

Glossary of Child Support Terminology for Employers

Absent Parent

A parent not residing with the child (Obligor)

Account

An account is a sub-division of a case used to document amounts owing to specific individuals or agencies. A case may be made up of several accounts. The total of the account balances will not necessarily reflect the case balance, since the case balance may be affected by adjustments not occurring in the accounts. Four general account types are Family Accounts, State Accounts, Fee Accounts and Future Account.

Accrual

Sum of child support payments that are due or overdue

Administrative Procedure

Method by which support orders are made and enforced by an executive agency rather than by courts and judges.

Administrative Rule

A statement of policy or procedure made by a state agency which fills in details about how a law will be followed by that agency. Because this affects all citizens, notice and an opportunity for public input must be given before a rule can be finalized. A final rule is law.

Administration for Children and Families (ACF)

The agency in the Department of Health and Human Services (DHHS) that houses the Office of Child Support Enforcement (OCSE).

Age of Majority

The age at which a person attains adulthood. In Oregon the age of majority is 18. A person who legally marries is also considered to have reached the age of majority. ORS 109.520

Aid to Families with Dependent Children (AFDC)

Former entitlement program that made public assistance payments on behalf of children who did not have the financial support of one of their parents by reason of death, disability, or continued absence from the home; known in many States as ADC (Aid to Dependent Children). Replaced with Temporary Aid to Needy Families (TANF) under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).

(See also: Personal Responsibility and Work Opportunity Reconciliation Act)

Alleged Father

The man or men named as the possible father of the child for whom an order of paternity is being sought.

- a) MAF (multiple alleged father) - One of at least two men named as the possible father of the child for whom an order of paternity is being sought.
- b) MLMAF (most likely multiple alleged father) - The man the mother of the child believes may be the father when there is more than one possible father.
- c) SAF (self alleged father) - A man who claims to be the father of a child for whom

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paternity has not yet been established.

Arrearage

Past due, unpaid child support owed by the non-custodial parent. If the parent has arrearage, s/he is said to be "in arrears."

Assignment or Assignment of Support Rights

A transfer of rights; generally used for 'assignment of support rights' which happens when someone receives public assistance -- their support rights are assigned to the state (meaning the state is then entitled to the support for reimbursement of expenditures for services provided). An assignment which includes medical support rights is authorized either: a) By a written authorization signed by a TANF or OHP applicant or recipient, or b) By operation of law whenever AFS provides TANF or OHP for any person.

Assistance

For DCS, the term "assistance" usually refers to TANF but also includes SCF and OYA.

Audit

1) An administrative computation, performed by authorized Accounting caseworker staff, to determine the correct amount of past-due support an Obligor owes under the court order(s) on a child support case and to whom the money is owed.

2) An examination, adjustment, or correction of records and accounts in compliance with federal and state laws, rules, and regulations, and DCS policies and procedures.

Authorized Representative

An employee who is authorized to sign legal documents on behalf of the support agency handling a case.

Automatic Order to Withhold (AOW)

A computer-generated order requiring withholders to withhold and pay support out of a Obligor's income.

Bankruptcy

A court process in the federal bankruptcy court whereby a person or corporation may be relieved of their responsibility to pay all or some of their debts. Most child support arrearage are not affected by bankruptcy proceedings. Child support orders with current support are not affected by bankruptcy proceedings. Enforcement actions may be affected.

Bankruptcy Stay

A protective 'umbrella' which becomes effective on the filing of the bankruptcy petition; prevents creditors and those with causes of action from proceeding against the debtor or the assets of the bankruptcy estate without a court granted order of relief from the stay. The stay does not apply to family support establishment and modification actions if the bankruptcy was filed after October 22, 1994. The law change on October 22, 1994, does not affect the bankruptcy stay in situations where the bankruptcy was filed prior to that date. The stay, however, still applies to some enforcement actions in post-October 22, 1994, bankruptcy filings.

Beneficiary

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Any child, spouse or former spouse for whom an Obligor has been ordered (or has agreed) to pay support, under a court order, an administrative order, or a voluntary agreement.

Caretaker

The person who has physical custody, care, control and supervision of a child, and who is within the degree of family relationship necessary to qualify to receive TANF benefits for that child.

Case

A collection of people associated with a particular child support order, court hearing, and/or request for IV-D services. This typically includes a Custodial Party (CP), a dependent(s), and a Non-custodial Parent (NCP) and/or Putative Father (PF). Every child support case has a unique Case ID number and, in addition to names and identifying information about its members, includes information such as CP and NCP wage data, court order details, and NCP payment history.

(See also: Child Support; IV-D; IV-D Case; IV-A Case; IV-E Case)

Case ID

Unique identification number assigned to a case.

Cash Concentration and Disbursement "Plus" (CCD+)

Standardized format used for electronic funds transmission (EFT) of child support withholdings from an employee's wages.

(See also: Electronic Funds Transfer)

Child Support

Financial support paid by a parent to help support a child or children of whom they do not have custody. Child support can be entered into voluntarily or ordered by a court or a properly empowered administrative agency, depending on each State's laws. Child support can involve cases where: IV-D cases, where the custodial party (CP) is receiving child support services offered by State and local agencies; (such services include locating a non-custodial parent (NCP) or putative father (PF); establishing paternity; establishing, modifying, and enforcing child support orders; collecting distributing, and disbursing child support payments). IV-A cases, where the CP is receiving public assistance benefits and the case is automatically referred to the State Child Support Enforcement (CSE) Agency so the State can recoup the cost of the benefits from the non-custodial parent (NCP) or defray future costs. IV-E cases, where the child(ren) is being raised not by one of their own parents but in the foster care system by a person, family, or institution and the case is also automatically referred to the CSE to recoup or defray the costs of foster care. Non IV-D orders, where the case or legal order is privately entered into and the CSE is not providing locate, enforcement, or collection services (called); often entered into during divorce proceedings.

The support can come in different forms, including: Medical support, where the child(ren) are provided with health coverage, through private insurance from the non-custodial parent (NCP) or public assistance that is reimbursed whole or in part by the NCP, or a combination thereof. Monetary payments, in the form of a one-time payment, installments, or regular automatic withholdings from the NCP's income, or the offset of State and/or Federal tax refunds and/or administrative payments made to the NCP, such as Federal retirement benefits.

There are many tools available to enforce an NCP's obligation.

(See also: IV-D; IV-D Case; Non IV-D orders; IV-A; IV-A Case; IV-E; Enforcement)

Child Support Enforcement (CSE) Agency

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Agency that exists in every State that locates non-custodial parents (NCPs) or putative fathers (PF), establishes, enforces, and modifies child support, and collects and distributes child support money. Operated by State or local government according to the Child Support Enforcement Program guidelines as set forth in Title IV-D of the Social Security Act. Also known as a "IV-D Agency".

(See also: IV-D)

Class Order

An order where the monthly amount covers all the children in the order, and removing one child does not change the monthly amount. This order is distinguished from a 'per child' order.

CONNECT:Direct (C:D)

Computer network maintained by the Social Security Administration that moves large volumes of data from State agencies and the National Directory of New Hires (NDNH) and the Federal Case Registry (FCR). Formally known as Network Data Mover (NDM).

Consumer Credit Protection Act (CCPA)

Federal law that limits the amount that may be withheld from earnings to satisfy child support obligations. States are allowed to set their own limits provided they do not exceed the Federal limits. Regardless of the number or withholding orders that have been served, the maximum that may be withheld for child support is:

Without arrearage

50% with a second family

60% Single

With Arrearage

55% with a second family and 12+ weeks in arrears

65% Single 12+ weeks in arrears

Contempt

1) To disobey an order of the court. 2) A process where the court may find that a person is in willful defiance or disrespect of the court or a support order of the court. CSP will obtain an order to show cause to require the Obligor to appear before the court so that the court may determine if the person is in contempt of the court's order. If the Obligor does not appear, normally the court will issue a bench warrant for the Obligor's arrest.

Court Order

A legally binding edict issued by a court of law. Issued by a magistrate, judge, or properly empowered administrative officer. A court order related to child support can dictate how often, how much, what kind of support a non-custodial parent is to pay, how long he or she is to pay it, and whether an employer must withhold support from their wages. The court ordered amount can be either the amount for each beneficiary on a support case, or the total amount for all beneficiaries in a single support case.

Current Support Due

The support amount ordered by a court or administrative process for the benefit of a child and/or a former spouse. Each support account with an ordered amount will carry a running balance of the amount due for the current month. If that amount is not paid during the month, it is moved to one of the arrears categories at the beginning of the following/next month.

Custodial Parent/Party (CP)

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The person who has primary care, custody, and control of the child(ren). The custodial parent may or may not have court-ordered custody.

Custody Order

Legally binding determination that establishes with whom a child shall live. The meaning of different types of custody terms (e.g., Joint Custody, Shared Custody, Split Custody) vary from State to State.

Decree

The judicial decision of a litigated action, usually in "equitable" cases such as divorce (as opposed to cases in law in which judgments are entered).

Default

The failure of a defendant to file an answer or appear in a civil case within the prescribed time after having been properly served with a summons and complaint.

Dependent

A child who is under the care of someone else. Most children who are eligible to receive child support must be a dependent. The child ceases to be a dependent when they reach the "age of emancipation" as determined by State law, but depending on the State's provisions, may remain eligible for child support for a period after they are emancipated.

Direct Income Withholding

A procedure, whereby an income withholding order can be sent directly to the non-custodial parent's (NCP's) employer in another State, without the need to use the IV-D Agency or court system in the NCP's State. This triggers withholding unless the NCP contests, and no pleadings or registration are required. The Act does not restrict who may send an income withholding notice across State lines. Although the sender will ordinarily be a child support Agency or the obligee, the obligor or any other person may supply an employer with an income withholding order.

(See also: Income Withholding; Wage Withholding)

Disbursement

The paying out of collected child support funds.

Dismissal

An order ending a legal action.

Disposable Income

The portion of an employee's earnings that remains after deductions required by law (e.g., taxes) and that is used to determine the amount of an employee's pay subject to a garnishment, attachment, or child support withholding order.

Distribution

The allocation of child support collected to the various types of debt within a child support case, as specified in 45 CFR 302.51, (e.g., monthly support obligations, arrears, ordered arrears, etc.)

District Attorney (DA)

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A District Attorney is elected in each of Oregon's 36 counties. In most Oregon counties, the DA is responsible for providing support enforcement services, when requested, on all support cases where no beneficiary is receiving TANF and no money is owed to the state for unreimbursed TANF.

Division of Child Support

Formerly known as SED. It is the division of Oregon's Department of Justice that is responsible for establishing paternity, and for establishing and enforcing support obligations, on behalf of all children who: a) Are receiving TANF, or who have received unreimbursed TANF, in Oregon, or b) Are receiving TANF, or who have received unreimbursed TANF, in another state, and the Obligor or alleged father resides or works in Oregon. c) Have received no unreimbursed TANF but are under the enforcement jurisdiction of an Oregon county that has contracted its support enforcement responsibilities to DCS, in lieu of having the county District Attorney perform these responsibilities.

Divorce Decree

The legal separation of a husband and wife, brought about by the judgment of a court decree, and either totally dissolving the marriage relation, or suspending its effect so far as concerns the cohabitation of the parties.

Earned Income Credit (EIC)

An amount paid by the federal government or certain employers to qualify low-paid wage earners to allow them to keep more of the money they earn.

Electronic Data Interchange (EDI)

Process by which information regarding an Electronic Funds Transfer (EFT) transaction is transmitted electronically along with the EFT funds transfer.

Electronic Funds Transfer (EFT)

Process by which money is transmitted electronically from one bank account to another.
(See also: Cash Concentration and Disbursement "Plus" (CCD+); Corporate Trade Exchange (CTX))

Electronic Payment Withdrawal/Formerly known as Sure Pay

An optional payment method that includes Electronic Funds Transfer (EFT) from an Obligor's checking account.

Employer Sanction

A legal action sought against an employer who is not complying with an order to withhold income.

Enforcement

The application of remedies to obtain payment of a child or medical support obligation contained in a child and/or spousal support order. Examples of remedies includes garnishment of wages, seizure of assets, liens placed on assets, revocation of license (e.g., drivers, business, medical, etc.), denial of U.S. passports, etc.

Establishment

The process of proving paternity and/or obtaining a court or administrative order to put a child support obligation in place.

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Expiration of Judgment (EOJ)

The statutory period that describes the length of time a party has to bring a legal action. If a party waits too long to sue, they are "barred" by the statute of limitations from starting the action.

Federal Case Registry (FCR)

A national database of information on individuals in all IV-D cases, and all non IV-D orders entered or modified on or after October 1, 1998. The FCR receives this case information on a daily basis from the State Case Registry (SCR) located in every State, proactively matches it with previous submissions to the FCR and with employment information contained in the National Directory of New Hires (NDNH). Any successful matches are returned to the appropriate State(s) for processing. The FCR and the NDNH are both part of the expanded FPLS, which is maintained by OCSE.

Federal Employer Identification Number (FEIN)

Unique nine-digit number assigned to all employers by the Internal Revenue Service (IRS), which must be used in numerous transactions, including submitting data and responding to requests relevant to child support.

Federal Minimum Hourly Wage (FMW)

The hourly wage stipulated by the federal government to be the least that can legally be paid to employees in certain occupations.

Foster Care

A Federal-State program which provides financial support to a person, family, or institution that is raising a child or children that are not their own.

(See also: IV-E; IV-E Case)

Future Support

An amount received which represents payment for current support for future months._

Garnishment

A legal proceeding under which part of a person's wages and/or assets is withheld for payment of a debt. This term is usually used to specify that an income or wage withholding is involuntary.

(See also: Income Withholding; Wage Withholding; Direct Income Withholding; Immediate Wage Withholding)

Guidelines

A standard method for setting child support obligations based on the income of the parent(s) and other factors determined by State law. The Family Support Act of 1988 requires States to use guidelines to determine the amount of support for each family, unless they are rebutted by a written finding that applying the guidelines would be inappropriate to the case.

(See also: Income; Disposable Income; Imputed Income)

Health insurance withholding

See medical support

IV-A ("Four-A")

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Reference to Title IV-A of the Social Security Act covering the Federal-State Public Assistance Program.

IV-A Case

A child support case in which a custodial parent and child(ren) is receiving public assistance benefits under the State's IV-A program, which is funded under Title IV-A of the Social Security Act. Applicants for assistance from IV-A programs are automatically referred to their State IV-D agency in order to identify and locate the non-custodial parent, establish paternity and/or a child support order, and/or obtain child support payments. This allows the State to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.

(See also: Temporary Assistance to Needy Families; Public Assistance)

IV-D ("Four-D")

Reference to Title IV-D of the Social Security Act, which required that each State create a program to locate non-custodial parents, establish paternity, establish and enforce child support obligations, and collect and distribute support payments. All recipients of public assistance (usually TANF) are referred to their State's IV-D child support program. States must also accept applications from families who do not receive public assistance, if requested, to assist in collection of child support. Title IV-D also established the Federal Office of Child Support Enforcement.

IV-D Case

A child support case where at least one of the parties, either the custodial party (CP) or the non-custodial parent (NCP), has requested or received IV-D services from the State's IV-D agency. A IV-D case is composed of a custodial party, non-custodial parent, or putative father, and dependent(s).

IV-E ("Four-E")

Reference to Title IV-E of the Social Security Act, which established a Federal-State program known as Foster Care that provides financial support to a person, family, or institution that is raising a child or children that is not their own. The funding for IV-E Foster Care programs is primarily from Federal sources.

(See also: Foster Care)

IV-E Case

A child support case in which the State is providing benefits or services under Title IV-E of the Social Security Act to a person, family, or institution that is raising a child or children that are not their own. As with other public assistance cases, recipients are referred to their State IV-D agency in order to identify and locate the non-custodial parent, establish paternity and/or a child support order, and/or obtain child support payments. This allows the State to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.

Immediate Wage Withholding

An automatic deduction from income that starts as soon as the agreement for support is established.

(See also: Income Withholding; Wage Withholding)

Imputed Income

Fringe benefits provided to employees that may be taxable but which cannot be counted as additional disposable income that is subject to child support obligations.

(See also: Disposable Earnings; Guidelines)

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Income

As defined by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), income is any periodic form of payment to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker's compensation, disability, pension, or retirement program payments and interest. All income (except imputed income; see above) is subject to income withholding for child support, pursuant to a child support order, but is protected by Consumer Credit Protection Act limits, both State and federal.

(See also: Consumer Credit Protection Act; Disposable Earnings; Guidelines)

Income Withholding

Procedure by which automatic deductions are made from wages or income, as defined in the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), to pay a debt such as child support. Income withholding often is incorporated into the child support order and may be voluntary or involuntary. The provision dictates that an employer must withhold support from a non-custodial parent's wages and transfer that withholding to the appropriate agency (the Centralized Collection Unit or State Disbursement Unit). Sometimes referred to as wage withholding.

(See also: Wage Withholding; Direct Income Withholding, a type of interstate Income Withholding; Immediate Wage Withholding)

Intercept

A method of securing child support by taking a portion of non-wage payments made to a non-custodial parent. Non-wage payments subject to interception include Federal tax refunds, State tax refunds, unemployment benefits, and disability benefits.

(See also: Federal Tax Refund Offset Program)

Interstate Cases

Cases in which the dependent child and non-custodial parent (NCP) live in different States, or where two or more States are involved in some case activity, such as enforcement.

Interactive Voice Response (IVR)

A touch-tone phone system that provides the caller with the ability to access answers to generic or case specific questions and route the caller to various extensions and other locations without worker intervention.

Judgment

The official decision or finding of a judge or administrative agency hearing officer upon the respective rights and claims of the parties to an action; also known as a decree or order and may include the "findings of fact and conclusions of law."

Judicial Remedies

A general designation for a court's enforcement of child support obligations.

Jurisdiction

The legal authority which a court or administrative agency has over particular persons and over certain types of cases, usually in a defined geographical area.

(See also: Initiating Jurisdiction; Long Arm Jurisdiction)

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Legal Father

A man who is recognized by law as the male parent of a child.

Levy

A type of letter warning of taking legal action to collect.

Lien

A claim upon property to prevent sale or transfer of that property until a debt is satisfied.

Litigation

A civil action in which a controversy is brought before the court.

Long Arm

The legal authority to exercise personal jurisdiction over a person who does not live in your state. In order to obtain this kind of jurisdiction, the person must have committed acts or have some other contacts that tie him or her to this state.

Medical Support

Form of child support where medical or dental insurance coverage is paid by the non-custodial parent (NCP). Depending on the court order, medical support can be an NCP's sole financial obligation, or it can be one of several obligations, with child and/or spousal support being the others.

Minimum Wage

The hourly wage stipulated by federal or state government to be the least that can legally be paid to certain employees.

Modification

A court or administrative order changing an earlier court or administrative order. Usually a modification involves increasing or decreasing the support amount.

Multistate Employer

An organization that hires and employs people in two or more States. The multistate employer conducts business within each State and the employees are required to pay taxes in the State where they work. As with single-state employers, multistate employers are required by law to report all new hires to the State Directory of New Hires (SDNH) operated by their State government. However, unlike single-state employers, they have the option to report all of their new hires to the SDNH of only one State in which they do business rather than to all of them.

National Automated Clearing House Association (NACHA)

The association that establishes the standards, rules, and procedures that enable financial institutions to exchange payments on a national basis.

National Directory of New Hires (NDNH)

A national database containing New Hire (NH) and Quarterly Wage (QW) data from every State and Federal agency and Unemployment Insurance (UI) data from State Employment Security Agencies

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(SESAs). Data contained is first reported to each State's State Directory of New Hires (SDNH) and then transmitted to the NDNH. OCSE maintains the NDNH as part of the expanded FPLS.

(See also: New Hire Data; Quarterly Wage Data; Unemployment Insurance Claim Data)

New Hire (NH) Data

Data on a new employee that employers must submit within 20 days of hire to the State Directory of New Hires (SDNH) in the State in which they do business. Minimum information must include the employee's name, address, and Social Security Number (SSN), as well as the employer's name, address, and Federal Employer Identification Number (FEIN). Some States may require or request additional data. Multistate employers have the option of reporting all of their newly hired employees to only one State in which they do business. This data is then submitted to the National Directory of New Hires (NDNH), where it is compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. New hire data may also be used at the State level to find new hires that have been receiving unemployment insurance or other public benefits for which they may no longer be eligible, helping States to reduce waste and fraud. Federal Agencies report this data directly to the NDNH. Also known as (W4) data, after the form used to report the employees.

(See also: State Directory of New Hires; National Directory of New Hires)

New Hire Reporting

Program that requires that all employers report newly hired employees to the State Directory of New Hires (SDNH) in their State. This data is then submitted to the National Directory of New Hires (NDNH), where it is compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. Some data is also made available to States to find new hires that have been receiving unemployment insurance or other public benefits for which they may no longer be eligible, helping States to reduce waste and fraud.

(See also: State Directory of New Hires; National Directory of New Hires)

Non-custodial Parent (NCP)

The parent who does not have primary care, custody, or control of the child, and has an obligation to pay child support. Also referred to as the obligor.

(See also: Custodial Party)

Non IV-A Case

A support case in which the custodial parent has requested IV-D services but is not receiving Temporary Assistance to Needy Families (TANF). Also known as a Non-TANF case.

Non IV-D Orders

A child support order handled by a private attorney as opposed to the State/local child support enforcement (IV-D) agency. (Non-IV-D orders that pre-date January 1, 1994 may be subject to different disbursement requirements.) A non IV-D order is one where the State:

1) Is not currently providing service under the State's Title IV-A, Title IV-D, Title IV-E, or Title XIX programs.

2) Has not previously provided State services under any of these programs.

3) Has no current application or applicable fee for services paid by either parent.

A IV-D case may become a non IV-D order when:

1) All child support arrearages previously assigned to the State have been paid, and/or

2) The parent(s) originally making application for a State's IV-D services request(s) termination of those IV-D services. Non IV-D orders established or modified in the State on or after October 1, 1998

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must be included in the State Case Registry (SCR) for transmission to the Federal Case Registry (FCR). A non IV-D order can be converted into IV-D case when the appropriate application and fees for IV-D services are paid by a parent, or when the custodial parent begins receiving Title IV-A services for benefit of the child(ren).

Obligated

A term meaning that a non-custodial parent (NCP) is required to meet the financial terms of a court or administrative order.

Obligation

Amount of money to be paid as support by a non-custodial parent (NCP). Can take the form of financial support for the child, medical support, or spousal support. An obligation is a recurring, ongoing obligation, not a onetime debt such as an assessment.

Obligee

The person, State agency, or other institution to which a child support is owed (also referred to as custodial party when the money is owed to the person with primary custody of the child).

Obligor

The person who is obliged to pay child support (also referred to as the non-custodial parent or NCP).

Office of Child Support Enforcement (OCSE)

The Federal agency responsible for the administration of the child support program. Created by Title IV-D of the Social Security Act in 1975, OCSE is responsible for the development of child support policy; oversight, evaluation, and audits of State child support enforcement programs; and providing technical assistance and training to the State programs. OCSE operates the Federal Parent Locator Service, which includes the National Directory of New Hires (NDNH) and the Federal Case Registry (FCR). OCSE is part of the Administration for Children and Families (ACF), which is within the Department of Health and Human Services (DHHS).

Offset

Amount of money intercepted from a parent's State or Federal income tax refund, or from an administrative payment such as Federal retirement benefits, in order to satisfy a child support debt.

Order

Direction of a magistrate, judge, or properly empowered administrative officer.
(See also: Court Order and Support Order)

Order/Notice to Withhold Child Support

The form to be used by all States that standardizes the information used to request income withholding for child support. According to the Uniform Interstate Family Support Act (UIFSA), this form may be sent directly from the initiating State to a non-custodial parent's employer in another State.
(See also: Direct Income Withholding)

Order to Withhold Earnings (OWE)

An order from the court to the employer of an Obligor to withhold a specified amount from the Obligor's disposable earnings.

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Oregon Administrative Rules (OAR)

A written set of rules by which state agencies operate their programs. Rules proposed by the agencies to define their policies and procedures are subject to public comment and are recorded with the Secretary of State. Child Support rules are issued through AFS, except for guidelines, which are issued through DOJ.

Oregon Health Plan (OHP)

A state funded program designed to provide medical coverage to needy people.

Oregon Revised Statutes (ORS)

The legislative enactments or laws of the state of Oregon.

Party/Parties

Person or persons with a right to participate in a proceeding.

Passport Denial Program

Program created by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 that is operated under the auspices of the Federal Tax Refund Offset Program. Under the Passport Denial Program, obligors with child support arrearage of at least \$5000 that are submitted to the Federal Office of Child Support Enforcement (OCSE) for Tax Refund Offset are forwarded to the U.S. Department of State, which 'flags' the obligor's name and refuses to issue a passport in the event they apply for one. After the obligor makes arrangements to satisfy the arrears, States can decertify them with OCSE, which then requests that the State Department remove them from the program. This program is automatic, meaning that any obligor that is eligible will be submitted to the State Department unless the State submitting the case for Tax Offset specifically excludes them from the Passport Denial Program.

(See also: Federal Tax Refund Offset Program)

Paternity

Legal determination of fatherhood. Paternity must be established before child or medical support can be ordered.

Payee

Person or organization in whose name child support money is paid.

Payor

Person who makes a payment, usually non-custodial parents or someone acting on their behalf, or a custodial party who is repaying a receivable.

Payment Applied in Error (PAE)

A payment applied to a child support account in error as the money was meant for another child support case.

Per Child Order

An order for child support in which a specified dollar amount is assigned to each child. The monthly amount due would change if a child is added or deleted. This order is distinguished from a 'class order'.

Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)

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Legislation that provides a number of requirements for employers, public licensing agencies, financial institutions, as well as State and Federal child support agencies, to assist in the location of non-custodial parents and the establishment, enforcement, and collection of child support. This legislation created the New Hire Reporting program and the State and Federal Case Registries. Otherwise known as Welfare Reform.

Private Case

Known as a non IV-D case, it is a support case where the custodial parent to whom child support is owed is not receiving IV-A benefits or IV-D services.

Public Assistance

Benefits granted from State or Federal programs to aid eligible recipients (eligibility requirements vary between particular programs). Applicants for certain types of public assistance (e.g., Temporary Assistance to Needy Families or TANF) are automatically referred to their State IV-D agency identify and locate the non-custodial parent, establish paternity, and/or obtain child support payments. This allows the State to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.

Qualified Domestic Relations Order (QDRO)

A term used by the court to identify orders which parallel dissolution decrees in that they address support and health insurance issues. QDROs are required to attach certain retirement plans of an Obligor.

Qualified Medical Child Support Order (QMCSO)

An order, decree, or judgment, including approval of a settlement agreement, issued by a court or administrative agency of competent jurisdiction that provides for medical support for a child of a participant under a group health plan or provides for health benefit coverage to such child.

Quarterly Wage (QW) Data

Data on all employees that must be submitted by employers on a quarterly basis to the State Employment Security Agency (SESA) in the State in which they operate. This data is then submitted to the National Directory of New Hires (NDNH). Minimum information must include the employee's name, address, Social Security Number (SSN), wage amount, and the reporting period as well as the employer's name, address, and Federal Employer Identification Number (FEIN). The data is then compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment. Federal Agencies report this data directly to the NDNH.

(See also: State Employment Security Agency; National Directory of New Hires)

Registration of a Judgment

A process where the judgment of one state may be entered as a judgment of another state, so that it may be enforced. Support orders for ongoing support and for arrearage are normally registered in other states through the use of the UIFSA statutes in each state.

Reimbursement

1) Repayment to the agency for benefits provided, either by the recipient or a third party. 2) Repayment to the client by another source for money spent, or for losses or damages.

Satisfaction/Satisfaction of Support Judgment

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A legal document, signed by the Obligee or assignee, which provides that an Obligor is to be given official credit for having paid a specified amount of support, or for other consideration in lieu of support, or for having paid all support due for a specified period of time.

Self Employment

The process of a person receiving income from providing services, labor, or performance directly to consumer without being employed by a third person.

Set Aside

A legal action that removes an order or a portion of an order because it was taken in error. This term is distinguished from 'vacate' because vacate makes an order be as if it never happened.

Show Cause Order

An order of the court requiring a party to appear before the court and show cause why some permanent order or relief should not be entered. Also known as order to show case.

Social Security Act

An Act of Congress originally approved August 14, 1935, 'To provide for the general welfare by establishing a system of federal old-age benefits, and by enabling the several states to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws...' The Act is comprised of titles that address differing programs of social welfare. Child Support was added in 1975 under Chapter IV-D which is why the CSP is referred to as the 'IV-D' program.

Social Security Number (SSN)

A number issued by the Social Security Administration that is the account number used to record earnings contributions to the Title II program, and as a benefit number when benefits are paid.

Split Custody

A situation where there is more than one joint child and in which each parent has physical custody of at least one of the children.

Spousal Support

Court ordered support of a spouse or ex-spouse; also referred to as maintenance or alimony.

State Directory of New Hires

A database maintained by each State, which contains information regarding newly hired employees for the respective State. The data is then transmitted to the NDNH, where it is compared to the employment data from other States as well as child support data in the Federal Case Registry (FCR). Any matches found are returned to the appropriate States for processing. Employers are required to submit new hire data to the SDNH within 20 days of the hire date. Multistate employers (those that do business and hire workers in more than one State) have additional options on where to report new hire information. In most States, the SDNH is contained in the State Parent Locator Service (SPLS) that is part of each State IV-D agency, in others it is operated by the State Employment Security Agency (SESA).

(See also: National Directory of New Hires; New Hire Reporting Program)

State Disbursement Unit (SDU)

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The single site in each State where all child support payments are processed. Upon implementation of centralized collections, each state will designate its State Disbursement Unit, or SDU, to which all withheld child support payments should be sent.

State Employment Security Agency (SESA)

Agencies in each State that process unemployment insurance claims. They are also repositories of quarterly wage data, information on all employees submitted by employers, which they submit to the National Directory of New Hires (NDNH) along with the unemployment insurance claim data. In some States, the SESA also operates the State Directory of New Hires (SDNH), which contains data submitted by employers on newly hired employees. Data submitted to the NDNH is then compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by wage garnishment.

(See also: Unemployment Insurance Claim Data; Quarterly Wage Data; New Hire Data; State Directory of New Hires; National Directory of New Hires)

State Minimum Wage

The hourly wage stipulated by the state to be the least that can legally be paid to certain employees.

Statute

A law enacted by the legislature.

Statute of Limitations (SOL)

The statutory period that describes the length of time a party has to bring a legal action. If a party waits too long to sue, they are "barred" by the statute of limitations from starting the action.

Subpoena

The legal process and document by which a witness is required to appear in court or at another legal proceeding at a specified time to testify or required to provide documentation information.

Support

Cash payments or other benefits that a person has been ordered by a court or by administrative process, or has voluntarily agreed, to provide for the benefit and maintenance of another person.

(a) Child Support refers to payments that an Obligor has been ordered (or has agreed) to pay for the benefit of a child.

(b) Medical Support refers to medical insurance benefits or to payments for actual medical services provided, that an Obligor has been ordered (or has agreed) to provide for the benefit of a child, a spouse, and/or a former spouse.

(c) Spousal Support refers to payments that an Obligor has been ordered (or has agreed) to pay for the benefit of a current or former spouse. Also known as alimony, although this term is not used much any more.

Support Arrears

That portion of the support obligation or judgment that has come due but has not been paid. Usually refers to unpaid accrual for prior months; the past due amount. See arrears.

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Support Order

A judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of a competent jurisdiction, for the support and maintenance of a child. This includes a child who has attained the age of majority under the law of the issuing State, or of the parent with whom the child is living. Support orders can incorporate the provision of monetary support, health care, payment of arrearage, or reimbursement of costs and fees, interest and penalties, and other forms of relief.

(See also: Obligation; Non-custodial Parent; Obligor)

Sure Pay/Now known as Electronic Payment Withdrawal

An optional payment method that includes Electronic Funds Transfer (EFT) from an Obligor's checking account.

Temporary Assistance to Needy Families (TANF)

Time-limited public assistance payments made to poor families, based on Title IV-A of the Social Security Act. TANF replaced Aid to Families with Dependent Children (AFDC—otherwise known as welfare) when the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was signed into law in 1996. The program provides parents with job preparation, work, and support services to help them become self-sufficient. Applicants for TANF benefits are automatically referred to their State IV-D agency in order to establish paternity and child support for their children from the non-custodial parent. This allows the State to recoup or defray some of its public assistance expenditures with funds from the non-custodial parent.

(See also: Personal Responsibility and Work Opportunity Reconciliation Act)

Termination

A legal proceeding to stop an order or an action.

Third Party Liability

A category under which the state pays the difference between the amount of the medical bill and the amount the insurance company has paid. This occurs only when a public assistance recipient has medical insurance in addition to coverage provided by the public assistance program.

Tribunal

The court, administrative agency, or quasi-judicial agency authorized to establish or modify support orders or to determine parentage.

Two-State Action

Action a State must file under the Uniform Interstate Family Support Act (UIFSA) guidelines when it does not have Long Arm Jurisdiction (i.e., cannot legally claim personal jurisdiction over a non-custodial parent who lives in another State). This is usually in cases where a State is trying to establish an initial child support order on behalf of a resident custodial party. Other actions, such as requesting wage withholding or reviewing and/or revising an existing support order, do not require a Two-State Action even if the initiating State does not have Long Arm Jurisdiction.

(See also: Initiating Jurisdiction; Two-State Action; Uniform Interstate Family Support Act)

Unemployment Insurance (UI) Claim Data

Data on unemployment insurance and applicants claimants submitted by State Employment Security Agencies (SESAs) on a quarterly basis to the National Directory of New Hires (NDNH). Minimum

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information must include the employee's name, address, Social Security Number (SSN), the benefit amount, and reporting period. This data is then compared against child support order information contained in the Federal Case Registry (FCR) for possible enforcement of child support obligations by garnishment.

(See also: State Employment Security Agency; National Directory of New Hires)

Unearned Income

Any income that is received for reasons other than employment or self-employment. Typically includes Social Security, veterans benefits, unemployment compensation, lump sums, etc., but may include in-kind benefits. Policy regarding what is considered unearned income varies according to program. See Earned income.

Unemployment Compensation (UC)

Any compensation payable under the state unemployment compensation law, including amounts payable in accordance with agreements under any federal unemployment compensation law. It includes extended benefits, unemployment for federal employees and ex-servicemen, trade readjustment allowance, disaster unemployment assistance, and payments under the Redwood National Park Expansion Act.

Unemployment Insurance (UI)

A fund that is maintained by contributions from employers to the Employment Division. The fund is used to pay UC.

Uniform Interstate Family Support Act (UIFSA)

Laws enacted at the State level to provide mechanisms for establishing and enforcing child support obligations in interstate cases (when a non-custodial parent lives in a different State than his/her child and the custodial party). Based on model legislation that was drafted by the National Conference of Commissioners on Uniform State Laws to revise and replace URESA. The provisions of UIFSA supercede those of URESA, although some URESA provisions may remain in effect (some States have rescinded all of URESA, while others have left in place those provisions not specifically superceded by UIFSA). Among the law's provisions is the ability of State IV-D agencies to send withholding orders to employers across State lines (see also Direct Income Withholding). PRWORA mandated that all States adopt legislation requiring that UIFSA be adopted, without modification by the state, January 1, 1998.

Uniform Reciprocal Enforcement of Support Act (URES A)

Law first promulgated in 1950 which provides a mechanism for establishing, enforcing, and modifying support obligations in interstate cases. Has now been superceded by the Uniform Interstate Family Support Act (UIFSA).

Unreimbursed Public Assistance (UPA)

Money paid in the form of public assistance (for example, TANF or older AFDC expenditures) which has not yet been recovered from the non-custodial parent (NCP).

Vacate

To terminate an order so that it becomes null and void as if it never existed.

Wage Assignment

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A voluntary agreement by an employee to transfer (or assign) portions of future wage payments (e.g., insurance premium deductions, credit union deductions) to pay certain debts, such as child support.

Wage Attachment

An involuntary transfer of a portion of an employee's wage payment to satisfy a debt. In some States this term is used interchangeably with Wage or Income Withholding, in other States there are distinctions between an attachment and withholding. The most common term used is Wage or Income Withholding.
(See also: Wage Withholding and Income Withholding)

Wage Withholding

A procedure by which scheduled deductions are automatically made from wages or income to pay a debt, such as child support. Wage withholding often is incorporated into the child support order and may be voluntary or involuntary. The provision dictates that an employer must withhold support from a non-custodial parent's wages and transfer that withholding to the appropriate agency (the Centralized Collection Unit or State Disbursement Unit). Also known as income withholding.
(See also: Income Withholding; Direct Income Withholding)