

Division of Child Support Services
***MAN1285 Division of Child Support Services
Policy Manual***

2024-10-28

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Customer Service

Policy 1.0

The Division of Child Support Services (DCSS) provides service to all customers who may take advantage of an internal review process for investigating complaints or allegations of lack of case management.

State Authority

None

Federal Authority

45 CFR § 303.35

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services (DHS) to provide child support services.

Overview

DCSS provides important alerts to customers through email and text alerts and ensures that customers have multiple ways to check the status of their case, research payments, or seek other assistance through the DCSS Mobile App, online chat feature, the DCSS Portal, the Communication Center, and local offices.

Customer Service Administrative Review Procedure

Customers may request an administrative review when they believe one of the following has occurred:

1. The concern/complaint was not resolved at the local DCSS office level which includes the case manager/agent, supervisor, and office manager.
2. The concern/complaint was not resolved at the DCSS region level.
3. DCSS committed an error and/or failed to take a required action.

If one of the above occurs, the customer may send a written request for an administrative review to:

Division of Child Support Services
Director's Communication Group
2910 Miller Road, Suite 200
Decatur, Georgia 30035

DCSS will notify the customer of the results of the internal review and take the appropriate action if it is confirmed that an error occurred or that an action should have been taken.

Providing Services to Qualified Applicants

Policy 2.0

All qualified applicants who meet the necessary requirements for establishing a child support case may apply for services.

State Authority

O.C.G.A. §§ 9-10-31, 10-1-393.9, 10-1-393.10, 19-6-15, 19-6-33.1(c)(d), 19-11-6 et. seq., 19-11-18, 19-11-12, 19-11-21, 19-11-30, 19-11-100 et. seq.

Georgia Constitution, Article III Section IV Paragraph VI

DHS Rules and Regulations 290-7-1-.04, .05, .06, .07, .13

Federal Authority

28 U.S.C. §1738

42 U.S.C. §§ 654 (4)(A)(ii), 654(12)(B), 654b(b)(1), 654b(c)(1), 666(a)(10)

45 CFR §§ 80.3, 302.32, 302.33(c), 302.35, 302.38, 302.50, 303.2, 303.3, 303.7(b)(6), 303.8, 303.15

Section §§ 408(a)(3), 454(11)(B) and 457 of the Social Security Act

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS provides appropriate services to all qualified applicants in accordance with state and federal laws, rules, and regulations. Qualified applicant is defined as a parent, grandparent, or nonparent custodian with physical or legal custody of a child. Services include locating the alleged father or noncustodial parent, establishment of paternity, establishment and enforcement of a support order, establishment and enforcement of medical support and review and modification (adjustment) of an existing court order. Effective October 1, 2007, DCSS began to review child support orders in all Temporary Assistance for Needy Families (TANF) cases every three years in accordance with the Federal Deficit Reduction Act.

An assignment to the DCSS to provide services to the applicant is obtained from a TANF or Medical Assistance (Medicaid) referral from the Division of Family and Children Services (DFCS) or through a non-TANF application received from an applicant. Fees are associated with all non-TANF applications and are dependent upon the type of service that is provided. An annual Maintenance Fee is collected for each case that has never received TANF where the state has collected at least \$500.00 of child support. Applicants who have an active or former case with the Department of Family and Children Services may qualify for an exemption of the application fee for child support services. Applicants may also apply in person at any local office, by mail after obtaining an application from

the DCSS web site or online on the DCSS Portal. The applicant must be a resident of Georgia, of another state in the United States or a foreign country that has a reciprocal agreement (reciprocity) with Georgia or the United States. DCSS recognizes assignment of child support payment agreements between custodial parents and a Private Child Support Collector that are properly registered with the State of Georgia. Services are provided to applicants without regard to their race, religion, gender, disability, sexual orientation, or national origin.

Child Support Services for Custodians and Kinship Families

Policy 3.0

The Division of Child Support Services (DCSS) provides child support services to the physical or legal custodian of a child and redirects child support payments if a legal custodian grants physical custody of a child to another individual during a time of hardship.

State Authority

O.C.G.A. §§ 19-11-6, 19-11-7, 19-11-8(a)
DHS Rules & Regulations 290-7-1-.04, .15

Federal Authority

45 CFR §§ 303.2, 302.33(c), 302.35, 302.50, 303.15

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

Individuals granted physical or legal custody of a child can receive services through the DCSS on behalf of that child. Services are provided to physical or legal custodians upon proper application by the custodian, or upon referral by the Division of Family and Children Services (DFCS) or the Division of Aging Services (DAS). Written documentation of custodianship must be submitted with the application or referral for services to be provided. DCSS, upon proper proof, redirects child support payments from the legal custodian to the physical custodian when the legal custodian grants physical custody of a child to another individual during a time of hardship. Child support payments revert to the legal custodian when physical custody is terminated or revoked.

Kinship care refers to a temporary or permanent arrangement in which a relative or any non-relative adult who has a long-standing relationship or bond with the child and/or family has taken over the full-time, substitute care of a child whose parents are unable or unwilling to do so. Kinship care includes those relationships established through an informal arrangement, legal custody, guardianship order, a relative foster care placement or kinship adoption.

Children in State Custody

Policy 4.0

The Division of Child Support Services (DCSS) provides appropriate services on behalf of children who are in the custody of the state.

State Authority

O.C.G.A. §§ 15-11-28, 19-6-26, et seq.

Federal Authority

42 U.S.C. § 666(a)(19)

45 CFR §§ 303.30 through 303.32

OCSS-IM-12-02

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS has a cooperative agreement with the Division of Family and Children Services (DFCS) and the Department of Juvenile Justice (DJJ) to provide services on behalf of children in the state's custody. Services include establishment of paternity, establishment, and enforcement of a support order as well as establishment and enforcement of medical support. Upon request of the juvenile court or DFCS, the DCSS assists with locating parents for the purposes of child placement.

DCSS seeks to obtain or enforce child support and medical support from either parent or guardian who is legally responsible for the maintenance, protection, and education of the child. However, DCSS will not seek to obtain or enforce child support obligations against minor parents of foster children who are also in the custody of the state. These services are provided by the DCSS through an assignment obtained while the child is in the state's custody and while the child is receiving TANF or Medicaid. DCSS services are provided until the parent or guardian regains custody or until the child is adopted.

Intergovernmental Child Support Services

Policy 5.0

The Division of Child Support Services (DCSS) provides child support services in intergovernmental cases in accordance with the Uniform Interstate Family Support Act (UIFSA) 2008.

State Authority

O.C.G.A. § 19-11-100, et seq.
DHS Rules & Regulations 290-7-1-.13

Federal Authority

28 U.S.C. § 1738(B)
42 U.S.C. § 666
45 CFR §§ 302.36, 303.7
Uniform Interstate Family Support Act (UIFSA)

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS extends a full range of services to any state, foreign country, or individual upon receipt of a petition or intergovernmental transmittal. DCSS responds to inquiries as well as receives and distributes all incoming intergovernmental Title IV-D cases to the appropriate DCSS office. Full faith and credit are given, upon request of foreign jurisdictions, to all administrative and court orders in accordance with the laws and terms of that foreign jurisdiction and the federal Full Faith and Credit for Child Support Orders Act. DCSS maintains a description of the child support services available to foreign jurisdictions on the federal Intergovernmental Reference Guide (IRG) that can be accessed from the Office of Child Support Services website at www.acf.hhs.gov/css.

Enforcement Services

Policy 6.0

The Division of Child Support Services (DCSS) uses all appropriate administrative and judicial legal remedies to enforce cases for constituents who have assignment to the DCSS.

State Authority

Georgia Constitution, Article III Section IV Paragraph VI

O.C.G.A. §§ 18-4-20, 19-6-15, 19-6-17, 19-6-30 through 19-6-33.1, 19-11-9.1, 19-11-18, 19-11-19, 19-11-25, 19-11-30.1 thru 19-11-39, 19-11-65, 19-11-150 thru 19-11-156, 19-11-161, 23-4-31, 40-3-53, 44-13-100, 48-7-160 et. seq.

DHS Rules and Regulations 290-7-1-.05, .08, .09, .10, .11, .12, .17

Federal Authority

11 U.S.C. §§ 362, 524, 701 et. seq., 727, 1101 et. seq., 1201 et. seq., 1301 et. seq., 1328

15 U.S.C. §§ 1673, 1681 et. seq.

18 U.S.C. § 228

26 U.S.C. § 6103

29 U.S.C. § 1169

42 U.S.C. § 407, 652, 653, 654, §659, 665, 666

22 CFR §§ 51.70

45 CFR §§ 301.1, 302.56, 302.65, 303.3, 303.6, 303.11, 303.71, 303.72, 303.100, 303.102, 303.104
PRWORA 1996 (PL 104-193), Public Law 97-35, Public Law 104-134 Debt Collection Improvement Act of 1996

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS takes appropriate steps to assure compliance with a child support order using all appropriate administrative and judicial processes in accordance with state and federal laws, rules, and regulations. Use of these administrative and judicial enforcement remedies is initiated and/or remains in effect until such time as the noncustodial parent is in full compliance with the child support order. Enforcement services include, but are not limited to the following:

- Bankruptcy Filings
- Contempt Hearings
- Credit Bureau Reporting

- Garnishments, Income Withholding & Military Allotments
- License Denial or Suspension
- Passport Denial or Suspension
- Posting Bond
- Liens and Levies on FIDM accounts, Social Security Benefits, Workers Compensation, Veterans Benefits, Vehicle
- Titles & Lottery Intercept
- State & Federal Tax Offset
- Referral for Federal Criminal Prosecution

Distribution of Child Support Collections

Policy 7.0

The Division of Child Support Service (DCSS) is required by federal and state law to take appropriate steps to assure: 1) The proper distribution of any support payments collected and 2) Account balances are adjusted properly and that payments are posted as future payments when applicable.

State Authority / Reference

DHS Rule 290-7-1-.14

Federal Authority / Reference

45 CFR §§ 302.51, 302.52

OCSS-AT-97-17

OCSS-AT-07-05

OCSS-AT-01-01

OCSS-AT-09-03

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Distribution of Support Collections

Federal law requires all state IV-D agencies to apply amounts collected, other than an involuntary payment, first as payment on the required support obligation for the month in which the support was collected. Any amount more than the current obligation due for the month is applied to child support arrearages that accrued during previous months. Child support agencies are required to establish procedures for the allocation of support among families when a noncustodial parent (NCP) supports children with multiple custodial parents (CP). All child support payments are prorated among all the NCP's cases when posted by NCP's SSN or IRN.

Current Assistance

A case where the child(ren) is receiving Temporary Assistance to Needy Families (TANF) benefits or IV-E Foster Care benefits which have been assigned to the state.

Former Assistance

A case where the child(ren) formerly received TANF benefits or IV-E foster care benefits.

Never Assistance

A case where the custodial parent (CP) makes a Non-Temporary Assistance to Needy Families (Non-TANF) application for services, a county based (IV-B) Foster Care case and any Medical Assistance case (full service or MAO) which has never received TANF benefits. If the MAO case did formerly receive TANF or IV-E benefits, then it would be classified as a “Former Assistance” case.

Proration of Child Support Collections

Policy 8.0

The Division of Child Support Service (DCSS) is required by federal and state law to take appropriate steps to assure: 1) The proper distribution of any support payments collected and 2) Account balances are adjusted properly.

State Authority / Reference

O.C.G.A. § 19-6-33(e)(11)

DHS Rule 290-7-1-.15

Federal Authority / Reference

45 CFR §§ 302.51; 302.52

OCSS-AT-97-17

OCSS-AT-07-05

OCSS-AT-09-03

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Distribution of Support Collections

Federal law requires all state IV-D agencies to apply amounts collected, other than an involuntary payment, first as payment on the required support obligation for the month in which the support was collected. Any amount more than the current obligation due for the month is applied to child support arrearages that accrued during previous months. Child support agencies are required to establish procedures for the allocation of support among families when a noncustodial parent (NCP) supports children with multiple custodial parents (CP). All child support payments are prorated among all the NCP's cases when posted by NCP's SSN or IRN.

There are four passes in Proration:

First Pass: Proration satisfies current Support Ordered Amounts (SOA) first

If the payment is less than all of the current SOAs, then the current SOAs will be added together. Each case's current SOA will be divided by the TOTAL of the SOAs to obtain the percentage due the case. This percentage will then prorate the payment and apply to each individual case. SOA balances are also key in this process. The DCSS database assures that the current SOA for the month is paid first.

Second Pass: Payment then applies to Repay SOAs

If all current support is satisfied and a portion of the payment remains, it applies to the Repay

SOAs. If the remaining payment amount is less than the Repay SOAs, the Repay SOAs are added together, and the individual Repay SOAs will be divided by the **total** Repay SOA to obtain a percentage per DCSS case. This percentage is used to determine the amount of the payment that will apply to each individual case. The SOA balances are also a key part of this process.

Third Pass: Arrears Balances for NCP cases

If all Repay SOAs have been paid and a balance of the payment remains, the balance will prorate among all arrears balances for the NCP's cases. The arrears balances are added together, and each individual case arrears balance is divided by the total arrears balance for all cases to obtain the percentage. This percentage is used to determine the amount of money to apply to each individual case.

Fourth Pass: NCP Refund

If all current and arrears balances are paid in full, an NCP refund will generate.

Fatherhood Program

Policy 9.0

The Division of Child Support Services (DCSS) provides fatherhood and prison re-entry services to noncustodial parent's court ordered to pay child support.

State Authority

O.C.G.A. Title 19

Federal Authority

34 U.S.C. § 10613

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

Georgia recognizes that many noncustodial parents want to pay their court-ordered child support but lack the economic capacity to do so.

Through the Fatherhood Program, DCSS works with parents who are unemployed or underemployed and are consequently unable to pay their full child support obligations. The program connects parents with resources leading to jobs that pay above minimum wage, leading to greater self-sufficiency and more emotional, parental, and financial involvement in the lives of their children.

Participants who have had their driver's licenses suspended or who are subject to license suspension for nonpayment of child support can regain driving privileges.

Services offered include:

1. Job Placement
2. Short-Term Training
3. GED Classes
4. Federal Bonding Through TOPPSTEP
5. Volunteer Services
6. Resume Writing
7. Job Referral
8. Emotional Wellness Training

9. Prison Paternity Testing
10. Prison-Re-Entry Support
11. Aftercare Services

Parental Accountability Court

Policy 10.0

The Parental Accountability Court (PAC) program is a joint effort of the Division of Child Support Services and Superior Court Judges to offer an alternative to incarceration and to help chronic non-payers of child support make regular payments.

State Authority

O.C.G.A. Title 19

Federal Authority

34 U.S.C. 10613

42 U.S.C. § 666

OCSS PIQ-12-02

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

The PAC program uses community resources and judicial oversight to address barriers that keep parents from meeting their support obligations. Each program, including services provided to participants, is tailored to the needs of the local community. Superior Court Judges provide judicial oversight and collaborate with PAC coordinators to implement the program. PAC coordinators connect participants to existing community resources.

Services offered include:

1. Volunteer Work Opportunities
2. Literacy Training
3. Job Assistance/Placement
4. Mental Health Services
5. Clinical Assessments
6. Substance Abuse Treatment
7. Coaching/Mentoring

PAC will assist and transition non-custodial parents in overcoming barriers which may include but not be limited to:

1. Lack Of Education
2. Insufficient Job Skills
3. Criminal Background
4. Substance Abuse
5. Mental Health

Mission Statement

Through judicial oversight and partnership with public agencies and community-based organizations, PAC will assist and transition noncustodial parents in overcoming barriers to self-sufficiency with the integration of screening, assessment, treatment, and the use of rehabilitative services. The PAC emphasizes parental accountability to increase the obligor's ability to pay child support on a consistent basis. By facilitating the delivery of these services, the goal of the PAC is to reduce recidivism, reducing the burdens and high cost of jail, and reducing the public debt for such things as public assistance and public medical care.

Safeguarding Confidential Information

Policy 11.0

The Division of Child Support Services (DCSS) takes every reasonable precaution to safeguard against the improper release of confidential information contained within case records maintained by DCSS.

State Authority

O.C.G.A. §§ 19-11-2, 19-11-30, 31-10-25, 31-10-31, 50-18-70 et seq., 50-18-71, 10-1-910, 10-1-911, and 10-1-912

DHS Rules & Regulations 290-7-1-.16

Federal Authority

42 U.S.C. §§ 653(b)(2), 653(I), 653(m), 654(8), 654(17), 654(26), 663(c)

45 CFR §§ 160 and 164, 303.21

IRS Publication 1075

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS safeguards all confidential information associated with a child support case to ensure that the privacy of the parties is protected in accordance with state and federal laws, rules, and regulations. All requests for confidential information are reviewed by the DCSS attorneys and/or the DHS Office of General Counsel to determine whether the information is subject to disclosure and whether a signed authorization for release of information is required. Failure to safeguard confidential information may result in penalties such as disciplinary action and fines.

Verifying the Identity of Walk-In Customers

DCSS must ensure that case record information is only provided to parties to a case. DCSS must obtain a copy of the authorized party's valid photo identification prior to releasing case record information. If the request is being made by a third-party, a signed Authorization for Release of Case Information Form (ARI) must be provided along with a copy of the requestor's valid photo identification. A copy of each requestor's photo identification must be placed in the case file.

When a Signed Authorization Form IS Required to Release Case Information

DCSS must have a signed ARI form from a party or parties specifying who is authorized to receive information, what information they are entitled to and how long the release will remain in effect when requests are received from:

1. Social Security Administration (SSA)
2. Housing Authority (e.g., apartment leasing office)
3. Third-Party Requests (e.g., party's legal representative, family member, etc.)

When a Signed Authorization Form IS NOT Required to Release Case Information

Under Georgia law, DCSS can release case record information when:

1. Information about a party is being requested by that party.
2. Information is required to be disclosed pursuant to a court order.
3. An Assistant United States Attorney requests information in writing for use in a criminal prosecution of a child support obligor.
4. Another state or federal agency is requesting information that is necessary to carry out child support functions under Title IV-D of the Social Security Act and purposes of the program that include locate, establishment, enforcement and collections and distribution.
5. Information is being requested that is necessary to carry out a purpose or function specifically authorized by Georgia law.

IRS Safeguarding

DCSS is required to ensure the protection of noncustodial parents' Federal Tax Information (FTI) as required by the Internal Revenue Service (IRS) Office of Safeguards. Security controls are built into systems, processes, and procedures to ensure that the information is protected and that FTI is destroyed or returned to the IRS.

Disclosure involves making known any federal tax return or tax return information to any person. Generally, FTI may be disclosed to certain federal, state, and local agencies upon written request signed by the head of the requesting agency. DCSS may receive FTI for the sole purpose of establishing and enforcing child support obligations. As a condition of receiving FTI, DCSS must satisfactorily demonstrate to the IRS the ability to protect the confidentiality of the information. DCSS should not receive any more FTI than what is necessary to perform program functions. All staff are required to complete a Federal Tax Returns Confidentiality Statement yearly that will be placed in their productivity file.

DCSS employs the following to secure FTI:

1. Proper identification

2. Secure storage
3. Secure access by authorized staff
4. Secure transmission (when required)
5. Standardized record keeping
6. Proper methods of destruction

DCSS does not:

1. Email FTI in any form (i.e., typed or copied and pasted into the body of the email, attachments, etc.)
2. Store FTI on mobile devices, OneDrive, Microsoft Teams, or SharePoint
3. Print FTI at alternate work sites other than non-DHS office work sites

Safeguards Against Family Violence

Policy 12.0

The Division of Child Support Services (DCSS) safeguards against the release of information that could result in the physical or emotional harm of parties associated with a child support case.

State Authority

O.C.G.A. §§ 19-11-6, 19-11-30 and 19-11-30.4, 49-4-184, 185 and 191
DHS Rules & Regulations 290-7-1-.16

Federal Authority

42 U.S.C. §§ 653, 654, 663
45 CFR §§ 235.70, 260.50, 302.31, 303.11, 303.21, 307.11(b)(14), 1370.2
Sections 408(a)(7)(C)(iii), 453(b(2)) and 454(26) of the Social Security Act

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS has safeguards in place to prevent the disclosure of the physical address of custodial parents and their children when they declare that such disclosure to the noncustodial could place them at risk of physical or emotional harm. These safeguards include the prohibition against releasing information when a protective order has been filed against the noncustodial parent.

Upon a written declaration, documentation, or evidence of intrapersonal violence or child abuse, a Family Violence Indicator is applied on all appropriate child support cases. Once the indicator is activated, access to the physical address of the custodial parent and children will be restricted and will not be shared with the Federal Case Registry which is accessed by other state child support agencies to locate parties when they reside in different states. The indicator cannot be removed unless the custodial parent visits a local child support office with photo identification to make a written request.

The local child support office address will be used for all correspondence and legal documents in place of the custodial parent's address. If the noncustodial parent is ordered to provide health coverage, the contracted vendor processing the National Medical Support Notice for the noncustodial parent's employer will use their business address instead of the custodial parent's. Health insurance cards will be mailed to the contracted vendor, who will then forward them to the custodial parent.

Federal Performance Standards

Policy 13.0

The Division of Child Support Services (DCSS) provides quality child support services to customers in compliance with federally mandated program standards and timeframes.

State Authority

O.C.G.A. §19-6-1 et. seq.

O.C.G.A. §19-11-1 et. seq.

Federal Authority

42 U.S.C. §654(15)

45 CFR §303

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

Quality Assessment reviews are performed on an annual basis in each child support office to ensure that each office is operating in compliance with the IV-D State Plan and is meeting federal performance standards. Federal assessment reviews measure performance in the following areas: Establishment of Current Support and Medical Support, Enforcement of Current Support and Medical Support, Review and Adjustment, Intergovernmental, Expedited Processes and Case Closure. Quality Assessment reviews may measure paternity establishment, support order establishment, disbursement of collections and cost effectiveness. Compliance is measured using a variety of federally approved processes that include, but are not limited to, system generated reports, a review of a random sample of cases and other internal audits. Offices that fail to meet minimum federal performance standards are placed on a corrective action plan until they are found to comply.

Minimum time frame standards applicable to all core case management functions being reviewed by the DCSS Performance Management Section and federal child support auditors can be found in Appendix A. DCSS strives to always exceed these standards to provide the best possible services for our constituents.

Case Closure

Policy 14.0

The Division of Child Support Services (DCSS) closes cases once specific federal criteria are met.

State Authority

O.C.G.A. §§ 48-3-23.1, 50-16-18
State Accounting Office Policy and Procedure

Federal Authority

42 CFR §§ 433.146, 433.147
45 CFR §§ 302.31, 302.33, 302.35, 302.70, 303.5, 303.7, 303.11
OCSS-AT-93-03
OCSS-AT-89-15

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS performs routine manual and system driven reviews of all cases to identify when a case may be eligible for case closure. Cases must meet federal case closure standards and criteria set forth in federal regulations before case closure steps are initiated. A 60-day advance notice of the State's intent to close a case is provided to customers and the Division of Family and Children Services when applicable.

The Office of Child Support Services (OCSS) revised the federal case closure regulations to increase program flexibility, effectiveness, and efficiency. The goal of these changes is to direct resources for cases where collections are possible and to ensure that families have more control over whether to receive child support services.

Case Record Retention, Document Imaging and File Destruction

Policy 15.0

The Division of Child Support Services (DCSS) adheres to federal and state record retention and file destruction laws, policies and procedures and internal document imaging processes.

State Authority

O.C.G.A. § 50-18-90, et seq.

Georgia Archives State Government Records Retention Schedule

Federal Authority

45 CFR §§ 75.361 – 75.370, 302.15, 302.85, 303.11

Applicability

All Georgia Child Support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Required Case Conditions

Any IV-D (enforcement) or non-IV-D (collection and disbursement only) case

Overview

DCSS maintains records necessary for the proper and efficient operation of the state's child support program. Cases that have been closed for three years are reviewed to determine if the record should be retained, imaged, or destroyed. Cases that have been subjected to a state or federal audit are retained in their entirety until the audit finding period is closed.

Limited English Proficient (LEP) / Sensory Impaired (SI) Customers

Policy 16.0

The Division of Child Support Services (DCSS) provides meaningful language access to Limited English Proficient and/or Sensory Impaired customers seeking or receiving with meaningful access to services.

State Authority

Supreme Court of Georgia Commission on Interpreters

GA Superior Court Rule 7.3

Ling v. State, 702 S.E.2d 881 (2010)

O.C.G.A. § 24-6-650 to 658

DHS MAN 2001 - Access Plan for Limited English (LEP) and Sensory Impaired (SI) Constituents

Federal Authority

Title VI of the Civil Rights Act of 1964.

Section 504 of the Americans with Disabilities Act (ADA) of 1990, Title II

Rehabilitation Act of 1973

Executive Order 13166

Federal Register/Vol. 68, No. 153

45 CFR § 92.201

Applicability

All Georgia Child Support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS staff is required to provide meaningful access to services for Limited English Proficient and Sensory Impaired customers as required by Federal law. To ensure compliance with all federal requirements, DCSS provides staff with resources to obtain the assistance of interpretive and translative services, when needed and/or requested. DCSS maintains and provides information for Limited English Proficient and Sensory Impaired customers in all local and state offices to inform customers of free language assistance, which will result in accurate and effective communication of DCSS services.

Certain DCSS employees are bi-lingual and have been deemed qualified to have a one-on-one conversation with customers in foreign languages. However, these bi-lingual staff members are not certified to interpret conversations between customers and other staff.

Rapid Process Improvement

Policy 17.0

The Division of Child Support Services (DCSS) is committed to transforming our processes by improving efficiencies and developing a statewide culture of continuous improvement to offer Faster, Friendlier and Easier services to our customers.

State Authority

None

Federal Authority

None

Applicability

All Georgia Child Support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS has integrated into its processes the “Lean Management” methodology known as Rapid Process Improvement (RPI) to identify and eliminate waste. RPI requires the development of standard operating procedures with employee’s lead ideas. Subject matter experts (employees doing the work) along with RPI Champions conduct RPI events to develop uniformed and standardized processes. RPI leads to quality and improved workflow, increased customer satisfaction, productivity and employee morale through the teamwork required by this methodology.

RPI events have been conducted in the following program areas:

1. The **Early Intervention Process (EIP)** requires DCSS employees to provide early and direct noncustodial parent contact through telephone calls in an effort to educate them about the services DCSS offers and increase the likelihood of consistent child support payments.
2. **Enforcement** of child support orders is required by federal and state law to ensure that the provisions of child support obligations are being met by obligated parties.
3. The **Fatherhood Program** decreased the timeframe for direct contact between noncustodial parents and Fatherhood Agents to facilitate quicker participation in orientations.
4. **Financial** processes ensure that child support payments collected from obligors are disbursed to the families for whom child support obligations have been established.
5. The establishment and enforcement of **Intergovernmental** support obligations is a federal requirement in child support program cases receiving services under Title IV-D of the Social Security Act (the Act).

6. The **Legal** Administration process is in place statewide along with a more proactive process with our Sheriff Departments, private process servers and judicial circuits.
7. The **Locate** process allows DCSS employees to validate noncustodial parents' whereabouts via telephone contact rather than securing written verification, requires comprehensive rather than quick locate searches, and requires confirmation that a noncustodial parent is truly unlocated when process of service is unsuccessful.
8. **Same Day Service (SDS)** is provided on all new cases, where applicable, and moves a request for services from application or referral up to legal filing in one business day.
9. **Time Management** standards have been created to assist DCSS staff with increasing all program performance indicators and to manage child support cases effectively.
10. Federal law requires DCSS to conduct a **Review and Modification** of child support orders, as appropriate, in accordance with State guidelines for support award amounts. DCSS must notify each parent subject to a child support order in the State, being enforced under Title IVD, of the right to request a review of the order.
11. The **Non-IV-D** process sets forth a standard operating procedure and provides directions on the responsibilities of a DCSS employee in relation to Non-IV-D cases.
12. The **Child Support Lien Network (CSLN)** process provides directions on the responsibilities of a DCSS employee in relation to cases which require action to be taken by the Child Support Lien Network and provides clear instructions for the level of responsibility expected of DCSS Local offices and the CSLN team.
13. **Involuntary Payment** standards exist to ensure the state and federal involuntary payment offset process is in alignment with DCSS strategic goals.
14. The **Contracts and Grants** procedure serves to provide staff with a standard process for initiating and renewing contractual agreements within 75 days of the expected agreement execution date. This procedure also provides guidance for terminating contractual agreements.

Paternity Establishment

Policy 18.0

The Division of Child Support Services (DCSS) attempts to establish paternity by legal processes established under state law and federal law and provides for paternity testing in contested paternity cases.

State Authority

O.C.G.A. §§19-7-20, 19-7-21.1, 19-7-40, 19-7-43, 19-7-45, 19-7-46.1, 19-7-53, 19-7-54, 19-8-1, 19-11-9, 19-11-13, 19-11-14, 31-10-9 and 50-13-1

Federal Authority

42 U.S.C. §§ 652, 654, 669(b)

45 CFR § 303.5

Applicability

All Georgia child support offices receiving Title IV-D funds, including all private vendors contracted with the Department of Human Services to provide child support services.

Overview

DCSS is required to have administrative and judicial procedures for establishing paternity. Effective July 1, 2015, Georgia law was amended to require the Division of Child Support Services (DCSS) to order genetic testing in all IV-D cases in which the paternity of a child or children has not been established or in which the individual receiving services alleges paternity rests in a person other than the previously established father.

The new law was established to prevent a non-biological father of a child(ren) from being obligated to pay child support. It also allows NCPs who are obligated to pay support and who are later excluded through paternity testing to petition the court to set aside the determination of paternity and relieve them of the obligation for any future and/or past due amounts owed to the state or to the Custodial Parent / Custodian of a child(ren). The new law further clarifies the process by which a determination can be made regarding the responsibility of providing child support between fathers involved in situations where both a legal and a biological father of a child appear.

Biological fathers who are identified by DCSS through paternity testing may have a higher likelihood of supporting their children and taking an active role in their lives, thereby reducing the number of families needing public assistance and increasing the likelihood of children developing relationships with both parents. Numerous studies have found that children who have relationships with both parents, especially fathers, are more likely to have good physical and emotional health, achieve academically, and avoid substance abuse, violence, and other delinquent behavior, thereby leading to healthy and productive lives.

Parents may also voluntarily establish paternity by signing a Paternity Acknowledgment (PA) Form which adds the biological father's name to the child's birth record.

Restrictions

A PA cannot be used if the mother of the child was married to anyone within 10 months prior to the birth of this child or, if for any other reason, there is another father listed on this child's birth certificate. If the mother was married during this time frame, or if another father is listed on the birth record, court action will be necessary to establish paternity, amend the birth record, and establish legitimation.

Paternity Acknowledgment

Once filed with the State Office of Vital Records, the PA helps establish the father and child relationship. It is a voluntary agreement between the mother and the biological father to add the father's name to the birth record. The child's name can also be changed within the first year of birth if agreed upon by both the mother and father.

Minor Parent

An unwed parent under the age of 18 may sign the PA form without parental consent if:

1. He/she is on active duty with the military.
2. Emancipation has been granted by a court order.

Rescission

Either the mother or biological father has 60 days from the date of his/her signature to request to rescind the PA. However, a court order filed with the State Office of Vital Records is required to remove the father's name from the child's birth certificate. After the 60-day rescission period has ended, this signed document may constitute a legal determination of paternity and can only be challenged in a court of law on the basis of fraud, duress, or material mistake of fact, with the burden of proof on the person challenging the acknowledgement.

Rights and Responsibilities

1. Signing the PA is strictly voluntary.
2. The mother should not sign the PA unless she is confident that the father signing is the biological father of this child.
3. The father should not sign the PA unless he is confident that he is the biological father of this child.
4. By signing this document, it will be presumed by law that the male signer is the biological father of this child, and the child's birth certificate will reflect this fact.
5. Any change made to the birth record in the future regarding the child's information, mother's

information, or father's information will require a court order.

6. The PA must be notarized and filed with the State Office of Vital Records within 30 days of execution.
7. Each parent is entitled to a copy of the PA after it has been signed and notarized.

Filing Instructions

The PA, once completed and signed in the presence of a notary public/hospital birthing clerk, will be forwarded to the State Office of Vital Records where it will be entered into the State Putative Father Registry and considered a Vital Record. If both parents do not sign a PA before leaving the hospital or birthing facility, only the mother's name and child's name will be entered on the birth certificate.

The PA may be signed before a notary later and mailed to the State Office of Vital Records. Upon receipt of an acceptable PA form, the certificate of birth will be amended to enter the name of the father and change the child's name, if requested. For information on how to rescind a signed PA, contact either the State Office or a local County Vital Records Office.



Establishment of paternity does not entitle the father to custody, visitation, or rights of inheritance from or to a child. Those rights must be established by the filing of a petition for legitimation with the court.

Appendix A Federal Timeframes

DCSS strives to always exceed these minimum standards to provide the best possible services for our constituents.

Case Closure – 45 CFR § 303.11

Send CP notice 60 calendar days in advance, if required. After 60 calendar days, close case if appropriate.

Collection and Disbursement of Support Payments – 45 CFR § 302.32

Within 2 business days of receipt by FSR, disburse payment to family or other state.

Continuing Services to TANF Customers – 45 CFR § 302.33

Within 5 working days of closed TANF, Foster Care or Parent Caretaker Medicaid case offer full services to custodian.

Enforcement – 45 CFR § 303.6

Within 30 calendar days of delinquency, take enforcement action. Income Withholding Order (IWO) required if employed.

Establish Cases and Maintain Records – 45 CFR § 302.2

Provide Application for IV-D services:

- Same day to in-person request.
- Within 5 working days of receiving a written or telephone request.

Open a case and establish a case record:

- Within 20 calendar days of receipt of referral, or
- Within 20 calendar days of filing an Application for Services under 45 CFR § 302.33.

Establish Support Obligations - 45 CFR § 303.4

Within 90 calendar days of locating the alleged father/NCP, regardless of whether paternity is established, establish an order for support or complete service of process.

Within 20 calendar days of locating alleged father/NCP in another state, refer to other state.

Within 5 working days from date locate deemed necessary, refer to locate.

Locate Noncustodial Parents – 45 CFR § 303.3

Access case through all appropriate locate resources:

- Within 75 calendar days of determining locate is needed.

National Medical Support Notice (NMSN) – 45 CFR § 303.32

Within 2 business days of an employment match, mail NMSN to employer.

Review and Adjustment of Support Orders – 45 CFR § 303.8

Within 180 days of written request or date of locating NCP, review must be complete.

Services in Intergovernmental Cases – 45 CFR § 303.7

Central Registry Responsibilities

Within 10 working days of receipt of an Intergovernmental case:

- Ensure that the documentation submitted with the case has been reviewed to determine completeness.
- Forward the case for necessary action either to the central State Parent Locator Service for location services or to the appropriate agency for processing.
- Acknowledge receipt of the case and request any missing documentation; and □ Inform the initiating agency where the case was sent for action.

Responding Jurisdiction - Central Registry and Local Office Responsibilities

Within 5 working days, respond to inquiries from other jurisdictions for a case status review.

Within 10 working days of locating NCP in a different jurisdiction, forward case to that jurisdiction.

Within 10 working days, notify initiating jurisdiction of receipt of new information.

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 State IV-D agency when the information will be provided.

Initiating Jurisdiction – IV-D Agency Responsibilities

Within 10 working days, notify other jurisdiction of any new information.

Within 10 working days, notify other jurisdiction that case has closed and provide basis for the closure.

Within 20 calendar days, act after receiving a request for review/adjustment.

Within 30 calendar days, provide any information to other jurisdiction upon request.

Annually, notify responding jurisdiction of interest charges, if any, owed on overdue support under an initiating jurisdiction order being enforced the responding jurisdiction.