

Climbing to the Top

Time Frames

Intake:

6.260.22 Opening a Case [Rev. eff. 9/15/12] Within twenty (20) calendar days of receipt of an application or referral of a case, the Child Support Enforcement (CSE) Unit must: CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 48

A. Open a case by initiating a case record on the State approved automated child support system by following established procedures.

B. For Title IV-A inter-county transfer cases, the new county must initiate the case on the automated child support system within five (5) working days of referral from IV-A in the new county.

C. Determine necessary action needed.

D. Solicit necessary information from the custodial party or other sources. E. Initiate verification of information.

F. If location information is inadequate, refer the case for further location.

G. Initiate an automated ledger if an order for support exists, including posting Monthly Support Obligation to the correct class and initiating any arrears balances, if such information is known. If order information is unknown when the case is initiated, the ledger must be initiated within twenty (20) day

Initiating Reciprocal:

6.250.1 INITIATING STATE/JURISDICTION RESPONSIBILITIES [Rev. emergency eff 4/5/13; permanent eff. 7/1/13] County CSE Units shall ensure management of the initiating intergovernmental CSE caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.

A. When applicable, use long arm statutes to establish paternity or support. Also, determine if enforcement action can be completed through an instate action such as direct income withholding to the noncustodial parent's out of state source of income.

B. Within twenty (20) calendar days of locating the noncustodial parent in another state, Tribe or country, determine if the filing of an intergovernmental action is appropriate and refer the intergovernmental filing to the Interstate Central Registry of the appropriate state, to the Tribal IVD program, or to the central authority of the foreign country, or take the next appropriate action.

CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 45

C. Ask the appropriate intrastate tribunal or refer the case to the appropriate responding state IV-D agency for a determination of the controlling order and a reconciliation of arrearages, if such a determination is necessary.

D. The twenty (20) day time frame begins on the date the obligor's location is verified and/or necessary documentation to process the case is received, whichever date is later. UIFSA petitions are to be sent directly to the Interstate Central Registry of the appropriate state, to the Tribal IV-D program, or to the central authority of the foreign country.

Enforcement:

6.902.11 County Procedures [Rev. Eff. 4/1/13] Within thirty calendar days of identifying a delinquency or other non-compliance with the order, or location of the obligor, whichever occurs later, the Child Support Enforcement Unit must take appropriate enforcement action. The Child Support Enforcement Unit must assess each enforcement case to determine appropriate enforcement actions pursuant to Section 6.903.11.

A. When an obligor fails to make full payment in the month the payment is due, appropriate enforcement action shall be taken.

B. Income Assignment 1. For support orders entered on or after January first, nineteen ninety (1990), the Notice to Withhold Income for Support must be sent within two business days after receipt of an income source. CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 107 2. For support orders entered before January first, nineteen ninety (1990), if income assignment is not included in the court order, the Notice of Pending Income Assignment, the Advance Notice to Activate an Income Assignment and the Objection to Activate an Income Assignment must be sent within two business days after receipt of an income source. If the obligor does not file an objection to the activation of the income assignment, the Notice to Withhold Income for Support must be sent within two business days of the end of the fourteen (14) day objection period. 3. A copy of the Notice to Withhold Income for Support shall be provided to the obligor by the employer. 4. Exception to automated income assignments. If an automated income assignment cannot be issued due to an exception, the automated child support system will electronically generate a message to the enforcing county and the county child support enforcement worker shall complete the following within two working days of the date of the receipt of the message: a. Research the case to determine whether the exception is valid and correct the exception data if possible; b. Document the findings and the actions taken to correct the exception in the automated child support system; c. Issue the income assignment to the employer, if appropriate.

C. Service of Process 1. If service of process is necessary, service must be completed and enforcement action taken within 60 calendar days of identifying a delinquency or of locating the obligor, whichever occurs later. 2. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the timeframes. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.

Locate:

6.500 LOCATE [Rev. eff. 11/1/13] Attempts to determine the physical whereabouts of noncustodial parents, placing parents, or the noncustodial or placing parents' employer(s), other sources of income or assets, as appropriate, for paternity establishment, establishment or modification of a child support order or enforcement of an order are a required service of the Child Support Enforcement program. Locate activity is provided for all cases.

6.501 LOCATE PROCEDURES [Rev. eff. 11/1/13] County Child Support Enforcement Units shall establish procedures to ensure that all appropriate locate activities are undertaken and completed within the time frames specified. The time frames begin when it is determined that location of the noncustodial or placing parent is necessary and end when the noncustodial or placing parent is located and the case is ready for the next appropriate activity, e.g. establishment of paternity, establishment or modification of a support order or foster care fee order, or enforcement. All locate activities must be documented by source (Division of Motor Vehicles, Department of Labor and Employment, no hit, etc.) on the automated child support system. CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 65 6.502 LOCATE FUNCTIONS

6.502.1 [Rev. eff. 11/1/13] Within seventy-five calendar days of determining that location is necessary, the Child Support Enforcement Unit must access all appropriate locate sources including transmitting appropriate cases to the Expanded Federal Parent Locator Service and ensuring that information is sufficient to take the next appropriate action in a case. In intergovernmental cases, it is the responsibility of the initiating agency, rather than the responding state, to access the Expanded Federal Parent Locator Service when appropriate, and provide new locate information to the responding agency. However, if the initiating agency is a foreign country, the responding agency should access the expanded Federal Parent Locator Service. 6.502.2 [Rev. eff. 11/1/13] The Child Support Enforcement Unit must assess each locate case to determine appropriate locate sources. Available locate sources include:

A. State locate sources such as the Department of Labor and Employment and the Division of Motor Vehicle, Workers' Compensation and state directory of new hires;

B. Current or past employers;

C. Local telephone company, United States Postal Service, financial references, unions, fraternal organizations, parole and probation records and police records;

D. Expanded Federal Parent Locator Service and other state parent locators;

E. Local offices administering public assistance, general assistance, medical assistance, food stamps and social services;

F. Custodial party, friends, and relatives of noncustodial parents;

G. Credit reporting agencies. 1. A full credit report may be obtained only if a child support order exists, except as provided in Section 6.709.3. 2. If a child support order does not exist, an inquiry using the Social Security Number will provide residential and employment information, if available.

Establishment:

6.601 PATERNITY ESTABLISHMENT TIME FRAMES [Rev. eff. 4/1/13] County Child Support Enforcement Units shall establish procedures to ensure that all appropriate paternity establishment activities are undertaken and completed within the timeframes specified. The timeframes begin when the alleged or presumed father is located and end when paternity and a support obligation are established or the alleged or presumed father is excluded. All paternity establishment activities must be documented on the automated child support system. A. Within ninety (90) calendar days of locating the alleged father, the Child Support Enforcement Unit must: 1. Document unsuccessful attempts to serve process, or, 2. Complete service of process, establish paternity, and establish an order for support. CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 67 B. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the timeframes. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function,

6.700.1 EXPEDITED PROCESS [Rev. eff. 4/1/13] A. County Child Support Enforcement Units shall establish procedures to ensure that all appropriate functions and activities to establish support obligations are undertaken and completed within the timeframes specified. The timeframes begin when the noncustodial parent is located and end when a temporary or permanent order is established or service of process is unsuccessful. All support activities must be documented on the automated child support system. B. Within ninety calendar days of locating the alleged father or noncustodial parent, the Child Support Enforcement Unit must check to ensure that the child (ren) has not reached the age of emancipation; and, 1. Document unsuccessful attempts to serve process, or 2. Complete service of process and establish an order for support (and paternity, if not already established). C. Actions subject to expedited process must be completed from the time of successful service of process to the time of disposition within the required timeframes. D. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the timeframes. If service

of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.

Financial:

6.802 ALLOCATION [Rev. eff. 9/15/12]

A. The court-ordered Monthly Support Obligation (MSO) shall be posted each month on all IV-D ledgers where a current obligation is due for the current accounting month. The monthly support obligation shall be retroactively posted for each month that it was due for which the CSE Unit was responsible for enforcing the MSO that month, but it was previously not posted.

B. If there is a Monthly Medical Obligation (MMO) due, the entire monthly support obligation, monthly medical obligation, and arrears balances shall be posted on a manual ledger for all IV-D cases where a current medical obligation is due for the current accounting month. CODE OF COLORADO REGULATIONS 9 CCR 2504-1 Child Support Enforcement 89

C. Allocations shall be made at a child level.

D. All collections shall be allocated within two (2) business days after being receipted in the Family Support Registry or the Child Support Enforcement Unit.

E. All manual overrides of allocation on the automated child support system shall be documented in the automated child support system case chronology.

F. Allocation to multiple arrears obligations on the same ledger shall prorate to class of balances as listed below under Section 6.802.2, "Collections on Cases with Support Orders".

G. Allocation to multiple arrears obligations on the same ledger shall satisfy the most recent obligation first based on the beginning accrual date of the obligation.