

Overview of Oklahoma Child Support Services

- ❑ We are the Title IV-D program established pursuant to Title IV, Part D, of the Social Security Act (the Act).¹ The program is primarily federally funded (66% federal, 34% state funding).
- ❑ Our caseload is comprised of public assistance (TANF) cases, Medicaid cases, Child Care Subsidy cases and non-public assistance cases.
- ❑ Most of our collections come from non-public assistance cases.
- ❑ Every state has a Title IV-D program, mandated by federal regulation. States are free to deliver services in a variety of ways. Oklahoma's Title IV-D agency is the Oklahoma Child Support Services, a division of the Department of Human Services (OCSS).² OCSS delivers services through 40 offices using one of three methods: OKDHS operated offices; District Attorney (DA) cooperative agreements; and private contracts. All offices provide the same services.
- ❑ There are several Title IV-D tribal child support programs in Oklahoma: the Chickasaw, Cherokee, Osage, Modoc, Kaw, Muscogee Creek, Ponca and Comanche Nations. These programs receive direct funding from the federal government. Tribal IV-D programs operate under tribal federal regulations and may offer services different than the state's services.
- ❑ We establish paternity and support orders, enforce support orders and review and modify support orders. We enforce spousal support when child support is also ordered.
- ❑ We establish and enforce medical support orders.
- ❑ Every state must use certain remedies/methods for collecting child support and must enact certain laws.
- ❑ Every state must have an administrative (quasi-judicial) process for establishing and enforcing child support orders. In Oklahoma, we use Administrative Law Judges (ALJs). ALJs come to district child support offices and hear cases.

¹ 42 U.S.C. §§601 through 669b.

² 56 O.S. §§237 and 237.7.

Administrative orders are docketed in district court and enforced in the same manner as a district court order.

- ❑ We use district court when administrative action is not appropriate or effective.
- ❑ Interstate. When a noncustodial parent (NCP) resides in another state we refer the case to the Title IV-D program in the other state if Oklahoma doesn't have jurisdiction over the NCP or local enforcement would not be effective.
- ❑ International. The United States and some other countries have agreements to enforce support orders, e.g. Britain, Sweden, Germany, Norway to name a few, and we enforce their cases when they refer them to the U.S.
- ❑ Every state must have a central place to pay support money. Oklahoma has the Centralized Support Registry or State Distribution Unit (SDU). All Title IV-D child support is paid through the SDU. In non-IV-D cases, the SDU processes all payments by income assignment, all payments from parties who want support paid through the SDU, and all other payments the court orders paid to the SDU.
- ❑ Every state must have a State Case Registry which gathers certain information in each case in which there is a child support order (names, dates of birth, Social Security Numbers, payment history, etc.) and reports the information to the Federal Case Registry.

Primary Enforcement Remedies Used by OCSS

- ❑ Income assignment/wage garnishment (primary method).
- ❑ Revocation of licenses [driver, professional (doctors, lawyers, plumbers, hair stylists, etc.), recreational (hunting and fishing)].
- ❑ Intercept of Internal Revenue Service (IRS) income tax refunds and state income tax refunds.
- ❑ Federal administrative offset of other federal payments.
- ❑ Passport denial.
- ❑ Liens on real and personal property (including workers compensation & personal injury insurance proceeds).
- ❑ Levy on bank accounts (Essentially a bank garnishment, but we do an automated match with banks on accounts and get account information to determine whether to levy. An NCP has the right to an administrative review and a hearing if he/she contests).
- ❑ Annual Notice (administrative notice which confirms the support obligation, amount past due and sets a payment plan).
- ❑ Offset of lottery winnings.
- ❑ Offset of eligible victim compensation fund monies.
- ❑ Contempt action.
- ❑ State criminal non-support action – can only be filed by DA offices. Non-DA offices refer appropriate cases to the DA.
- ❑ Federal criminal non-support action (cases can be referred to U.S. Attorney when mom and dad reside in different states).