

Rhode Island Family Court Bench Bar Committee

Presented by:

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Department of Human Services
Office of Child Support Services
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EXCLUDING THE HUSBAND/FORMER HUSBAND AS THE FATHER

Collection and Distribution of Child Support



Income Withholding

- ▶ Pursuant to 15-5-24 and 15-16-1 et seq all child support orders are subject to income withholding unless the Court finds good cause not to require income withholding or if the parties enter into a written payment agreement for the timely payment of support.
- ▶ There is only one income withholding order form approved by the federal government for use in all states. If a IVD case- my name appears because it is an administrative notice and it will not be E-Filed. For all private cases a Judge must sign and it must be E-Filed.
- ▶ All income withholding orders are payable through the State disbursement Unit or SDU.

State Disbursement Unit

- ▶ **Rhode Island General Law § 15-26-2:**
OCSS is the designated agency for the processing of all child support payments for the State of RI- private and IVD cases
- ▶ **Partnership Agreement with Connecticut to add RI to existing process**
- ▶ **September 2010 to present.**



State Disbursement Unit



▶ Different methods of payment:

- ACH Debit
- EDI/EFT
- Credit Card
- Paper Check
- Cash

▶ **Approx. 60% of child support payments are received electronically from the employers & NCP's.**

▶ **Easy access to online payments for employers and non-custodial parents**



SDU Payment Processing

- ▶ **SMI receives electronic payment or paper check payment**
- ▶ **Payment is processed the same day**
- ▶ **Payment posted to case the following morning**
- ▶ **Payment deposited in two business days into:**
 - **Kids Card Account**
 - **Or Direct Deposit Account**



HOW DOES A PRIVATE ORDER GET RECORDED?

- ▶ Pursuant to RIGL § 15-5-16-2 (All child support orders shall be recorded on the computer system.) All child support orders are housed on the RI Kids Bridge System
- ▶ Each party shall complete a CSS1 form immediately following the hearing in order to have an order recorded and for payments to be processed through the SDU; Usually it is the CP or the CP's attorney.
- ▶ If the CSS1 is not filed and the orders is not recorded, the payments cannot be sent to the family and they remain in escrow. **IMPORTANT:** The filing of the Order/Judgement is not sufficient to accomplish this.



GENERAL LAW PRESUMES THAT THE HUSBAND/FORMER HUSBAND IS THE LEGAL FATHER OF ANY OF THE CHILDREN EXCEPT WHERE THE HUSBAND/FORMER HUSBAND AS THE FATHER OF ANY OF THE CHILDREN EXCLUDING THE HUSBAND/FORMER HUSBAND AS THE FATHER MUST BE ATTACHED TO THE CHILDREN'S RECORD.

Bookkeeping vs. Full Service

- ▶ **The custodial parent may choose “Bookkeeping Only” which means the payment will simply be posted and distributed.. OCSS will not provide any services.**
- ▶ **If the custodial parent requests full service, he/she must check off the box on the CSS1 AND complete an application for IVD services.**
- ▶ **Full service will include monitoring and administrative automated enforcement as well as modification when appropriate.**
- ▶ **Registration is checked when child support is not payable through the SDU. For informational purposes only.**



CSS1: What has Changed?

- ▶ **CSS1 has been amended with new instructions.**
- ▶ **Chief Judge Forte signed the Administrative Order 2016-2 in June 2016.**
- ▶ **Questions regarding paternity of each child.**
- ▶ **The completion of an application for full service.**
- ▶ **Information for additional methods of contact – email address.**
- ▶ **Declaration of the party: to return funds distributed in error, to receive payments via KIDS Card;**

CONFIDENTIAL DOCUMENT

CHILD SUPPORT CASE REGISTRATION AND PAYMENT FORM (CSS-1) (page 1)
BRIDGE ISLAND FAMILY COURT, ONE DORRANCE PLAZA, PROVIDENCE, RI 02902

REQUIRED CASE INFORMATION

Case No. (check # year assigned) YES | NO |
 Has a CURRENT court order withing Order Case Location? YES | NO |
 THIS INFORMATION SHOULD BECOME ATTACHED TO THE NON-CUSTODIAL PARENT(S) INFORMATION SECTION

PLAINTIFF | DEFENDANT |

PLAINTIFF NAME (last, first, middle initial)
 DEFENDANT NAME (last, first, middle initial)
 PLACE OF BIRTH (STATE) | GENDER (MALE | FEMALE) | SOCIAL SECURITY #
 PHONE # (home) | PHONE # (work)
 ADDRESS (street, city, state, zip)
 EMPLOYER NAME | EMPLOYER PHONE | EMPLOYER ADDRESS
 EMPLOYEE ID # | EMPLOYEE SOCIAL SECURITY #

CUSTODIAL PARENT (CP) INFORMATION SECTION

THIS INFORMATION SHOULD BECOME ATTACHED TO THE CUSTODIAL PARENT(S) INFORMATION SECTION

CP NAME (last, first, middle initial)
 CP PLACE OF BIRTH (STATE) | CP GENDER (MALE | FEMALE) | CP SOCIAL SECURITY #
 CP PHONE # (home) | CP PHONE # (work)
 CP ADDRESS (street, city, state, zip)
 CP EMPLOYER NAME | CP EMPLOYER PHONE | CP EMPLOYER ADDRESS
 CP EMPLOYEE ID # | CP EMPLOYEE SOCIAL SECURITY #

DEPENDENT CHILD(REN)/PATRIENT(S) MEDICAL INSURANCE INFORMATION (please attach additional pages if needed)

HEALTH INSURANCE COVERAGE CODE(S)
 ENTER THE APPROPRIATE CODE(S) FOR EACH CHILD LISTED BELOW.
 CP/ NCP CHILD'S INSURANCE IS PROVIDED BY CP EMPLOYER OR NCP EMPLOYER
 NONE CHILD HAS NO HEALTH INSURANCE

PATERNITY

IF A CHILD IS BORN DURING THE TIME A WOMAN IS MARRIED OR WITHIN 300 DAYS OF THE TERM OF THE MARRIAGE, BRIDGE ISLAND GENERAL LAW PRESUMES THAT THE HUSBAND/FORMER HUSBAND IS THE LEGAL FATHER OF THAT CHILD. IF A DIVORCE DECREE OR COURT ORDER EXCLUDES THE HUSBAND/FORMER HUSBAND AS THE FATHER OF ANY OF THE CHILD (REN) LISTED BELOW, A COPY OF THE COURT ORDER EXCLUDING THE HUSBAND/FORMER HUSBAND AS THE FATHER MUST BE ATTACHED.

CHILD 1 INFORMATION (first | last)
 CHILD'S NAME (last, first, middle initial)
 PLACE OF BIRTH (STATE) | GENDER (MALE | FEMALE) | SOCIAL SECURITY #
 DATE FOR HEALTH INSURANCE COVERAGE (see the child's date the mother was married or within 300 days of the termination of the marriage) | YES | NO |
 IF YOU ANSWERED YES TO THE PREVIOUS QUESTION, please list Substantive name: | Date of Marriage | Date of Divorce
 Was a former husband excluded as the father of this child? | YES | NO | If the answer is YES, which state was husband/former husband excluded from? |
 IF THE ANSWER IS YES, provide the court order # of the case where husband/former husband was excluded. | A copy of the court order excluding husband/former husband as father must be attached. | YES | NO |

RAMIFICATIONS FOR FAILURE TO PROVIDE A CSS1

- ▶ **Payments will not be distributed to the custodial parent**
- ▶ **Arrears will not be accurate if not recorded as adjudicated.**
- ▶ **Modifications not entered will cause erroneous arrears to accrue and automated enforcement (credit bureau reporting, loss of drivers license etc.).**
- ▶ **Once recorded and entered on the RI Kids Bridge System income withholding order will be sent to the employer.**
- ▶ **EIWO also available. The Employer will electronically transfer funds to the SDU. The SDU will place the funds on the Kids Card.**





RHODE ISLAND KIDS CARD

How the custodial parent receives child support.

How does it work?

- ▶ **After enrollment occurs, JP Morgan sends the CP a fulfillment package that includes the personalized Kids Card**
- ▶ **Upon receipt of the fulfillment package, CP is instructed to call a toll-free number to activate their card**



Fulfillment Package

- ▶ **Card Carrier – Card adhered to front and includes basic information to activate**
- ▶ **Welcome Letter – Kids Card Introductory letter**
- ▶ **Training Brochure with FAQ-Booklet**
- ▶ **Allpoint Surcharge Free Flyer – Advertises locations**
- ▶ **Legal Agreement – Terms and Conditions**

WELCOME TO THE RHODE ISLAND CHILD SUPPORT KIDS CARD PROGRAM

Please see the enclosed for information on how to use your Card.

To activate your Card and to select your four-digit Personal Identification Number (PIN) and six-digit telephone access code, call Customer Service at **1-866-300-9888**.

NOTE: If this is a replacement card, you must activate your Card by calling Customer Service at 1-866-300-9888.



The image shows a Chase Rhode Island Kids Card. It is a yellow and blue debit card with the Chase logo and Visa logo. The card number is 4000 1234 5678 9010. The name on the card is L. SCOTT and the expiration date is 12/08.

Using Your Kids Card

You can use your Card to withdraw cash in local currency at over one million Automated Teller Machines (ATMs) worldwide, with surcharge-free access at over 20,000 Chase and Allpoint ATMs in the U.S. Just look for ATMs that display the logos on the back of your Card and:

1. Insert or swipe your Card.
2. Enter your 4-digit PIN at the keypad.
3. Press "Withdrawal" and then "Checking." Follow the instructions until the transaction is complete.
4. Take your cash, your Card and your receipt.

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Use your Card instead of cash or checks to make purchases at merchant locations around the world. These locations include department stores, gas stations, restaurants and more. Just swipe your Card through the front of a POS machine or present the card to the cashier. Then sign the receipt (or your PIN on the POS machine keypad).

You can also use your Card to place phone orders, just provide your Card number and expiration date.

HOW TO USE YOUR RHODE ISLAND CHILD SUPPORT KIDS CARD

Customer Service (toll free)
1-866-300-9888

CHASE

How do the custodial parents use the card?

➤ Point of-Sale Access

1. PIN-Based transactions
2. Signature-Based transactions at Visa Merchants (never a fee)

➤ ATM Access

1. PIN-Based transactions
2. Allpoint ATMs are surcharge free

➤ Bank Teller

1. Any Visa member Bank or Financial Institution

NO FEE SERVICES

- ▶ No fee for enrollment
- ▶ No fee for customer service
- ▶ No fee for cards not received
- ▶ No fee for statements (paper/online)
- ▶ No fee for website



Cardholder Benefits

- ▶ **Safer than carrying checks or cash**
- ▶ **No checks lost, stolen or delayed in the mail**
- ▶ **Monthly statements available online enable cardholders to identify and track payments**
- ▶ **Accepted at Visa participating merchants world wide**
- ▶ **Convenient, 24-hour funds access at ATMs and retail Point of Sale locations**
- ▶ **24x7 multilingual Customer Service via telephone or cardholder website**



BENEFITS & SAVINGS

WHY DID WE DO THIS?

- ▶ **A conservative approximate cost of paper check stock, envelope and postage is 36 cents per check issued, not including labor costs**
- ▶ **On average 42,000 paper checks per month were issued**
- ▶ **A conservative savings of over \$16,000 per month & \$200,000 per year**
- ▶ **Eliminates replacing & investigating lost or stolen checks**
- ▶ **Studies have shown, on average, it costs \$6.00 to \$8.00 for processing one paper check**



DEFRA & EXCESS OF GRANT PAYMENTS

- ▶ **Defra, Excess of Grant and Excess of URA payments are now being disbursed to either Kids Card or Direct Deposit**
- ▶ **1st Defra payroll transmission to Kids Card and Direct Deposit accounts totaled over \$6,000.00**



Direct Deposit

- ▶ Every custodial parent will receive a Kids Card welcome packet. Checks are sent in very limited circumstances. However, at any time a custodial parent can request direct deposit into a designated checking or savings account by downloading and completing *a Direct Deposit Authorization form*. www.cse.ri.gov
- ▶ They must attach a voided check and provide the information or the designated bank. It may take up to two weeks to switch from Kids Card to the direct deposit depending upon the particular bank. In the meantime, the payments will be deposited on the Kids Card.

What if my client accepts direct payments?

- ▶ The computer system can only keep track of payments that are payable through the SDU. If any payments are made directly to the custodial parent, the system will not have them recorded. This may result in an incorrect past due balance.
- ▶ An *Affidavit of Direct Payments* may be downloaded from www.cse.ri.gov and submitted to have the payments properly credited. Presently the agency has generally taken the view that only one direct pay affidavit is acceptable---a second may result in the termination of services under the IV-D program because such payments are not in conformity with federal regulations if a IV-D case and can cause our reporting for performance measures to be wrong.

DISTRIBUTION:

How Child Support Payments are distributed.



Distribution

- ▶ RI must follow federal distribution regulations
- ▶ State law also mandates:
 - ▶ It is fully automated.
 - ▶ System splits the payments among one case or multiple cases

Distribution Basic Rules

- ▶ Conversion from weekly to monthly orders
(4.3) \$125.00 week = \$537.50 month
- ▶ All child support goes first to current support due
- ▶ This includes medical,
- ▶ Arrears (past due support) paid next,
- ▶ Garnished funds are proportionately split between all active cases

Distribution

- ▶ **What if the NCP sends different amounts in each week?**
- ▶ **What if the NCP owes child support to another family?**

Distribution Calculation

- ▶ 1. Amount of weekly support due = _____
- ▶ 2. # of Mondays in the month = _____
- ▶ 3. Multiply Line 1 x Line 2 and total amount = _____
- ▶ 4. Add up all the payments received from OCSS and _____
- ▶ 5. Apply distribution rules

Example 1

- ▶ Joe has 2 cases
- ▶ Case 1= arrears order of \$250.00 month
- ▶ Case 2 current support \$400.00 month
- ▶ Joe pays \$800.00 month. The first \$400.00 will apply to case 2 and then the \$250.00 will apply to case 1.
- ▶ Balance \$150.00 will proportionately split between arrears on both cases.
- ▶ What if Joe only pays \$500.00?

Example 2

- ▶ Joe has a weekly support order of \$100.00.
- ▶ 4 Mondays in the month = $4 \times \$100.00$
- ▶ Current support is = \$400.00
- ▶ Joe owes \$2,000 in past due support.
- ▶ Joe pays \$700.00 that month.
- ▶ The \$300.00 is applied to past due support.

QUESTIONS

&

ANSWERS



**Thank You
All For
Coming!!!**