

ERICSA 2015: Building Sweet Futures for ...



Rise to the Challenge: Advanced UIFSA Scenarios

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Scenario #1

Bonnie and Clyde have a child out of wedlock in South Carolina in 2014. Bonnie moves to Florida and applies for child support services in your office, requesting establishment of paternity and support. Clyde currently resides in Quebec Canada. You send Quebec a request to establish paternity and support, but the packet is returned saying their office is unable to establish paternity, just child support. What actions can your office take?

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Scenario #2

There is a 2011 New Jersey child support order for Brad to pay Angelina \$600/month for their three children (unallocated). Angelina and the children move to New York shortly thereafter. Brad comes into your NJ child support office and says that he now has custody of one of the children, foster care in NY has one child, and Angelina's mother in Maine has custody of the third child. He wants the NJ order terminated, and he wants to establish an order for Angelina to pay him for the one child he has. What do you do? In what jurisdiction(s)? What about the child in foster care in NY and the other child with the grandmother in ME?

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Scenario #3

There is a 2013 child support order issued by the Oneida Tribe of Indians of Wisconsin for Ken to pay Barbie support for their one child. Barbie moves to Michigan, and support is redirected there. Your Oneida Tribal office receives notification from MI that Barbie is recently deceased, and that Barbie's mother now has the child (still in MI), where they are receiving TANF. What actions do you take?

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Scenario #4

Tom and Gisele were married in December 2005 and divorced in May 2010. The Ohio divorce order says that child support is being handled privately between the parties. Gisele moves to Pennsylvania and applies for child support services, requesting support establishment. There are three children: Moe was born in 2004, Larry was born in 2007, and Curly was born in 2012. There is no father's name on Moe's birth certificate, and Tom's name is on the other two birth certificates (he signed a voluntary acknowledgment for Curly). Gisele says that Tom is not the biological father of any of the children, and requests paternity establishment for all three. She names two different fathers for the three children, one in Ohio for Moe and Larry, and another in Tennessee for Curly. Tom currently resides in Georgia. As the Pennsylvania child support worker, what do you do? In which jurisdiction(s)?

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Scenario #5

There is a 2005 Texas divorce order for David to pay Victoria support for their two children. Victoria moves to France, David moves to Oklahoma. The France child support office sends your office in TX a request to modify your order and increase support. They explain that they first sent a similar request to OK, but their paperwork was returned to them by OK saying that since France is not considered a Foreign Reciprocating County, nor is there a state level agreement between OK and France, they cannot accept the case from them. As the TX child support worker, is there anything your office can do to assist? What would you advise is Victoria's best method of obtaining a modification of her TX order?

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Scenario #6

Betty and Barney have a 2008 West Virginia child support order for Barney to pay \$500/month. During a 2011 enforcement hearing the WV court continues the current support obligation, and establishes a repayment amount of \$100/month on arrears of \$5000. Barney moves to Virginia and stops paying, so the WV order is registered there for enforcement. VA issues an IWO to Barney's new employer for \$900/month: \$500 for current support plus \$100 for court ordered arrears repayment plus \$300 as an administrative additional amount because it is their state policy to charge half of the combined obligation amounts on all IWO's they issue to help repay the arrears. Barney objects, first to VA and then to your office in WV, saying that the \$900/month is leaving him destitute. What actions can you take on Barney's behalf? What laws (state and federal) govern?

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Scenario #7

There is a 1990 California child support order for Tom to pay Katie support for their children. This is now an arrears only case since the children are all emancipated. Tom currently owes \$10,000 in arrears, including interest charged by CA. Tom is currently residing in Oregon and Katie is residing in Washington, but CA is continuing to enforce their own order. As the CA worker you receive documentation from Tom showing a 1989 Mexico divorce for a lower amount than the CA order. Tom states that the CA order should never have been entered, and is therefore null & void. Under the Mexico order Tom would be overpaid, so Tom requests that you stop enforcement of arrears, as well as contact Katie in WA to repay the overpayment. What do you do? Which tribunal has jurisdiction (if any)?

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