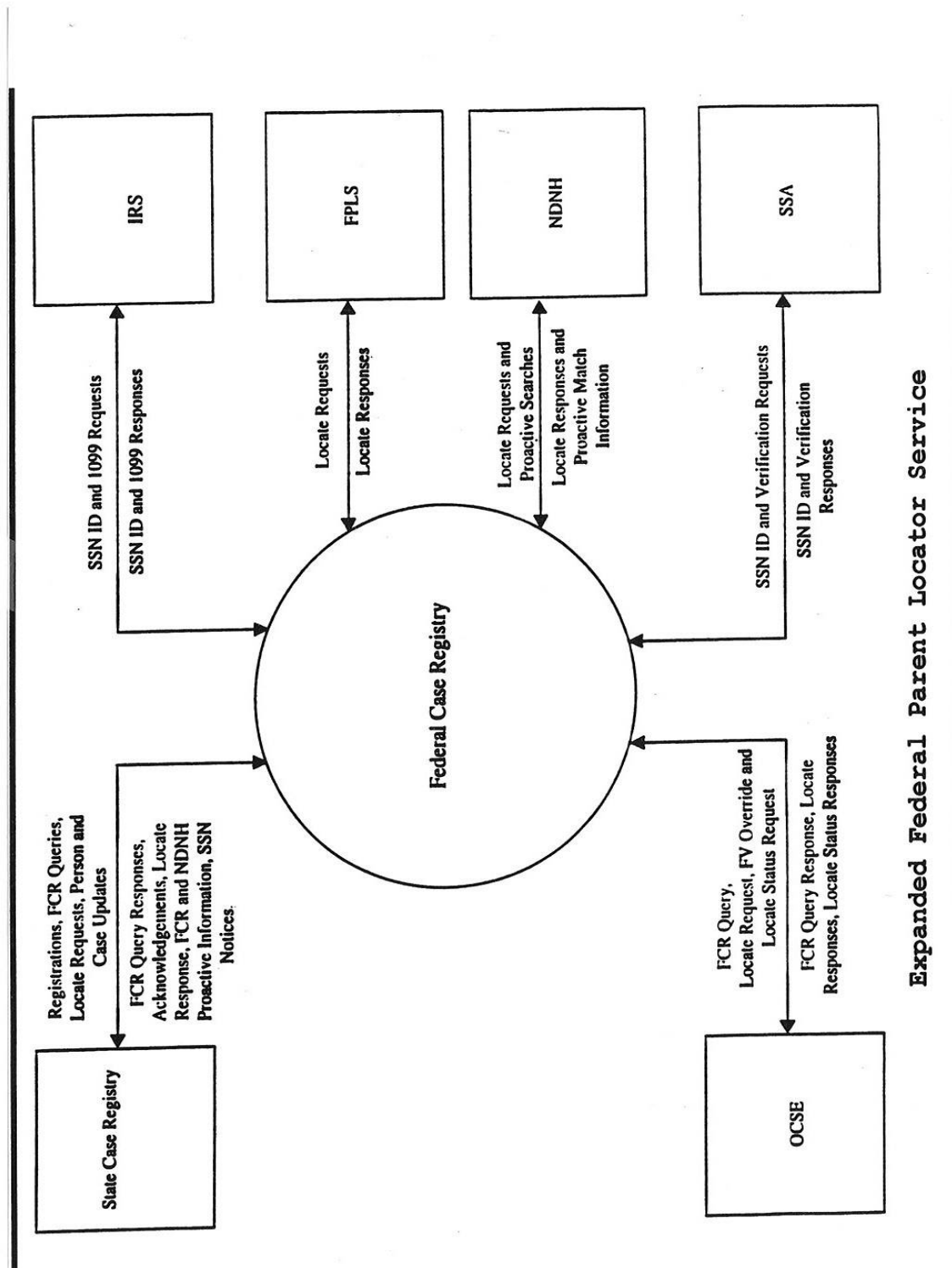
D. CASE MANAGER RESPONSIBILITY

The case manager notifies all parties involved of a court's decision to release identifying information. Case managers are also responsible to inform the requester of the confidential nature of information and its limited use. Refer to confidentiality procedures in SEM 107.

802 CASE MANAGER RESPONSIBILITY WHEN CLOSING A IV-D CASE WITH A NEVADA COURT ORDER

When a IV-D case is closed and the most recent court order was established or modified in Nevada on or after 10/1/98 and has neither expired nor been vacated, the order must stay open on the FCR as a non IV-D order. This is accomplished in NOMADS by changing the case type of the case/order from IV-D to non IV-D.

EXHIBIT 800-1



Expanded Federal Parent Locator Service

**NEVADA STATE DIVISION OF WELFARE AND SUPPORTIVE SERVICES
CHILD SUPPORT ENFORCEMENT**

IN THE FAMILY DIVISION
OF THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

CONFIDENTIAL FAMILY COURT INFORMATION SHEET

_____ Case No. _____
Plaintiff/Petitioner
vs.
_____ Dept. No. _____
Defendant/Respondent

Mother/Wife Information

Custodial Parent Non-Custodial Parent

Name: _____

Social Security Number: _____

Date of Birth: _____

Residential Address: _____

City, State, Zip: _____

Mailing Address: _____

Telephone No.: _____

Driver's License No.: _____

Ethnicity: White (Non Hispanic) Hispanic
 African-American Asian or Pacific Islander
 Native American/Alaskan Native Other

Are you employed? YES NO

Name of Employer: _____

Business Address: _____

City, State, Zip: _____

Telephone No.: _____

Father/Husband Information

Custodial Parent Non-Custodial Parent

Name: _____

Social Security Number: _____

Date of Birth: _____

Residential Address: _____

City, State, Zip: _____

Mailing Address: _____

Telephone No.: _____

Driver's License No.: _____

Ethnicity: White (Non Hispanic) Hispanic
 African-American Asian or Pacific Islander
 Native American/Alaskan Native Other

Are you employed? YES NO

Name of Employer: _____

Business Address: _____

City, State, Zip: _____

Telephone No.: _____

CHILDREN OF THE PARTIES

			Gender	
Name: _____	SSN: _____	DOB: _____	<input type="checkbox"/> M	<input type="checkbox"/> F
Name: _____	SSN: _____	DOB: _____	<input type="checkbox"/> M	<input type="checkbox"/> F
Name: _____	SSN: _____	DOB: _____	<input type="checkbox"/> M	<input type="checkbox"/> F
Name: _____	SSN: _____	DOB: _____	<input type="checkbox"/> M	<input type="checkbox"/> F
Name: _____	SSN: _____	DOB: _____	<input type="checkbox"/> M	<input type="checkbox"/> F

If there are more than five (5) children, list their information on a separate sheet of paper and attach.

Does this case involve Family Violence: YES NO

Signature Date Signature Date

The information captured on this form will be forwarded to the Federal Case Registry as required by federal law. If you do not want your identifying information shared with other states because of domestic violence, please check YES to the question on domestic violence.

Nevada's Division of Welfare and Supportive Services (DWSS), Child Support Enforcement Program (CSEP) is required by Chapter 42 of the United States Codes, federal regulations and state laws to obtain the Social Security Numbers (SSNs) of participants in cases involving child support orders. The CSEP will use these SSNs only for the purposes outlined in the federal law, federal regulations, state laws and state regulations that govern the CSEP. Social Security Numbers will be maintained in a confidential manner.

Within ten (10) days after a Nevada court issues a child support order, each party listed in the order must file the following information with the court that issued the order and the Division of Welfare and Supportive Services:

1. Social Security Number;
2. Residential and mailing address;
3. Telephone number;
4. Driver's License number, and
5. Name, address and telephone number of employer.

Each party shall update the information filed with the court and the Division of Welfare and Supportive Services (DWSS) within ten (10) days after the information becomes inaccurate. Information directed to DWSS should be mailed to:

Nevada State Division of Welfare and Supportive Services
Child Support Enforcement Program
1470 College Parkway
Carson City, Nevada 89706-7924

This requirement can be found in Nevada Revised Statutes 125B.055 and 125.230.