

SB

154

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 4/1/97

FURTHER: Finance

Date of 5-Day Notice: 4/17/97
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 4/29/97

Health, Education and Social Services Committee considered

SENATE BILL NO. 154

CHILD SUPPORT & PATERNITY.

and recommends:

be replaced with CS SB 154 (HES)

adopt previous CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Original</i>	<input checked="" type="checkbox"/>		
		<i>Life Green</i>			<input checked="" type="checkbox"/>
CHAIR:		CHAIR: <i>Conry</i>			<input checked="" type="checkbox"/>

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
H+SS - Public Health	4/25/97	<input checked="" type="checkbox"/>	
Revenue - CSED	4/25/97	<input checked="" type="checkbox"/>	
C+ED - Occupational Licensing	4/23/97	<input checked="" type="checkbox"/>	
Court System	4/28/97	<input checked="" type="checkbox"/>	
H+SS - Public Assistance	4/17/97	<input checked="" type="checkbox"/>	
Admin - DMV	4/21/97	<input checked="" type="checkbox"/>	
H+SS - DFYS	4/17/97	<input checked="" type="checkbox"/>	

SB+
CS

APPROPRIATION -- no fiscal note

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

*include fiscal notes accompanying Governor's bill

0-LS0853VE
Lauterbach
4/18/97

CS FOR SENATE BILL NO. 154()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to paternity determination and child support; relating to
2 reporting of and access to financial or other information for child support
3 purposes; making changes to laws relating to occupational, recreational, or other
4 licenses, permits, certificates, or other authorizations issued by the state to
5 facilitate administration of child support laws; relating to the interest rate on
6 judgments or decrees for child support; relating to immunity from civil liability
7 for good faith compliance with reporting or other requirements for child support
8 purposes; relating to voiding fraudulent transfers and to penalties for
9 noncompliance with orders for child support purposes; amending Rules 4, 5, 35,
10 52, 58, 60(b), 78, 90.1, and 90.3, Alaska Rules of Civil Procedure; amending
11 Rule 901, Alaska Rules of Evidence; amending Rules 3 and 5, Alaska Bar
12 Association Rules; repealing the effective date of sec. 45, ch. 107, SLA 1996;

1 and providing for an effective date."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * Section 1. FINDINGS; INTENT. (a) It is the legislature's firm conviction that

4 (1) children, whenever possible, should not be forced to bear the negative
5 consequences of a breakdown in their parents' relationship;

6 (2) one of the negative consequences of separations and divorces can be a
7 substantial drop in the standard of living for the children in the family if the income of their
8 noncustodial parent becomes unavailable to them; in these situations, the taxpayers of the state
9 are often forced to support the children through the state's welfare system;

10 (3) child support enforcement is one of the most effective ways to ensure that
11 children continue to be supported financially by both of their parents rather than by the state's
12 welfare system;

13 (4) child support enforcement efforts could be enhanced by having more
14 effective procedures for the establishment of paternity, more uniformity in the handling of
15 interstate child support cases, increased ability to identify and locate noncustodial parents who
16 are not supporting their children, and increased ability to track the income and assets of those
17 parents;

18 (5) identification and location of noncustodial parents and their financial
19 resources could be improved significantly by requiring that social security numbers be
20 routinely included on a wide variety of financial, occupational, and vital statistics records;

21 (6) it is in the public interest that the state continue to receive federal funds
22 to administer the state's child support enforcement program and to offset a major portion of
23 the costs of the state's welfare programs;

24 (7) the Congress has recognized that better child support enforcement can
25 decrease the government's welfare costs so the Congress included numerous new child support
26 enforcement requirements in the recent federal welfare reform act, known as the Personal
27 Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193);

28 (8) the changes required under P.L. 104-193 include changes in procedures
29 relating to paternity establishment, greater uniformity in the treatment of interstate child
30 support cases. new requirements for the inclusion of social security numbers on a wide variety

1 of records, and other state law changes that must be made in order for the state to receive
2 federal funds for its child support enforcement program and for its welfare programs.

3 (b) It is, therefore, the legislature's intent in enacting this Act to

4 (1) strengthen the state's child support enforcement efforts so that children,
5 whenever possible, continue to be supported financially by both of their parents after their
6 parents separate or divorce rather than by the state through its welfare system; and

7 (2) comply with federal requirements relating to paternity establishment,
8 interstate child support cases, social security numbers, and other matters so that federal funds
9 continue to be available to the state for the state's child support enforcement and welfare
10 programs; the legislature expects each state agency that gathers social security numbers as
11 required under this Act to comply with federal laws governing the agency's use and disclosure
12 of those numbers so as to avoid misuse of the numbers and violations of privacy laws while
13 ensuring that public documents remain available for public inspection.

14 * Sec. 2. AS 06.05 is amended by adding a new section to read:

15 **Sec. 06.05.537. Copies of records for child support purposes.** If a copy of
16 a record concerning an individual who owes or is owed child support, including a
17 record concerning assets and liabilities of the individual, prepared or maintained by a
18 bank of this state is requested by the child support enforcement agency established in
19 AS 25.27.010 or the child support enforcement agency of another state, the bank shall
20 provide the requesting agency with a certified copy of the record. If information is
21 prepared or maintained by the bank in an electronic data base, the bank may provide
22 the requesting agency a copy of the electronic record and a statement certifying its
23 contents. The agency receiving information under this section may use the information
24 only for child support purposes authorized under law.

25 * Sec. 3. AS 06.20.020 is amended by adding a new subsection to read:

26 (b) In addition to the requirements in (a) of this section, if a natural person
27 makes application for a license, the applicant shall supply the applicant's social
28 security number to the department. Upon request, the department shall provide the
29 social security number to the child support enforcement agency created in
30 AS 25.27.010, or the child support enforcement agency of another state, for child
31 support purposes authorized under law.

1 * Sec. 4. AS 06.40.050(a) is amended to read:

2 (a) Application for a license under this chapter shall be in writing and in the
3 form prescribed by the department. If the applicant is a natural person, the
4 application form must require submission of the applicant's social security
5 number.

6 * Sec. 5. AS 06.40.050 is amended by adding a new subsection to read:

7 (e) Upon request, the department shall provide a social security number
8 submitted under (a) of this section to the child support enforcement agency created in
9 AS 25.27.010, or the child support agency of another state, for child support purposes
10 authorized under law.

11 * Sec. 6. AS 08.01.060 is amended by adding a new subsection to read:

12 (b) If the applicant is a natural person, the application must require that the
13 applicant submit the applicant's social security number to the department.
14 Notwithstanding any other provision of this title, a license to engage in a profession
15 may not be issued by the department to a natural person unless the social security
16 number has been provided to the department.

17 * Sec. 7. AS 08.01 is amended by adding a new section to read:

18 **Sec. 08.01.089. Copies of records for child support purposes.** If a copy of
19 a public record concerning an individual who owes or is owed child support that is
20 prepared or maintained by the department is requested by the child support
21 enforcement agency created in AS 25.27.010 or a child support enforcement agency
22 of another state, the department shall provide the requesting agency with a certified
23 copy of the public record, including the individual's social security number. If these
24 records are prepared or maintained by the department in an electronic data base, the
25 records may be supplied by providing the requesting agency with a copy of the
26 electronic record and a statement certifying its contents. A requesting agency
27 receiving information under this section may use it only for child support purposes
28 authorized under law.

29 * Sec. 8. AS 08.01.100 is amended by adding a new subsection to read:

30 (e) Notwithstanding any other provision of this title, a renewal of a license
31 may not be issued by the department to a natural person unless the licensee's social

1 security number has been provided to the department.

2 * Sec. 9. AS 08.08.137 is amended to read:

3 Sec. 08.08.137. Fingerprints. The Board of Governors shall require an
4 applicant for admission to be fingerprinted and to provide the applicant's social
5 security number. The fingerprints shall be used to determine whether the applicant
6 has a record of criminal convictions in this state or another jurisdiction. The Board
7 of Governors may use the information obtained from the fingerprinting only in its
8 official determination of the character and fitness of the applicant for admission to the
9 Alaska Bar Association. The applicant's social security number shall be provided
10 to the child support enforcement agency established in AS 25.27.010, or the child
11 support enforcement agency of another state, upon request by the respective
12 agency; the requesting agency may use that information only for child support
13 purposes authorized under law.

14 * Sec. 10. AS 09.25.100 is amended to read:

15 Sec. 09.25.100. Disposition of tax information. Information in the possession
16 of the Department of Revenue that discloses the particulars of the business or affairs
17 of a taxpayer or other person is not a matter of public record, except for purposes of
18 child support administration as described in (b) of this section, investigation, and
19 law enforcement. The information shall be kept confidential except when its
20 production is required in response to a request for purposes of child support
21 administration as described in (b) of this section, in an official investigation, in an
22 administrative adjudication under AS 43.05.400 - 43.05.499, or in a court proceeding.
23 These restrictions do not prohibit the publication of statistics presented in a manner
24 that prevents the identification of particular reports and items, [PROHIBIT] the
25 publication of tax lists showing the names of taxpayers who are delinquent and
26 relevant information that may assist in the collection of delinquent taxes, or
27 [PROHIBIT] the publication of records, proceedings, and decisions under
28 AS 43.05.400 - 43.05.499.

29 * Sec. 11. AS 09.25.100 is amended by adding a new subsection to read:

30 (b) If a copy of a record of tax information is requested under (a) of this
31 section for the purposes of child support administration, the copy may be released only

1 to the child support enforcement agency created in AS 25.27.010 or a child support
2 enforcement agency of another state. The Department of Revenue shall provide the
3 requesting agency with a copy of the record. The requesting agency receiving
4 information under this subsection may use it only for child support purposes authorized
5 under law.

6 * Sec. 12. AS 09.30.070(a) is amended to read:

7 (a) Except as provided in (c) of this section, the [THE] rate of interest on
8 judgments and decrees for the payment of money is 10.5 percent a year, except that
9 a judgment or decree founded on a contract in writing, providing for the payment of
10 interest until paid at a specified rate not exceeding the legal rate of interest for that
11 type of contract, bears interest at the rate specified in the contract if the interest rate
12 is set out in the judgment or decree.

13 * Sec. 13. AS 09.30.070 is amended by adding a new subsection to read:

14 (c) The rate of interest on judgments or decrees for child support is governed
15 by AS 25.27.025.

16 * Sec. 14. AS 09.55.050 is amended to read:

17 **Sec. 09.55.050. Effect of presumptive death certificate.** After the judge or
18 magistrate has entered an order declaring that the person is presumed to be dead either
19 under AS 09.55.020 - 09.55.060 or under the laws dealing with missing persons, the
20 judge or magistrate shall make out and sign a certificate entitled "Presumptive Death
21 Certificate" in the form and manner and containing the information required by the
22 Bureau of Vital Statistics. In addition to the information required by the Bureau
23 of Vital Statistics, the certificate must contain the decedent's social security
24 number, if ascertainable. The certificate shall be recorded by the judge or magistrate
25 and then filed with the Bureau of Vital Statistics. Upon the entry of the order and the
26 recording and filing of the "Presumptive Death Certificate" as herein provided, the
27 missing person is presumed to be dead, and the person's estate may be administered
28 in accordance with the then existing provisions of law applicable to the administration
29 of the estates of deceased persons.

30 * Sec. 15. AS 09.65 is amended by adding a new section to read:

31 **Sec. 09.65.240. Immunity for certain actions related to child support. A**

1 person, including the state and its subdivisions, agencies, officers, and employees, may
2 not be held liable for good faith

3 (1) compliance with a subpoena of this or another state that requests
4 information, including the social security number and employment history of a person,
5 issued by the child support enforcement agency created in AS 25.27.010, or the child
6 support enforcement agency of another state, for child support purposes authorized
7 under law;

8 (2) collection of child support, including encumbering or surrendering
9 assets in response to a notice of lien or levy for the payment of child support; or

10 (3) compliance with an income withholding notice or an order to
11 withhold and deliver that is regular on its face and is for child support purposes.

12 * Sec. 16. AS 14.20 is amended by adding a new section to read:

13 **Sec. 14.20.027. Reporting of and access to social security numbers.**

14 Notwithstanding AS 14.20.010 - 14.20.040, the department may not issue a teacher
15 certificate under AS 14.20.020 or a limited teacher certificate under AS 14.20.025
16 unless the applicant has supplied the department with the applicant's social security
17 number. Upon request, the department shall provide the social security number to the
18 child support enforcement agency created in AS 25.27.010, or the child support
19 enforcement agency of another state, for child support purposes authorized under law.

20 * Sec. 17. AS 16.05.450(a) is amended to read:

21 (a) The commissioner or an authorized agent shall issue a crewmember fishing
22 license under AS 16.05.480 to each qualified person who files a written application at
23 a place in the state designated by the commissioner, containing the reasonable
24 information required by the commissioner together with the required fee. The
25 commissioner shall require the reporting of the applicant's social security number
26 on the application. The application shall be simple in form and shall be executed by
27 the applicant under the penalty of unsworn falsification.

28 * Sec. 18. AS 16.05.450 is amended by adding a new subsection to read:

29 (d) Upon request, the commissioner shall provide a social security number
30 provided under (a) of this section to the child support enforcement agency created in
31 AS 25.27.010, or the child support enforcement agency of another state, for child

1 support purposes authorized under law.

2 * Sec. 19. AS 16.05.480(b) is amended to read:

3 (b) A person applying for a resident commercial license under this section
4 shall provide the person's social security number and the proof of residence that the
5 department requires by regulation.

6 * Sec. 20. AS 16.05.480 is amended by adding a new subsection to read:

7 (d) Upon request, the department shall provide a social security number
8 provided under (a) of this section to the child support enforcement agency created in
9 AS 25.27.010, or the child support agency of another state, for child support purposes
10 authorized under law.

11 * Sec. 21. AS 16.05.815(a) is amended by adding a new paragraph to read:

12 (8) any of its records and reports to the child support enforcement
13 agency created in AS 25.27.010, or the child support enforcement agency of another
14 state, for child support purposes authorized under law.

15 * Sec. 22. AS 18.50.160(e) is amended to read:

16 (e) If the mother was not married at conception, during the pregnancy, or at
17 birth, the name of the father may not be entered on the certificate of birth [,] unless

18 (1) paternity has been lawfully determined by a tribunal, in which case
19 the name of the father, if determined by the tribunal, shall be entered;

20 (2) both the mother and the man to be named as the father have
21 executed affidavits attesting that that man is the father, so long as the affidavits meet
22 the requirements of (g) of this section and AS 18.50.165; or

23 (3) [AS] otherwise specified by statute.

24 * Sec. 23. AS 18.50.165(a) is amended to read:

25 (a) The state registrar shall prepare a form for use in acknowledging paternity
26 under AS 25.20.055. On an after July 1, 1997, the form must comply with the
27 minimum requirements of 42 U.S.C. 652(a)(7). The form must include

28 (1) a statement that the man who signs the form is acknowledging that
29 the man is the natural father of the child named in the form and that the man assumes
30 the parental duty of support of that child;

31 (2) the address and social security number of both parents of the child

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named in the form;

(3) signature lines for both parents; [AND]

(4) a signature line for either a witness or notary public; and

(5) on and after July 1, 1997, a statement that

(A) sets out the legal consequences to and the rights and responsibilities of the mother and the man acknowledging paternity of signing the form, including

(i) if one of the parents is a minor, any rights given due to minority status;

(ii) legal alternatives to signing the form; and

(iii) the legal responsibility that arises from signing the form;

(B) the mother and the man acknowledging paternity have been notified that, unless fraud, duress, or material mistake of fact is shown in accordance with AS 25.20.050, the acknowledgment may only be rescinded by the earlier of the following dates:

(i) 60 days after the date of the person's signature;

or

(ii) the date of initiation of an administrative or judicial procedure to establish support of the child in which the person is a party; and

(C) the mother and the man acknowledging paternity have read and understand the contents of the form.

* Sec. 24. AS 18.50.165 is amended by adding new subsections to read:

(e) An acknowledgment of paternity that met the requirements of state law at the time that the acknowledgment was made in this state is not ineffective due to changes in the form for acknowledgment occurring after the date that the acknowledgment was made.

(f) An acknowledgment of paternity affidavit or form executed in another state meeting that state's legal requirements shall be considered in this state as if the affidavit or form was executed in compliance with this section.

1 (g) The registrar shall offer voluntary acknowledgment of paternity services
2 by making available technical assistance about the form described in this section.
3 Upon request, the registrar shall provide oral assistance to parents wishing to complete
4 the form.

5 * Sec. 25. AS 18.50.230 is amended by adding a new subsection to read:

6 (f) A death certificate issued under this section must include the decedent's
7 social security number, if ascertainable. Upon request, the registrar shall provide a
8 decedent's social security number to the child support enforcement agency created in
9 AS 25.27.010, or the child support agency of another state, for child support purposes
10 authorized under law.

11 * Sec. 26. AS 18.50.280(a) is amended to read:

12 (a) For each dissolution, divorce, and annulment of marriage granted by a
13 court in the state, the clerk of the court shall prepare and file a certificate of
14 dissolution, divorce, or annulment with the bureau, on forms prescribed and furnished
15 by the bureau. The forms must require the reporting of the social security
16 numbers of the petitioner or plaintiff and, if ascertainable, the other party to the
17 dissolution, divorce, or annulment of marriage. The petitioner or plaintiff shall
18 furnish the court with the information necessary to complete the certificate, and the
19 furnishing of this information is prerequisite to the issuance of a decree.

20 * Sec. 27. AS 18.50.280 is amended by adding a new subsection to read:

21 (c) Upon request, the bureau shall provide a social security number supplied
22 under (a) of this section to the child support enforcement agency created in
23 AS 25.27.010, or the child support enforcement agency of another state, for child
24 support purposes authorized under law.

25 * Sec. 28. AS 18.50.320 is amended to read:

26 **Sec. 18.50.320. Copies of data from vital records.** Except as otherwise
27 provided and in accordance with the regulations adopted under AS 18.50.310,

28 (1) the bureau and the custodian of permanent local records shall, upon
29 request, issue a certified copy of a certificate or record in their custody, or a part of
30 it; each copy issued must show the date of registration or recording, and copies issued
31 from records marked "delayed," "amended," or "court order" shall be similarly marked

1 and must show the effective date;

2 (2) a certified copy of a certificate or a part of it issued in accordance
3 with (1) of this section is considered the original for all purposes, and is prima facie
4 evidence of the facts stated, provided that the evidentiary value of a certificate or
5 record filed more than one year after the event, or a record that has been amended, or
6 a presumptive death certificate, shall be determined by the judicial or administrative
7 body or official before whom the certificate is offered as evidence;

8 (3) the National Office of Vital Statistics may be furnished the copies
9 or data it requires for national statistics [,] if the bureau is reimbursed for the cost of
10 furnishing the data; the National Office of Vital Statistic. may not use the data for
11 purposes other than statistical purposes unless authorized by the state registrar;

12 (4) federal, state, local, and other public or private agencies, upon
13 request, may be furnished copies or data for statistical purposes on the terms or
14 conditions prescribed by the bureau;

15 (5) a person or agency may not prepare or issue a certificate or part of
16 a certificate that purports to be an original, certified copy, or copy of a certificate of
17 birth, death, fetal death, or marriage, except as authorized in this chapter or the
18 regulations adopted under it;

19 (6) upon request, the bureau shall furnish a copy of a certificate or
20 record registered by the bureau to the child support enforcement agency created
21 in AS 25.27.010, or the child support enforcement agency of another state, for
22 child support purposes authorized under law; such a certificate or record that is
23 prepared or maintained in an electronic data base may be supplied by providing
24 the requesting agency with a copy of the electronic certificate or record and a
25 statement certifying its contents.

26 * Sec. 29. AS 18.60.395(a) is amended to read:

27 (a) The Department of Labor shall adopt regulations for the licensing of boiler
28 operators. The regulations must conform to the generally accepted nationwide
29 standards and practices established for boiler operators. In addition to any
30 requirements adopted by regulation under this subsection, a person applying for
31 a license shall provide to the department, on the application, the person's social

1 security number.

2 * **Sec. 30.** AS 18.60.395 is amended by adding a new subsection to read:

3 (d) Upon request, the department shall provide a social security number
4 provided under (a) of this section to the child support enforcement agency created in
5 AS 25.27.010, or the child support enforcement agency of another state, for child
6 support purposes authorized under law.

7 * **Sec. 31.** AS 18.65.410 is amended to read:

8 **Sec. 18.65.410. Applications.** Application for a license as a security guard
9 must be made on forms provided by the commissioner. The application must require
10 the furnishing of information reasonably required by the commissioner to carry out the
11 provisions of AS 18.65.400 - 18.65.490, including classifiable fingerprints to enable
12 the search of criminal indices for evidence of a prior criminal record, and must
13 require the furnishing of the applicant's social security number if the applicant
14 is a natural person. The application must be accompanied by a nonrefundable
15 application fee of \$50 for a security guard and \$200 for a security guard agency.

16 * **Sec. 32.** AS 18.65.410 is amended by adding a new subsection to read:

17 (b) Upon request, the commissioner shall provide a social security number
18 provided under (a) of this section to the child support enforcement agency created in
19 AS 25.27.010, or the child support enforcement agency of another state, for child
20 support purposes authorized under law.

21 * **Sec. 33.** AS 18.72.030 is amended to read:

22 **Sec. 18.72.030. Fireworks wholesaler's license.** (a) A person who desires
23 to sell fireworks at wholesale in the state shall first make verified application for a
24 license to the state fire marshal on forms provided by the state fire marshal. The
25 forms must require the applicant to supply the applicant's social security number
26 if the applicant is a natural person. The application shall be accompanied by an
27 annual license fee of \$50.

28 (b) The license required under (a) of this section is valid until December 31
29 of the year during which it is issued [,] and is renewable upon

30 (1) the payment of each subsequent annual license fee and affirmation
31 that the information contained in the wholesaler's original application for a fireworks

1 wholesaler's license is currently accurate; and

2 (2) supplying the wholesaler's social security number if it has not
3 previously been supplied under (a) of this section and if the wholesaler is a
4 natural person.

5 * Sec. 34. AS 21.06 is amended by adding a new section to read:

6 **Sec. 21.06.255. Information for child support purposes.** Notwithstanding
7 any other provision of this title, a natural person who applies for a license or requests
8 renewal of a license issued by the director under this title shall provide the director
9 with the person's social security number. Upon request, the director shall provide a
10 social security number provided under this section to the child support enforcement
11 agency created in AS 25.27.010, or the child support enforcement agency of another
12 state, for child support purposes authorized under law.

13 * Sec. 35. AS 23.20.110(e) is amended to read:

14 (e) The department shall provide information

15 (1) requested by a state or federal agency under an income and
16 eligibility verification system that meets the requirements of 42 U.S.C. 1320b-7 (Social
17 Security Act); or

18 (2) as required by federal law for child support purposes.

19 * Sec. 36. AS 23.20.110 is amended by adding a new subsection to read:

20 (o) Upon request and for child support purposes authorized under law, the
21 department shall provide to the child support enforcement agency created in
22 AS 25.27.010, or the child support enforcement agency of another state, the following:

23 (1) the name, address, social security number, ordinary occupation, and
24 employment status of each applicant for or recipient of benefits under this chapter;

25 (2) information about the applicant's or recipient's right to benefits
26 under this chapter;

27 (3) the name, address, and employer identification number of the
28 applicant's or recipient's current or former employer;

29 (4) information, if available, on the applicant or recipient concerning

30 (A) earnings or other income of the applicant or recipient;

31 (B) benefits from employment, including rights to or enrollment

1 in group health care coverage; and

2 (C) the type, status, location, and amount of assets of or debts
3 owed by or to the applicant or recipient.

4 * Sec. 37. AS 25.05.091 is amended by adding a new subsection to read:

5 (b) In addition to the requirements of (a) of this section, each contracting party
6 to the prospective marriage shall provide to the licensing officer the party's social
7 security number, if any. Upon request, the licensing officer shall provide a social
8 security number provided under this subsection to the child support enforcement
9 agency created in AS 25.27.010, or the child support enforcement agency of another
10 state, for child support purposes authorized under law.

11 * Sec. 38. AS 25.20.050(a) is amended to read:

12 (a) A child born out of wedlock is legitimated and considered the heir of the
13 putative parent when (1) the putative parent subsequently marries the undisputed parent
14 of the child; (2) for acknowledgments made before July 1, 1997, the putative parent
15 acknowledges, in writing, being a parent of the child; (3) for acknowledgments made
16 on or after July 1, 1997, the putative father and the mother both sign a form for
17 acknowledging paternity under AS 18.50.165; or (4) [(3)] the putative parent is
18 determined [JUDGED] by a superior court without jury or by another tribunal,
19 upon sufficient evidence, to be a parent of the child. Acceptable evidence includes [,
20 BUT IS NOT LIMITED TO,] evidence that the putative parent's conduct and bearing
21 toward the child, either by word or act, indicates that the child is the child of the
22 putative parent. That conduct may be construed by the tribunal [COURT] to
23 constitute evidence of parentage. When indefinite, ambiguous, or uncertain terms are
24 used, the tribunal [COURT] may use extrinsic evidence to show the putative parent's
25 intent.

26 * Sec. 39. AS 25.20.050(d) is amended to read:

27 (d) The results of a genetic test that is of a type generally acknowledged as
28 reliable by an accreditation body designated by the Secretary of Health and
29 Human Services and performed by a laboratory approved by such an
30 accreditation body [A BLOOD TEST, TISSUE-TYPE TEST, PROTEIN
31 COMPARISON, OR OTHER SCIENTIFICALLY ACCEPTED PROCEDURE] shall

1 be admitted and weighed in conjunction with other evidence in determining the
2 statistical probability that the putative parent is a legal parent of the child in question.
3 However, a genetic test described in this subsection [SCIENTIFICALLY
4 ACCEPTED PROCEDURE] that establishes a probability of parentage at 95 percent
5 or higher creates a presumption of parentage that may be rebutted only by clear and
6 convincing evidence.

7 * Sec. 40. AS 25.20.050(e) is repealed and reenacted to read:

8 (e) Except as provided in (i) of this section, in proceedings in which paternity
9 is contested, the tribunal shall order the parties, including the child, to submit to testing
10 as described in (d) of this section upon request of

11 (1) the child support enforcement agency created in AS 25.27.010 or
12 the child support enforcement agency of another state; or

13 (2) a party, including a sworn statement

14 (A) alleging the paternity of an individual and setting out facts
15 that show a reasonable possibility that the mother and that individual had
16 sexual contact that could have resulted in the conception of the child; or

17 (B) denying the paternity of an individual and setting out facts
18 that show a reasonable possibility that the mother and that individual did not
19 have sexual contact that could have resulted in the conception of the child.

20 * Sec. 41. AS 25.20.050(f), as amended by sec. 11, ch. 107, SLA 1996, is amended to
21 read:

22 (f) [IF THE CHILD SUPPORT ENFORCEMENT AGENCY IS A PARTY IN
23 AN ACTION IN WHICH PATERNITY IS CONTESTED, THE AGENCY SHALL
24 REQUEST THE COURT TO ORDER THE TESTS AND PROCEDURES
25 DESCRIBED IN (e) OF THIS SECTION.] The child support enforcement agency
26 may recover the costs of testing ordered under (e) of this section from the alleged
27 father unless the testing establishes that the individual is not the father [TESTS
28 AS A COST OF THE ACTION], except that costs may not be recovered from a
29 person who is a recipient of assistance under AS 47.27 (Alaska temporary assistance
30 program).

31 * Sec. 42. AS 25.20.050(h) is amended to read:

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(h) The tribunal [COURT] in a paternity action shall give full faith and credit to a determination of paternity made by another state, whether established through voluntary acknowledgment or through administrative or judicial procedures.

* Sec. 43. AS 25.20.050 is amended by adding new subsections to read:

(i) If a tribunal finds that good cause exists not to order genetic testing after considering the best interests of the child, the tribunal may not order testing under (e) of this section.

(j) Invoices, bills, or other standard documents showing charges for medical and related costs of pregnancy, childbirth, or genetic testing are admissible in an action to establish paternity without testimony or other evidence from the medical or other provider or third-party payor to provide the foundation for admissibility of the documents. The documents shall constitute prima facie evidence of the amounts incurred for such charges.

(k) Upon the motion of the child support enforcement agency or another party in the action to establish paternity, the tribunal shall issue a temporary order for support of the child whose paternity is being determined. The order shall be effective until the tribunal issues a final order on paternity and a permanent order for support is issued or the tribunal dismisses the action. The temporary order may only be issued if the tribunal finds clear and convincing evidence of the paternity of the putative father on the basis of the results of the genetic tests and other evidence admitted in the proceeding.

(l) The tribunal shall consider a completed and signed form for acknowledging paternity that meets the requirements of AS 18.50.165(a) as a legal finding of paternity for a child born out of wedlock. For an acknowledgment signed on or after July 1, 1997, the acknowledgment may only be withdrawn by the earlier of the following dates: (1) 60 days after the date that the person signed it, or (2) the date on which judicial or administrative procedures are initiated to establish child support for, or to determine paternity of, the child who is the subject of the acknowledgement. After this time period has passed, the acknowledgment may only be contested in superior court on the basis of fraud, duress, or material mistake. The parent wishing to contest the acknowledgment carries the burden of proof by a preponderance of the

1 evidence. Unless good cause is shown, the court may not stay child support or other
2 legal responsibilities while the action to contest the acknowledgment is pending.

3 (m) If a parent signs an acknowledgment of paternity under (a) of this section
4 and does not successfully challenge the acknowledgment under (l) of this section, the
5 child born out of wedlock is considered legitimated and the heir of the parent without
6 further action of the tribunal to ratify the acknowledgment of paternity.

7 (n) On and after July 1, 1997, a paternity order or an acknowledgment made
8 under this section must include the social security numbers, if ascertainable, of the
9 following persons:

- 10 (1) the father;
11 (2) the mother;
12 (3) the child.

13 (o) In this section, unless the context requires otherwise, "tribunal" means a
14 court, administrative agency, or quasi-judicial entity authorized by state law to
15 determine parentage.

16 * Sec. 44. AS 25.20.055 is amended by adding a new subsection to read:

17 (d) Notwithstanding (a) of this section, the Department of Health and Social
18 Services may adopt regulations to establish exceptions for good cause that identify
19 circumstances under which a hospital is not required to comply with (a) of this section.
20 A hospital may be excused from complying with (a) of this section if the hospital
21 meets those regulatory requirements.

22 * Sec. 45. AS 25.24.160 is amended by adding a new subsection to read:

23 (d) In a judgment issued under this section, the court shall include the social
24 security numbers, if ascertainable, of the following persons:

- 25 (1) each party to the action;
26 (2) each child whose rights are addressed in the judgment.

27 * Sec. 46. AS 25.24.170(b) is amended to read:

28 (b) For the purposes of a motion to modify or terminate child support, the
29 adoption or enactment of guidelines or a significant amendment to guidelines for
30 determining support is a material change in circumstances [,] if the guidelines are
31 relevant to the motion. As necessary to comply with 42 U.S.C. 666, a periodic

1 modification of child support may be made without a showing of a material
2 change in circumstances.

3 * Sec. 47. AS 25.24.210(e) is amended by adding a new paragraph to read:

4 (12) the social security numbers, if ascertainable, of the following
5 persons:

6 (A) both spouses to the marriage being dissolved;

7 (B) each child whose rights are being addressed in the petition

8 for dissolution.

9 * Sec. 48. AS 25.24.230 is amended by adding a new subsection to read:

10 (i) In a judgment issued under this section, the court shall include the social
11 security numbers, if ascertainable, of the following persons:

12 (1) each party to the dissolution of marriage;

13 (2) each child whose rights are addressed in the judgment.

14 * Sec. 49. AS 25.24 is amended by adding a new section to read:

15 Sec. 25.24.920. Provision of information to child support enforcement
16 agency. For purposes of 42 U.S.C. 666 and AS 25.27.193, when a court order or
17 judgment provides for child support to be paid, the clerk of the court shall provide a
18 copy of the order or judgment to the child support enforcement agency created in
19 AS 25.27.010.

20 * Sec. 50. AS 25.25.101(7) is amended to read:

21 (7) "initiating state" means a state from [IN] which a proceeding is
22 forwarded or in which a proceeding is filed for forwarding to a responding state
23 under this chapter or a law or procedure substantially similar to this chapter, or
24 under a law or procedure substantially similar to [THE FORMER PROVISIONS
25 OF THIS CHAPTER,] the Uniform Reciprocal Enforcement of Support Act [,] or the
26 Revised Uniform Reciprocal Enforcement of Support Act [IS FILED FOR
27 FORWARDING TO A RESPONDING STATE];

28 * Sec. 51. AS 25.25.101(16) is amended to read:

29 (16) "responding state" means a state in [TO] which a proceeding is
30 filed or to which a proceeding is forwarded for filing from an initiating state under
31 this chapter or a law or procedure substantially similar to this chapter, or under a

1 law or procedure substantially similar to [THE FORMER PROVISIONS OF THIS
 2 CHAPTER,] the Uniform Reciprocal Enforcement of Support Act or the Revised
 3 Uniform Reciprocal Enforcement of Support Act;

4 * Sec. 52. AS 25.25.101(19) is amended to read:

5 (19) "state" means a state of the United States, the District of
 6 Columbia, the Commonwealth of Puerto Rico, or any territory or insular possession
 7 subject to the jurisdiction of the United States; the term "state" includes a foreign
 8 jurisdiction that has enacted a law or established procedures for issuance and
 9 enforcement of support orders that are substantially similar to the procedures under this
 10 chapter or under the Uniform Reciprocal Enforcement of Support Act or the
 11 Revised Uniform Reciprocal Enforcement of Support Act;

12 * Sec. 53. AS 25.25.207 is repealed and reenacted to read:

13 **Sec. 25.25.207. Recognition of controlling child support order.** (a) If a
 14 proceeding is brought under this chapter and only one tribunal has issued a child
 15 support order, the order of that tribunal is controlling and shall be recognized.

16 (b) If a proceeding is brought under this chapter and two or more child support
 17 orders have been issued by tribunals of this state or another state with regard to the
 18 same obligor and child, a tribunal of this state shall apply the following rules in
 19 determining which order to recognize for purposes of continuing, exclusive
 20 jurisdiction:

21 (1) if only one of the tribunals would have continuing, exclusive
 22 jurisdiction under this chapter, the order of that tribunal is controlling and shall be
 23 recognized;

24 (2) if more than one of the tribunals would have continuing, exclusive
 25 jurisdiction under this chapter, an order issued by a tribunal in the current home state
 26 of the child shall be recognized, but, if an order has not been issued in the current
 27 home state of the child, the order most recently issued is controlling and shall be
 28 recognized;

29 (3) if none of the tribunals would have continuing, exclusive
 30 jurisdiction under this chapter, the tribunal of this state having jurisdiction over the
 31 parties shall issue a child support order, which is controlling and shall be recognized.

1 (c) If two or more child support orders have been issued for the same obligor
2 and child and if the obligor or the individual obligee resides in this state, a party may
3 request a tribunal of this state to determine which order controls and shall be
4 recognized under (b) of this section. The request shall be accompanied by a certified
5 copy of every support order in effect. Every party whose rights may be affected by
6 a determination of the controlling order shall be given notice of the request for that
7 determination.

8 (d) The tribunal that issued the order that shall be recognized as controlling
9 under (a), (b), or (c) of this section is the tribunal that has continuing, exclusive
10 jurisdiction in accordance with AS 25.25.205.

11 (e) A tribunal of this state that determines by order the identity of the
12 controlling child support order under (b)(1) or (2) of this section, or that issues a new
13 controlling child support order under (b)(3) of this section, shall include in that order
14 the basis upon which the tribunal made its determination.

15 (f) Within 30 days after issuance of the order determining the identity of the
16 controlling order, the party obtaining that order shall file a certified copy of that order
17 with each tribunal that had issued or registered an earlier order of child support.
18 Failure of the party obtaining the order to file a certified copy as required under this
19 subsection subjects that party to appropriate sanctions by a tribunal in which the issue
20 of failure to file arises, but that failure has no effect on the validity or enforceability
21 of the controlling order.

22 * Sec. 54. AS 25.25.301(b) is amended to read:

23 (b) This chapter provides for the following proceedings:

24 (1) establishment of an order for child support or spousal support under
25 AS 25.25.401;

26 (2) enforcement of a support order and income withholding order of
27 another state without registration under AS 25.25.501 - 25.25.507 [AS 25.25.501 -
28 25.25.502];

29 (3) registration of an order for child support or spousal support of
30 another state for enforcement under AS 25.25.601 - 25.25.614 [AS 25.25.601 -
31 25.25.612];

1 (4) modification of an order for child support or spousal support issued
2 by a tribunal of this state under AS 25.25.203 - 25.25.206;

3 (5) registration of an order for child support of another state for
4 modification under AS 25.25.601 - 25.25.614 [AS 25.25.601 - 25.25.612];

5 (6) determination of parentage under AS 25.25.701; and

6 (7) assertion of jurisdiction over nonresidents under AS 25.25.201 -
7 25.25.202.

8 * Sec. 55. AS 25.25.304 is amended by adding a new subsection to read:

9 (b) If a responding state has not enacted a law or procedure substantially
10 similar to this chapter, a tribunal of this state may issue a certificate or other
11 documents and make findings required by the law of the responding state. If the
12 responding state is a foreign jurisdiction, the tribunal may specify the amount of
13 support sought and provide other documents necessary to satisfy the requirements of
14 the responding state.

15 * Sec. 56. AS 25.25.305(a) is amended to read:

16 (a) When a responding tribunal of this state receives a complaint or
17 comparable pleading from an initiating tribunal or directly under AS 25.25.301(c), it
18 shall cause the complaint or pleading to be filed and notify the petitioner [BY FIRST
19 CLASS MAIL] where and when it was filed.

20 * Sec. 57. AS 25.25.305(e) is amended to read:

21 (e) If a responding tribunal of this state issues an order under this chapter, the
22 tribunal shall send a copy of the order [BY FIRST CLASS MAIL] to the petitioner
23 and the respondent and to the initiating tribunal, if any.

24 * Sec. 58. AS 25.25.306 is amended to read:

25 **Sec. 25.25.306. Inappropriate tribunal.** If a complaint or comparable
26 pleading is received by an inappropriate tribunal of this state, it shall forward the
27 complaint or pleading, and accompanying documents, to an appropriate tribunal in this
28 state or another state and notify the petitioner [BY FIRST CLASS MAIL] where and
29 when the complaint or pleading was sent.

30 * Sec. 59. AS 25.25.307(b) is amended to read:

31 (b) In providing services under this chapter to the petitioner, the child support

1 enforcement agency shall, as appropriate,

2 (1) take all steps necessary to enable an appropriate tribunal in this
3 state or another state to obtain jurisdiction over the respondent;

4 (2) request an appropriate tribunal to set a date, time, and place for a
5 hearing;

6 (3) make a reasonable effort to obtain all relevant information,
7 including information as to income and property of the parties;

8 (4) send written notice from an initiating, responding, or registering
9 tribunal to the petitioner [BY FIRST CLASS MAIL] within two days of receipt,
10 exclusive of Saturdays, Sundays, and legal holidays;

11 (5) send a copy of a written communication from the respondent or the
12 respondent's attorney to the petitioner [BY FIRST CLASS MAIL] within two days of
13 receipt, exclusive of Saturdays, Sundays, and legal holidays; and

14 (6) notify the petitioner if jurisdiction over the respondent cannot be
15 obtained.

16 * Sec. 60. AS 25.25.310 is amended to read:

17 **Sec. 25.25.310. Duties of state information and locator agency.** The child
18 support enforcement agency is the state information agency under this chapter, and it
19 shall

20 (1) compile and maintain a current list, including addresses, of the
21 tribunals [COURTS] in this state that have jurisdiction under this chapter and the
22 appropriate agency offices in this state and transmit a copy to the state information
23 agency of every other state;

24 (2) maintain a register of tribunals and support enforcement agencies
25 received from other states;

26 (3) forward to the appropriate tribunal in this state all documents
27 concerning a proceeding under this chapter received from an initiating tribunal or the
28 state information agency of the initiating state; and

29 (4) obtain information concerning the location of the obligor and the
30 obligor's property within this state that is not exempt from execution by postal
31 verification and federal or state locator services, examination of telephone directories,

1 requests for the obligor's address from employers, and examination of governmental
2 records, including, to the extent not prohibited by other law, those relating to real
3 property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses,
4 and social security.

5 * Sec. 61. AS 25.25.312 is amended to read:

6 **Sec. 25.25.312. Nondisclosure of information in exceptional circumstances.**
7 Upon [SUBJECT TO THE PROVISIONS OF AS 25.27.275 AND UPON] a finding,
8 which may be made ex parte, that the health, safety, or liberty of a party or child
9 would be unreasonably put at risk by the disclosure of identifying information, or if
10 an existing order so provides, a tribunal shall order that the address of the child or
11 party or other identifying information not be disclosed in a pleading or other document
12 filed in a proceeding under this chapter.

13 * Sec. 62. AS 25.25.501 is repealed and reenacted to read:

14 **Sec. 25.25.501. Employer's receipt of income withholding order of another**
15 **state.** An income withholding order issued in another state may be sent to the person
16 or entity defined as the obligor's employer under AS 25.27 without first filing a
17 complaint or comparable pleading or registering the order with a tribunal of this state.

18 * Sec. 63. AS 25.25.502 is repealed and reenacted to read:

19 **Sec. 25.25.502. Employer's compliance with income withholding order of**
20 **another state.** (a) Upon receipt of an order under AS 25.25.501, the obligor's
21 employer shall immediately provide a copy of the order to the obligor.

22 (b) The employer shall treat an income withholding order issued in another
23 state that appears regular on its face as if it were issued by a tribunal of this state.

24 (c) Except as provided by (d) of this section and AS 25.25.503, the employer
25 shall withhold and distribute the funds as directed in the withholding order by
26 complying with the terms of the order, as applicable, that specify

27 (1) the duration and the amount of periodic payments of current child
28 support, stated as a sum certain;

29 (2) the person or agency designated to receive payments and the
30 address to which the payments are to be forwarded;

31 (3) medical support, whether in the form of periodic cash payment,

1 stated as a sum certain, or an order to the obligor to provide health insurance coverage
2 for the child under a policy available through the obligor's employment;

3 (4) the amount of periodic payments of fees and costs for a support
4 enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums
5 certain; and

6 (5) the amount of periodic payments of arrearages and interest on
7 arrearages, stated as sums certain.

8 (d) The employer shall comply with the law of the state of the obligor's
9 principal place of employment for withholding from income with respect to

10 (1) the employer's fee for processing an income withholding order;

11 (2) the maximum amount permitted to be withheld from the obligor's
12 income; and

13 (3) the time periods within which the employer must implement the
14 withholding order and forward the child support payment.

15 * **Sec. 64.** AS 25.25 is amended by adding new sections to article 5 to read:

16 **Sec. 25.25.503. Compliance with multiple income withholding orders.** If
17 an obligor's employer receives multiple orders to withhold support from the earnings
18 of the same obligor, the employer shall be considered to have satisfied the terms of the
19 multiple orders if the employer complies with the law of the state of the obligor's
20 principal place of employment to establish the priorities for withholding and allocating
21 income withheld for multiple child support orders.

22 **Sec. 25.25.504. Immunity from civil liability.** An employer who complies
23 with an income withholding order issued in another state in accordance with
24 AS 25.25.501 - 25.25.505 is not subject to civil liability to an individual or agency
25 with regard to the employer's withholding of child support from the obligor's income.

26 **Sec. 25.25.505. Penalties for noncompliance.** An employer who wilfully fails
27 to comply with an income withholding order issued by another state and received for
28 enforcement is subject to the same penalties that may be imposed for noncompliance
29 with an order issued by a tribunal of this state.

30 **Sec. 25.25.506. Contest by obligor.** (a) An obligor may contest the validity
31 or enforcement of an income withholding order issued in another state and received

1 directly by an employer in this state in the same manner as if the order were issued
2 by a tribunal of this state. The provisions of AS 25.25.604 apply to the contest.

3 (b) The obligor shall give notice of the contest to

4 (1) a support enforcement agency providing services to the obligee;

5 (2) each employer that has directly received an income withholding
6 order; and

7 (3) if

8 (A) a person or an agency is designated to receive payments in
9 the income withholding order, to that person or agency; or

10 (B) no person or agency is designated to receive payments in
11 the income withholding order, to the obligee.

12 **Sec. 25.25.507. Administrative enforcement of orders.** (a) A party seeking
13 to enforce a support order or an income withholding order, or both, issued by a
14 tribunal of another state may send the documents required for registering the order to
15 the child support enforcement agency of this state.

16 (b) Upon receipt of the documents, the child support enforcement agency,
17 without initially seeking to register the order, shall consider and, if appropriate, use
18 any administrative procedure authorized by the law of this state to enforce a support
19 order or an income withholding order, or both. If the obligor does not contest
20 administrative enforcement, the order need not be registered. If the obligor contests
21 the validity or administrative enforcement of the order, the child support enforcement
22 agency shall register the order under this chapter.

23 * **Sec. 65.** AS 25.25.602(a) is amended to read:

24 (a) A support order or income withholding order of another state may be
25 registered in this state by sending the following documents and information to a
26 tribunal of this state:

27 (1) a letter of transmittal to the tribunal requesting registration and
28 enforcement;

29 (2) two copies, including one certified copy, of all orders to be
30 registered, including any modification of an order;

31 (3) a sworn statement by the party seeking registration or a certified

1 statement by the custodian of the records showing the amount of any arrearage;

2 (4) the name of the obligor and, if known,

3 (A) the obligor's address and social security number;

4 (B) the name and address of the obligor's employer and any
5 other source of income of the obligor;

6 (C) a description and the location of property in this state of the
7 obligor not exempt from execution; and

8 (D) the names [NAME] and addresses [ADDRESS] of all
9 potential third-party [THIRD PARTY] resources, including a health insurer,
10 that might be available to meet the requirements of a medical support order;
11 and

12 (5) the name and address of the obligee and, if applicable, the agency
13 or person to whom support payments are to be remitted.

14 * Sec. 66. AS 25.25.605(a) is amended to read:

15 (a) When a support order or income withholding order issued in another state
16 is registered, the registering tribunal shall notify the nonregistering party. [NOTICE
17 SHALL BE GIVEN BY FIRST CLASS, CERTIFIED, OR REGISTERED MAIL OR
18 BY ANY MEANS OF PERSONAL SERVICE AUTHORIZED BY THE LAW OF
19 THIS STATE.] The notice must be accompanied by a copy of the registered order and
20 the documents and relevant information accompanying the order.

21 * Sec. 67. AS 25.25.605(b) is amended to read:

22 (b) The notice must inform the nonregistering party

23 (1) that a registered order is enforceable as of the date of registration
24 in the same manner as an order issued by a tribunal of this state;

25 (2) that a hearing to contest the validity or enforcement of the
26 registered order must be requested within 20 days after [THE DATE OF MAILING
27 OR PERSONAL SERVICE OF THE] notice;

28 (3) that failure to contest the validity or enforcement of the registered
29 order in a timely manner will result in confirmation of the order and enforcement of
30 the order and the alleged arrearages and precludes further contest of that order with
31 respect to any matter that could have been asserted; and

1 (4) of the amount of alleged arrearages.

2 * Sec. 68. AS 25.25.606(a) is amended to read:

3 (a) A nonregistering party seeking to contest the validity or enforcement of a
4 registered order in this state shall request a hearing within 20 days after the [DATE
5 OF MAILING OR PERSONAL SERVICE OF] notice of the registration. The
6 nonregistering party may seek to vacate the registration, to assert a defense to an
7 allegation of noncompliance with the registered order, or to contest the remedies being
8 sought or the amount of alleged arrearages under AS 25.25.607.

9 * Sec. 69. AS 25.25.606(c) is amended to read:

10 (c) If a nonregistering party requests a hearing to contest the validity or
11 enforcement of the registered order, the registering tribunal shall schedule the matter
12 for hearing and give notice to the parties [BY FIRST CLASS MAIL] of the date, time,
13 and place of the hearing.

14 * Sec. 70. AS 25.25.609 is amended to read:

15 **Sec. 25.25.609. Procedure to register child support order of another state**
16 **for modification.** If a party or the child support enforcement agency seeks to modify,
17 or to modify and enforce, a child support order issued in another state but not
18 registered in this state, the party or agency shall register that order in this state in the
19 same manner provided in AS 25.25.601 - 25.25.608 [AS 25.25.601 - 25.25.604]. A
20 complaint for modification may be filed at the same time as a request for registration,
21 or later. The pleading must specify the grounds for modification.

22 * Sec. 71. AS 25.25.611(a) is amended to read:

23 (a) After a child support order issued in another state has been registered in
24 this state, unless the provisions of AS 25.25.613 apply, the responding tribunal of this
25 state may modify that order only if, after notice and an opportunity for hearing, it finds
26 that

27 (1) the following requirements are met:

28 (A) the child, the individual obligee, and the obligor do not
29 reside in the issuing state;

30 (B) a petitioner who is not a resident of this state seeks
31 modification; and

1 (C) the respondent is subject to the personal jurisdiction of the
2 tribunal of this state; or

3 (2) an individual party or the child is subject to the personal jurisdiction
4 of the tribunal and all of the individual parties have filed a written consent in the
5 issuing tribunal providing that a tribunal of this state may modify the support order and
6 assume continuing, exclusive jurisdiction over the order; however, if the issuing state
7 is a foreign jurisdiction that has not enacted a law or procedure substantially
8 similar to this chapter, the written consent of the individual party residing in this
9 state is not required for the tribunal to assume jurisdiction to modify the child
10 support order.

11 * Sec. 72. AS 25.25.611(c) is amended to read:

12 (c) A tribunal of this state may not modify any aspect of a child support order
13 that may not be modified under the law of the issuing state. If two or more tribunals
14 have issued child support orders for the same obligor and child, the order that
15 is controlling and must be recognized under the provisions of AS 25.25.207
16 establishes the nonmodifiable aspects of the support order.

17 * Sec. 73. AS 25.25.612 is amended to read:

18 Sec. 25.25.612. Recognition of order modified in another state. A tribunal
19 of this state shall recognize a modification of its earlier child support order by a
20 tribunal of another state that assumed jurisdiction under this chapter or a law or
21 procedure substantially similar to this chapter and, upon request, except as otherwise
22 provided in this chapter, shall

23 (1) enforce the order that was modified only as to amounts accruing
24 before the modification;

25 (2) enforce only nonmodifiable aspects of that order;

26 (3) provide other appropriate relief only for violations of that order that
27 occurred before the effective date of the modification; and

28 (4) recognize the modifying order of the other state, upon registration,
29 for the purpose of enforcement.

30 * Sec. 74. AS 25.25 is amended by adding new sections to article 6 to read:

31 Sec. 25.25.613. Jurisdiction to modify support order of another state when

1 individual parties reside in this state. (a) If all of the individual parties reside in
2 this state and the child does not reside in the issuing state, a tribunal of this state has
3 jurisdiction to enforce and to modify the issuing state's child support order in a
4 proceeding to register that order.

5 (b) A tribunal of this state exercising jurisdiction as provided in this section.
6 shall apply the provisions of AS 25.25.101 - 25.25.209 and 25.25.601 - 25.25.614 to
7 the enforcement or modification proceeding. AS 25.25.301 - 25.25.507, 25.25.701,
8 25.25.801, and 25.25.802 do not apply, and the tribunal shall apply the procedural and
9 substantive law of this state.

10 **Sec. 25.25.614. Notice to issuing tribunal of modification.** Within 30 days
11 after issuance of a modified child support order, the party obtaining the modification
12 shall file a certified copy of the order with the issuing tribunal that had continuing,
13 exclusive jurisdiction over the earlier order and with each tribunal in which the party
14 knows that an earlier order has been registered. Failure of the party obtaining the
15 order to file a certified copy as required subjects that party to appropriate sanctions by
16 a tribunal in which the issue of failure to file arises, but that failure has no effect on
17 the validity or enforceability of the modified order of the new tribunal of continuing,
18 exclusive jurisdiction.

19 * Sec. 75. AS 25.25.701(a) is amended to read:

20 (a) A tribunal of this state may serve as an initiating or responding tribunal in
21 a proceeding brought under this chapter or a law or procedure substantially similar
22 to this chapter, a law or procedure substantially similar to the former provisions of
23 this chapter, the Uniform Reciprocal Enforcement of Support Act, or the Revised
24 Uniform Reciprocal Enforcement of Support Act to determine whether the petitioner
25 is a parent of a particular child or to determine whether a respondent is a parent of that
26 child.

27 * Sec. 76. AS 25.27.020(a)(2) is amended to read:

28 (2) adopt regulations to carry out the purposes of this chapter and AS 25.25,
29 including regulations that establish

30 (A) [SCHEDULES FOR DETERMINING THE AMOUNT AN
31 OBLIGOR IS LIABLE TO CONTRIBUTE TOWARD THE SUPPORT OF AN

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OBLIGEE UNDER THIS CHAPTER AND UNDER 42 U.S.C. 651 - 669 (TITLE IV-D, SOCIAL SECURITY ACT);

(B)] procedures for hearings conducted under AS 25.27.170 and for administrative enforcement of support orders;

(B) [(C)] subject to AS 25.27.025 and to federal law, a uniform rate of interest on arrearages of support that shall be charged the obligor upon notice if child support payments are 10 or more days overdue or if payment is made by a check backed by insufficient funds; however, an obligor may not be charged interest on late payment of a child support obligation, other than a payment on arrearages, if the obligor is

(i) employed and income is being withheld from the obligor's wages under an income withholding order;

(ii) receiving unemployment compensation and child support obligations are being withheld from the obligor's unemployment payments under AS 23.20.401; or

(iii) receiving compensation for disabilities under AS 23.30 and child support obligations are being withheld from the obligor's compensation payments; [AND]

(C) [(D)] procedures for establishing and disestablishing paternity under AS 25.27.165 and 25.27.166 [AS 25.27.165 - 25.27.166], including procedures for hearings; and

(D) procedures under which the agency shall enter into contracts or agreements with financial institutions doing business in the state to develop and operate an automated data match system as required by 42 U.S.C. 666(a)(17).

* Sec. 77. AS 25.27.020(a)(6) is amended to read:

(6) disburse support payments collected by the agency to the obligee, together with interest charged under (2)(B) [(2)(C)] of this subsection; *broker houses, insurances, + others doing business*

* Sec. 78. AS 25.27.020(a)(13) is amended to read:

(13) act as the central registry for all child support orders and exchange information as required by federal law.

Current definition includes regs should cover how MAY all suggestions Gary Roth Denali Banks

1 * Sec. 79. AS 25.27.020(a) is amended by adding a new paragraph to read:

2 (14) act as the state disbursement unit or, at the agency's discretion,
3 enter into contracts or agreements with contractors, directly responsible to the agency,
4 to perform some or all of the functions of the state disbursement unit.

5 * Sec. 80. AS 25.27.020 is amended by adding new subsections to read:

6 (d) The agency may issue an administrative order or request a court order that
7 requires an individual in arrears under an order of support for a child who is receiving
8 assistance under AS 47.07, or under AS 47.25.310 - 47.25.420 or a successor program,
9 to make payments according to an approved payment plan or, if the individual is not
10 incapacitated, to participate in appropriate work activities.

11 (e) To the extent required by federal law and as necessary for locating
12 individuals for child support purposes, the agency, the child support enforcement
13 agency of another state, or the federal government is entitled to have access to
14 information used by the Department of Public Safety or a successor agency to locate
15 an individual for purposes relating to motor vehicles or law enforcement.

16 * Sec. 81. AS 25.27.025 is amended to read:

17 Sec. 25.27.025. Rate of interest. The rate of interest imposed under
18 AS 25.27.020(a)(2)(B) [AS 25.27.020(a)(2)(C)] shall be six percent a year or a lesser
19 rate that is the maximum rate of interest permitted to be imposed under federal law.

20 * Sec. 82. AS 25.27.040(a), as amended by sec. 13, ch. 107, SLA 1996, is amended to
21 read:

22 (a) The agency may appear on behalf of minor children or their mother or
23 legal custodian or the state and initiate efforts to have the paternity of children born
24 out of wedlock determined by the court. When the agency is a party to a court action
25 in which paternity is contested, it shall request and pay for genetic testing and
26 procedures under AS 25.20.050(e) and may recover the costs of the testing as
27 provided in AS 25.20.050(f). [THE AGENCY MAY RECOVER THE COSTS OF
28 THE TESTS AS A COST OF THE COURT ACTION, EXCEPT THAT COSTS MAY
29 NOT BE RECOVERED FROM A PERSON WHO IS A RECIPIENT OF
30 ASSISTANCE UNDER AS 47.27 (ALASKA TEMPORARY ASSISTANCE
31 PROGRAM).]

1 * Sec. 83. AS 25.27.045 is amended to read:

2 **Sec. 25.27.045. Determination of support obligation. (a) The parent of a**
3 **child has a duty to support the child regardless of whether an order, decree, or**
4 **judgment for support has been entered by a tribunal.**

5 **(b) The agency may appear in an action seeking an award of support on behalf**
6 **of a child owed a duty of support, or to enforce a spousal support order if a spousal**
7 **support obligation has been established and if a support obligation, established with**
8 **respect to a child of that spouse, is also being administered, and may also appear in**
9 **an action seeking modification of a support order, decree or judgment already entered.**
10 **Action under this section may be undertaken upon application of an obligee, or upon**
11 **application of the agency at the agency's own discretion [IF THE OBLIGOR IS**
12 **LIABLE TO THE STATE UNDER AS 25.27.120(a) OR (b)].**

13 * Sec. 84. AS 25.27 is amended by adding a new section to read:

14 **Sec. 25.27.055. Relief from judgment, decree, or order for support based**
15 **on false information. If a judgment, a decree, or an order that provides for child**
16 **support is entered or modified by a tribunal based upon information submitted by a**
17 **party who knows that the information is false, at the discretion of the tribunal or on**
18 **request of the party, the tribunal may vacate the judgment, decree, or order and enter**
19 **a new judgment, decree, or order covering the same time period, correctly stating the**
20 **child support obligation. Such an action is not a retroactive modification for purposes**
21 **of Rule 90.3(h)(2), Alaska Rules of Civil Procedure.**

22 * Sec. 85. AS 25.27.062(d) is amended to read:

23 **(d) Income withholding under a support order that does not require immediate**
24 **income withholding and that is not being enforced by the agency may be initiated**
25 **either by filing a motion with the court and complying with applicable court rules or,**
26 **if there is a child support arrearage, by making a written request to the agency**
27 **for immediate income withholding under AS 25.27.150. Application to the agency**
28 **under this subsection may not, by itself, be construed as a request for other**
29 **services of the agency. If immediate withholding under this subsection is sought**
30 **through a motion to the court, the [. THE] court shall order the beginning of income**
31 **withholding under this subsection if the court finds that any of the grounds in (c)(1),**

1 (2), or (3)(B) [(c)(1), (c)(2), OR (c)(3)(B)] of this section is satisfied. It is not a
2 defense to a motion based on (c)(2) of this section that less than one full month's
3 payment is past due by 30 days if at least one full month's payment was past due by
4 30 days on the date the motion was filed. Notice to the obligor of income withholding
5 ordered under this subsection must be given in a manner that complies with court-
6 rules. In this subsection, "past due by 30 days" means unpaid 30 days after the
7 monthly due date specified in the support order.

8 * Sec. 86. AS 25.27.062(e) is amended to read:

9 (e) The agency or the person who obtains an income withholding order under
10 this chapter shall immediately send a copy of the income withholding order, a copy
11 of the relevant provisions of AS 25.27.260 and this section, and an explanation of the
12 effect of the statutes to persons who may owe money to an obligor. These items may
13 be sent by first class mail or certified mail, return receipt requested, or they may be
14 served personally by a process server, except that the agency alternatively may send
15 the items by electronic means. An income withholding order made under this chapter
16 is binding upon a person, employer, political subdivision, or department of the state
17 immediately upon receipt of a copy of the income withholding order. An employer
18 shall immediately begin withholding the specified amount from the employee's wages,
19 The amount withheld shall be sent to the agency within seven business days after
20 the date the amount would otherwise have been paid or credited to the employee
21 [(1) 14 WORKING DAYS AFTER THE MAILING DATE ON THE ORDER OF
22 WITHHOLDING OR 14 WORKING DAYS AFTER THE DATE ON WHICH THE
23 ORDER WAS PERSONALLY SERVED, WHICHEVER IS APPLICABLE, OR (2)
24 ON THE FIRST DAY OF THE NEXT PAY PERIOD, IF EARLIER. THE AMOUNT
25 WITHHELD SHALL BE SENT TO THE AGENCY WITHIN 10 WORKING DAYS
26 AFTER THE DATE THE EMPLOYEE IS PAID]. An employer may, for each
27 payment made under an order, deduct \$5 from other wages or salary owed to the
28 obligor.

29 * Sec. 87. AS 25.27.062(f) is amended to read:

30 (f) An employer may not discharge, discipline, or refuse to employ an obligor
31 on the basis of an income withholding order issued under this chapter. If an employer

1 discharges, disciplines, or refuses to employ an obligor because of an income
2 withholding obligation, the court, after notice and hearing, may order reinstatement or
3 restitution to the obligor, or both. A person who violates this subsection or a
4 regulation adopted to implement it, is liable for a civil penalty of not more than
5 \$10,000 [\$1,000].

6 * Sec. 88. AS 25.27.062(j) is amended to read:

7 (j) An employer may combine into a single payment to the agency amounts
8 withheld from more than one obligor if the employer specifies the portion of the
9 payment attributable to each obligor and complies with the time deadlines set out
10 in (e) of this section.

11 * Sec. 89. AS 25.27.075 is repealed and reenacted to read:

12 Sec. 25.27.075. Employment information. (a) An employer doing business
13 in the state shall report to the agency the hiring, rehiring, or returning to work of each
14 employee within the time limits set out in (b) of this section. The report must contain
15 the name, address, social security number, and date of hire for each of those
16 employees, the name and address of the employer, and the identifying number assigned
17 to the employer by the Internal Revenue Service under 26 U.S.C. 6109.

18 (b) An employer required to report under (a) of this section may make the
19 report by either of the following methods:

20 (1) if the report is submitted magnetically or electronically, the report
21 shall be made in a format mutually agreed upon by the employer and the agency;
22 employers using this reporting method shall comply with (a) of this section by
23 transmitting two monthly reports not less than 12 days nor more than 16 days apart;
24 or

25 (2) if the report is not made magnetically or electronically, the report
26 shall be made on an Internal Revenue Service W-4 form or, at the option of the
27 employer, an equivalent form; the report may be transmitted by first class mail and
28 must be received by the agency within 20 days after the date of the hiring, rehiring,
29 or returning to work of the employee.

30 (c) An employer that does business in this state and that has employees in at
31 least one other state is not required to comply with (a) of this section if the employer

1 (1) submits, magnetically or electronically, timely reports of its
2 employees to the state directory in another state in which the employer has employees
3 if the directory serves the same purpose as the directory maintained under (a) of this
4 section and the employer makes the report in compliance with the laws of that state;
5 and

6 (2) provides written notification of its choice to the Secretary of Health
7 and Human Services.

8 (d) An employer of an obligor or a labor union of which an obligor is a
9 member shall promptly provide to the agency, or the child support enforcement agency
10 of another state, information requested regarding an employee's or contractor's
11 compensation, employment, wages or salary, and occupation. The information required
12 under this subsection is in addition to the information, if any, required under (a) of this
13 section.

14 (e) For each employee reported under this section, an employer may deduct
15 \$1 from wages or salary owed to that employee to cover the cost of reporting.

16 (f) In addition to another penalty under law, an employer or a labor union that
17 knowingly violates this section, or a regulation adopted under this section, is liable for
18 a civil penalty of not more than \$1,000.

19 (g) In this section,

20 (1) "employee" means an individual who is an employee within the
21 meaning of 26 U.S.C. 3401(c), but does not include an employee of a federal or state
22 agency performing intelligence or counterintelligence functions if the head of that
23 agency has determined that reporting under this section with respect to the employee
24 could endanger the safety of the employee or compromise an ongoing investigation or
25 intelligence mission;

26 (2) "employer" has the meaning given in AS 25.27.900;

27 (3) "labor organization" has the meaning given that term in 29 U.S.C.
28 152; "labor organization" includes an entity sometimes known as a hiring hall that is
29 used by the organization and an employer to carry out requirements described in 29
30 U.S.C. 158(f)(3) of an agreement between the organization and the employer.

31 * Sec. 90. AS 25.27.085 is amended to read:

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Sec. 25.27.085. Subpoenas. The agency [, WITH THE CONCURRENCE OF THE COMMISSIONER OF REVENUE,] may subpoena persons, books, records, and documents to

(1) obtain any financial or other information needed to establish, modify, or enforce a child support order [DETERMINE THE EXTENT AND LOCATION OF ASSETS OF ANY OBLIGOR WHO IS MORE THAN 45 DAYS IN ARREARS IN A CHILD SUPPORT OBLIGATION ESTABLISHED EITHER BY COURT OR ADMINISTRATIVE ORDER];

(2) determine the paternity of a child under AS 25.27.165; or

(3) disestablish the paternity of a child under AS 25.27.166.

* Sec. 91. AS 25.27.085 is amended by adding new subsections to read:

(b) An administrative subpoena issued under this section shall be delivered by first class mail. Proof of service may be completed according to Rule 5, Alaska Rules of Civil Procedure.

(c) A person who is issued an administrative subpoena shall be provided an opportunity to refuse to comply with it for good cause by filing a request for a conference with the agency in this state in the manner and within the time specified in regulations adopted by the agency. Good cause shall be limited to mistake in identity of the person or to a prohibition under law to release such information.

(d) After a conference requested under (c) of this section, the agency shall issue an order on the request relating to good cause. If the person continues to refuse to comply with the administrative subpoena, the agency in this state shall issue an order to impose a civil penalty of \$10 for each day of noncompliance with the subpoena.

(e) In addition to being subject to possible criminal penalties, a person who avoids, prevents, or obstructs compliance, in whole or part, with an administrative subpoena issued under this section, or who unlawfully removes from a place, conceals, withholds, destroys, falsifies, mutilates, or alters books, records, or documents requested in the administrative subpoena, is subject to a civil fine by the superior court, upon petition of the agency, of not more than \$5,000 for each act or occurrence.

(f) An order imposing a civil penalty under this section is a final

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1 administrative decision and may be appealed under AS 25.27.210.

2 (g) This section does not limit the ability of the agency to make other lawful
3 requests for information.

4 * Sec. 92. AS 25.27 is amended by adding a new section to read:

5 **Sec. 25.27.086. Subpoenas issued by agency of another state.** (a) If the
6 child support enforcement agency of another state issues a subpoena regarding persons,
7 books, records, or documents in this state, the subpoena must be complied with as if
8 it were issued by this state's child support enforcement agency if

9 (1) the subpoena is for obtaining

10 (A) financial or other information needed to establish, modify,
11 or enforce a support order; or

12 (B) information needed to determine or disestablish the paternity
13 of a child under the laws of the state in which the subpoena was issued; and

14 (2) the issuing agency complied with AS 25.27.085(b).

15 (b) The procedures in or adopted under AS 25.27.085(c) and (d) apply to a
16 person who is issued a subpoena described in (a) of this section.

17 (c) The child support enforcement agency of this state shall enforce a subpoena
18 described in (a) of this section and shall provide the opportunity for conference and
19 issue any order under AS 25.27.085(c) and (d) on behalf of the issuing agency.
20 AS 25.27.085(f) applies to an order under this subsection.

21 (d) The penalties provided in AS 25.27.085 apply regarding a subpoena
22 described in (a) of this section.

23 (e) Nothing in this section limits the ability of a child support enforcement
24 agency of another state to make other lawful requests for information in this state.

25 * Sec. 93. AS 25.27.100(a) is amended to read:

26 (a) The agency shall provide aid to any person due child support under the
27 laws of this state upon application. The [SUBJECT TO (b) OF THIS SECTION,
28 THE] agency may, by regulation, impose a fee for services provided under this
29 chapter.

30 * Sec. 94. AS 25.27.103 is amended to read:

31 **Sec. 25.27.103. Payments to agency.** An obligor shall [MAY] make child

1 support payments to the agency if the agency is enforcing a duty of child support
2 under AS 25.25 or this chapter. [AN OBLIGOR MAY PAY MONEY TO THE
3 AGENCY TO SATISFY THE OBLIGOR'S IMMEDIATE DUTY OF CHILD
4 SUPPORT AS WELL AS ANY ADDITIONAL AMOUNT OF MONEY INTENDED
5 BY THE OBLIGOR TO BE USED FOR SUPPORT OF THE CHILD.] The agency
6 shall disburse that portion of a payment that exceeds the amount of money necessary
7 to satisfy the obligor's immediate duty of support in accordance with state and federal
8 requirements [THE INSTRUCTIONS OF THE OBLIGOR]. The agency shall credit
9 money disbursed under this subsection toward satisfaction of the obligor's duty of
10 support.

11 * Sec. 95. AS 25.27.105 is amended to read:

12 Sec. 25.27.105. Audit of collections. Within 30 working days after receipt
13 of a written request from an obligor, the obligor's legal representative, the obligee, or
14 the obligee's legal representative, the agency shall provide an audit of all child support
15 payments made by the obligor and received by the agency. The audit shall include the
16 date and amount of each payment, the name of the obligee, and the total amount of
17 arrearages of support past due and amount of unpaid penalties and interest imposed
18 under AS 25.27.020(a)(2)(B) [AS 25.27.020(a)(2)(C)]. The agency is required to
19 provide only one audit each year for each obligee and obligor under this section.

20 * Sec. 96. AS 25.27.120(c) is amended to read:

21 (c) Within 30 days after the agency knows the identity and address of an
22 obligor who resides in the state and who is liable to the state under this section, the
23 agency shall send written notification by certified mail to the obligor and the obligee
24 [PARENT] of the obligor's accruing liability and that the obligor shall make child
25 support payments to the agency. The notice required under this subsection must be
26 in clear, concise, and easily readable language. The notice may accompany other
27 communications by the agency.

28 * Sec. 97. AS 25.27.150(a) is amended to read:

29 (a) If an arrearage occurs under [IN ORDER TO INITIATE INCOME
30 WITHHOLDING FOR] a support order being enforced by the agency for which
31 immediate income withholding is not required under AS 25.27.062(a) or an

1 application is made to the agency for withholding under AS 25.27.062(d), the
2 agency may execute an income withholding order without prior notice to the
3 obligor. At the time of execution, the agency shall serve a notice of [ITS INTENT
4 TO INITIATE] income withholding on the obligor. Notice under this subsection shall
5 be served upon the obligor by certified mail to the obligor's last known address, and
6 service is complete when the notice is properly addressed, certified, and mailed.

7 * Sec. 98. AS 25.27.150(c) is amended to read:

8 (c) The notice shall inform the obligor that [THE] income withholding has
9 been ordered and of the procedures to follow if the obligor wishes to contest
10 withholding on the grounds that the withholding is improper due to a mistake of
11 fact. The notice must also inform the obligor of the information that was
12 provided to the employer in the document that ordered the withholding [ORDER
13 WILL TAKE EFFECT 15 DAYS AFTER THE DATE ON WHICH THE NOTICE IS
14 SERVED UNLESS THE OBLIGOR REQUESTS A HEARING WITHIN 15 DAYS
15 AFTER THE NOTICE IS SERVED. IF THE OBLIGOR REQUESTS A HEARING,
16 AN INCOME WITHHOLDING ORDER MAY NOT TAKE EFFECT UNTIL THE
17 CONCLUSION OF THE HEARING].

18 * Sec. 99. AS 25.27.150(e) is amended to read:

19 (e) The conference [APPEALS] officer shall inform the obligor of the
20 informal conference decision [,] either at the informal conference hearing or within
21 15 days after the hearing [, WHETHER OR NOT THE WITHHOLDING WILL
22 OCCUR AND OF THE DATE ON WHICH IT IS TO COMMENCE].

23 * Sec. 100. AS 25.27.150(f) is amended to read:

24 (f) If the conference [APPEALS] officer determines that withholding will
25 continue [OCCUR], the obligor may request a formal hearing [,] as provided in the
26 department's regulations. [THE INCOME WITHHOLDING ORDER SHALL BE
27 ISSUED AND WITHHOLDING SHALL BEGIN UNDER THE PROCEDURES IN
28 AS 25.27.062, WHETHER OR NOT THE OBLIGOR REQUESTS A FORMAL
29 HEARING, UNLESS THE OBLIGOR POSTS SECURITY OR A BOND IN THE
30 AMOUNT THAT WOULD HAVE BEEN WITHHELD PENDING THE OUTCOME
31 OF A FORMAL HEARING.]

1 * **Sec. 101.** AS 25.27.160(b) is amended to read:

2 (b) The notice and finding of financial responsibility served under (a) of this
3 section must state

4 (1) the sum or periodic payments for which the alleged obligor is found
5 to be responsible under this chapter [, CALCULATED BY TAKING INTO
6 CONSIDERATION THE NEED OF THE ALLEGED OBLIGEE, THE ALLEGED
7 OBLIGOR'S LIABILITY TO THE STATE UNDER AS 25.27.120 IF ANY, AND
8 THE DUTY OF SUPPORT UNDER THE LAW];

9 (2) the name of the alleged obligee and the obligee's custodian;

10 (3) that the alleged obligor may appear and show cause in a hearing
11 held by the agency why the finding is incorrect, should not be finally ordered, and
12 should be modified or rescinded, because

13 (A) no duty of support is owed; or

14 (B) the amount of support found to be owed is incorrect;

15 (4) that, if the person served with the notice and finding of financial
16 responsibility does not request a hearing within 30 days, the property and income of
17 the person will be subject to execution under AS 25.27.062 and 25.27.230 - 25.27.270
18 in the amounts stated in the finding without further notice or hearing.

19 * **Sec. 102.** AS 25.27.165(a) is amended to read:

20 (a) Upon application from a mother, custodian, putative father, or legal
21 custodian of a child, or from a state, the agency may institute administrative
22 proceedings to determine the paternity of a child born out of wedlock.

23 * **Sec. 103.** AS 25.27.165(b) is amended to read:

24 (b) In order to initiate a paternity proceeding administratively, the agency shall
25 serve a mother and putative father, as appropriate, with a notice of paternity and
26 financial responsibility. The notice shall be served personally as set out in Rule 4(d),
27 Alaska Rules [RULE] of Civil Procedure, [4(d)] or by registered, certified, or insured
28 mail, return receipt requested, for restricted delivery only to the person to whom the
29 notice is directed or to the person authorized under federal law to receive that person's
30 restricted delivery mail. The notice must be accompanied by

31 (1) an administrative order requiring that the mother, child, and putative

1 father submit to genetic testing to be arranged by the agency and stating that a party
2 may provide information to show good cause not to order the testing;

3 (2) an administrative order requiring the putative father to provide
4 financial information, as defined by the agency in regulation, within 20 days after
5 service of the notice; all financial information provided to the agency under an order
6 under this paragraph shall be held confidential by the agency, according to any
7 applicable regulations; and

8 (3) a notice of right to informal conference, to be held within 20 days
9 after receipt of an admission of paternity or service upon the parties of genetic test
10 results.

11 * Sec. 104. AS 25.27.165(d) is amended to read:

12 (d) Upon receipt of genetic test results, the agency shall serve on the putative
13 father notice of the test results and of the date for the informal conference. Service
14 of the notice shall be made by first class mail. If the genetic test results are negative
15 under the standard set in AS 25.20.050(d), the agency shall issue a finding of
16 nonpaternity within 20 days after the agency's receipt of the test results. If the genetic
17 test results are positive under the standard set in AS 25.20.050(d), the agency shall
18 issue an informal conference decision within 20 days after the agency's receipt of the
19 test results. Upon request and advance payment by a party, the agency shall order
20 additional genetic tests. If the second genetic test results contradict the first
21 genetic test results, the agency shall provide copies of the second genetic test
22 results to the parties and conduct another informal conference. The agency shall
23 issue the second informal conference decision within 20 days after the agency's
24 receipt of the second genetic test results.

25 * Sec. 105. AS 25.27.165(i), as amended by sec. 21, ch. 107, SLA 1996, is amended to
26 read:

27 (i) The agency may recover any costs it pays for genetic tests required by this
28 section from the putative father unless the testing establishes that the individual
29 is not the father, except that costs may not be recovered from a person who is a
30 recipient of assistance under AS 47.27 (Alaska temporary assistance program).

31 * Sec. 106. AS 25.27.165 is amended by adding new subsections to read:

1 (j) A decision establishing paternity or an admission of paternity under this
2 section must include the social security numbers, if ascertainable, of the father, mother,
3 and the child.

4 (k) Notwithstanding any other provision of this section, if the agency
5 determines, after considering the best interests of the child, that good cause exists not
6 to order genetic testing under this section, it shall, without ordering the genetic testing
7 and as the agency determines appropriate in the best interests of the child,

8 (1) end the administrative proceedings under this section without
9 making a determination of paternity; or

10 (2) after a hearing provided for under regulations adopted by the
11 agency. enter a final decision regarding paternity.

12 * Sec. 107. AS 25.27.166(a) is amended to read:

13 (a) The agency shall, by regulation, establish procedures and standards for the
14 disestablishment of paternity of a child whose paternity was established in this state
15 other than by court order if the paternity was not established by

16 (1) genetic test results that met the standard set out in AS 25.20.050(d)
17 at the time the test was performed; or

18 (2) an acknowledgment of paternity under AS 25.20.050 or an
19 admission of paternity under AS 25.27.165.

20 * Sec. 108. AS 25.27.190(a) is amended to read:

21 (a) Unless a support order has been entered by a court and except as
22 provided in AS 25.25, the obligor, or the obligee or the obligee's custodian, may
23 petition the agency or its designee for a modification of the administrative finding or
24 decision of responsibility previously entered with regard to future periodic support
25 payments. In addition, the agency may initiate a modification and grant a hearing
26 under (c) - (e) of this section.

27 * Sec. 109. AS 25.27.190(c) is amended to read:

28 (c) If a hearing is granted, the agency shall serve a notice of hearing together
29 with a copy of any [THE] petition and affidavits submitted on the obligee or the
30 obligee's custodian and the obligor personally or by registered, certified, or insured
31 mail, return receipt requested, for restricted delivery only to the person to whom the

1 notice is directed or to the person authorized under federal regulation to receive that
2 person's restricted delivery mail.

3 * Sec. 110. AS 25.27 is amended by adding a new section to read:

4 **Sec. 25.27.193. Periodic review or adjustment of support orders.** As
5 necessary to comply with 42 U.S.C. 666, the agency, by regulation, shall provide
6 procedures and standards for the modification, through periodic review or adjustment,
7 of a support order. Regulations adopted under this section must include procedures
8 for periodic notice of the right to request review, procedures for hearings, and
9 standards for adjustments regarding future periodic support payments. A modification
10 under this section may be made without a showing of a material change in
11 circumstances.

12 * Sec. 111. AS 25.27.200 is amended to read:

13 **Sec. 25.27.200. Use of standards in administrative determinations of**
14 **support amounts.** In making its findings under AS 25.27.160 and in establishing and
15 modifying amounts of periodic support payments under AS 25.27.180 and 25.27.190,
16 the agency shall apply the standards and guidelines set by the Alaska Supreme
17 Court in court rules, as amended from time to time [CONSIDER THE
18 STANDARDS ADOPTED BY REGULATION UNDER AS 25.27.020 AND ANY
19 STANDARDS FOR DETERMINATION OF SUPPORT PAYMENTS USED BY THE
20 SUPERIOR COURT OF THE DISTRICT OF RESIDENCE OF THE OBLIGOR].

21 * Sec. 112. AS 25.27.230(a) is amended to read:

22 (a) At the expiration of 30 days after (1) the date of distribution of an income
23 withholding order under AS 25.27.062; [,] (2) the date of service of a notice and
24 finding of financial responsibility under AS 25.27.160; [,] or (3) the date of service of
25 a decision establishing paternity under AS 25.27.165 [AS 25.27.165(c) OR (d)], the
26 agency may assert a lien upon the real or personal property of the obligor [,] in the
27 amount of the obligor's liability.

28 * Sec. 113. AS 25.27.230 is amended by adding new subsections to read:

29 (e) A lien arising under the child support laws of another state shall be given
30 full faith and credit in this state and may be asserted in this state upon the real or
31 personal property of the obligor, in the amount of the obligor's liability, by complying

1 with the requirements of this section.

2 (f) A lien recorded under this section is a judgment lien and may be enforced
3 by execution under AS 09.35 in the full amount of the obligor's liability at the time
4 of execution.

5 * Sec. 114. AS 25.27.240(a) is amended to read:

6 (a) The agency of this state or another state, or a person seeking to enforce
7 a child support obligation, may, at any time after recording of a lien recorded under
8 AS 25.27.230, serve a copy of the lien upon any person, political subdivision, or
9 department of the state possessing earnings, or deposits or balances held in any bank
10 account of any nature that are due, owing, or belonging to the obligor.

11 * Sec. 115. AS 25.27.244(a) is amended to read:

12 (a) The agency shall compile and maintain a list of obligors who are not in
13 substantial compliance with a support order or payment schedule negotiated under
14 (g)(1) of this section and of other persons who, after receiving appropriate notice,
15 have failed to comply with a subpoena or warrant relating to paternity or a child
16 support proceeding. The agency may not include an obligor on the list unless the
17 agency has sent to the obligor, at the obligor's most recent address on file with the
18 agency, written notice of the arrearages at least 60 days before placement on the list.
19 The list must include the names, social security numbers, dates of birth, and last
20 known addresses of the persons [OBLIGORS]. The list shall be updated by the
21 agency on a monthly basis.

22 * Sec. 116. AS 25.27.244(c) is amended to read:

23 (c) Promptly after receiving an application from an applicant and before
24 issuing or renewing a license, a licensing entity, other than one issuing recreational
25 licenses or commercial crewmember fishing licenses, shall determine whether the
26 applicant is on the most recent list provided by the agency. If the applicant is on the
27 list, the licensing entity shall immediately serve notice under (e) of this section of the
28 licensing entity's intent to withhold issuance or renewal of the license. The notice
29 shall be considered given when delivered personally to the applicant or deposited in
30 the United States mail addressed to the applicant's last known mailing address on file
31 with the licensing entity.

1 * Sec. 117. AS 25.27.244(d) is amended to read:

2 (d) Other than for a recreational license, or a commercial crewmember
3 fishing license, a [A] licensing entity shall issue a temporary license valid for a period
4 of 150 days to an applicant whose name is on the list if the applicant is otherwise
5 eligible for a license. The temporary license may not be extended. Only one
6 temporary license may be issued during a regular license term and its validity shall
7 coincide with the first 150 days of that license term. A license for the full or
8 remainder of the license term may be issued or renewed only upon compliance with
9 this section. An applicant for a recreational license is not entitled to receive a
10 temporary license under this section. If a license or application is denied under this
11 section, money paid by the applicant or licensee shall be refunded by the licensing
12 entity after retention of the temporary license fee, if any.

13 * Sec. 118. AS 25.27.244(e) is amended to read:

14 (e) Notices for use under (c), (s), and (t) of this section shall be developed by
15 each licensing entity under guidelines provided by the agency and are subject to
16 approval by the agency. The notice must include the address and telephone number
17 of the agency and shall emphasize the necessity of obtaining a release from the agency
18 as a condition for the issuance or renewal of a license. Except for notices issued
19 under (s) and (t) of this section regarding recreational licenses, the [THE] notice
20 must inform an applicant whose license is governed by (d) of this section that the
21 licensing entity shall issue a temporary license for 150 calendar days under (d) of this
22 section if the applicant is otherwise eligible and that, upon expiration of that time
23 period, the license will be denied unless the licensing entity has received a release
24 from the agency. The agency shall also develop a form that the applicant may use to
25 request a review by the agency. A copy of this form shall be included with each
26 notice sent under (c), (s), or (t) of this section.

27 * Sec. 119. AS 25.27.244(g) is amended to read:

28 (g) If the applicant wishes to challenge being included on the list, the applicant
29 shall submit to the agency a written request for review within 30 days after receiving
30 the notice under (c), (s), or (t) of this section by using the form developed under (e)
31 of this section. Within 30 days after receiving a written request for review, the agency

1 shall inform the applicant in writing of the agency's findings. The agency shall
2 immediately send a release to the appropriate licensing entity and the applicant if any
3 of the following conditions is met:

4 (1) the applicant is found to have complied with all subpoenas and
5 warrants described in (a) of this section, if applicable, and is found to be in
6 substantial compliance with each support order applicable to the applicant or has
7 negotiated an agreement with the agency for a payment schedule on arrearages and is
8 in substantial compliance with the negotiated agreement; if the applicant fails to be in
9 substantial compliance with an agreement negotiated under this paragraph, the agency
10 shall send to the appropriate licensing entity a revocation of any release previously sent
11 to the entity for that applicant;

12 (2) the applicant has submitted a timely request for review to the
13 agency, but the agency will be unable to complete the review and send notice of
14 findings to the applicant in sufficient time for the applicant to file a timely request for
15 judicial relief within the 150-day period during which the applicant's temporary license
16 is valid under (d) of this section; this paragraph applies only if the delay in completing
17 the review process is not the result of the applicant's failure to act in a reasonable,
18 timely, and diligent manner upon receiving notice from the licensing entity that the
19 applicant's name is on the list;

20 (3) the applicant has, within 30 days after receiving the agency's
21 findings following a request for review under (2) of this subsection, filed and served
22 a request for judicial relief under this section, but a resolution of that relief will not
23 be made within the 150-day period of the temporary license under (d) of this section;
24 this paragraph applies only if the delay in completing the judicial relief process is not
25 the result of the applicant's failure to act in a reasonable, timely, and diligent manner
26 upon receiving the agency's notice of findings; or

27 (4) the applicant has obtained a judicial finding of substantial
28 compliance.

29 * Sec. 120. AS 25.27.244(i) is amended to read:

30 (i) Except as otherwise provided in this section, the agency may not issue a
31 release if the applicant is not in substantial compliance with the order for support or

1 [IS NOT IN SUBSTANTIAL COMPLIANCE] with an agreement negotiated under
2 (g)(1) of this section, or is not in compliance with a subpoena or warrant described
3 in (a) of this section. The agency shall notify the applicant in writing that the
4 applicant may request any or all of the following: (1) judicial relief from the agency's
5 decision not to issue a release or the agency's decision to revoke a release under (g)(1)
6 of this section; (2) a judicial determination of substantial compliance; (3) a
7 modification of the support order. The notice must also contain the name and address
8 of the court in which the applicant may file the request for relief and inform the
9 applicant that the applicant's name shall remain on the list if the applicant does not
10 request judicial relief within 30 days after receiving the notice. The applicant shall
11 comply with all statutes and rules of court implementing this section. This section
12 does not limit an applicant's authority under other law to request an order to show
13 cause or notice of motion to modify a support order or to fix a payment schedule on
14 arrearages accruing under a support order or to obtain a court finding of substantial
15 compliance with a support order or a court finding of compliance with subpoenas
16 and warrants described in (a) of this section.

17 * Sec. 121. AS 25.27.244(j) is amended to read:

18 (j) A request for judicial relief from the agency's decision must state the
19 grounds on which relief is requested, and the judicial action shall be limited to those
20 stated grounds. Judicial relief under this subsection is not an appeal [,] and shall be
21 governed by court rules adopted to implement this section. Unless otherwise provided
22 by court rule, the court shall hold an evidentiary hearing within 20 calendar days after
23 the filing of service on the opposing party. The court's decision shall be limited to a
24 determination of each of the following issues, as applicable:

25 (1) whether there is a support order or a payment schedule on
26 arrearages;

27 (2) whether the petitioner is the obligor covered by the support order;

28 [AND]

29 (3) whether the obligor is in substantial compliance with the support
30 order or payment schedule; and

31 (4) whether the person requesting relief complied with all

1 subpoenas and warrants relating to paternity or a child support proceeding.

2 * Sec. 122. AS 25.27.244(k) is amended to read:

3 (k) If the court finds that the person requesting relief [OBLIGOR] is in
4 substantial compliance with the support order or payment schedule, and is in
5 compliance with all subpoenas and warrants described in (a) of this section, the
6 agency shall immediately send a release under (g) of this section to the appropriate
7 licensing entity and the applicant.

8 * Sec. 123. AS 25.27.244(l) is amended to read:

9 (l) If an applicant [WHEN THE OBLIGOR] is in substantial compliance with
10 a support order or payment schedule, and is in compliance with subpoenas and
11 warrants described in (a) of this section, the agency shall mail to the applicant and
12 the appropriate licensing entity a release stating that the applicant is in substantial
13 compliance or is in compliance with the subpoenas and warrants, as applicable.
14 The receipt of a release shall serve to notify the applicant and the licensing entity that,
15 for the purposes of this section, the applicant is in substantial compliance with the
16 support order or payment schedule, or is in compliance with the subpoenas and
17 warrants, unless the agency, under (a) of this section, certifies subsequent to the
18 issuance of a release that the applicant is once again not in substantial compliance with
19 a support order or payment schedule, or is not in compliance with a subpoena or
20 warrant.

21 * Sec. 124. AS 25.27.244(q)(2) is amended to read:

22 (2) "license"

23 (A) means, except as provided in (B) of this paragraph, a
24 recreational license, or a license, certificate, permit, registration, or other
25 authorization that, at the time of issuance, will be valid for more than 150 days
26 and that may be acquired from a state agency to perform an occupation,
27 including the following:

28 (i) license relating to boxing or wrestling under

29 AS 05.10;

30 (ii) authorization to perform an occupation regulated

31 under AS 08;

- 1 (iii) teacher certificate under AS 14.20;
- 2 (iv) authorization under AS 18.08 to perform emergency
- 3 medical services;
- 4 (v) asbestos worker certification under AS 18.31;
- 5 (vi) boiler operator's license under AS 18.60.395;
- 6 (vii) certificate of fitness under AS 18.62;
- 7 (viii) hazardous painting certification under AS 18.63;
- 8 (ix) security guard license under AS 18.65.400 -
- 9 18.65.490;
- 10 (x) license relating to insurance under AS 21.27;
- 11 (xi) employment agency permit under AS 23.15.330 -
- 12 23.15.520;
- 13 (xii) registration as a broker-dealer, agent, or investment
- 14 adviser under AS 45.55.030;
- 15 (xiii) certification as a pesticide applicator under
- 16 AS 46.03.320;
- 17 (xiv) certification as a storage tank worker or contractor
- 18 under AS 46.03.375; [AND]
- 19 (xv) certification as a water and wastewater works
- 20 operator under AS 46.30; and
- 21 (xvi) commercial crewmember fishing license under
- 22 AS 16.05.480 other than an entry permit or interim-use permit
- 23 under AS 16.43;
- 24 (B) does not include
- 25 (i) [A COMMERCIAL FISHING LICENSE UNDER
- 26 AS 16.05.480, INCLUDING A CREWMEMBER FISHING LICENSE;
- 27 (ii)] a vessel license issued under AS 16.05.490 or
- 28 16.05.530;
- 29 (ii) [(iii)] a license issued under AS 47.35;
- 30 (iii) [(iv)] a business license issued under AS 43.70;
- 31 (iv) [(v)] an entry permit or interim-use permit issued

1 under AS 16.43; or

2 (v) [(vi)] a driver's license issued under AS 28.15;

3 * Sec. 125. AS 25.27.244(q)(5) is amended to read:

4 (5) "list" means the list of obligors and other persons compiled and
5 maintained under (a) of this section;

6 * Sec. 126. AS 25.27.244(q)(6) is amended to read:

7 (6) "substantial compliance" regarding [WITH] a support order or
8 payment schedule [""] means that, with respect to a support order or a negotiated
9 payment schedule under (g) of this section, whichever is applicable, the obligor either
10 has no arrearage or has an arrearage in an amount that is not more than four times the
11 monthly obligation under the support order or payment schedule.

12 * Sec. 127. AS 25.27.244(q) is amended by adding new paragraphs to read:

13 (7) "recreational fishing" has the meaning given the term "sport fishing"
14 in AS 16.05.940;

15 (8) "recreational fishing license" means a sport fishing license under
16 AS 16.05.340;

17 (9) "recreational hunting" does not include subsistence hunting as
18 defined in AS 16.05.940, or the taking, hunting for, or possession of game under
19 AS 16.05 - AS 16.40, and regulations adopted under those statutes, for personal
20 consumption;

21 (10) "recreational hunting license" means a hunting license under
22 AS 16.05.340 and includes a big game hunt drawing permit under AS 16.05;

23 (11) "recreational license" means a recreational fishing license or a
24 recreational hunting license.

25 * Sec. 128. AS 25.27.244 is amended by adding new subsections to read:

26 (r) Notwithstanding any provision of AS 16, a commercial crewmember fishing
27 license described in (q)(2)(A)(xvi) of this section issued to an individual whose name
28 is on the list is void and invalid, and the individual is subject to criminal sanctions for
29 conducting the activities for which such a license is required. Notwithstanding any
30 provision of AS 16, a recreational license issued to an individual whose name is on
31 the list is void and invalid for recreational fishing or recreational hunting, and the

1 individual is subject to criminal sanctions for conducting the recreational fishing or
2 recreational hunting activities for which a license is required. Nothing in this
3 subsection prohibits an individual from using a recreational license to participate in
4 nonrecreational fishing or hunting activities, including subsistence fishing or hunting
5 activities and personal use fishing activities. The licensing entity for fishing and
6 hunting licenses shall print a notice on fishing and hunting license forms, including
7 commercial crewmember fishing license forms, clearly stating the provisions of this
8 subsection.

9 (s) After receiving information, including information from a licensing agent
10 appointed under AS 16.05.380, that a commercial crewmember fishing license or a
11 recreational license, other than a big game hunt drawing permit, has been issued to an
12 applicant, the licensing entity for the license shall promptly determine whether the
13 applicant was, at the time the applicant obtained the license, on the most recent list
14 provided by the agency under (b) of this section. If the applicant was on that list, the
15 licensing entity shall immediately serve notice under (e) of this section that (1) for a
16 recreational license, the license issued is void and invalid except for use for
17 nonrecreational fishing or hunting, including subsistence fishing or hunting and
18 personal use fishing, as applicable; or (2) for a commercial crewmember fishing
19 license, the license is void and invalid and that, notwithstanding the limitation of (d)
20 of this section, the applicant can request the licensing entity to issue a temporary
21 license under this section. A notice under this subsection is considered given when
22 delivered personally to the applicant or deposited in the United States mail addressed
23 to the applicant's last known mailing address on file with the licensing entity.

24 (t) Upon selection of successful applicants for a permit to take big game in a
25 drawing hunt, the licensing entity shall promptly determine whether any of the
26 successful applicants are on the most recent list provided by the agency under (b) of
27 this section. If an applicant is on that list, the licensing entity shall immediately deny
28 issuance of the permit to that applicant and give notice of the denial to the applicant
29 under (e) of this section. The notice is considered given when delivered personally to
30 the applicant or deposited in the United States mail addressed to the applicant's last
31 known mailing address on file with the licensing entity.

1 * Sec. 129. AS 25.27.246(a) is amended to read:

2 (a) The agency shall compile and maintain a list of obligors who have a
3 driver's license and are not in substantial compliance with a support order or payment
4 schedule negotiated under (f)(1) of this section and of other persons who, after
5 receiving appropriate notice, have failed to comply with a subpoena or warrant
6 relating to paternity or a child support proceeding. The agency may not include
7 an obligor on the list unless the agency has sent to the obligor, at the obligor's most
8 recent address on file with the agency, written notice of the arrearages at least 60 days
9 before placement on the list. The list must include the names, social security numbers,
10 dates of birth, and last known addresses of the persons [OBLIGORS]. The list shall
11 be updated by the agency on a monthly basis.

12 * Sec. 130. AS 25.27.246(b) is amended to read:

13 (b) The agency shall serve notice under (d) of this section to each person on
14 the list that the person's driver's license will be suspended in 150 days, and will not
15 be reissued or renewed the next time it is applied for if the person's name is on the
16 list at the time of the subsequent application, unless the licensee receives a release
17 from the agency. The notice shall be considered given when delivered personally to
18 the person [OBLIGOR] or deposited in the United States mail addressed to the
19 person's [OBLIGOR'S] last known mailing address on file with the agency.

20 * Sec. 131. AS 25.27.246(f) is amended to read:

21 (f) If a licensee wishes to challenge being included on the list, the licensee
22 shall submit to the agency a written request for review within 30 days after the notice
23 under (b) of this section was personally delivered or postmarked by using the form
24 developed under (d) of this section. Within 30 days after receiving a written request
25 for review, the agency shall inform the licensee in writing of the agency's findings.
26 The agency shall immediately send a release to the department and the licensee if any
27 of the following conditions is met:

28 (1) the licensee is found by the agency to have complied with all
29 subpoenas and warrants described in (a) of this section and is found to be in
30 substantial compliance with each support order applicable to the licensee or has
31 negotiated an agreement with the agency for a payment schedule on arrearages and is

1 in substantial compliance with the negotiated agreement; if the licensee fails to be in
2 substantial compliance with an agreement negotiated under this paragraph, the agency
3 shall send to the department a revocation of any release previously sent to the entity
4 for that licensee;

5 (2) the licensee has submitted a timely request for review to the
6 agency, but the agency will be unable to complete the review and send notice of
7 findings to the licensee in sufficient time for the licensee to file a timely request for
8 judicial relief within the 150-day period before the licensee's license will be suspended
9 under (c) of this section; this paragraph applies only if the delay in completing the
10 review process is not the result of the licensee's failure to act in a reasonable, timely,
11 and diligent manner upon receiving notice from the agency that the licensee's driver's
12 license will be suspended in 150 days;

13 (3) the licensee has, within 30 days after receiving the agency's
14 findings following a request for review under (2) of this subsection, filed and served
15 a request for judicial relief under this section, but a resolution of that relief will not
16 be made within the 150-day period before license suspension under (c) of this section;
17 this paragraph applies only if the delay in completing the judicial relief process is not
18 the result of the licensee's failure to act in a reasonable, timely, and diligent manner
19 upon receiving the agency's notice of findings; or

20 (4) the licensee has obtained a judicial finding of substantial
21 compliance.

22 * Sec. 132. AS 25.27.246(h) is amended to read:

23 (h) Except as otherwise provided in this section, the agency may not issue a
24 release if the licensee [APPLICANT] is not in substantial compliance with the order
25 for support or [IS NOT IN SUBSTANTIAL COMPLIANCE] with an agreement
26 negotiated under (f)(1) of this section, or is not in compliance with a subpoena or
27 warrant described in (a) of this section. The agency shall notify the licensee in
28 writing that the licensee may request any or all of the following: (1) judicial relief
29 from the agency's decision not to issue a release or the agency's decision to revoke
30 a release under (f)(1) of this section; (2) a judicial determination of substantial
31 compliance; (3) a modification of the support order. The notice must also contain the

1 name and address of the court in which the licensee may file the request for relief and
2 inform the licensee that the licensee's name shall remain on the list if the licensee does
3 not request judicial relief within 30 days after receiving the notice. The licensee shall
4 comply with all statutes and rules of court implementing this section. This section
5 does not limit a licensee's authority under other law to request an order to show cause
6 or notice of motion to modify a support order or to fix a payment schedule on
7 arrearages accruing under a support order or to obtain a court finding of substantial
8 compliance with a support order or a court finding of compliance with subpoenas
9 and warrants described in (a) of this section.

10 * Sec. 133. AS 25.27.246(i) is amended to read:

11 (i) A request for judicial relief from the agency's decision must state the
12 grounds on which relief is requested, and the judicial action shall be limited to those
13 stated grounds. Judicial relief under this subsection is not an appeal and shall be
14 governed by court rules adopted to implement this section. Unless otherwise provided
15 by court rule, the court shall hold an evidentiary hearing within 20 calendar days after
16 the filing of service on the opposing party. The court's decision shall be limited to a
17 determination of each of the following issues, as applicable:

18 (1) whether there is a support order or a payment schedule on
19 arrearages;

20 (2) whether the petitioner is the obligor covered by the support order;
21 [AND]

22 (3) whether the obligor is in substantial compliance with the support
23 order or payment schedule; and

24 (4) whether the person requesting relief complied with all
25 subpoenas and warrants relating to paternity or a child support proceeding.

26 * Sec. 134. AS 25.27.246(j) is amended to read:

27 (j) If the court finds that the person requesting relief [OBLIGOR] is in
28 substantial compliance with the support order or payment schedule, or is in
29 compliance with subpoenas and warrants described in (a) of this section, the
30 agency shall immediately send a release under (f) of this section to the department and
31 the licensee.

1 * Sec. 135. AS 25.27.246(k) is amended to read:

2 (k) If a licensee [WHEN THE OBLIGOR] is in substantial compliance with
3 a support order or payment schedule, and is in compliance with all subpoenas and
4 warrants described in (a) of this section, the agency shall mail to the licensee
5 [APPLICANT] and the department a release stating that the licensee is in substantial
6 compliance or is in compliance with the subpoenas and warrants, as applicable.
7 The receipt of a release shall serve to notify the licensee and the department that, for
8 the purposes of this section, the licensee [APPLICANT] is in substantial compliance
9 with the support order or payment schedule, or is in compliance with the subpoenas
10 and warrants, unless the agency, under (a) of this section, certifies subsequent to the
11 issuance of a release that the licensee is once again not in substantial compliance with
12 a support order or payment schedule, or is not in compliance with a subpoena or
13 warrant.

14 * Sec. 136. AS 25.27.246(n)(4) is amended to read:

15 (4) "list" means the list of obligors and other persons compiled and
16 maintained under (a) of this section;

17 * Sec. 137. AS 25.27.246(n)(5) is amended to read:

18 (5) "substantial compliance" regarding [WITH] a support order or
19 payment schedule ["] means that, with respect to a support order or a negotiated
20 payment schedule under (f) of this section, whichever is applicable, the obligor either
21 has no arrearage or has an arrearage in an amount that is not more than four times the
22 monthly obligation under the support order or payment schedule.

23 * Sec. 138. AS 25.27.250(a) is amended to read:

24 (a) At the expiration of (1) [15 DAYS AFTER THE DATE OF SERVICE OF
25 AN INCOME WITHHOLDING ORDER UNDER AS 25.27.062 OR NOTICE UNDER
26 AS 25.27.150, OR (2)] 30 days after the date of service of a notice and finding of
27 financial responsibility under AS 25.27.160; [,] or (2) [(3)] 30 days after service of a
28 decision establishing paternity under AS 25.27.165 [AS 25.27.165(c) OR (d)], the
29 agency may issue to any person, political subdivision, or department of the state an
30 order to withhold and deliver property without prior notice to the obligor.

31 * Sec. 139. AS 25.27.250(d) is amended to read:

1 (d) The order to withhold and deliver shall be served upon the person, political
2 subdivision, or department of the state possessing the property electronically or by
3 first class mail [IN THE MANNER PROVIDED FOR SERVICE OF LIENS UNDER
4 AS 25.27.240]. The order must state the amount of the obligor's liability and must
5 state in summary the terms of AS 25.27.260 and 25.27.270.

6 * Sec. 140. AS 25.27.250(e) is amended to read:

7 (e) Any person, political subdivision, or department of the state served with
8 an order to withhold and deliver is required to make true answers to inquiries
9 contained in the order under oath and in writing within seven business [14] days after
10 service of the order, and is further required to answer all inquiries subsequently put.

11 * Sec. 141. AS 25.27.250(f) is amended to read:

12 (f) If a person, political subdivision, or department of the state upon whom
13 service of an order to withhold and deliver has been made possesses property due,
14 owing, or belonging to the obligor, that person, subdivision, or department shall
15 withhold the property immediately upon receipt of the order and shall deliver the
16 property to the agency (1) if the property is earnings of an employee who is subject
17 to a child support order being enforced by the agency, within seven business days
18 after the amount would, but for this section, have been paid or credited to the
19 employee; or (2) in the case of all other property, within 14 business days after
20 [THE EXPIRATION OF THE 14-DAY PERIOD FROM] the date of service of the
21 order [OR EXPIRATION OF THE PERIOD SPECIFIED IN AS 25.27.062(e),
22 WHICHEVER IS EARLIER]. The agency shall hold property delivered under this
23 subsection in trust for application against the liability of the obligor under
24 AS 25.27.062, 25.27.120, or 25.27.160 or for return, without interest, depending on
25 final determination of liability or nonliability under this chapter. The agency may
26 accept a good and sufficient bond to secure payment of past, present, and future
27 support conditioned upon final determination of liability in lieu of requiring delivery
28 of property under this subsection.

29 * Sec. 142. AS 25.27.265(b) is repealed and reenacted to read:

30 (b) Each party to a paternity or child support proceeding shall file with the
31 tribunal and inform the agency of the party's name, location, social security number,

1 residential and mailing addresses, telephone number, and driver's license number, as
2 well as the name, address, and telephone number of any employer of the party. If a
3 change in this information occurs, the party shall immediately notify the tribunal and
4 the agency and provide updated information.

5 * Sec. 143. AS 25.27.265 is amended by adding a new subsection to read:

6 (c) Notwithstanding (a) of this section, if a tribunal finds that the agency has
7 made diligent efforts to give or serve a notice, paper, or other document required by
8 this chapter, the tribunal may order that service may be given upon the party by
9 sending the document by first class mail to the party's most recent mailing address on
10 file with the agency.

11 * Sec. 144. AS 25.27.273(a) is amended to read:

12 (a) The agency may provide to credit bureaus or lending institutions of any
13 kind information about delinquent support owed by obligors. The information
14 provided must consist solely of the payment history of the obligor [FOR A PERIOD
15 NOT TO EXCEED 10 YEARS BEFORE THE DATE THE INFORMATION IS
16 PROVIDED].

17 * Sec. 145. AS 25.27.275 is repealed and reenacted to read:

18 **Sec. 25.27.275. Nondisclosure of information in exceptional circumstances.**

19 Upon a finding, which may be made ex parte, that the health, safety, or liberty of a
20 party or child would be unreasonably put at risk by the disclosure of identifying
21 information, or if an existing order so provides, a tribunal shall order that the address
22 of the party or child or other identifying information not be disclosed in a pleading or
23 other document filed in a proceeding under this chapter.

24 * Sec. 146. AS 25.27 is amended by adding a new section to read:

25 **Sec. 25.27.279. Voiding of fraudulent transfers made to avoid payment of**
26 **child support.** In addition to the rights provided in AS 09.25.060, if a transfer of
27 personal or real property is made by an obligor without immediate delivery and the
28 actual continuing change of possession of the property transferred, the transfer of the
29 property is presumed prima facie to be fraud against creditors for child support of the
30 obligor who transferred the property and subsequent purchasers in good faith and for
31 valuable consideration during the time the property remains in the possession of the

1 obligor who made the transfer, except that retention of possession in good faith and
2 current course of trade by a merchant seller for a commercially reasonable time after
3 the sale or identification is not fraudulent. Nothing contained in this section
4 supersedes the provisions of AS 45.01 - AS 45.09, AS 45.12, and AS 45.14 (Uniform
5 Commercial Code).

6 * Sec. 147. AS 25.27.900(3) is amended to read:

7 (3) "duty of support" includes a duty of support imposed or imposable
8 by law, by a court order, decree, or judgment, or by a finding or decision rendered
9 under this chapter whether interlocutory or final, whether incidental to a proceeding
10 for divorce, legal separation, separate maintenance, or otherwise, and includes the duty
11 to pay arrearages of support past due and unpaid together with penalties and interest
12 on arrearages imposed under AS 25.27.020(a)(2)(B) [AS 25.27.020(a)(2)(C)];

13 * Sec. 148. AS 25.27.900(4) is repealed and reenacted to read:

14 (4) "earnings" includes income from any form of periodic payment due
15 to an individual, regardless of source; the gain derived from the investment of capital,
16 from labor, or from a combination of investment and labor; and the interest on any of
17 this income; in this paragraph, "periodic payment" includes wages, salaries,
18 commissions, bonuses, workers' compensation, disability benefits, and payments under
19 a pension or retirement program;

20 * Sec. 149. AS 25.27.900(7) is repealed and reenacted to read:

21 (7) "support order" means any judgment, decree, or order that is issued
22 by a tribunal for the support and maintenance of a child or of a child and a parent with
23 whom the child is living; "support order" includes a judgment, decree, or order

24 (A) on behalf of a child who has reached the age of majority
25 if the judgment, decree, or order was lawfully issued; and

26 (B) for

27 (i) monetary support, including arrearages;

28 (ii) payment of health care costs or maintenance of
29 health insurance;

30 (iii) reimbursement of related costs;

31 (iv) payment of attorney fees and legal costs and other

1 fees; and

2 (v) penalty, interest, and other relief as required by a
3 tribunal.

4 * Sec. 150. AS 25.27.900 is amended by adding new paragraphs to read:

5 (8) "business day" means a day on which state government offices are
6 open for regular business;

7 (9) "employer" means an individual or entity within the meaning given
8 that term in 26 U.S.C. 3401(d); "employer" includes a governmental entity or a labor
9 organization;

10 (10) "tribunal" means a court, administrative agency, or quasi-judicial
11 entity authorized to establish, enforce, or modify support orders or to determine
12 parentage.

13 * Sec. 151. AS 28.05.061 is amended by adding a new subsection to read:

14 (d) If a copy of a motor vehicle record prepared or maintained by the
15 Department of Administration is requested by the child support enforcement agency
16 created in AS 25.27.010, or the child support enforcement agency of another state, the
17 department shall provide the requesting agency with a certified copy of the record. If
18 information is prepared or maintained by the department in an electronic data base, the
19 department may give the requesting agency a copy of the electronic record and a
20 statement certifying its contents. The agency receiving information under this
21 subsection may use the information only for child support purposes authorized under
22 law.

23 * Sec. 152. AS 29.45.103 is amended by adding a new subsection to read:

24 (c) Upon request, a record described in (a) or (b) of this section shall promptly
25 be made available to the child support enforcement agency created in AS 25.27.010
26 or the child support enforcement agency of another state. If the record is prepared or
27 maintained in an electronic data base, it may be supplied by providing the requesting
28 agency with a copy of the electronic records and a statement certifying its contents.
29 The agency receiving information under this subsection may use the information only
30 for child support purposes authorized under law.

31 * Sec. 153. AS 33.30 is amended by adding a new section to read:

1 **Sec. 33.30.216. Copies of records for child support purposes.** If a copy of
2 a record prepared or maintained by or on behalf of the commissioner for a person in
3 the custody of the commissioner is requested by the child support enforcement agency
4 created in AS 25.27.010, or the child support enforcement agency of another state, the
5 official custodian of the record shall provide the requesting agency with a certified
6 copy of the record. If the record is prepared or maintained in an electronic data base,
7 the official custodian of the record may provide the requesting agency with a copy of
8 the electronic record and a statement certifying its contents. The agency receiving
9 information under this section may use the information only for child support purposes
10 authorized under law.

11 * **Sec. 154.** AS 43.23.055 is amended by adding a new paragraph to read:

12 (9) provide any information, upon request, contained in permanent fund
13 dividend records to the child support enforcement agency created in AS 25.27.010, or
14 the child support enforcement agency of another state, for child support purposes
15 authorized under law; if the information is contained in an electronic data base, the
16 department shall provide the requesting agency with either

17 (A) access to the data base; or

18 (B) a copy of the information in the data base and a statement
19 certifying its contents.

20 * **Sec. 155.** AS 47.05.020, as amended by sec. 33, ch. 107, SLA 1996, is amended by
21 adding a new subsection to read:

22 (b) In addition to any access to public assistance records authorized under (a)
23 of this section, the department shall provide a copy of a public assistance record
24 prepared or maintained by or on behalf of the department to the child support
25 enforcement agency created in AS 25.27.010, or the child support enforcement agency
26 of another state, upon the request of the respective agency. If the record is in an
27 electronic data base, the department shall provide the requesting agency with either
28 access to the data base, or a copy of the information in the data base and a statement
29 certifying its contents. The agency receiving the information under this subsection
30 may use the information only for child support purposes authorized under law.

31 * **Sec. 156.** AS 47.05.030, as amended by secs. 34 and 35, ch. 107, SLA 1996, is amended

1 by adding a new subsection to read:

2 (c) It is not a violation of (a) of this section for the department or an employee
3 of the department to disclose information to the child support enforcement agency
4 created in AS 25.27.010, or the child support enforcement agency of another state, if
5 the receiving agency requests the information only for purposes authorized under
6 AS 47.05.020.

7 * Sec. 157. AS 47.27.040(b), as enacted by sec. 7, ch. 107, SLA 1996, is amended to read:

8 (b) An Alaska temporary assistance program participant shall cooperate with
9 the child support enforcement agency of the Department of Revenue in establishing
10 paternity or establishing, modifying, or enforcing a child support order requiring the
11 payment of support by the noncustodial parent for a dependent child for whom Alaska
12 temporary assistance program assistance is received. The child support enforcement
13 agency shall determine whether the participant is in good faith compliance with
14 the requirements of this subsection and shall inform the Department of Health
15 and Social Services of its determination. The Department of Health and Social
16 Services shall establish whether [UNLESS] the participant has [ESTABLISHES]
17 good cause for refusing to cooperate.

18 * Sec. 158. (a) AS 18.50.165(c); AS 25.25.611(e); AS 25.27.100(b), and 25.27.250(h) are
19 repealed.

20 (b) Section 45, ch. 107, SLA 1996, and sec. 62, ch. 107, SLA 1996, are repealed.

21 * Sec. 159. The provisions of AS 25.20.050(e), as amended by sec. 40 of this Act, and
22 AS 25.20.050(i), added by sec. 43 of this Act, have the effect of amending Rule 35, Alaska
23 Rules of Civil Procedure, by requiring the court to order genetic testing in contested paternity
24 actions in certain circumstances and preventing the court from ordering such testing if good
25 cause is shown.

26 * Sec. 160. The provisions of AS 25.20.020(k), added by sec. 43 of this Act, have the
27 effect of amending Rule 90.3, Alaska Rules of Civil Procedure, by requiring the court in a
28 paternity action to issue a temporary child support order upon a showing by clear and
29 convincing evidence of paternity.

30 * Sec. 161. The provisions of AS 25.20.050(n), AS 25.24.160(d), AS 25.24.210(e)(12), and
31 AS 25.24.230(i), added by secs. 43, 45, 47, and 48, respectively, of this Act have the effect

1 of amending Rules 52, 58, 78, and 90.1, Alaska Rules of Civil Procedure, by requiring the
2 court to include social security numbers, if ascertainable, of parties and children in certain
3 petitions, pleadings, or judgments.

4 * Sec. 162. The provisions of AS 25.24.170(b), as amended by sec. 46 of this Act, have
5 the effect of amending Rule 90.3(h)(1), Alaska Rules of Civil Procedure, by changing the
6 standard for certain modifications of a support order as necessary to comply with federal law.

7 * Sec. 163. The provisions of AS 25.27.055, added by sec. 84 of this Act, have the effect
8 of amending Rules 60(b) and 90.3(h)(2), Alaska Rules of Civil Procedure, by allowing relief
9 from a judgment, a decree, or an order when it is based on certain false information without
10 requiring that such relief be requested within a specific time.

11 * Sec. 164. The provisions of AS 25.27.265(c), added by sec. 143 of this Act, have the
12 effect of amending Rules 4 and 5, Alaska Rules of Civil Procedure, by allowing service at the
13 opposing party's last known address on file with the child support enforcement agency in
14 certain circumstances.

15 * Sec. 165. The provisions of AS 25.20.050(j), added by sec. 43 of this Act, have the
16 effect of amending Rule 901 Alaska Rules of Evidence, by limiting the discretion of the court
17 to exclude documentary evidence of specified costs in a paternity action.

18 * Sec. 166. The provisions of AS 08.08.137, as amended by sec. 9 of this Act, have the
19 effect of amending Rules 3 and 5, Alaska Bar Association Rules, by requiring applicants for
20 admission to the practice of law in the state to submit social security numbers for child
21 support purposes.

22 * Sec. 167. TRANSITION: REGULATIONS. Notwithstanding secs. 169 - 172 of this
23 Act, the child support enforcement agency and any state department or agency that is affected
24 by this Act and that has regulation adoption authority may proceed to adopt regulations
25 necessary to implement the changes made by this Act. The regulations take effect under
26 AS 44.62 (Administrative Procedure Act), but not before the effective date of the respective
27 section of this Act that the regulations are implementing.

28 * Sec. 168. Section 167 of this Act takes effect immediately under AS 01.10.070(c).

29 * Sec. 169. Except as provided in secs. 168 and 170 - 172 of this Act, this Act takes effect
30 July 1, 1997.

31 * Sec. 170. Section 157 of this Act takes effect July 1, 1997, or on the effective date of

- 1 AS 47.27.040, whichever is later.
- 2 * **Sec. 171.** Sections 116 - 118, 124, 127, and 128 of this Act take effect January 1, 1998.
- 3 * **Sec. 172.** The amendment to AS 25.27.244(g) that adds a reference to the notice under
- 4 "(s) or (t) of this section," enacted by sec. 119 of this Act, takes effect January 1, 1998.

AMENDMENT #1

OFFERED IN THE SENATE

BY _____

TO: CSSB154

Page 30, Line 23, following "financial institutions":

Senleman
Add: proposed

including

brokerage houses, insurance companies and any other companies providing individual investment, transaction or deposit accounts.

adopted - no objection

to be included into CS SB 154 (HES)

Please include these 2 amendments into
CS SB 154 (J) - L-S0853/E 4/18/97. The final should
be CSSB154 (HES). It passed out of cmte
4/28/97

AMENDMENT #3

OFFERED IN THE SENATE

BY _____

TO: CSSB 154(HESS)

1 Page 60, following line 10:

2 Insert a new bill section to read:

3 "A Sec. 154. AS 39.25.080 is amended by adding a new subsection to read:

4 (e) In addition to any access to state personnel records authorized under (b) of
5 this section, state personnel records shall promptly be made available to the child support
6 enforcement agency created in AS 25.27.010 or the child support enforcement agency of
7 another state. If the record is prepared or maintained in an electronic data base, it may be
8 supplied by providing the requesting agency with access to the data base or a copy of the
9 information in the data base and a statement certifying its contents. The agency receiving
10 information under this subsection may use the information only for child support purposes
11 authorized under law."

12 Renumber the following bill sections accordingly.

no objection - passed
include in CS

Amendment "New ¶ E"

Page 30 Line 26

Add New Paragraph (E)

the agency may pay a reasonable fee to a financial institution for conducting a data match, as provided in Paragraph (D). not to exceed the actual costs incurred by such financial institution.

Green moved

failed - one objection - Gary

Senator Wilken

Attn: Sheila

MEMORANDUM

CHILD SUPPORT ENFORCEMENT DIVISION

State of Alaska

DEPARTMENT OF REVENUE

TO: Senator Gary Wilken
Chair
Senate HESS

DATE: March 25, 1997

TELEPHONE NO: 269-6804

FROM: Glenda Straube 
Director

SUBJECT: SB 154 - Child
Support

We have contacted other members of the Senate HESS committee concerning any amendments to SB 154. The following is a summary of those contacts:

Committee Member	Questions or Concerns	Amendments Offered
Senator Jerry Ward (Margie - aide)	Commercial Fishing Crew Licenses	None
Senator Loren Leman	1) Interest rate reduction on judgments 2) Use of social security numbers	None
Senator Lyda Green	1) need to ensure that bill does what it says it does 2) crew licenses 3) increase of fine on employers for discharging employees because of withholding orders 4) we clarified fixing orders that were based on fraudulent information 5) social security numbers	None
Senator Johnny Ellis	None mentioned	None

Alaska Banker's Association

Attached is an amendment offered by ABA. Wes Coyner had an additional amendment, but we didn't agree on it so he will be offering it to you under separate cover.

Department of Law

CSED and DOLaw believed that we already have statutory authority to access state personnel records (as mandated by federal law). However, the Department of Administration just informed us that we would need specific legislation to do so. We have attached an amendment for that purpose.

AMENDMENT

OFFERED IN THE SENATE

BY _____

TO: CSSB154

Page 30, Line 23, following "financial institutions":

Add:

brokerage houses, insurance companies and any other companies providing individual investment, transaction or deposit accounts.

AMENDMENT

OFFERED IN THE SENATE

BY _____

TO: CSSB 154(HESS)

1 Page 60, following line 10:

2 Insert a new bill section to read:

3 **** Sec. 154. AS 39.25.080 is amended by adding a new subsection to read:**

4 (e) In addition to any access to state personnel records authorized under (b) of
5 this section, state personnel records shall promptly be made available to the child support
6 enforcement agency created in AS 25.27.010 or the child support enforcement agency of
7 another state. If the record is prepared or maintained in an electronic data base, it may be
8 supplied by providing the requesting agency with access to the data base or a copy of the
9 information in the data base and a statement certifying its contents. The agency receiving
10 information under this subsection may use the information only for child support purposes
11 authorized under law."

12 Renumber the following bill sections accordingly.

**CSSB 154
CHILD SUPPORT AND PATERNITY
AMENDMENT TO ADD NEW SECTION 154
(INSURING ACCESS TO STATE PERSONNEL RECORDS
FOR CHILD SUPPORT PURPOSES)**

Background

The 1996 federal welfare reform law requires Alaska to provide the child support agency of this and other states with access to the records of public and private entities for child support purposes. It also requires that states take steps to require that the information provided may only be used for child support purposes. Sections 7, 21, 28, and 151-156 of CSSB 154 would provide child support agencies with access to information held by various state agencies. If accepted, this amendment would also insure that child support agencies have access to the information contained in state personnel records.

- Amends AS 39.25.080 to clarify that state personnel records must be made available to child support agencies of this and other states.
- Mandates that information may only be used for child support purposes.
- Allows agency to provide information in electronic format.

SB 154 Child Support Enforcement Bill

Background

Congress and President Clinton have stressed the correlation between strong child support enforcement efforts and a successful welfare reform program. This bipartisan effort to strengthen child support laws recognizes the responsibility of all parents to support their children. The 1996 federal welfare reform law made substantial changes to child support mandates for all states and requires a major overhaul of Alaska child support enforcement operations. Many of these changes require only operational or regulatory changes. This bill is primarily focused on compliance with these federal mandates; in addition, a small number of other changes are made to Alaska's child support laws in order to facilitate the administration of the child support program.

- Requires all employers to report new hires or rehires within 20 days.
- Allows withholding orders to be sent to employer without prior notice to child support obligor. Requires employers to send withheld wages to CSED within seven business days (now 10).
- Financial institutions required to match data with CSED.
- Revokes occupational and business licenses for noncompliance with a subpoena or warrant as well as for unpaid arrears; adds recreational licenses and commercial fishing crewmen's licenses to existing list of licenses subject to denial or revocation.
- Mandates that social security numbers be provided on state licenses and other documents; this and other information must be shared with child support enforcement agencies, with immunity for sharing in good faith.
- Expands paternity establishment requirements: limiting ability to rescind paternity acknowledgment; notice to parents of rights and consequences of acknowledging paternity; accepting paternity establishment from other states; allowing putative father to request testing and establishment of paternity; allowing "good cause" exception to requirement of public assistance recipient to comply with a request for genetic testing; requiring parties in paternity case to provide employer information.
- Gives CSED authority to withhold location of custodial parent or child if risk to health, safety, or liberty.
- Updates Alaska's Uniform Interstate Family Support Act .
- Gives CSED authority to contract out child support disbursement function.
- Authority given to CSED to require delinquent obligors to work.
- Gives child support liens from other states same standing as Alaska liens.
- Allows legal service by first class mail to last known address on file with tribunal.
- Drops time limitation on reporting arrears to credit bureaus.
- Ensures child support judgments bear interest at child support rate (currently 6%), not judgment rate (currently 10.5%).
- Allows correction of child support order based on fraudulent information.
- Increases to \$10,000 (now \$1,000) penalty for firing employee due to income withholding order.
- Establishes that parents owe duty of support even in absence of a child support order.
- Requires that administrative child support orders conform to Alaska Civil Rule 90.3 as it is amended from time to time.

FEDERAL CHILD SUPPORT REQUIREMENTS

Child Support Enforcement Bill

Background

Congress and President Clinton have stressed the correlation between strong child support efforts and a successful welfare reform program. This bipartisan effort to strengthen child support laws recognizes the responsibility of ALL parents to support their children.

The new Federal Welfare Reform Law (PRWORA Act) makes substantial changes to child support mandates for all states and requires a major overhaul of Alaska child support operations. Many of these changes require only operational or regulatory changes. Listed below are the changes requiring statutory revisions.

Federal Mandates

- All employers must report new hires or rehires within 20 days (presently employers with 20 or more employees must report within a month). CSED must send data to feds within 7 days of receiving information.
- Employer must send withheld money to CSED in 7 days (presently 10 days)
- No prior notice of withholding order to obligors (presently prior notice given)
- Financial institutions and other entities must match data with CSED (reduces need for subpoenas to get financial information)
- Existing licensing statutes amended to:
 - make revocable for noncompliance with subpoena or warrant
 - add: hunting (for non-personal use); fishing (non-subsistence) and commercial fishing (crew members only - not limited entry) licenses
- Payments disbursed according to federal law - past AFDC recipients must receive all child support payments before state can collect to reimburse itself
- Social security numbers required on state licenses, permits and other documents, such as divorce decrees and death certificates. SSN must be shared with all state child support agencies
- Various state agencies must provide information to all child support agencies - for child support purposes only
- Entities providing information or honoring CSED actions are immune from prosecution if acting in good faith
- Expanded paternity establishment requirements
 - after a 60-day period, a signed acknowledgment of paternity can't be rescinded - except in a court and based on fraud, duress, or material mistake of fact
 - parents must be informed of rights and consequences of signing an acknowledgment of paternity
 - acceptance of paternity establishments from other states
 - putative father can request blood tests and establishment of paternity agency to decide "good cause" exceptions to required genetic testing
 - parties to paternity establishment must provide employer information - so that the support order can be established and a withholding order can be sent quickly

Prepared by the Child Support Enforcement Division

Federal Child Support Requirements
Child Support Enforcement Bill
Page 2

- Location of custodial parent or children to be withheld if risk to health, safety or liberty (presently in interstate law, but not domestic law)
- Conformance with ALL provisions of Uniform Interstate Family Support Act
- Authority to contract out child support disbursement functions
- State authority to require delinquent obligors to participate in appropriate work activities
- Fraudulent transfers voided when used to evade child support collections
- Cooperation with liens from other states
- Legal service by first class mail if diligent efforts made for in-person delivery
- No "statute of limitations" on reporting arrears to credit bureaus

CSED or AG's Recommended Changes

- One rate of interest (6%) on child-support related debts and judgments
- Child support order to be corrected if originally based on fraudulent information
- Employer penalty of \$10,000 when an employee fired due to an income withholding order (presently \$1,000)
- Clarification that parents owe a duty of support - whether or not a support order has been entered
- CSED to conform to Supreme Court changes in Civil Rule 90.3, Child Support Guidelines, without additional legislation required

Sectional Analysis for CSSB 154 ()

The bill was drafted to meet the child support requirements of P.L. 104-193, the federal welfare reform act. Nearly all of the bill's provisions are mandated by that act. A small number of additional provisions have been included to ensure consistency in Alaska's child support statutes and make other needed changes. Because many of the bill's sections are substantively similar, covering comparable requirements for various state agencies, this sectional analysis groups those sections together instead of having a separate paragraph, in numerical order, for each one.

Section 1 of the bill would require banks to provide financial records of child support obligors or obligees to the child support enforcement agency of this or another state, for child support purposes authorized under law.

Sections 2, 3, 5, 7, 8, 13, 15, 16, 18, 24, 25, 28, 30, 32, 33, 36, 44, 46, 47, and 105 would require that applicants for state licenses and permits provide their social security numbers, and that social security numbers be included in certain judgments, decisions, and other official documents. In related provisions, sections 2, 4, 15, 17, 19, 24, 26, 29, 31, 33, and 36 would require the licensing entities to provide the social security numbers to the child support enforcement agency of this or another state upon request, for child support purposes authorized under law.

Sections 6, 20, 27, and 150 through 155 of the bill would require various state agencies to provide copies of records concerning child support obligors and obligees to the child support enforcement agency of this or another state, or the federal government, for child support purposes authorized under law. These sections would also allow the information to be transmitted by electronic means as appropriate.

Under Sections 9 and 10, the Department of Revenue would be required to disclose otherwise non-public information about taxpayers to the child support enforcement agency of this or another state, for child support purposes authorized under law.

Sections 11 and 12 would designate the rate of interest on judgments for child support as the rate specified in the child support statutes (currently 6%) rather than the rate for other judgments (currently 10.5%).

Section 14 would provide immunity for actions taken by a person in good faith compliance with a child support subpoena, lien, levy, or withholding order.

Sections 21 and 22 would mandate the form of affidavits of paternity, including a requirement that the form describe the consequences of acknowledging paternity, and the deadline for rescission of the acknowledgment.

Section 23 would clarify the effect of an acknowledgment of paternity executed prior to the effective date of the new requirements stated in Sec. 22 or an acknowledgment of paternity executed in another state, and would require the registrar to offer certain assistance regarding the forms.

Section 34 would require the Department of Labor to provide information not only under the currently specified provision of the United States Code, but also as otherwise required by federal law for child support purposes.

The Department of Labor would be required under Section 35 to provide specified information on applicants or recipients of benefits to the child support enforcement agency of this or another state, for child support purposes authorized under law.

Section 37 would amend existing law on legitimation of a child born out of wedlock to explain the effect of acknowledgments of paternity made on the new forms required by Section 22, and those made on earlier forms. Section 37 also would recognize legitimation through a determination of paternity made by any tribunal (including administrative), not just one made by a court.

Section 38 would clarify the type of genetic testing used to establish paternity. Section 39 would specify when a tribunal must order genetic testing in a paternity case. Section 40 would allow recovery of genetic testing costs from the putative father unless the tests show he is not the father. Section 41 would require any tribunal, not just a court, to give full faith and credit to the paternity determination of another state. Section 42 would provide various measures relating to paternity establishment, including evidence standards and issuance of temporary support orders. Section 43 would provide for regulations by the Department of Health and Social Services to allow hospitals a good-cause exception to the requirement of providing in-house paternity acknowledgment services.

Section 45 would require a court to modify an existing child support order without requiring a showing of material change of circumstance when necessary for the state to comply with a federal statute.

Section 48 could require courts to provide CSED with a copy of all child support orders.

Sections 49 through 74 would amend the provisions of AS 25.25, the Uniform Interstate Family Support Act, to conform to the amendments recently made by the Uniform Law Commissioners.

Section 75 would give CSED the authority to adopt regulations to enhance administrative enforcement of child support orders, and to contract with financial institutions to operate automatic data-match systems. Section 75 would also repeal the statute giving CSED authority to adopt regulations to establish schedules for child support orders because Section 105 of the bill would require the agency to apply the standards for child support orders set out in Alaska Rules of Civil Procedure, Rule 90.3.

Section 76 would correct statutory reference concerning interest charged on child support debt.

Section 77 would ensure that CSED has authority to exchange information as required by federal law.

Under Section 78, CSED could enter into agreements with third parties to perform certain of their functions.

Section 79 would allow CSED or the court to enter an order that an obligor with child support arrears must arrange a payment plan or participate in appropriate work activities. It also would ensure that CSED, or the child support agency of another state, has access to information used by the Department of Public Safety or a successor agency to locate individuals for law enforcement or motor vehicle purposes.

Section 80 would correct statutory reference concerning uniform interest rates

Section 81 would correct the statutory references regarding payment of costs of genetic testing.

Section 82 would codify the requirement that parents have an obligation to support their children, whether or not a support order has been entered.

Section 83 would allow an order to be corrected, without running afoul of the prohibition against retroactive modification, if it is determined that the order was based on information submitted by a party who knew the information was false.

Section 84 would allow a custodial parent to request immediate income withholding without requesting other services of CSED. Section 85 would allow the income withholding order and related documents to be served electronically (in addition to regular means) and would require that amounts withheld under such an order be sent to the agency within seven business days, instead of 14 working days, after it would have been paid to the employee. This conforms with the amount of time the employer has to answer the inquiries that accompany the withholding order. Section 86 would increase the penalty for terminating an employee due to an income withholding order from \$1,000 to \$10,000. Under Section 87, the employer could combine amounts withheld from various employees into one payment to the agency so long as they comply with the relevant time deadlines.

Section 88 would specify the requirements that all employers must meet when providing information on all employee hiring and rehiring.

The administrative subpoena statute would be rewritten under Section 89 and 90, to set forth the method of delivery, the procedure for objecting to the administrative subpoena, the penalty for noncompliance, and to discontinue the requirement that the commissioner must approve each subpoena. Section 91 would require compliance with a subpoena issued by the child support agency of another state and provide for enforcement of the subpoena by CSED.

Section 92 would permit CSED to impose fees for service provided without having to charge the custodian a fee or withholding a portion of child support payments from proceeds received by operation of an income withholding order.

Section 93 would require that child support payments be disbursed according to federal law.

Section 94 would correct statutory references regarding interest

Section 95 would require that, when CSED locates a child support obligor who is liable for public assistance reimbursement, its notice must include a statement that payments must be made through CSED.

Section 96 would allow income withholding to commence without prior notice to the obligor if an arrearage occurs. Under Section 97, the notice sent to the obligor regarding income withholding shall inform the obligor of the procedures for contesting the withholding. Section 98 would require the conference officer to inform the obligor of the informal conference decision at the hearing or within 15 days. Section 99 would allow a formal hearing if the conference officer determines that withholding will continue.

Section 100 would clarify that the amount of a child support obligation will be determined using the standards set out in Civil Rule 90.3.

Section 101 would allow a putative father to request administrative paternity establishment. Section 102 would allow a party to an administrative paternity proceeding to provide information showing good cause not to order genetic testing. Section 103 would allow a second genetic test if requested and paid by a party, and provide for a second hearing if the results contradict those of the first test. Section 104 would clarify that the genetic test costs may be recovered from the putative father unless he is excluded by the test results. Under Section 105, the agency could determine that good cause exists not to require genetic testing, after considering the child's best interests, and could then enter an order after hearing or conclude the proceedings without making a determination of paternity.

Section 106 would deny the agency authority to administratively disestablish paternity if there was an acknowledgment of paternity or an admission of paternity.

Sections 107 and 108 would clarify that CSED may initiate a modification of one of the agency's administrative child support orders.

Section 109 would allow CSED to conduct periodic reviews and adjustments of child support orders without having to show a material change of circumstances has occurred when such review and adjustments are required by federal law.

Section 110 would ensure that administrative and court support orders are entered under the identical guidelines, by requiring CSED to apply the standard set forth in Alaska Rule of Civil Procedure 90.3, as amended from time to time.

Section 111 would clarify the appropriate statutory section under which paternity is established administratively.

Section 112 would ensure that liens entered under the child support enforcement laws of another state are given full faith and credit in this state, and clarify that a lien entered under Alaska's

law may be enforced by execution in the full amount of the obligor's liability at the time of execution.

Section 113 would allow the child support agency of another state, or a person enforcing a child support obligation, to serve the lien on someone who owes money to the obligor.

Section 114 through 127 would amend the statute dealing with suspension or revocation of licenses to include recreational hunting and fishing licenses, and to include among those whose licenses may be suspended, revoked or denied, not only child support obligors with an arrearage, but also those who have refused to comply with subpoenas or warrants relating to a child support enforcement matter. These new provisions would void recreational hunting or fishing licenses, including big game drawing hunt permits, issued to persons on the list maintained by CSED of child support obligors with an arrearage and persons who have failed to comply with a subpoena or warrant. Subsistence hunting, hunting for personal consumption, subsistence fishing and personal use fishing activities would be allowed under a license that is void for recreational purposes. Because of the brief duration of recreational hunting and fishing licenses, no provision is made for temporary licenses. The Department of Fish and Game would be required to print a statement on fishing and hunting license forms regarding these provisions. The section would also add commercial fishing crewmen's licenses to the list of occupational licenses subject to denial or suspension for non-payment of child support.

Similarly, sections 128 through 136 would add to the list of persons who may have a driver's license suspended or denied, a person who fails to comply with a subpoena or warrant relating to a child support enforcement matter.

Section 137 would allow issuance of an order to withhold and deliver property without prior notice to the child support obligor, and would specify the permissible timing of such an order. Section 138 would allow an income withholding order to be served electronically as well as by first class mail. Under Sec. 139, a person served with an income withholding order would have seven business days to respond to inquiries. Under Sec. 140, the property withheld under the order would have to be delivered to the agency within seven business days of when earnings would have been paid to the employee, or if it is property other than earnings, then within 14 business days after service of the order.

Section 141 would require parties to a paternity proceeding to provide the tribunal with certain information about themselves and their employers.

Section 142 would allow a tribunal to give notice by first class mail to a party's last known address instead of pursuant to Alaska Civil Rule 5, if diligent efforts to serve notice have been made.

Section 143 would delete the current requirement that CSED may report to a credit bureau or lending institution only information up to ten years old.

Section 144 would change the standard for CSED's reporting of the address of a party or child - under this amendment, a tribunal may order that such information not be provided upon a

showing that such disclosure would unreasonably put at risk the health, safety, or liberty of a party or child.

Section 145 would void a transfer of personal or real property made to avoid child support.

Section 146 would correct statutory reference regarding interest on child support arrearage.

Section 147 would amend the definition of "earnings" to clarify that it includes many types of income and benefits. Under Section 148, the definition of "support order" would be amended to clarify that it includes an order entered on behalf of a child who has reached the age of majority, and one that requires payment of various types of costs and fees, including health care costs, in addition to monetary support. Section 149 would add definitions for "business day" and "tribunal."

Section 156 would require CSED to determine, and to inform DHSS, whether a person receiving temporary assistance benefits is in compliance with the requirements to cooperate with the establishment of paternity or enforcement of a support order. DHSS would then determine if the person has good cause not to comply with the requirement.

Section 157 would repeal certain existing statutory provisions.

Sections 158 through 165 describe the sections that would have the effect of amending Alaska Court Rules.

Section 166 would offer transitional authority for CSED to proceed to adopt regulations to implement these provisions, to be effective no sooner than the effective date of the statutory amendments.

Sections 167 through 171 indicate the effective dates of the various sections of the bill.

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

TONY KNOWLES, GOVERNOR

P.O. BOX 110640
JUNEAU, ALASKA 99811-0640
PHONE: (907) 465-3347

April 25, 1997

The Honorable Gary Wilken
Alaska State Legislature
State Capitol, Room 510

APR 25 1997

Dear Senator Wilken:

SB 154 brings Alaska statutes into compliance with the child support provisions of PL 104-193. Passage and implementation of this conforming legislation is needed to avoid fiscal penalties imposed against the state's TANF block grant. The following provides additional information on the penalties that will be imposed if the state is not in compliance with the federally mandated child support provisions of PL 104-193.

Under federal law, failure to comply with paternity establishment and child support enforcement requirements under part D of PL104-193 results in a penalty of up to 5% of the federal TANF block-grant. The block grant payable to the state would be reduced following this schedule:

- For the first quarter and each subsequent quarter that ends before the first quarter that the state is found to be in compliance, not less than 1% and not more than 2%.
- For the second consecutive finding that the state is out of compliance not less than 2% and no more than 3%;
- For the third and subsequent findings of non-compliance not less than 3% and not more than 5%.

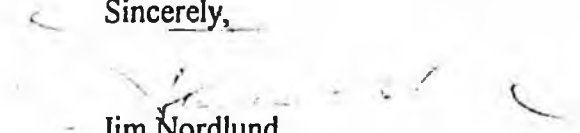
Federal law also stipulates that in the fiscal year following a reduction in the TANF grant due to a penalty, states must increase their state spending by an amount equal to the penalty.

If this legislation is not enacted and implemented and the federal penalties are applied, the state would have to voluntarily replace lost federal funds in the first year of the penalty in order to maintain ATAP funding at adequate levels. Federal law, however, mandates that the state must replace these funds in subsequent years. Under a worse case scenario, the maximum penalty that could be levied for non-compliance would be approximately \$3.2 million and the state would be required to offset the loss dollar for dollar in the fiscal year following the year the penalty was imposed.

The net affect of not complying with child support provisions of PL104-193 is a substantial increase in GF spending. However, passage and implementation of this legislation would likely increase child support collections for ATAP children and generate additional general fund program receipts for ATAP.

If you have any questions or need additional information, please contact me or my assistant, Ron Kreher, at 465-3349.

Sincerely,


Jim Nordlund
Director of Public Assistance

Cc: Glenda Straube, Director
Child Support Enforcement Division

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB-154

Revision Date: _____
Title: Paternity Determination & Child Support

Dept. Affected: Health and Social Services

BRU: State Health Services

Component: Bureau of Vital Statistics

Sponsor: Pearce

COMPONENT SERIAL NO. 961

Requestor: (S) HESS

See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	19.7					
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	19.7	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF	19.7					
1005 GF/Program Receipts						
1037 JF/Mental Health						
Other (please specify)						
TOTAL	19.7	0.0	0.0	0.0	0.0	0.0

POSITIONS:

	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

The Bureau of Vital Statistics would have to destroy and print 5,000 Affidavits of Paternity and 10,000 Marriage, Divorce, Dissolutionment and Annulment Certificates as well as hire a legal consultant to draft a statement of the legal rights and responsibilities required in Sec 22(a)(5) of the bill. In addition, the Bureau will have to modify data entry, data verification, database storage, and display programs for affidavits, marriage and divorce records to accommodate the addition of social security numbers on the Vital Statistics Information System. The system rewrite costs can be avoided by adding one 1/2 time position to look up and provide records/information for CSED requests (this cost will be added if needed).

Line 300

Legal consultant	\$1.5
Graphic Design & printing	3.0
Destroy	0.2
Computer programming	<u>15.0</u>
subtotal	\$19.7

5/15/97

Prepared by: Peter M. Nakamura, MD, MPH
Division: Public Health

Phone: (907) 465-3090
Date: 04/11/97

Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Date: 7/17/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 154

Revision Date: _____
Title: Paternity Determination and Child Support

Dept. Affected: Health and Social Services
BRU: Public Assistance
Component: ATAP

Sponsor: Senator Drue Pearce
Requestor: HESS, Finance

COMPONENT SERIAL NO. 220
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

POSITIONS	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

The proposed legislation, if enacted and adequately funded, will increase child support collections. Presuming that the increase in collections includes additional support payments for dependent children receiving assistance from ATAP, DPA should see an increase in designated general fund program receipts.

If CSED is unable to implement provisions of this legislation, CSED will be out of compliance with federal law (PL104-193). Failure to comply with federal law results in a penalty of up to 5% of the federal TANF block grant. Federal law also requires that in the year following a reduction in the TANF grant due to a penalty, the state must increase its spending by an amount equal to the penalty. The penalty for non-compliance could be as much as \$3,150,000 in the first year.

DPA does not have enough information to determine the fiscal impacts of this legislation.

5/15/97

Prepared by: Jim Nordlund
Division: Public Assistance

Phone: 45-3349
Date: 04/14/97

Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Date: 7/17/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 154

Revision Date: _____
 Title: Child Support and Paternity.....

Department Affected: Administration
 BRU: Motor Vehicles
 Component: Driver Services, Field Services

Sponsor: Senator Pearce
 Requestor: S. HESS

COMPONENT SERIAL NO. 0501, 0502

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

Section 150 is the only section in the bill that relates to the Division of Motor Vehicles (DMV). Section 150 does not have any fiscal impact to DMV.

Prepared by: Juanita M. Hensley
 Division: Motor Vehicles

Phone: 465-2650
 Date: 4/21/97

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Alison M. Elage
 Date: 4/21/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 154

Revision Date: _____
 Title: Paternity Determination and Child Support
 Sponsor: Pearce
 Requestor: S HESS

Dept. Affected: Health and Social Services
 BRU: Family and Youth Services
 Component: DFYS Central Office
 COMPONENT SERIAL NO. 259
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

The Division of Family and Youth Services does not have sufficient information to estimate whether CSED collections on the Division's behalf will have any fiscal impact

4/15/97 Prepared by: L. Diane Worley, Director
 Division: Family & Youth Services
 Approved by Commissioner: Karen Peddie, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-3191
 Date: 04/10/97
 Date: 4/17/97

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Revision Date: _____ Dept. Affected: Revenue
 Title: Paternity Determination and Child Support BRU: Child Support Enforcement
 Component: Child Support Enforcement
 Sponsor: Rules Committee
 Requestor: Governor COMPONENT SERIAL NO. 111

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost \$ 0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This fiscal note reflects the fact that it is not so much this legislation will increase the cost of doing business, but that the federal requirements in federal welfare reform are driving up the costs of collecting child support. With the maximum use of technology (see capital budget), we can conform to federal requirements without additional operating costs.

If we need more help, past experience has shown that adding modest increments has ultimately resulted in an increase in revenues which meet or exceed the general fund increment. Because there is such an intense focus on the general fund line (regardless of corresponding increases in revenue), it is not prudent at this time to ask for more funds.

In a different budget atmosphere, we would have asked for funding authority for an additional \$2.2 million. Of that amount, \$680,000 would have been the general fund appropriation.

We know we must restructure our workflow. How we do this depends upon when the legislature approves our capital budget request.

Prepared by: Glenda Staube Phone: 269-6801
 Division: Child Support Enforcement Date: February 25, 1997
 Approved by Commissioner: Wilson L. Condon Date: February 25, 1997
 Agency: Revenue

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 154

Revision Date: _____
 Title: An Act relating to paternity determination and child
 support; ... _____
 Sponsor: Senator Pearce
 Requestor: Senate HESS

Department: Commerce and Economic Development
 BRU: Occupational Licensing
 Component: Operations
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other 1091 Designated PR						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

SB 154 amends the Centralized Licensing statutes of AS 08.01 to: 1) require the social security number of applicants; 2) allow copies of records maintained for child support enforcement purposes to be copied to other child support enforcement agencies; and 3) prohibit the renewal of a license unless a social security number is provided. New funds are not required to implement these provisions.

Prepared by: Jennifer Strickler, Administrative Manager
 Division: Occupational Licensing
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 465-2144
 Date: 4/22/97
 Date: 4-23-97

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Kenneth Kirk

Attorney at Law

733 West Fourth Avenue, Suite # 304

Anchorage, Alaska 99501

(907) 279-1659

(907) 278-4119 (Fax)

April 29, 1997

Senate Hess Committee

Re: SB 154

Dear Senators:

I appreciated the opportunity to speak with you, at the April 28 teleconference, about SB 154. It was refreshing to get the sense that the committee was truly interested in improving the child support collection process. The specific suggestions I would like to make are as follows:

1. Regarding requirement that all employers report new hires and re-hires to CSED within 20 days: this should not be passed until CSED has laid out a plan for informing small employers of these requirements. Second, 20 days may be too short a time period for many employers, who may not be aware of the requirements. Third, there should be no penalty for small employers who inadvertently miss the deadline or fail to comply because they are not aware of the law.
2. Revocation of licenses for non-compliance with administrative subpoena: This is a draconian penalty which should not be implemented. CSED's administrative subpoenas are often extensive, and even abusive. There is not a clear method in the law for contesting an administrative subpoena on the basis that it is overly burdensome (unlike judicial subpoenas in which one can always file a motion to quash and get a decision from the judge). If there is a penalty, it should be relatively small, given that these are usually employers who are going to have difficulty complying. Most of the subpoenas may be issued to banks, but compliance is fairly easy for them and they are not likely to be the ones penalized for non-compliance.
3. Recreational Hunting and Fishing Licenses: The present procedures for license revocation allow a party to request review by the court if they argue that they are not the person on the order, or there is not an order of support, or they are in substantial compliance with the order. For all of the licenses, the party can obtain a temporary license while the review is going on, within

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4/30/97

very strict time limits. Why would this not also be the case for hunting and fishing licenses?

4. **Commercial Fishing Crewmen's Licenses:** As I stated at the teleconference, license revocation has been very poorly handled by CSED. Contrary to Ms. Straube's statement that CSED does not want to take people's licenses, the agency has such a rigid formula for making deals that many people are simply unable to fit their round circumstances into CSED's square pegs. In many cases, there is no way to bring the obligor in from the cold when he wants to work out a deal to avoid losing the license. Commercial fishing crewmen are likely to be among the hardest hit, sometimes because their support arrearages were set during particularly good fishing years, and they were unable to pay during bad years. This can result in substantial arrearages which the crewman may be unable to pay. If CSED has its way, fishing crewmen will be unable to make a living, and thus unable to pay any of the child support, and thus they will fall deeper and deeper into the hole. The federal law does not require that fishing crewmen's licenses be included, so they should not be.
5. Continuing in the problems with license revocation, if the court is going to address this issue there is one thing which would go a long way toward making the laws more reasonable. In the driver's and occupational license revocation statutes there is a list of three things the court may consider on review. To those points should be added a provision that the court may also consider whether the obligor is making his or her best efforts to bring the obligation current. If the court finds that the obligor is doing so, no licenses should be revoked.
6. **Legal service by first class mail:** This should never be allowed when it is the first service of any documents in a new administrative case. CSED is often working from information which is years old, and possibly even supplied by a mother who really does not want the father to be found. If first class mail service is allowed, there should be a specific provision allowing defaults to be set aside if the mail was not actually received. CSED presently can set aside defaults under AS 25.27.195, but the agency has limited those set-asides to AFDC arrearages, whereas in this situation the obligor ought

Letter to Senate Hess Committee
April 29, 1997
Page 3

to be able to have any arrearages set aside and recalculated according to actual income.

7. Because of the press of time at the hearing I did not address the provision that CSED have authority to withhold the location of the custodial parent. If CSED is given such authority, it ought to be made clear that there is an appeal available to formal hearing. After all, in cases in which a parent has snatched the child and disappeared, it is unreasonable for the agency to be able to withhold the location of the child unless the obligor is able to contest any allegations being made.

Thank you for your time and attention to this matter. If I can clarify any of these points, please let me know.

Sincerely,



Kenneth Kirk

KK:smf

cc: Marilyn May, AGO
Glenda Straube, CSED

Appendix A

PRWORA Child Support Provisions
Effective On or Before October 1, 1996¹³⁰

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
NO LEG Statewide system funding	90% federal funding match is available for state system expenditures approved in APD submitted on or before Sept.-30, 1995 to meet pre-PRWORA requirements.	344	654A(b)(3)(A)	Funding available FY 1996 and 1997
Capitol Budget Issue Statewide system funding	80% federal funding match (capped at \$400 million) is available for state system expenditures to meet pre-PRWORA and PRWORA requirements.	344	654(b)(3)(B)	Funding available FY 1996 through 2001
ESD Quarterly wage reporting	Expanded definition of "employers" subject to quarterly wage reporting under state unemployment compensation laws; disclosure of wage data to state contractors.	313	1320b-7(a)(3); 503(e)	Upon enactment.
Feds FPLS	Expanded locate authority of Federal Parent Locator Service; revised fee provisions; provision of SESA wage and claim data to FPLS.	316	653; 503(h); 26 U.S.C. §3304(a)(16)	Upon enactment
Feds Full faith and credit	Amendments conforming Full Faith and Credit Act to UIFSA.	322	28 U.S.C. §1738B	Upon enactment
Paternity affidavit	HHS must specify minimum requirements of paternity affidavit.	331	652(a)(7)	Upon enactment
Feds Capitol Budget State reports	HHS must establish uniform state reporting procedures and data definitions.	343	652(a)(5)	Upon enactment

¹³⁰ Unless state law or constitutional amendment is required. If state laws must be enacted or amended, the effective date is the effective date of the state legislation or the first day of the first quarter after the close of the first regular legislative session held after enactment of PRWORA. If constitutional amendments must be adopted, states have one year after the effective date of the amendment, or five years after enactment of PRWORA, whichever is earlier. PRWORA was enacted August 22, 1996.

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
FEDS Set asides from federal share of collections	1% of federal share set aside for technical assistance and research. 2% of federal share set aside for FPLS operation.	345	652(j); 653(o)	Upon enactment
Credit bureau reports	Credit bureaus must furnish IV-D agencies with credit reports.	352	15 U.S.C. §1681b	Upon enactment
Financial institutions	Financial institutions are not liable under any federal or state law for disclosing financial records to state IV-D agencies.	353	659A	Upon enactment
FEDS Military personnel	Military must operate personnel locator and provide leave for support hearings. Military pay subject to withholding.	363	10 U.S.C §1408	Upon enactment
Support orders	"Support order" defined.	366	653(p)	Upon enactment
FEDS International procedures	Secretary of State may declare foreign reciprocating countries; HHS designated as central authority. States must treat requests for services by foreign reciprocating countries as requests by states.	371	659A(b)	Upon enactment
FEDS Bankruptcy	State child support debts are not dischargeable in bankruptcy.	374	11 U.S.C. 523; 656(b) and (c)	Upon enactment
FEDS Tribal enforcement	HHS may fund tribal organizations.	375	655(b)	Upon enactment
FEDS ERISA	"Qualified medical child support orders." defined to include administrative orders.	381	29 U.S.C. §1169	Upon enactment, except that plan amendments not required until first plan year beginning on or after Jan. 1, 1997.
FEDS PEP	Increase in Paternity Establishment Percentage to 90%, and options in calculating PEP.	341	652(g)	Calendar quarter beginning on or after enactment (Oct. 1, 1996)

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Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
Eligibility for IV-D services	State plan must provide for services to nonresidents and former IV-A recipients, and for enforcement support obligations with respect to children and custodial parents.	301	654(a)(4), (6), and (25)	Oct. 1, 1996
Distribution to current IV-A families	State plan must provide that support will be distributed according to 42 U.S.C. §657. Federal \$50 pass-through requirement repealed. States may retain or distribute the state's share of collections to IV-A families. Federal share must be paid first, regardless if state has obligation under state law or AFDC state plan to continue paying pass-through from state share.	302	657(a); 654(11)	Oct. 1, 1996, except that states have option to implement earlier. 3 parts
Interstate forms	HHS must promulgate national income withholding, lien, and administrative subpoena forms.	324	652(a)(11)	Oct. 1, 1996
Cooperation	State plan must provide for the IV-D agency to determine cooperation under revised rules.	333	654(29)	Oct. 1, 1996
Data definitions	State plan must provide for use of standard data definitions developed by HHS.	343	654(30)	Oct. 1, 1996
International enforcement	State plan must provide that state treats requests for services by foreign reciprocating countries as requests by states.	371	654(32)	Oct. 1, 1996
Tribal enforcement	State plan must provide for states that have Indian country within their borders that the state may enter into cooperative agreements with an Indian tribe or tribal organization.	375	654(33)	Oct. 1, 1996
Federal reports	Changes in HHS annual report to Congress.	346	652(a)(10)	Beginning in FY 1997
Access and visitation	Federal access and visitation grants available to states.	391	659B	Beginning in FY 1997

Appendix B

PRWORA Child Support Provisions
Requiring State Law Changes¹³¹

Provision	Major Requirements	PRWORA Section	Amending 42 U.S.C §	Effective Date
LEG Income withholding	States laws requiring income withholding procedures; "income" defined.	314	666(a)(1) and (b)	Effective following the first legislative session
LEG Interstate locator networks	State laws requiring IV-D agency access to interstate motor vehicle and law enforcement networks.	315	666(a)(12)	Effective following the first legislative session
LEG SSN	State laws requiring social security numbers on state records.	317	666(a)(13)	Effective following the first legislative session
LEG Interstate enforcement	Administrative enforcement in interstate cases.	323	666(a)(14)	Effective following the first legislative session
LEG Expedited procedures	State laws requiring expedited procedures, including IV-D agency powers, statewide jurisdiction, and presumptive notice.	325	666(a)(2) and (c)	Effective following the first legislative session

¹³¹ Provisions requiring enactment or amendment of state laws under 42 U.S.C. §666 become effective on October 1, 1996 or the effective date of the laws enacted by the state legislature, and must become effective no later than the first day of the first calendar quarter beginning after the close of the first regular session of the state legislature (with a grace period if a state constitutional amendment is required).

Provision	Major Requirements	PRWORA Section	Amending 42 U.S.C §	Effective Date
LEG Paternity establishment	State laws requiring procedures for establishing paternity voluntarily and in contested cases, including father's name on birth record, voluntary paternity services offered by birth records agency, and filing paternity records in state birth records agency. Also voluntary acknowledgment considered legal finding of paternity without ratification. Also genetic testing payment and admissibility, presumption of paternity based on test results, default orders, temporary support orders, proof of costs, no right to jury trials, standing of putative fathers.	331	666(a)(5)	Effective following the first legislative session
Review and adjustment	State laws requiring simplified review and adjustment procedures.	351	666(a)(10)	Effective following the first legislative session
Fraudulent transfers	Each state must have in effect the Uniform Fraudulent Conveyance Act of 1981, the Uniform Fraudulent Transfer Act of 1984, or another law and must have procedures for voiding fraudulent transfers.	364	666(g)	Effective following the first legislative session
LEG Pay or work	State laws requiring procedures to order a noncustodial parent with a child receiving IV-A assistance to pay or participate in work activities.	365	666(a)(15)	Effective following the first legislative session
LEG Credit bureau reporting	State laws requiring procedures for reporting arrearages to consumer reporting agencies.	367	666(a)(7)	Effective following the first legislative session
Liens	State laws requiring procedures under which liens arise by operation of law.	368	666(a)(4)	Effective following the first legislative session

Provision	Major Requirements	PRWORA Section	Amending 42 U.S.C §	Effective Date
Licenses	State laws requiring procedures for the suspension of driver's, professional, occupational, and recreational licenses.	369	666(a)(16)	Effective following the first legislative session
Financial institutions	State laws requiring procedures for quarterly bank matches.	372	666(a)(17)	Effective following the first legislative session
Grandparent liability	State laws requiring procedures under which, <u>at state option</u> , the parents of a minor noncustodial parent with a child receiving IV-A assistance may be held liable for support.	373	666(a)(18)	Effective following the first legislative session (State option)
Medical orders	State laws requiring procedures under which IV-D child support orders include health care coverage and the state agency transfers notice of coverage to new employers.	382	666(a)(19)	Effective following the first legislative session
UIFSA	Adoption of UIFSA, with modifications.	321	666(f)	Jan. 1, 1998

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changes

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CURRENT
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Appendix C

PRWORA Child Support Provisions
Requiring State Plan Amendment¹³²

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
<i>CSED</i> <i>Gov</i> Eligibility for IV-D services	State plan must provide for services to nonresidents and former IV-A recipients, and for enforcement support obligations with respect to children and custodial parents.	301	654(a)(4), (6), and (25)	Oct. 1, 1996
Distribution to current IV-A families	State plan must provide that support will be distributed according to 42 U.S.C. §657. Federal \$50 pass-through requirement repealed. States may retain or distribute the state's share of collections to IV-A families. Federal share must be paid first, regardless if state has obligation under state law or AFDC state plan to continue paying pass-through from state share.	302	657(a); 654(11)	Oct. 1, 1996, except that states have option to implement earlier.
<i>LEG</i> Cooperation	State plan must provide for the IV-D agency to determine cooperation under revised rules.	333	654(29)	Oct. 1, 1996
<i>CSED</i> <i>Gov</i> Data definitions	State plan must require use of standard data definitions developed by HHS.	343	654(30)	Oct. 1, 1996
<i>CSED</i> <i>Gov</i> International enforcement	State plan must provide that state treats requests for services by foreign reciprocating countries as requests by states.	371	654(32)	Oct. 1, 1996
<i>CSED</i> <i>Gov</i> <i>D.O. LAW</i> Tribal enforcement	State plan must provide for states that have Indian country within their borders that the state may enter into cooperative agreements with an Indian tribe or tribal organization.	375	654(33)	Oct. 1, 1996

¹³² Effective on the date specified in the last column of this table, unless state law or constitutional amendment is required. If state laws must be enacted or amended, the effective date is the first day of the first quarter after the close of the first regular legislative session held after enactment of PRWORA. If constitutional amendments must be adopted, states have one year after the effective date of the amendment, or five years after enactment of PRWORA, whichever is earlier. PRWORA was enacted August 22, 1996.

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
<i>CSED GOV</i>	Interstate forms	324	654(9)	March 1, 1997
<i>CSED GOV</i>	Privacy safeguards	303	654(26)	Oct. 1, 1997
<i>LEG CSED GOV</i>	Notification of hearings	304	654(12)	Oct. 1, 1997
<i>CSED GOV</i>	Reviews and reports	342	654(15);	Calendar quarter beginning twelve months after enactment (Oct. 1, 1997)
<i>CSED GOV</i>	Passports	370	654(31)	Oct. 1, 1997
<i>CSED GOV LEG capital budget</i>	Directory of new hires	313	654(28); 653A	Oct. 1, 1997, except for pre-enactment new hire directories, which must conform by Oct. 1, 1998
<i>CSED GOV LEG</i>	Disbursement unit	312	654(27); 654B	Oct. 1, 1998, except that state has option to process collections through local courts until Oct. 1, 1999

Appendix D

PRWORA Child Support Provisions Effective After October 1, 1996 and by October 1, 1997 (FY 1997 and 1998)¹³³

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date	
<i>FEDS</i> <i>CSED</i>	Federal employees	Revised authority to withhold income from federal employees.	362	659	Six months after enactment (Feb. 22, 1997)
<i>FEDS</i>	Incentives report	HHS must develop a new performance-based incentive system and report to Congress.	341	n/a	March 1, 1997
<i>GOV</i> <i>CSED</i>	Interstate forms	State plan must provide that states will use national forms in interstate cases.	324	654(9)	March 1, 1997
<i>CURRENT LAW</i>	Distribution	State must distribute assigned post-assistance arrearages to families first.	302	657	Oct. 1, 1997
<i>GOV</i> <i>CSED</i> <i>LEG</i>	Privacy safeguards	State plan must provide for privacy safeguards on disclosure of information.	303	654(26)	Oct. 1, 1997
<i>GOV</i> <i>CSED</i> <i>LEG</i>	Notification of hearings	State plan must provide for notice of hearings and copies of orders to IV-D applicants and recipients and parties to IV-D cases.	304	654(12)	Oct. 1, 1997
<i>GOV</i> <i>CSED</i> <i>LEG</i> <i>CAPITAL BUDGET</i>	Directory of new hires	State plan must provide for creation of state directory of new hires, and report to FPLS.	313	654(28); 653A	Oct. 1, 1997, except for pre-existing state new hire directories, which must come into compliance by Oct. 1, 1998
<i>FEDS</i>	FPLS	HHS must operate a national directory of new hires.	316	653(i)	Oct. 1, 1997
<i>GOV</i> <i>CSED</i> <i>LEG</i>	Statewide system	State must meet all FSA statewide automated systems requirements.	343	654(24)	Oct. 1, 1997

¹³³ Excludes state law changes, which must be effective on the effective date of the state legislation or the first day of the first quarter after the close of the first regular legislative session held after enactment of PRWORA.

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Feds

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
Reviews and audits	State plan must provide for annual reviews and submit performance data; HHS must conduct reviews and audits.	342	654(15); 652(a)(4)	Calendar quarter beginning 12 months after enactment (Oct. 1, 1997)
IRS fees	IRS may not assess additional fees on certified amounts.	361	26 U.S.C. §6305(a)	Oct. 1, 1997
Passports	State must have procedures for certifying cases with arrearages of more than \$5000 to HHS. HHS must submit cases with state-certified arrearages to Secretary of State, who must deny passport applications and may revoke or limit issued passports.	370	652(k)	Oct. 1, 1997

Appendix E

PRWORA Child Support Provisions Effective after October 1, 1997
(in FY 1998, 1999, 2000, and 2001)

Provision	Description	PRWOR A Section	Amending 42 U.S.C §	Effective Date
<i>Gov CSED LEG Budget FEDS</i>	Data matching	317	666(a)(13)	May 1, 1998
	Distribution study	302	657	Oct. 1, 1998
<i>Gov CSED LEG</i>	Disbursement unit	312	654(27); 654B	Oct. 1, 1998, except that state has option to process collections through local courts until Oct. 1, 1999
<i>AK CSED LEG Budget</i>	New hire directory	313	653A	Oct. 1, 1998
<i>FPLS FEDS</i>	HHS must operate a federal case registry.	316	653(h)	Oct. 1, 1998
<i>NOT AK</i>	Disbursement unit	312	654B	Oct. 1, 1999
<i>FEDS but will effect so AHA CSED LEG</i>	Incentive system	341	658	Oct. 1, 1999
	Distribution	302	657	Oct. 1, 2000
<i>Gov CSED LEG Budget</i>	Statewide system	344	654A	Oct. 1, 2000, except that state must conduct automated matches of SSN in case registry and new hire registry by May 1, 1998

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DRAFT

LEGISLATIVE/REGULATORY ANALYSIS CHECKLIST: CHILD SUPPORT REQUIREMENTS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

STATE _____ REVIEWER _____

DATE REVIEW COMPLETED _____

REGIONAL COUNSEL CONCURRENCE _____ DATE _____

This form is designed to be used as a checklist in the analysis of legislation, regulations and/or procedures which have the effect of law developed to meet the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. A State may meet the requirement through enactment of State law, regulations (including court rules) and/or procedures which have the force and effect of law. If a State's law, regulations, and/or procedures meet the requirement, insert in the blank provided, the cite in the new or current State law, regulations, and/or procedures which meets the requirement. If the requirement is not met, insert "no" in the blank.

SEC. 314. AMENDMENTS CONCERNING INCOME WITHHOLDING Meet/Cite
466(a)(1) of the Act).

All references to "wages" in the requirements at 466(a) and (b) are changed to "income."

The State must have and use:

Procedures under which the income of a person with a support obligation imposed by a support order issued (or modified) in the State before October 1, 1996, if not otherwise subject to withholding, shall become subject to withholding if arrearages occur, without the need for a judicial or administrative hearing.

ASZS, 27.150(k)

For cases being enforced under the State plan, income withholding must be carried out in full compliance with all procedural due process requirements of the State, and the State must send notice to each noncustodial parent to whom the above paragraph applies:

- that the withholding has commenced; and
- of the procedures to follow if the noncustodial parent desires to contest such withholding on the grounds that the withholding or the amount withheld is improper due to a mistake of fact.

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Withholding must be administered by the State through the State disbursement unit in accordance with 454B of the Act.

Meet/Cite

The employer shall withhold funds as directed in the notice, and pay such amount to the State disbursement unit within 7 business days. When an employer receives an income withholding order issued by another State, the employer shall apply the income withholding law of the state of the obligor's principal place of employment in determining:

- the employer's fee for processing an income withholding order;
- the maximum amount permitted to be withheld from the obligor's income;
- the time periods within which the employer must implement the income withholding order and forward the child support payment;
- the priorities for withholding and allocating income withheld for multiple child support obligees; and
- any withholding terms or conditions not specified in the order.

An employer who complies with an income withholding notice that is regular on its face shall not be subject to civil liability to any individual or agency for conduct in compliance with the notice.

Imposition of a fine against any employer who:

- discharges from employment, refuses to employ, or takes disciplinary action against any noncustodial parent subject to income withholding because of the existence of such withholding and the obligations or additional obligations which it imposes upon the employer; or
- fails to withhold support from income or to pay such amounts to the State disbursement unit.

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Meet/Cite

The term "income" means any periodic form of payment due to an individual, regardless of source, including wages, salaries, commissions, bonuses, worker's compensation, disability, payments pursuant to a pension or retirement program, and interest.

Procedures under which the agency administering the State plan may execute a withholding order without advance notice to the obligor, including issuing the withholding order through electronic means.

SEC. 315. LOCATOR INFORMATION FROM INTERSTATE NETWORKS (466(a)(12) of the Act).

The State must have and use procedures to ensure that all Federal and State agencies conducting -- activities have access to any system used by the State to locate an individual for purposes relating to motor vehicles or law enforcement.

SEC. 317. COLLECTION AND USE OF SOCIAL SECURITY NUMBERS FOR USE IN CHILD SUPPORT ENFORCEMENT (466(a)(13) of the Act).

The State must have and use procedures requiring that the social security number of:

- any applicant for a professional license, commercial driver's license, occupational license, or marriage license be recorded on the application;
- any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment be placed in the records relating to the matter; and
- any individual who has died be placed in the records relating to the death and be recorded on the death certificate.

If a State allows the use of a number other than the social security number, the State shall so advise any applicants.

SEC. 321. ADOPTION OF UNIFORM STATE LAWS (466(f) of the Act).Meat/Cite

On and after January 1, 1998, each State must have in effect the Uniform Interstate Family Support Act, as approved by the American Bar Association on February 9, 1993, together with any amendments officially adopted before January 1, 1998 by the National Conference of Commissioners on Uniform State Laws.

SEC. 323. ADMINISTRATIVE ENFORCEMENT IN INTERSTATE CASES (466(a)(14) of the Act).

The State shall respond within 5 business days to a request made by another State to enforce a support order.

The State may, by electronic or other means, transmit to another State a request for assistance in a case involving the enforcement of a support order, which request:

- shall include such information as will enable the State to which the request is transmitted to compare the information about the case to the information in the data bases of the State; and
- shall constitute a certification by the requesting State:
 - of the amount of support under the order the payment of which is in arrears; and
 - that the requesting State has complied with all procedural due process requirements applicable to the case.

If the State provides assistance to another State pursuant to this paragraph with respect to a case, neither State shall consider the case to be transferred to the caseload of such other State; and

The State shall maintain records of:

- the number of such requests for assistance received by the State;

Meet/Cite

- the number of cases for which the State collected support in response to such a request; and
- the amount of such collected support.

SEC. 325. STATE LAWS PROVIDING EXPEDITED PROCEDURES (466(a)(2) of the Act).

The State must have and use:

Procedures which give the State agency the authority to take the following actions relating to establishment of paternity or to establishment, modification, or enforcement of support orders, without the necessity of obtaining an order from any other judicial or administrative tribunal, and to recognize and enforce the authority of State agencies of other States to take the following actions:

- To order genetic testing for the purpose of paternity establishment.
- To subpoena any financial or other information needed to establish, modify, or enforce a support order, and to impose penalties for failure to respond to such a subpoena.
- To require all entities in the State (including for-profit, nonprofit, and governmental employers) to provide promptly, in response to a request by the State agency of that or any other State administering a program under this part, information on the employment, compensation, and benefits of any individual employed by such entity as an employee or contractor, and to sanction failure to respond to any such request.
- To obtain access, subject to safeguards on privacy and information security, and subject to the nonliability of entities that afford such access under this subparagraph, to information contained in the following records (including automated access, in the case of records maintained in automated data bases):

Meet/Cite

- Records of other State and local government agencies, including:

- o vital statistics (including records of marriage, birth, and divorce);
- o State and local tax and revenue records (including information on residence address, employer, income and assets);
- o records concerning real and titled personal property;
- o records of occupational and professional licenses, and records concerning the ownership and control of corporations, partnerships, and other business entities;
- o employment security records;
- o records of agencies administering public assistance programs;
- o records of the motor vehicle department; and
- o corrections records.

- Certain records held by private entities with respect to individuals who owe or are owed support (or against or with respect to whom a support obligation is sought), consisting of:

- o the names and addresses of such individuals and the names and addresses of the employers of such individuals, as appearing in customer records of public utilities and cable television companies, pursuant to an administrative subpoena; and
- o information (including information on assets and liabilities) on such individuals held by financial institutions.

Meet/Cite

- In cases in which support is subject to an assignment in order to comply with a requirement imposed pursuant to TANF or Medicaid, or to a requirement to pay through the State disbursement unit established pursuant to section 454B of the Act, upon providing notice to obligor and obligee, to direct the obligor or other payor to change the payee to the appropriate government entity.
- To order income withholding.
- In cases in which there is a support arrearage, to secure assets to satisfy the arrearage by:
 - intercepting or seizing periodic or lump-sum payments from:
 - o a State or local agency, including unemployment compensation, workers' compensation, and other benefits; and
 - o judgments, settlements, and lotteries;
 - attaching and seizing assets of the obligor held in financial institutions;
 - attaching public and private retirement funds; and
 - imposing liens and, in appropriate cases, to force sale of property and distribution of proceeds.
- For the purpose of securing overdue support, to increase the amount of monthly support payments to include amounts for arrearages, subject to such conditions or limitations as the State may provide. Such procedures shall be subject to due process safeguards, including (as appropriate) requirements for notice, opportunity to contest the action, and opportunity for an appeal on the record to an independent administrative or judicial tribunal.

Meet/Cite

The expedited procedures required shall include the following rules and authority, applicable with respect to all proceedings to establish paternity or to establish, modify, or enforce support orders:

■ Procedures under which:

- each party to any paternity or child support proceeding is required (subject to privacy safeguards) to file with the tribunal and the State case registry upon entry of an order, and to update as appropriate, information on location and identity of the party, including social security number, residential and mailing addresses, telephone number, driver's license number, and name, address, and telephone number of employer; and
- in any subsequent child support enforcement action between the parties, upon sufficient showing that diligent effort has been made to ascertain the location of such a party, the tribunal may deem State due process requirements for notice and service of process to be met with respect to the party, upon delivery of written notice to the most recent residential or employer address filed with the tribunal.

■ Procedures under which:

- the State agency and any administrative or judicial tribunal with authority to hear child support and paternity cases exerts statewide jurisdiction over the parties; and
- in a State in which orders are issued by courts or administrative tribunals, a case may be transferred between local jurisdictions in the State without need for any additional filing by the petitioner, or service of process upon the respondent, to retain jurisdiction over the parties.

The automated system shall be used, to the maximum extent feasible, to implement the expedited administrative procedures required by section 466(c) of the Act.

Meet/Cite

SEC. 391. STATE LAWS CONCERNING PATERNITY ESTABLISHMENT (466(a)(5) of the Act).

The State must have and use:

- Procedures under which the State is required, in a contested paternity case (unless otherwise barred by State law) to require the child and all other parties (other than individuals found under section 454(29) of the Act to have good cause and other exceptions for refusing to cooperate) to submit to genetic tests upon the request of any such party, if the request is supported by a sworn statement by the party:
 - alleging paternity, and setting forth facts establishing a reasonable possibility of the requisite sexual contact between the parties; or
 - denying paternity, and setting forth facts establishing a reasonable possibility of the nonexistence of sexual contact between the parties.

- Procedures which require the State agency, in any case in which the agency orders genetic testing:
 - to pay costs of such tests, subject to recoupment (if the State so elects) from the alleged father if paternity is established; and
 - to obtain additional testing in any case if an original test result is contested, upon request and advance payment by the contestant.

Procedures for a simple civil process for voluntarily acknowledging paternity under which the State must provide that, before a mother and a putative father can sign an acknowledgment of paternity, the mother and the putative father must be given notice, orally and in writing, of the alternatives to, the legal consequences of, and

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the rights (including, if 1 parent is a minor, any rights afforded due to minority status) and responsibilities that arise from, signing the acknowledgment which:

Meet/Cite

- must require the State agency responsible for maintaining birth records to offer voluntary paternity establishment services.
- must require the State to develop and use an affidavit for the voluntary acknowledgment of paternity which includes the minimum requirements of the affidavit specified by the Secretary under section 452(a)(7) of the Act for the voluntary acknowledgment of paternity, and to give full faith and credit to such an affidavit signed in any other State according to its procedures.

Procedures under which the name of the father shall be included on the record of birth of the child of unmarried parents only if:

- the father and mother have signed a voluntary acknowledgment of paternity; or
- a court or an administrative agency of competent jurisdiction has issued an adjudication of paternity.

Nothing shall preclude a State agency from obtaining an admission of paternity from the father for submission in a judicial or administrative proceeding, or prohibit the issuance of an order in a judicial or administrative proceeding which bases a legal finding of paternity on an admission of paternity by the father and any other additional showing required by State law.

- Procedures under which a signed voluntary acknowledgment of paternity is considered a legal finding of paternity, subject to the right of any signatory to rescind the acknowledgment within the earlier of:
 - 60 days; or
 - the date of an administrative or judicial proceeding relating to the child (including a proceeding to establish a support order) in which the signatory is a party.

Meet/Cite

Procedures under which, after the 60-day period referred to above, a signed voluntary acknowledgment of paternity may be challenged in court only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenger, and under which the legal responsibilities (including child support obligations) of any signatory arising from the acknowledgment may not be suspended during the challenge, except for good cause shown.

Procedures under which judicial or administrative proceedings are not required or permitted to ratify an unchallenged acknowledgment of paternity.

Provide that procedures:

- requiring the admission into evidence, for purposes of establishing paternity, of the results of any genetic test that is:
 - of a type generally acknowledged as reliable by accreditation bodies designated by the Secretary; and
 - performed by a laboratory approved by such an accreditation body;
 - requiring an objection to genetic testing results to be made in writing not later than a specified number of days before any hearing at which the results may be introduced into evidence (or, at State option, not later than a specified number of days after receipt of the results); and

Procedures providing that the parties to an action to establish paternity are not entitled to a trial by jury.

Procedures which require that a temporary order be issued, upon motion by a party, requiring the provision of child support pending an administrative or judicial determination of parentage, if there is clear and convincing evidence of paternity (on the basis of genetic tests or other evidence).

Meet/Cite

Procedures under which bills for pregnancy, childbirth, and genetic testing are admissible as evidence without requiring third-party foundation testimony, and shall constitute prima facie evidence of amounts incurred for such services or for testing on behalf of the child.

Procedures ensuring that the putative father has a reasonable opportunity to initiate a paternity action.

Procedures under which voluntary acknowledgments and adjudications of paternity by judicial or administrative processes are filed with the State registry of birth records for comparison with information in the State case registry.

SEC. 351. SIMPLIFIED PROCESS FOR REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS (466(e)(10) of the Act).

The State must have and use:

Procedures under which every 3 years (or such shorter cycle as the State may determine), upon the request of either parent, or, if there is an assignment under TANF, upon the request of the State agency under the State plan or of either parent, the State shall with respect to a support order being enforced under this part, taking into account the best interests of the child involved:

- [] Review and, if appropriate, adjust the order in accordance with the guidelines established pursuant to section 467(a) of the Act if the amount of the child support award under the order differs from the amount that would be awarded in accordance with the guidelines;
- [] apply a cost-of-living adjustment to the order in accordance with a formula developed by the State; or
- [] use automated methods (including automated comparisons with wage or State income tax data) to identify orders eligible for review, conduct the review, identify orders eligible for adjustment, and apply the appropriate adjustment to the orders eligible for adjustment under any threshold that may be established by the State.

Meet/Cite

If the State elects to conduct the review through COLA or automated methods, procedures which permit either party to contest the adjustment, within 30 days after the date of the notice of the adjustment, by making a request for review and, if appropriate, adjustment of the order in accordance with the child support guidelines established pursuant to section 467(a) of the Act.

Procedures which provide that any adjustment under the 3-year cycle shall be made without a requirement for proof or showing of a change in circumstances.

Procedures under which, in the case of a request for a review, and if appropriate, an adjustment outside the 3-year cycle (or such shorter cycle as the State may determine), the State shall review and, if the requesting party demonstrates a substantial change in circumstances, adjust the order in accordance with the guidelines established pursuant to section 467(a) of the Act.

Procedures which require the State to provide notice not less than once every 3 years to the parents subject to the order informing the parents of their right to request the State to review and, if appropriate, adjust the order pursuant to this paragraph. The notice may be included in the order.

SEC. 364. VOIDING OF FRAUDULENT TRANSFERS (466(g) of the Act).

Each State must have in effect:

- [] the Uniform Fraudulent Conveyance Act of 1981;
- [] the Uniform Fraudulent Transfer Act of 1984; or
- [] another law, specifying indicia of fraud which create a prima facie case that a debtor transferred income or property to avoid payment to a child support creditor, which the Secretary finds affords comparable rights to child support creditors; and

Meet/Cite

Have procedures under which, in any case in which the State knows of a transfer by a child support debtor with respect to which such a prima facie case is established, the State must:

- [] seek to void such transfer; or
- [] obtain a settlement in the best interests of the child support creditor.

SEC. 365. WORK REQUIREMENT FOR PERSONS OWING PAST-DUE CHILD SUPPORT (466(a)(15) of the Act).

The State must have and use procedures under which the State has the authority, in any case in which an individual owes past-due support with respect to a child receiving assistance under a State program funded under TANF, to issue an order or to request that a court or an administrative process established pursuant to State law issue an order that requires the individual to:

- pay such support in accordance with a plan approved by the court, or, at the option of the State, a plan approved by the State agency administering the State program; or
- if the individual is subject to such a plan and is not incapacitated, participate in such work activities as the court, or, at the option of the State, the State agency administering the State program, deems appropriate.

SEC. 367. REPORTING ARREARAGES TO CREDIT BUREAUS (466(a)(7) of the Act).

The State must have and use:

Procedures requiring the State to report periodically to consumer reporting agencies (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) the name of any noncustodial parent who is delinquent in the payment of support, and the amount of overdue support owed by such parent.

Meet/Cite

Procedures ensuring that information with respect to a noncustodial parent is reported:

- only after such parent has been afforded all due process required under State law, including notice and a reasonable opportunity to contest the accuracy of such information; and
- only to an entity that has furnished evidence satisfactory to the State that the entity is a consumer reporting agency (as so defined).

SEC. 368. LIENS (466(a)(4) of the Act).

The State must have and use procedures under which:

- liens arise by operation of law against real and personal property for amounts of overdue support owed by a noncustodial parent who resides or owns property in the State; and
- the State accords full faith and credit to liens arising in another State, when the State agency, party, or other entity seeking to enforce such a lien complies with the procedural rules relating to recording or serving liens that arise within the State, except that such rules may not require judicial notice or hearing prior to the enforcement of such a lien.

SEC. 369. STATE LAW AUTHORIZING SUSPENSION OF LICENSES (466(a)(16) of the Act).

The State must have and use procedures under which the State has (and uses in appropriate cases) authority to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings.

SEC. 372. FINANCIAL INSTITUTION DATA MATCHES
(466(a)(17) of the Act).Meet/Cite

The State must have and use:

Procedures under which the State agency shall enter into agreements with financial institutions doing business in the State:

- to develop and operate, in coordination with such financial institutions, a data match system, using automated data exchanges to the maximum extent feasible, in which each such financial institution is required to provide for each calendar quarter the name, record address, social security number or other taxpayer identification number, and other identifying information for each noncustodial parent who maintains an account at such institution and who owes past-due support, as identified by the State by name and social security number or other taxpayer identification number; and
- in response to a notice of lien or levy, encumber or surrender, as the case may be, assets held by such institution on behalf of any noncustodial parent who is subject to a child support lien.

SEC. 373. ENFORCEMENT OF ORDERS AGAINST PATERNAL OR MATERNAL GRANDPARENTS IN CASES OF MINOR PARENTS
(465(a)(18) of the Act).

The State must have and use procedures under which, at the State's option, any child support order enforced respect to a child of minor parents, if the custodial parent of such child is receiving assistance under the State program under part A of the Act, shall be enforceable, jointly and severally, against the parents of the noncustodial parent of such child.

SEC. 382. ENFORCEMENT OF ORDERS FOR HEALTH CARE COVERAGE (466(a)(19) of the Act).

The State must have and use procedures under which all IV-D child support orders enforced pursuant to this part shall include a provision for the health care coverage of the child, and in the case in which a noncustodial parent provides such coverage and changes employment, and the new employer

SEP 19 '96 11:36AM

P.17

provides health care coverage, the State agency shall transfer notice of the provision to the employer, which notice shall operate to enroll the child in the noncustodial parent's health plan, unless the noncustodial parent contests the notice.

Each state must meet the following minimum work participation rates:

Fiscal Year	All Families		Two-Parent Families	
	Participation Rate	Weekly Hours of Work	Participation Rate	Weekly Hours of Work
1997	25%	20	75%	35
1998	30%	20	75%	35
1999	35%	25	90%	35
2000	40%	30	90%	35
2001	45%	30	90%	35
2002	50%	30	90%	35

The law provides for a pro rata reduction in the participation rates for caseload reductions below FY 1995 levels that are not due to changes in eligibility or federal law.

The rules governing which activities count toward these work participation rates are complex. In general, participants must do real subsidized or unsubsidized work. Circumstances under which education (except in the case of teen parents), training or job search count toward meeting the requirements are limited.

Penalties: States can be penalized for misusing TANF funds and for failure to:

- Submit required reports
- Satisfy work requirements
- Participate in the Income and Eligibility Verification System
- Comply with paternity establishment and Child Support Enforcement requirements
- Repay a federal loan on time
- Meet state maintenance of effort requirements under either TANF or the contingency fund
- Comply with five-year limit on assistance
- Maintain assistance when parents cannot find child care for child under age 6.

States are generally given the opportunity to claim reasonable cause and develop a corrective compliance plan before they can be penalized. The total penalty amount assessed in a given year may not exceed 25 percent of a state's block grant allotment.

Medicaid: Medicaid eligibility is delinked from receipt of family assistance, except that states are required to provide medical assistance to individuals based on income and resource eligibility

requirements under Title IV-A as in effect prior to passage of the new law. Up to \$500 million is authorized for increased federal Medicaid matching for additional administrative costs related to this provision.

Tribal provision: Federally-recognized Indian tribes may apply to operate a TANF block grant program. TANF allotments for Indian tribes are based upon previous State expenditures of Federal dollars in AFDC, EA, and JOBS in fiscal year 1994. Tribal TANF programs can be implemented as early as 7/1/97. Like States, Indian tribes may use their TANF funding in any manner reasonably calculated to accomplish the purposes of TANF, and they have broad flexibility to determine eligibility, method of assistance, and benefit levels.

TITLE II: SUPPLEMENTAL SECURITY INCOME

New definition of disability for children: The law changes the definition of disability for children that requires a child, in order to be eligible for SSI benefits, to have a specific medically determinable physical or mental impairment which results in "marked and severe" functional limitations and which can be expected to last for at least 12 months or to result in death. The Social Security Administration (SSA) is required to remove the references to "maladaptive behavior" as a medical criterion for evaluating mental disabilities in children.

Application to new and current cases: The new definition applies immediately to new claims for assistance, including claims that have not been finally adjudicated as of the date of enactment. SSA must redetermine the cases of children currently receiving SSI to determine whether they meet the new criteria, but the earliest that current recipients may lose benefits is July 1, 1997. SSA must notify all children potentially affected by the change by January 1, 1997. The SSA appeals process is available to individuals who are found ineligible.

TITLE III: CHILD SUPPORT

Connection to TANF program: In order to receive the TANF block grant, states must operate a child support enforcement program. Applicants for and recipients of TANF assistance and Medicaid must assign support rights to the state and cooperate with child support enforcement efforts. States must deduct a minimum of 25 percent from a family's cash assistance grant (and may deny cash assistance entirely) for a failure to cooperate with child support without good cause. States that fail to do so will be penalized up to 5 percent of the TANF block grant in the next fiscal year. States are no longer required to pass through \$50 of child support collected to recipients. States can pass through any amount they want to the family, but they are also required to reimburse the federal government for its share (about 50%) of any child support collected. Under the "Family First" policy, families no longer receiving cash assistance will have priority in the receipt of past-due child support payments.

Data systems requirements and other provisions: In order to make it more difficult for people who owe child support to evade collection efforts, the law requires a set of new data systems. By

PROVISION	PRIOR LAW	P.L. 104 -193
SSI Continuing Disability Reviews (CDRs)	Required the Social Security Administration (SSA) to conduct CDRs on at least 100,00 SSI cases (including both adults and children) in each of FYs 1996-1998.	<p>Requires CDRs once every 3 years for recipients under age 18 with non-permanent impairments and not later than 12 months after birth for low-birth weight babies.</p> <p>Requires that the representative payee of a recipient whose continuing eligibility is being reviewed to present evidence, at the time of the review, that the recipient is receiving medical treatment, unless the Commissioner of SSA determines that such treatment would be inappropriate or unnecessary. The Commissioner may change the payee if he/she refuses to cooperate. Applies to benefits for months beginning on or after enactment.</p>
SSI Redetermination Upon Attainment of Age 18	<p>Required redeterminations, using the adult initial eligibility criteria, of the eligibility of one-third of the recipients who attain age 18 in or after May 1995 in each of the FYs 1996 through 1998.</p> <p>Required SSA to submit a report regarding these reviews to Congress not later than 10/1/98.</p>	<p>Requires eligibility determinations, using adult initial eligibility criteria during the one-year period beginning on a recipient's 18th birthday.</p> <p>No provision for reports to Congress regarding these reviews.</p>

PROVISION	PRIOR LAW	P.L. 104-193
Title III: Child Support		
<p>Child Support</p>	<p>The state was required to establish paternity and establish and enforce child support orders for AFDC, Medicaid, IV-E recipients, and for all others upon request.</p> <p>States were required to disregard the first \$50 a month in child support payments collected by the state and pass that amount through to the family.</p>	<p>States must operate a child support enforcement program meeting federal requirements in order to be eligible for the Family Assistance Program. Recipients must assign rights to child support and cooperate with paternity establishment efforts. Distribution rules are changed so that families no longer on assistance have priority in receipt of child support arrears. Current law \$50 pass-through is not required. Individuals who fail to cooperate with paternity establishment will have their monthly cash assistance reduced by at least 25%.</p> <p>Streamlines the process for establishing paternity and expands the in-hospital voluntary paternity establishment program.</p> <p>The law requires states to establish central registries of child support orders and centralized collection and disbursement units. Requires states to have expedited procedures for child support enforcement.</p> <p>Establishes a Federal Case Registry and National Directory of New Hires to track delinquent parents across states lines. Requires that employers report all new hires to state agencies and new hire information to be transmitted to the National Directory of New Hires. Expands and streamlines procedures for direct withholding of child support from wages.</p> <p>Provides for uniform rules, procedures, and forms for interstate cases.</p> <p>Requires states to have numerous new enforcement techniques, including the revoking of drivers and professional licenses for delinquent obligors, expanding wage garnishment, and allowing states to seize assets.</p> <p>Provides grants to states for access and visitation programs.</p>

RECEIVED
BARBARA A. CROSBIE REVENUE
1203 Halcyon Drive ANCHORAGE
Worcester, MA 01606
07 APR 15 PM 3:44

April 11, 1997

Mr. Ben L. Lyman
Alaska Dept. of Revenue
Child Support Enforcement Division
550 W. 7th Ave., 4th Floor, MS 20
Anchorage, AK 99501-6699

Re: Case #3VA-79-216

Dear Mr. Lyman:

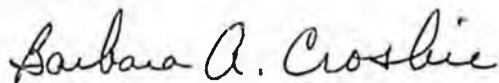
Pursuant to our conversation this week, I want to thank you again for the excellent service I have received from your department. Through your efforts, I am expecting a payment of almost \$5,000. which the State of California was able to collect from my ex-husband. Needless to say, this was wonderful news.

I have been working with the Alaska Child Support Division since 1991, when I first filed the paperwork to try and collect the child support never paid by my ex-husband. Frankly, at that time I thought it would be a hopeless attempt, as it went back to 1979 and I wasn't even sure where he was. Not only was your office able to locate him, but within 3 months had started garnishing his wages to pay on the current and past due balances.

I have had numerous letters, phone conversations and faxes with your office over the past 6 years and have always been treated professionally, compassionately and promptly. It is a relief to deal with a government agency that doesn't behave like a "typical" bureaucracy. Obviously, without your diligence my daughter and I would have never received any financial assistance from her father.

Again, thank you for your continuing efforts on behalf of myself and my daughter. It is greatly appreciated.

Sincerely,



Barbara A. Crosbie

/bac

cc: Govenor Tony Knowles

Office Of The
ELKO COUNTY DISTRICT ATTORNEY

575 COURT STREET
ELKO, NEVADA 89801

GARY D. WOODBURY
District Attorney

JOHN S. MCGIMSEY
Chief Criminal Deputy

KRISTIN A. McQUEARY
Chief Civil Deputy

ROBERT J. LOWE
ROGER R. HARADA
LAURA LOUISE GRANT
KAY MARION MACUIL
Deputy District Attorneys

21
RECEIVED
DEPT. OF REVENUE
CSED-AN
Telephone: (702) 738-3101
Fax: (702) 738-0160
97 APR - 7 AM 10:50
CHILD SUPPORT ENFORCEMENT
521 S. D Street
Elko, Nevada 89801
Telephone: (702) 738-3474

April 1, 1997

CHILD SUPPORT DIVISION
550 W 7TH AVE 4TH FL
ANCHORAGE, AK 99501

RE: HARRIS, TONI K vs ROUNDTREE, CLYDE
OUR CASE NO. 4603
YOUR CASE NO. 4AE-86-05146

Dear Caseworker;

The State of Nevada Child Support Enforcement Program will be converting to a new state wide computer system in October 1997. Our office is requesting an updated month by month arrears worksheet on the above case. We are requesting this information so our office can convert the correct amount of financial information that may be due to your state or custodian.

Please provide this worksheet at your earliest convenience. We appreciate your time in this matter.

If you do not provide our office with the updated arrears worksheet, your case could fail the conversion process and we may load the incorrect information.

Sincerely,

Elko County Child Support Enforcement

AM

1996 YEAR END STATEMENT

13TH CIRCUIT
 FRIEND OF THE COURT
 ANTRIM, GRAND TRAVERSE
 AND LEELANAU COUNTIES
 (616) 922-4660

COUNT NO. GT15228

YEAR TO DATE:	PAID:	BALANCE:
AMT. TO PAYEE RECEIVED \$	544.00	\$ 3062.00
AMT. TO STATE OF REVENUE	.00	\$.00
ALIMONY USED-ANCHORAGE	.00	\$.00
(OTHER)	.00	\$.00
(OTHER) JAN 14 AM 10:30	.00	\$.00
SERVICE FEES	13.00	\$.00
TOTAL (DUE/CR)	557.00	\$ 3062.00 DUE

LAST PAYMENT REC'D: 12/19/96
 (date)

CASE ASSIGNED TO: AL CROCKER
 (worker name)

001767
 ALASKA CSED
 FOR Y. DELL #1KE-93-616
 POB 102760
 ANKORAGE AK 99510-2760

DMOS #

This is a statement of your account with this office. Please retain it for your records as duplicates will not be furnished without charge

Dear Parents:

The holidays have just passed for another year. We all hope every parent had an opportunity to spend some happy and quality time with your children. After all, and for most of us, our children are to be our most important contribution to the world. In turn, the most important contribution we can make to our children is the respect fathers show for their children's mother and the respect that mothers show for their children's father. This also shows respect for ourselves and the indelible choice we have each made. Well adjusted, happy children and strong young adults, of which we all can be proud, are the reward of this mutual effort and kids deserve nothing less.

Some updating and housekeeping information may interest you with respect to the Friend of the Court operation. One item we have discussed in the past several editions of this letter has been the development, or lack thereof, of the statewide Child Support Enforcement System (CSES). As you know, this Office has resisted installing this system locally on the grounds that it is a 14 year, \$103 million disaster, that can not even accomplish what our own small local system has been providing. Recently, both the State Auditor General's Office and a privately contracted consulting firm confirmed this long held local view of CSES problems, both as to programing and as to management. Until such time as the development of this system can provide services equivalent to those you are receiving through our present system, we will continue to oppose installing it locally. Everyone now admits that this system will not accommodate the State's four largest counties, so other development, more time and even more money expended will be necessary before there is any meaningful Statewide system. We don't know what that means for you or for us at this time.

Payment of support obligations through means of electronic funds transfer have proven to be both extremely accurate and cost effective. We would like to note, however, that since checks are no longer mailed, we are not getting changes of address submitted to us as they occur. We do send communications necessary to all of you during the year and are only obligated by statute to send mail to the last known address you have reported to us. This has caused some difficulties for not only the Office here, but more importantly to some of our parents who did not timely receive information or notices mailed to them at the addresses we had on file. Please promptly write us with any changes in your residence and/or mailing address to avoid such difficulties.

Along those same lines, we need to keep changes in the medical coverage on your children up to date within our files. This is becoming an increasingly important area and keeping that information current here can also help avoid problems. Please write us a note indicating any changes made.

This coming year you may hear something about "centralized" collections. That may mean all support obligated parents will send payments to a giant accounting office in Lansing. Friends of the Court are opposed to that plan and hope instead to make more use of the electronic banking available within the state to keep accounting local.

Another matter you may have heard about is "Court Reform". A large number of bills has been passed by your legislature on that topic. Essentially these new laws create a "Family Court" within the Circuit Court. Many functions that the Probate Court currently performs, as well as the functions of the Friend of the Court, are expected to be merged into this new "Family Court". Accomplishing this will be no easy task. Fortunately, the Probate and Circuit Courts have until January 1, 1998, to figure out how this will work. There is not much direction in the new laws and, with so many differences in these Courts around the State, one can only speculate on how this will effect current operations of either Court in any location within the State.

You should also know that the fall '96 passage of Federal Welfare Reform, that was a keystone in political re-election campaigns, will also have a great number of impacts locally. Indeed, the effects will be fairly substantial and are too numerous to discuss here. Again it will take some time to know exactly how all the new requirements will impact on you and on the operations of this Office.

This is has been a very active time in State and Federal political arenas for domestic relations matters. So active, in fact, that front line Offices, which provide the services, are spending much valuable time trying to understand, develop and integrate new initiatives. This effort has and will continue to divert scarce resources that used to be spent on delivering quality services to people, although every effort is being made to maintain quality services.

More could be said, but time and space only permit that the 4% twice a year "surcharge" is mentioned. This is the added charge, like "interest", made to all amounts past due as of each January 1 and each July 1. This can be quite significant if an account is substantially delinquent. It is therefore important to keep all support/medical accounts up to date. There are innumerable other benefits for doing this. The biggest benefit, of course, is to your child and in your relationship with your coparent. But, as the laws and computers continue to sort out delinquent accounts for multiple enforcement actions, an increasing number of unpleasant events are required to occur, often all at the same time. All such events can be completely avoided by keeping the account current, before all other obligations, which do not have the same consequences legally attached for non-payment.

Wishing you and your children all the best in '97.

Steven L. Woodrow and Staff
Friend of the Court



STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES
400 DEADERICK STREET
CITIZENS PLAZA BUILDING
NASHVILLE, TN 37248

RECEIVED
DEPT. OF REVENUE
CSED-ANCHORAGE
97 JAN 31 PM 2:35

January 22, 1997

Child Support Enforcement
550 West 7th Avenue, Suite 310, MS 05
Anchorage, AK 99501-6699

Dear Sirs:

This is in response to your correspondence concerning the child support case involving Donna A. Karjala vs. Vern J. Bisson.

Our Central Registry received this case from your office on August 9, 1996. Due to a reduction in staff in our Central Registry, we are experiencing a four to seven months backlog in processing cases. A computer generated acknowledgment will be sent to you at the time this case is reviewed and will provide the name and address of the contact person in the responding jurisdiction.

Sincerely,

Cynthia Trotter, AS

Cynthia Trotter
Administrative Services Assistant I
Child Support Services

STATE OF ALASKA

DEPARTMENT OF REVENUE

CHILD SUPPORT ENFORCEMENT DIVISION

January 22, 1997

HUMBOLDT COUNTY DIST ATTY
FAMILY SUPPORT DIVISION
PO BOX 128
EUREKA, CA 95502-0128

RECEIVED
DEPARTMENT OF REVENUE
CSED-ANCHORAGE
JAN 27 1997
AM 10:30

5898 3/41
TONY KNOWLES, GOVERNOR
550 W 7TH AVE, STE 310, MS 20
ANCHORAGE, AK 99501-6699
PHONE: (907) 269-6900
TOLL FREE ALASKA: (800)478-3300
FAX: (907)269-6914 TTY: (907)269-6894
TOLL FREE ALASKA TTY: (800)370-6894

RECEIVED
Our No: 000000000
Our No: 3AE-92-05114
JAN 27 1997

DA-FSD

Re: Christine L. Lucier
vs.
Marc J. Leonard

INTERSTATE STATUS REQUEST (To other state)

Dear Madam/Sir:

Please advise us of when you anticipate that an order of support will be entered.

Patricia Barton
Child Support Enforcement Representative

TEAM/DIRECT LINE: 5/907-269-6850, 20/907-269-6820, 21/907-269-6821

Need to check an address and locate employer. This office is not doing Uresacites w/out employer due to conversion to Statewide Av. C/S system (SACSS). We may be doing after July '97.

PAUL B. MONSHINE

(707) 441-3220

SPEED LETTER Date: JAN 28 1997

To save time and money, your letter is being returned with our answer.
DISTRICT ATTORNEY, Humboldt County
FAMILY SUPPORT DIVISION

CSED-04-1616A
(rev 04/18/94)
J/7152/20 (M)

SOUTHEAST OFFICE
PHONE: (907) 465-5887
FAX: (907) 465-5190

230 S FRANKLIN ST, STE 311
JUNEAU, AK 99801-1325

NORTHERN INTERIOR OFFICE
PHONE: (907) 451-2830
FAX: (907) 451-2959

675 7TH AVE, STATION G
FAIRBANKS, AK 99701-4526

CHILD SUPPORT ENFORCEMENT
CHATTAHOOCHEE JUDICIAL CIRCUIT CSE
1327 THIRD AVENUE
P O BOX 309
COLUMBUS, GA 31902-0309
(706) 649-7317
DATE: 11/05/1996

RECEIVED
DEPT. OF REVENUE
CSED-ANCHORAGE
96 NOV -8 PM 1:34

CHILD SUPPORT ENFORCEMENT
DEPARTMENT OF REVENUE
550 W 7TH AVENUE, STE 310, MS 05
ANCHORAGE, AK 99501-6699
ATTN: PAT CASTILLO

RE: ELIZABETH M POINTER
VS. BOBBY BOWENS
Your Case No. 3AE-91-02979
Our Case No. 730006287

Dear Child Support Agency:

- XX 1. Receipt of your URESA petition is acknowledged. Because of a huge backlog of interstate cases and a recent caseload change, it is currently taking our office about six months to get to a case to review it for legal action. The above case was received the end of August; therefore, it will be reviewed by the end of February. You will receive a status update at that time. I apologize for any inconvenience this may cause your office or the petitioner.
- ___ 2. Our Sheriff's Department was unsuccessful in perfecting service on the Respondent. We will use every resource available to us here to locate the Respondent. However, we must rely on the Petitioner and your own resources to assist us in obtaining new information regarding his/her whereabouts.
- ___ 3. We have scheduled an appointment() Court Date(). We will need an updated Arrears Affidavit prior to this date if we are to attempt to recover arrearages.
- ___ 4. The order enclosed is a temporary order.
- ___ 5. Please update the arrears.
- ___ 6. The documents submitted are incomplete or do not constitute a U.R.E.S.A. action. Complete U.R.E.S.A. documentation includes three (3) copies of the Petition, Testimony, and Judge's Certificate, together with necessary attachments such as copies of prior orders, arrears and/or paternity affidavits, etc. You need not use any particular forms as long as the necessary information and documentation is included.

**ANSON/RICHMOND COUNTY CHILD SUPPORT
ENFORCEMENT
GETS NEW COMPUTER SYSTEM INSTALLED**



**DURING OCTOBER, 1996 THRU APRIL 30, 1997, ANSON/RICHMOND
COUNTY CHILD SUPPORT ENFORCEMENT WILL BE UNDERGOING
PHASE 1 & 2
OF MAJOR COMPUTER CHANGES.**

WHAT THAT WILL MEAN TO YOU:

- With the new ACTS system, we will be able to provide more efficient services to you.
- Child Support checks will be distributed faster.
- Absent Parent Location will be automatically monitored.

AS WE LEARN THE NEW SYSTEM:

- All staff will be in training to learn the new computer system and will be available for telephone calls or office visits on a very limited basis.
- The phones will be answered by temporary staff and will only take messages.
- Please leave changes of address and employment with the temporary staff.
- If you have questions about child support payments and/or checks please continue to call 1-800-992-9457 (toll free).
- The final phase of this project is scheduled for completion after April 30, 1997
- The new system will prove beneficial to all in the future.

WE THANK YOU FOR YOUR PATIENCE DURING THIS TRANSITION TIME

Friend of the Court

RECEIVED
for the County of Livingston
DEPT. OF TREASURY
P.O. BOX 727 HOWELL, MI 48844-0707 - (517) 546-0230
CSEL

mai
tag

07 APR -2 PM 4:27

HON. STANLEY J. LATREILLE
CIRCUIT JUDGE

HON. DANIEL A. BURRESS
CIRCUIT JUDGE

MELISSA A. SCHARRER
FRIEND OF THE COURT

March 20, 1997

Dear Client,

Effective April 1, 1997, our office will be converting to the Federally mandated statewide computer system - CSES. The change from our old system to the new system will affect you along with the Friend of the Court staff. Those receiving support checks may notice slight delays in their arrival. In addition, there may be temporary impacts on other office functions.

Everything possible will be done to keep delays to a minimum. The Office of Friend of the Court greatly appreciates your patience during this change, and looks forward to serving you more efficiently with the new CSES system.

Phone hours will be temporarily suspended from April 1 - April 4, 1997 to allow for the training of staff on this new system.

Thank you,

Melissa A. Scharrer
Melissa A. Scharrer
Livingston County
Friend of the Court

CHILD SUPPORT ENFORCEMENT TRANSMITTAL #1 - INITIAL REQUEST

Petitioner [] IV-D Non Public Assistance
Cheng K Saelee [] IV-D Non PA Medicald
[] Full Services
Respondent [] Medical Services Only
Veum C Saelee [] IV-D Public Assistance
[] IV-E Foster Care (IV-D Case)
[] Non-IV-D

RECEIVED
JAN 21 1997
CSED MAILROOM
File Stamp

To: (Agency Name and Address)
CA Interstate Central Registry
PO Box 903199
Sacramento, CA 94203-3199

Responding FIPS Code 06000 State California

Responding IV-D Case No. 85-000466-7

Responding Docket No.

From: (Contact Person, Agency, Address, Phone, Fax, Internet)

Alaska CSED
550 W 7th #410
Anchorage, AK 99501-6699
(907) 269-6654
Fax (907) 269-6914

Initiating FIPS Code 02020 State Alaska

Initiating IV-D Case No. 3AE-96-00274

Initiating Docket No.

Send Payments To: (if different from above)
PO Box 102760
Anchorage, AK 99510-2760

Payment FIPS Code 02020 State Alaska

Bank Account Routing Code

Initiating Jurisdiction [] URESA [X] UIFSA State with Continuing Exclusive Jurisdiction (CEJ)

ACKNOWLEDGMENTS

To be Completed by Responding Agency and Returned to Initiating Agency

[X] Request Received and No Additional Information is Necessary

[] Additional Information Needed

- [] Arrears Statement/Payment History [] Support Order(s)
[] Uniform Support Petition [] Divorce Decree
[] General Testimony/Affidavit [] Assignment of Rights
[] Affidavit in Support of Establishing Paternity [] Description of Real/Personal Property
[] Acknowledgment of Parentage [] Photograph of Respondent
[] Other Documents Relating to Paternity [] Other (See Remarks)

George - This info starts file on
your information file on
how other states deal
with delays like
our computer
conversion
New

[X] Remarks/Response We cannot proceed @ this time. State is revising our
Summons & Complaint forms & we cannot file until new forms arrive.
We have target date of March 1, 1997.

[] Your Case has been Forwarded for Action to:

Carole Salisbury FSO III
SHASTA COUNTY FAMILY SUPPORT
P O BOX 994130
REDDING, CA 96099-4130
06089

Name of Worker
Agency Name
Address, FIPS Code
Phone & Extension
Fax

Date 1/16/97 Person Completing Form (Print or Type) Carole Salisbury Telephone Number & Extension (916) 225-5486
Fax Number 225-5464 FAX

CHILD SUPPORT ENFORCEMENT TRANSMITTAL #1 - INITIAL REQUEST

Petitioner [] IV-D Non Public Assistance
STATE OF ALASKA, DOR, CSED, EX REL, [] IV-D Non PA Medical
BRANDON G. GOODWIN (MINOR CHILD) [] Full Services
Respondent [] Medical Services Only
ELIZABETH ANN KRAKAUER [X] IV-D Public Assistance
[] IV-E Foster Care (IV-D Case)
[] Non IV-D

RECEIVED
DEPT OF REVENUE
CSED - CHILD SUPPORT
97 FEB 25 AM 8:55
FILE STAMP

To: (Agency Name and Address)
HUMBOLDT COUNTY FAMILY SUPPORT DIVISION
PO BOX 128
EUREKA CA 95502-0128
Responding FIPS Code 06000 State HUMBOLDT COUNTY / CALIFORNIA
Responding IV-D Case No. 39407
Responding Docket No.

From: (Contact Person, Agency, Address, Phone, Fax, Internet)
Alaska CSED Initiating FIPS Code 02020 State ALASKA
550 W 7th #410
Anchorage, AK 99501-6699 Initiating IV-D Case No. 3AE-96-05749
(907) 269-6654
Fax (907) 269-6914 Initiating Docket No.
Send Payments To: (if different from above) Payment FIPS Code 02020 State ALASKA
PO Box 102760
Anchorage, AK 99510-2760 Bank Account Routing Code
Initiating Jurisdiction [] URESA [X] UIFSA State with Continuing Exclusive Jurisdiction (CEJ)

ACKNOWLEDGMENTS To be Completed by Responding Agency and Returned to Initiating Agency

- [] Request Received and No Additional Information is Necessary
[] Additional Information Needed
[] Arrears Statement/Payment History [] Support Order(s)
[] Uniform Support Petition [] Divorce Decree
[] General Testimony/Affidavit [] Assignment of Rights
[] Affidavit in Support of Establishing Paternity [] Description of Real/Personal Property
[] Acknowledgment of Parentage [] Photograph of Respondent
[] Other Documents Relating to Paternity [] Other (See Remarks)

Remarks/Response We are currently preparing for conversion to the Statewide Automated Child Support System. We are unable to respond to your request at this time.
We are currently not serving URESA sites with no employer information while preparing for conversion to SACCs.

Your Case has been Forwarded for Action to:
Name of Worker Alecia Mourin District Attorney, Humboldt County
Agency Name FAMILY SUPPORT DIVISION
Address, FIPS Code 06023 Eureka, California 95502-0128
Phone & Extension 707-441-5654 707-441-3240 707-441-3200
Fax (Public)
Date 02/17/97 Person Completing Form (Print or Type) ALECIA MOURIN Telephone Number & Extension Fax Number

Court of Common Pleas of York County, Pa.

VICTORIA A. MASEK
DIRECTOR

JANE O. STOVER
ASST. DIRECTOR

In Reply Refer to

Case No. _____



Telephone
717-846-0101
TOLL FREE #1-800-207-7111
FAX #771-9817

Hours
8:30 A.M. to 4:30 P.M.
Monday Thru Friday

DOMESTIC RELATIONS SECTION

P.O. BOX 1502
YORK, PA 17405

IMPORTANT NOTICE TO ALL CLIENTS

1995 will hold many changes for the clients and staff of the Domestic Relations Section. The State of Pennsylvania, and all States, are mandated by the Federal government to operate under a unified, fully automated child support system by October 1, 1995. The system has been named, PACSES, the Pennsylvania Automated Child Support Enforcement System. While our office has been preparing for this change for a few years there is still much work to be done.

There will be periods of time in the late Spring of 1995, we anticipate May and early June, when the office will be operating with only 50% of the staff. This is because of the intense training that must occur before we convert to the new system. York County is scheduled to convert to the new system in June 1995. All of Pennsylvania must be 'on line' by October 1995.

The new system will also bring procedural changes. The system will assign each case a NEW case number, but we will still be able to use the current DRS number to reference your file. The coupon payment books mailed to the payors of support at the end of December 1994 will be the last coupon book. The new system will generate bills every month and mail them. Cases that are currently 'shared' between two Counties within Pennsylvania, plaintiff in one and defendant in another, will be taken over by the County that holds the Order of support, usually where the defendant lives. The County that holds the order will deal, and send payments, directly to the plaintiff in these cases. Parties will be notified in each instance before any change occurs. Many of these procedures have been dictated by Federal requirements and are not the choice of this office. One change that should make everyone happy will be the installation of an Automated Voice Response System for the phone. This will be a big improvement over the current phone system and will enable clients to access information about their cases and our office without fear of not being able to get through to a staff member.

Enclosed with this Notice is a questionnaire concerning client vital statistics. Some clients have already completed one in 1994. In order for cases to convert to the new system our office must have a minimum amount of information on ALL parties, especially children. If you have multiple cases you will receive a questionnaire for each case. Please take the time to complete and return it our office within 15 days of your receipt of this information.

While change is never painless, we will endeavor to convert to the new system with as little disruption of services as possible. We ask your understanding and cooperation during this period of change. The outcome will be our ability to provide you with better, more efficient service. Thank you.

Court of Common Pleas of York County, Pa.

VICTORIA A. MASEK
DIRECTOR
JANE O. STOVER
ASST. DIRECTOR



Telephone
717-846-0101
TOLL FREE #1-800-207-7111
FAX #771-9817

Hours
8:30 A.M. to 4:30 P.M.
Monday Thru Friday

In Replying Refer to
Case No. _____

DOMESTIC RELATIONS SECTION

P.O. BOX 1502
YORK, PA 17405

CLIENT QUESTIONNAIRE

Dear Client:

In order to prepare the Domestic Relations records for conversion to the PACSES system this year it is necessary to have a minimum set of data on each member of the case. Please complete the information below and return the completed form to our office by February 15, 1995. We ask everyone's cooperation with this request as cases that do not contain these elements will not convert and may cause a delay in payment processing.

If necessary, please write on the back of this form or add a sheet for additional information. ONLY PROVIDE INFORMATION THAT YOU KNOW IS CORRECT LEAVE ALL OTHER LINES BLANK. If you have more than one case you will receive a questionnaire for each case. In responding it is very important that you list the case number for which you are providing the information and the name of the defendant.

DRS case number: _____

Plaintiff Information:

Name (Last, First, MI) _____
Address: _____

Defendant Information:

Name (Last, First, MI) _____
Address: _____

Child/ren Information:

Name: _____	Name: _____
DOB: _____ SS#: _____	DOB: _____ SS#: _____
Name: _____	Name: _____
DOB: _____ SS#: _____	DOB: _____ SS#: _____

Is/are child/ren covered by insurance? (Yes or No)

Who provides coverage? _____

Name/Address of Carrier: _____

Policy/Group #: _____

Thank you.

3AE-96-01458

STATE OF ALABAMA
DEPARTMENT OF HUMAN RESOURCES
RECEIVED
DEPT. OF REVENUE
CSED-ANCHORAGE

5

Addressee: CHILD SUPPORT ENFORCEMENT
550 WEST 7TH FOURTH FLOOR
ANCHORAGE, AK 99501-3556

07 FEB Date: 11 10: 03
012797

Reply To: EVA A. SNOWDEN
CHILD SUPPORT UNIT
P O BOX 1869
ANNISTON, AL 36202

Plaintiff: MARCIA A HENDERSON
vs.
Defendant: RANDY R BURROWS

Your No.: 222766
Our No.: JU863076

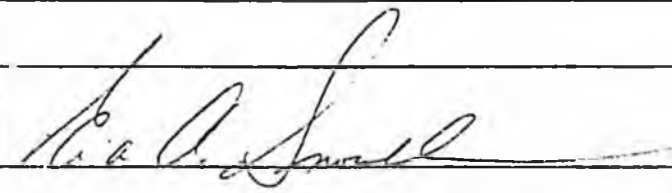
Please refer to the items' checked:

- Receipt is hereby acknowledged of papers in the above named interstate matter. See remarks for contact agency.
- Please provide additional information. See remarks.
- We are returning your interstate request. IV-D interstate actions must be filed through the Alabama Central Registry: Alabama Department of Human Resources, Division of Child Support Enforcement, 50 Ripley Street, Montgomery, Alabama 36130.
- Defendant/Absent parent cannot be located. Case is being returned. See remarks.*
- We are unable to validate receipt or the location of the above case, therefore, we cannot comply with your request.
- Defendant has left this state. We are returning your reciprocal papers as you have not authorized transfer of the case to an out-of-state jurisdiction.*
- Defendant has been located out of state. Please respond in ten (10) days if you want your reciprocal papers transferred to defendant's state of residence.*
- Defendant has moved to a new local jurisdiction. See remarks for the new agency contact.*
- Please acknowledge receipt of the above cases mailed to you on _____.
- Please provide a status report for the above case.
- Case has been continued to _____ . We will advise of the outcome.
- The case has been set for a court hearing on _____ .
- Paternity has been adjudicated. See attached order.
- Defendant has requested blood tests. See remarks.

- ___ Court is now enforcing the existing order. See attached.
- ___ An order for support has been entered. See attached.
- ___ A modification order has been entered. See attached.
- ___ The above case was dismissed by the court. See attached.
- ___ The above case has been closed by this agency. See remarks.
- ___ Children have been added/deleted. See remarks.
- ___ Case category has changed to _____, effective _____.
- ___ See attached status report requested or remarks section.
- ___ Other change(s). See remarks.
- ___ Please use uniform OCSE Forms.

Remarks: WE WILL REFER YOUR CASE TO COURT AS SOON AS POSSIBLE. THERE IS A
LARGE BACKLOG OF CASES AT THIS TIME AND WE ARE IN THE PROCESS OF
TRANSFERRING TO A NEW COMPUTER SYSTEM. WE WILL NOTIFY YOU WHEN
WE HAVE A COURT DATE PLEASE ALLOW 4-6 MONTHS AS THE DOCKET IS
THAT FAR ADVANCED

THANK YOU

Signature: 

Agency: DEPARTMENT OF HUMAN RESOURCES

Telephone No.: 205-231-8177 OR FAX: 205-237-7716

Approved by: 