

**National Council of Child Support Directors (NCCSD)
Position Paper Regarding the Option of States to Allow Parents to Opt Out of IV-D
Services in lieu of Applying for Services
Approved by Executive Committee March 17, 2005**

Issue:

Should all states have the option to monitor and enforce child support orders from the inception of the order without the requirement of a written application for IV-D services, as long as the custodial parent may opt-out of IV-D services?

NCCSD Statement in Support:

NCCSD supports a change in federal law to provide this option to all states. Pilot project results in Texas clearly demonstrate that children in all states would benefit from this program. Through early intervention children would have a substantially increased opportunity to receive consistent and regular child support payments. With this option, all states would no longer have to seek a federal exception, and all states would be on equal footing.

Background:

Title IV-D Non-Public Assistance (NPA) enforcement services are largely complaint driven. NPA customers generally seek enforcement services only after the obligor has failed to comply with the support order, sometimes after years of not having received a payment. This delayed enforcement creates large arrears and more obstacles for a state IV-D agency to provide affective assistance. On the other hand, early intervention as demonstrated by these Texas projects greatly improves compliance with orders.

To counter a complaint-driven system, Texas experimented with a federally approved pilot project called Integrated Child Support System, or ICSS. ICSS is a self-starting enforcement system in which orders are monitored for payment from the outset, with prompt enforcement action upon failure to pay. Texas immediately starts enforcement action, because a parent is not required to make an application for IV-D services, although they may opt-out of the program. In two urban counties, for “opt out” cases, this project yielded payment rates of current support at over 80%, which is 22% higher than comparable NPA cases, where the agency waited for an application. The average arrearages are also substantially lower for these early intervention cases.