

State of New Jersey  
Administrative Office of the Courts

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## **1803 UIFSA/Hague Intake Procedures**

### **A. Authority**

Code of Federal Regulations:	45 <u>C.F.R.</u> § 303.4 45 <u>C.F.R.</u> § 303.101 45 <u>C.F.R.</u> § 302.50
New Jersey Court Rules:	<u>R.</u> 5:7-4 <u>R.</u> 5:25-3
New Jersey Administrative Code:	<u>N.J.A.C.</u> 10:110-20.3
Other Authorities:	AJ Memorandum dated on 09/30/2008 – Inter- Divisional Post Hearing Intake Team – Statewide Implementation – Request for Implementation Plan

### **B. Overview**

The Intergovernmental Central Registry (ICR), Family Division, and County Welfare Agency (CWA) each have a role in the intake process for intergovernmental cases.

For local instate cases, CWA staff will complete the intake process when the applicant is residing in New Jersey and is receiving Temporary Assistance for Needy Families (TANF) benefits. For responding cases, the ICR will complete the intake process upon receipt of an out-of-state petition/pleading. For non-TANF cases where the applicant lives in New Jersey, Family Division staff will initiate and complete the intake process.

Cases are prepared, screened, and scheduled by Family Division staff for a consent conference, or scheduled before a Child Support Hearing Officer (CSHO) or judge.

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**Note:** There may be a need to translate transmittals or other documents. Staff can refer to the *Probation Child Support Enforcement Manual*, sections Creating an Intergovernmental Case and Translations for additional information.

Once the order is entered, the Interdivisional Post Hearing Intake Team meets with the parties, reviews, and explains the order, gathers information, provides resources, reviews consent orders and updates New Jersey Kids Deserve Support (NJKiDS) as necessary. Once completed, the case is assigned to the Probation Child Support Enforcement (PCSE) Unit, which is responsible for the monitoring and enforcement of the order.

**Note:** Federal expedited process standards mandate Family Division/CWA offices that 75 percent of their cases must have a support order established within 6 months of the date of service of process. Within 12 months of service of process, 90 percent of cases must have an order entered.

**C. Incoming Pleadings – New Jersey Responding Agency/Requested Country**

**1. Intergovernmental Central Registry (ICR)**

- a. The ICR is responsible for processing incoming pleadings received under UIFSA/Hague. Applications submitted directly by a client are processed at the local Family Division.

Foreign countries filing a pleading are required to include an English translation of the orders and supporting documentation.

**Note:** ICR accepts pleadings via regular mail and electronic means, such as Electronic Document Exchange (EDE).

- b. Case Creation/Updating Existing case

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ICR staff will receive and review the pleading for completeness. If additional documentation is required, ICR staff will notify the initiating agency/requesting country. If all the required documentation has been received, the ICR will create a case in NJKiDS or update an existing case. The ICR will update the address for both parties as provided by the filing agency.

c. Acknowledgments and Child Support Enforcement Network (CSENet)s

ICR staff will transfer ownership of the case to the local office (Family or Probation) and generate an Acknowledgment to the other state/country informing them of where their request has been sent for the next required action.

2. Family Division

Upon receipt from the ICR, Family Division staff will also review the pleading. If additional documentation is still required, Family Division staff will notify the initiating agency/requesting country. The case is assigned a docket number if one does not exist. Family Division staff will schedule the case for a hearing and send the required court notices to the parties. Family Division staff may send notices, not only to the address provided by the filing agency, but to all pending and confirmed, good addresses as well. If the court determines that service was not effectuated, the court may order the case be referred to CWA for locating services and the original filing date may be preserved. Once the case is disposed by Family Division staff, the case is reassigned to the Probation Division.

a. Request for Establishment

For additional information, staff can refer to the *Probation Child Support Enforcement Operations Manual*, 1100 Intake Procedures.

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b. Registrations of Foreign Order

Family Division staff will review the petition, orders, and pay histories for completeness. Staff will need to open an establishment chain when the case is not associated with a docket number. This process will assign a docket number in the Family Automated Case Tracking System (FACTS) and allow staff to enter the appropriate relief in NJKiDS.

Staff will initiate the registration chain in Establishment Processes/CPRO and generate the *Notice of Registration of Foreign Support* (CS543) to the parties. If a contest is received, Family Division staff will upload the contest into Electronic Documents/EDOC, schedule the matter before the court, and send an action alert/task to PCSE staff. PCSE staff shall manually exempt the Judgment and Credit Reporting enforcement remedies. In addition, PCSE staff will place a pending legal action disbursement hold (MNLIC) until the contest is resolved by the court. For additional information, refer to the *Probation Child Support Enforcement Operations Manual*, 1804 Creating an Intergovernmental Case.

An out-of-state agency/requesting country may register a foreign order in New Jersey for enforcement only, modification only, or modification and enforcement. If the only relief requested by the other state is modification without enforcement, once the petition is heard and a determination is made, the case is closed at the Family Division level and not forwarded to Probation for enforcement.

c. Conversion of New Jersey Direct Pay Orders

UIFSA/Hague allows for an out-of-state agency/requesting country to request for New Jersey to enforce its own order, even when the order is a direct pay. The other jurisdiction would send its application to the ICR where it's reviewed for

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completeness and forwarded to the local Family Division of venue for the next required action. If the out-of-state agency/requesting country is claiming arrears, then a payment record will be provided and if no arrears are claimed, then the current support obligation will be enforced.

3. County Welfare Agency (CWA)

CWA staff conducts an interview when a Custodial Parent (CP)/obligee applies for a Temporary Assistance for Needy Families (TANF) grant. During the interview, CWA staff will review the following automated systems to identify whether a case or an order already exists for the case participants; NJKiDS, FACTS, Family Assistance Management Information System (FAMIS), Federal Case Registry (FCR), and Query Interstate Cases for Kids (QUICK).

After TANF benefits are granted and Non-Custodial Parent (NCP)/obligor has been located, CWA staff will decide whether the hearing can take place in New Jersey because a long arm statute applies or if an outgoing UIFSA referral is needed.

a. All Parties Live in New Jersey – Another Jurisdiction Entered the Child Support Order

CWA staff will obtain a certified copy of the out-of-state order, arrears statement and payment history, if applicable. CWA staff will prepare all appropriate forms and submit to the Family Division to register the foreign order in New Jersey for enforcement and for modification, if applicable.

b. CP/Obligee Resides in New Jersey and NCP/Obligor lives in Another Jurisdiction – No Child Support Order Exists

If long arm does not apply, CWA staff will prepare an outgoing UIFSA petition for establishment to the state where the NCP/obligor resides. CWA staff will prepare all appropriate

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forms and forward to the Family Division for docketing and mailing.

- c. CP/Obligee Resides in New Jersey and NCP/Obligor lives in Another Jurisdiction – An Existing Order Was Entered by Another Jurisdiction

CWA staff will determine whether the NCP/obligor is making payments or if enforcement is an issue. If enforcement is not an issue, CWA can generate a *Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery* (Transmittal #3/CS680) requesting payment forwarding from the enforcing agency. This will categorize the case as instate in NJKiDS; however, the case will have an intergovernmental component. If compliance is an issue, CWA can generate a *Child Support Enforcement Transmittal #1 – Initial Request* (Transmittal #1/CS677) requesting enforcement and payment forwarding (previously known as redirection). This will create a two-state, intergovernmental case. CWA staff will prepare all appropriate forms and forward to the Family Division for docketing and mailing.

**Note:** For additional information, refer to AT 23-05.

- d. Responding Cases

Since the client is not a direct applicant of New Jersey, CWA is not responsible for conducting intake interviews on responding cases or preparing any documents for the court. CWA only becomes involved when the court orders locate services for the NCP/obligor.

When the case is scheduled for a hearing, Family Division staff will notify the CWA attorney to represent the initiating agency/requesting country.

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4. Receipt of Order and Case Documents by the PCSE Unit

- a. Case is assigned to the Interdivisional Post Hearing Intake staff

Interdivisional Post Hearing Intake staff will review the following pages in NJKiDS:

1. Address History/AHIS

PCSE staff must verify if the address for the NCP/debtor remains in confirmed good status. If the address has been end dated, PCSE staff must conduct locate efforts and contact the other state/requesting country for additional information.

2. Obligations By Case/OWIZ

For UIFSA cases, staff must ensure the disbursement FIPS code (Funds Recipient ID) is assigned to the initiating agency.

For international Hague cases, staff must ensure the disbursement matches the information provided in Section 5 of the Hague pleading.

For non-Hague countries, staff must ensure the disbursement matches the information provided in the other country's pleading.

There are some countries that use alternate payment methods. Some examples are electronic funds transfer (EFT) and Society for Worldwide Interbank Financial Telecommunications (SWIFT). Staff should contact the ICR for additional assistance with alternate payment methods.

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3. Court Order/SORD

Staff will review the Order Information section and confirm the following fields are populated correctly:

- a. Court Order Date;
- b. Effective Date;
- c. Controlling Order Status;
- d. Controlling Order State; and
- e. Controlling Order ID.

When the value shown in the “Controlling Order State” field is New Jersey, NJKiDS will identify the case for termination. If the value shows a jurisdiction other than New Jersey, the case will not be selected, and staff will need to determine when the ongoing support will end. Staff will review the FIPS Information section and confirm the following fields are populated correctly:

- a. CEJ FIPS; and
- b. CEJ Status.

The state reflected in the CEJ fields will impact the cost of living adjustment (COLA). If the value shown in this field is New Jersey, then NJKiDS will select the case for COLA. If the value shows a jurisdiction other than New Jersey, then NJKiDS will not select the case for COLA.

- c. Issuing Order FIPS;



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- d. Issuing Order State; and
- e. Interstate Order ID.

Staff will review all fields in the Insurance and Medical section to confirm they are populated correctly.

4. Interstate Information/ISIN

Staff will review the Referral Information section and confirm the following fields are populated correctly:

- a. Interstate Status must represent New Jersey's role in the intergovernmental case;

**Note:** An initiating status will code NJKiDS to certify the case for federal tax intercept. In a responding status case, the other jurisdiction will certify the case for federal tax intercept.

- b. Referral Type field must match the relief/action requested on the transmittal;
- c. Other State Docket Number, if available;
- d. Non-Disclosure; and
- e. Other State Worker information.

5. Interstate Correspondence History/ICOR

Staff will view any pertinent incoming message (SR – Successfully Received) from the other state. Each incoming CSENet transaction has several tabs that provide additional information regarding the

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participants, court order, and case. The Miscellaneous (Misc. Info) tab is extremely important because it may provide new information or instructions that can assist staff in the management of the case. The Collections (Collection Info) tab will provide information to New Jersey about any federal tax collections in the other jurisdiction.

**Note:** For additional information, staff can refer to the *Probation Child Support Enforcement Operations Manual*, Section 1806 Intergovernmental Modification of Orders.

6. Arrears Balances/OBAA

Staff must review the Obligation field to confirm the debt type, member DCN, and ensure the other state's FIPS code is entered correctly.

Staff must confirm the arrears owed to other jurisdictions are listed in the NA (never assigned) bucket. NJKiDS does not have a dedicated bucket for welfare arrears owed to other jurisdictions.

**Note:** Any updates must be captured in Create Note to File/NOTE page and if applicable, in Court Order/SORD Notes.

5. Case Assessment

- a. After reviewing NJKiDS, Intergovernmental staff must review QUICK to confirm the arrears obligations/balances. If a discrepancy is identified, staff must contact the other state to reconcile arrears. Staff must request an updated payment history or Certification of Arrears. For additional information, staff can refer to the *Probation Child Support Enforcement*

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*Operations Manual*, 1806 Intergovernmental Modification of Orders, Section D. Modifying Account Balances.

**Note:** QUICK is not a tool that can be used for international cases. If necessary, PCSE staff can contact the other country via email or air mail.

- b. Staff must review the pleadings to identify if a date to end ongoing support is provided (duration of support). If no date is provided, staff must review the IRG and reach out to the other state/requesting country to obtain a date. Once the potential end date has been identified, staff must enter a **detailed note** and navigate to Add Compliance Schedule/COMP to update the following fields:

1. Type - "Other";
2. Ordered Party – "A-Non Custodial Parent";
3. Bench Warrant Stipulation – "No";
4. Effective Date – Today's date; and
5. End Date – Staff must enter the potential date support will end.

**Note:** Staff should not send a financial note to Finance to enter a future end date to Obligations By Case/OWIZ.

6. Post Court Interview

- a. For initiating cases, staff should contact the CP/obligee and discuss the following:

1. Support order details including when support may end

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(duration of support);

2. Demographic information;
3. Disbursement options;
4. Payment processing;
5. Explain New Jersey's limited enforcement remedies [Federal Tax Offset, Administrative Offset, Passport Denial, Lottery Intercept, Child Support Lien Network (CSLN), and Financial Institution Data Match (FIDM)];
6. For customer service purposes, clients should contact their local office and not the out of state agency. Discuss New Jersey's call center (IVR)/web chat options;
7. Change of address requirements; and
8. Accessing online applications, including case information portal on the website.

**Note:** The *Instructions for the Recipient of Support Services* (CS001) is generated upon entry of the obligation on UIFSA initiating cases and sent to the CP/creditor. This document is not generated when New Jersey is the enforcing jurisdiction.

- b. For responding cases, staff should contact the NCP/obligor and discuss the following:
  1. Support order details including when support may end (duration of support);
  2. Obtain demographic, employment, and medical

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information;

3. Review the Comprehensive Automated Probation System (CAPS) to identify if there is a match in Child Support and Supervision;
4. Payment options and if New Jersey establishes the support order, discuss whether credit or direct payments is appropriate;
5. Enforcement remedies;
6. For customer service purposes, clients should contact their local office and not the out of state agency. Discuss New Jersey's call center (IVR)/web chat options;
7. Change of address requirements; and
8. Accessing online applications, including case information portal on the website.

**Note:** The *Instructions For Compliance with Support Order* (CS002) is generated upon entry of the obligation on UIFSA responding cases and sent to the NCP/debtor. This document is not generated when another state is the enforcing jurisdiction.

**Note:** Refer to the *Probation Child Support Enforcement Operations Manual*, 1100 Intake Procedures for responding cases regarding direct pay credits procedures.

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**UIFSA/Hague Intake Procedures – List of Associated NJKiDS Forms**

<b>NJKiDS CS Number:</b>	<b>Form Title:</b>
CS680	Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery
CS677	Child Support Enforcement Transmittal #1 – Initial Request
CS001	Instructions for the Recipient of Support Services
CS002	Instructions For Compliance with Support Order