

APPENDIX

CHILD SUPPORT RECOVERYCONTENTS

	<u>Page</u>
LOCATION AND PATERNITY	
Address Information Request, CS-1206-5 (470-0176)	1
Paternity Questionnaire Cover Letter, 470-3308	2
Paternity Questionnaire, 470-0172	3
Directions for Service, 470-3181	4
Out of State Directions and Return of Service, 470-3325	6
Uniform Support of Dependents Law, RC-252A	8
Affidavit, CS-5131-0 (470-0234)	9
Iowa Income Withholding Statute, RC-252D	13
LEGAL ACTION	
Legal Action Referral, CS-2105-0	19
Petition for Reimbursement, CS-5127-0	20
Order to Show Cause in Re: Contempt, CS-5140-0	21
TREATMENT OF CHILD SUPPORT PAYMENTS	
Insufficient Funds Letter, CS-3205-0	22
Child Support Computation, CS-4101-5	23
Authorization for Automatic Withdrawal, 470-2602	28
Authorization for Automatic Deposit, 470-2612	29
Request for Manual Refund, 470-2327	30
SETOFF PROGRAMS	
Notice of Garnishment -- Wages, CS-5149	88
Notice of Garnishment -- Bank Account, 470-2001	89
Application to Condemn Funds, CS-5150-0	90
Order Condemning Funds, CS-5151-0	91
Notice of State Tax Refund Offset, 470-0198	92
Final Disposition of Support Recovery Claim, 470-0199	92b
Adjustment of Federal Tax Setoff, 470-2082	93a
Adjustment of Federal Tax Setoff Cover Letter, 470-2083	93b
Repayment Agreement For Federal Tax Refund Setoff, 470-2084	93c
Notice of Administrative Review, 470-2086	94



TERRY E. BRANSTAD, GOVERNOR

CHARLES M. PALMER, DIRECTOR

DEPARTMENT OF HUMAN SERVICES

TO:

POSTMASTER

MAIN POST OFFICE

ADDRESS INFORMATION REQUEST

Please furnish this agency with the new address, if available, for the following individual or verify if the address given below is one at which mail for this individual is currently being delivered. If the following address is a post office box, please furnish the street address as recorded on the boxholder's application form.

Name:

I certify that the address information for this individual is required for the performance of this agency's official duties.

Last known address:

(Agency Official)

FOR POST OFFICE USE ONLY

- MAIL IS DELIVERED TO ADDRESS GIVEN
- NOT KNOWN AT ADDRESS GIVEN
- MOVED, LEFT NO FORWARDING ADDRESS
- NO SUCH ADDRESS
- OTHER *(Specify)*: _____

NEW ADDRESS:

BOX HOLDER'S STREET ADDRESS:

Please return this letter to the following address:

Child Support Recovery Unit

POSTMARK/DATE STAMP

CHILD SUPPORT RECOVERYADDRESS INFORMATION REQUEST, CS-1206-5 (470-0176)

Form CS-1206-5 is designed to be used in requesting address information on a responsible person from a postmaster.

When Prepared

When all other available location sources have been exhausted.

By Whom Prepared

Prepared by the local CSRU worker responsible for the case file.

Number of Copies

Original and one NCR copy.

Specific Instructions

Insert the city, state and zip code of the postmaster responsible for mail delivery at the last known address of the responsible person.

Insert the responsible person's name and last known address. The form must be signed by the worker responsible for case file, and the worker's title inserted. A fee for processing this request to the post offices is not required.

Disposition

Original to postmaster.

Yellow NCR copy retained in case file.

CHILD SUPPORT RECOVERYPATERNITY QUESTIONNAIRE COVER LETTER, 470-3308

The Paternity Questionnaire Cover Letter accompanies the Paternity Questionnaire and is used when the child has no legal father.

When Prepared

Prepare this form to accompany the Paternity Questionnaire when trying to establish a legal father for a child.

By Whom Prepared

Prepared by CSRU or FCRU staff.

Number of Copies

Prepare one copy of the cover letter. Make a copy of the cover letter for the case file.

Specific Instructions

Generate the form from the FORMOSEL module. The process code is CASE.

Check if the case is an NPA or PA case.

The address information is pulled in by the database.

Disposition

Send this form to the obligee along with the Paternity Questionnaire.



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF HUMAN SERVICES

CHARLES M. PALMER, DIRECTOR

PATERNITY QUESTIONNAIRE COVER LETTER

Case Number: _____

Alleged Father: _____

Date: _____

Dear _____:

The Child Support Recovery Unit (CSRU) is the agency responsible for establishing paternity and orders for support. CSRU needs additional information in order to evaluate your case and proceed with a paternity action if appropriate. Please complete the enclosed Paternity Questionnaire. Return the Paternity Questionnaire to our office within 10 days from the date of this letter. Be as accurate and specific with your answers as possible. Please sign and date the form.

CSRU will review the completed questionnaire and, if appropriate, file an action to establish legal paternity. CSRU will notify you if you are required to appear for a personal interview, genetic testing, or to testify at a court hearing. If more information is needed, CSRU will schedule a personal interview with you.

Establishing paternity for your child is very important for several reasons. The child has the right to support from both parents. If a child is born out of wedlock, paternity must be established before the biological father can be ordered to support the child. Benefits such as the father's social security, veteran's benefits, and worker's disability may not be available to the child unless paternity has been established.

If you have any questions regarding this matter, please contact the office listed below. CSRU will close your case if you fail to return the enclosed paternity questionnaire within 10 days. Your cooperation with CSRU is an eligibility factor if you are receiving public assistance. Failure to respond within 10 days could result in you being removed from the FIP grant.

Child Support Recovery Unit

Iowa Department of Human Services
PATERNITY QUESTIONNAIRE

Case Number: _____
Worker Number: _____
Date Prepared: _____
Child: _____

Return the completed Questionnaire to:
Child Support Recovery Unit

Information about the child's mother

If you are the child's mother, complete this section with information about yourself. If you are the child's caretaker, complete this section with information about the child's mother.

Mother's Name: First: _____ Middle Initial: _____ Last: _____

Mother's Maiden name: _____

Mother's last known address: _____ City: _____ State: _____ Zip: _____

Is this a current address? Yes No Unknown

Telephone number: _____

Mother's social security number: _____ Mother's date of birth: ____/____/____

Mother's employer: _____ Work phone number: _____

Employer's address: _____ City, State, Zip: _____

Is the child's mother now on, or has she ever been on FIP (ADC) in Iowa? Yes No

In a state other than Iowa? Yes No If yes, list state _____

Is the child's mother now on, or has she ever been on Medicaid (Title 19) in Iowa? Yes No

In a state other than Iowa? Yes No If yes, list state _____

Mother's current marital status: Single Married Divorced

If the mother is married or divorced, complete the following: Name of (ex)spouse: _____

Date of marriage ____/____/____ Married at (County/State): _____

Date divorced: ____/____/____ Divorce filed at (County/State): _____

Is the mother ordered to pay child support? Yes No Unknown

Is the mother pregnant now? Yes No If yes, by whom? _____

Do you know of anyone else who may be the father of the child? Yes No Maybe

Please explain: _____

List the mother's additional children: _____

Complete if you are the child's caretaker but are not the child's mother

Your name: First: _____ Middle: _____ Last: _____
 Your telephone number: _____ Message phone number: _____
 Your social security number: _____ Are you now, or have you ever received FIP (ADC) in Iowa? Yes No
 In a state other than Iowa? Yes No If yes, list state _____
 Are you now, or have you ever been on Medicaid (Title 19) in Iowa? Yes No In a state other than Iowa? Yes No
 If yes, list state: _____ What is your relationship to this child? _____
 What is your relationship to the child's mother? _____

Information about the child

Child's name: First: _____ Middle: _____ Last: _____
 Male Female Child's date of birth: ____/____/____
 Child's birthplace: Hospital: _____ City: _____
 County: _____ State: _____ Birth weight: ____ lbs ____ oz
 Approximate date the mother became pregnant: _____ Approximate due date: _____
 Was the mother in Iowa when she became pregnant? Yes No
 If not, what state? _____
 Was pregnancy full term? Yes No If no, how many weeks early? _____
 Weeks late? _____
 Who is listed as the father on the birth certificate? First: _____ MI: _____
 Last: _____ Is there an order for him to pay support? Yes No
 If yes, Order number: _____ Filed in County: _____
 State: _____ on ____/____/____
 Did the mother of this child have sexual intercourse with any other man within 30 days before or after the time she became pregnant? Yes No Unknown If yes, please list the names and addresses of each individual: _____

Information about the child's alleged father

Full name of the child's father: First: _____ Middle: _____ Last: _____
 Other names the father is known by (alias names): _____
 Father's last known address: _____ City: _____ State: _____ Zip: _____
 Date father was last at this address: ____/____/____ Phone number: _____

Information about the child's alleged father (continued)

If the father lives with someone else, please list their name and address: Name: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Father's social security number: _____ Date of birth: ___/___/___ Approx. age: _____
 Father's place of birth: City: _____ State: _____

Father's race: _____ Height: _____ Weight: _____ Hair color: _____ Eye color: _____ Able to work? <input type="checkbox"/> Yes <input type="checkbox"/> No List any disabilities _____ _____ Marital status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced Does the father have any tattoos, birthmarks, or other distinguishing features? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain: _____
--

List the father's additional children: _____

Does the father receive SSD/SSI/FIP/Food Stamps? Yes No If yes, what assistance? _____

_____ Father's last known employer: _____

Employer's address: _____ City: _____ State: _____ Zip: _____

Date last with this employer: ___/___/___ Occupation: _____

Has the father ever been in the military? Yes No If yes, from ___/___/___ to ___/___/___

What branch? _____ Where stationed? City: _____ State: _____

Has the father ever been in jail or prison? Yes No If yes, from ___/___/___ to ___/___/___

Where? _____ City: _____ State: _____

List the names of the alleged father's own parents:

Mother's name: First: _____ Maiden: _____ Last: _____

Mother's address: _____ City: _____ State: _____ Zip: _____

Father's name: First: _____ MI: _____ Last: _____

Father's address: _____ City: _____ State: _____ Zip: _____

What was the length of the sexual relationship between the alleged father and mother of the child?

From: Month _____ Year _____ to Month _____ Year _____

Where did the father live when the mother became pregnant? City: _____ State: _____

Did the mother inform the alleged father that she was pregnant with his child? Yes No

Was the father present at the delivery? Yes No If no, did the mother inform him of the birth? Yes No

Case: _____

Information about the child's alleged father (continued)

Has the father admitted he is the father? Yes No If no, what reason was given? _____

<p>Did the father ever sign papers admitting he is the father? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, what paper? <input type="checkbox"/> Birth certificate <input type="checkbox"/> Paternity affidavit <input type="checkbox"/> Other</p> <p>If other specify: _____</p> <p>Please provide a copy if you have it.</p>

Did the alleged father ever live with the child? Yes No If yes, list time periods: _____

Do you have pictures of the child and the father (separately and together)? Yes No If so, please provide them.

Do you have letters, cards, etc. from the father that indicate he acknowledges he is the father? Yes No

Has the father ever visited with the child? Yes No If yes, how often? _____

Has the father ever helped support the child by buying clothes, diapers, food, etc.? Yes No

If yes, when? _____ What was provided? _____

Has the father ever given money for the child? Yes No If yes, when? _____

Please list any additional information that may be helpful in locating the father and establishing the paternity of the child (for example, where does he spend free time, who are his friends, etc.). List any information which did not fit in the spaces provided above. If you are the mother of the child, explain your current relationship with the alleged father.

If you are not the mother but are the caretaker of the child, explain if the court has placed the child with you and if there is a court order. Also explain if the mother and alleged father visit the child and provide support for the child.

I swear the foregoing is true and accurate to the best of my knowledge.

_____ Date

_____ Signature

CHILD SUPPORT RECOVERYPATERNITY QUESTIONNAIRE, 470-0172

The Paternity Questionnaire is used when a child has no legal father. Use the Paternity Questionnaire to gather information from the mother or caretaker about any alleged fathers for the child.

When Prepared

Prepare this form when trying to establish a legal father for a child.

By Whom Prepared

Prepared by CSRU or FCRU staff.

Number of Copies

Prepare one copy of the questionnaire.

Specific Instructions

Generate the form from the FORMOSEL module. The process code is CASE.

Enter the name of the child for whom paternity is at issue.

The case, worker, date, and CSRU address information is pulled in by the database.

Disposition

Send this form to the obligee along with the Paternity Questionnaire Cover Letter.

CHILD SUPPORT RECOVERYDIRECTIONS FOR SERVICE, 470-3181

Use the Directions for Service form to instruct an Iowa process server on the manner of service, the documentation of information regarding the person served, and the return of service.

When Prepared

Prepare this form whenever a form requiring service on a parent living in Iowa is generated. These documents include, but are not limited to:

- ◆ Notice to Alleged Father/Mother of Intent Establish Paternity.
- ◆ URESA Petition for Support.
- ◆ Notice of Support Debt.
- ◆ Notice of Garnishment.
- ◆ Order to Show Cause.

By Whom Prepared

Prepared by CSRU or FCRU staff.

Number of Copies

Prepare one copy.

Specific Instructions

Generate the form from the Process screen or from the FORMOSEL module. The process code is CASE. If the form is generated from the process, the system pulls the known variables from ICAR. If the form is generated from FORMOSEL module, the system does not pull known variables.

Enter the following information:

1. The CSC # and the Court #.
2. Today's date and the expiration date.
3. Name(s) of item(s) to be served as attached.
4. Person being served information:
 - Name
 - Home address, including city, state, zip code, and phone number, if available.
 - Date of birth and social security number, if available.
 - Physical descriptors information.

Iowa Department of Human Services
DIRECTIONS FOR SERVICE

CSC# _____

COURT # _____

DATE: _____
TO: _____ COUNTY

EXPIRATION DATE: _____

PLEASE SERVE THE ATTACHED:
UPON: _____

PERSONAL SERVICE
REQUIRES SERVICE ON ANY ADULT IN
HOUSEHOLD PERMITTED

EMPLOYER: _____

DESCRIPTION: SOC SEC#: _____ DOB: _____ SEX: _____
RACE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

OTHER INFORMATION RELATING TO SERVICE: _____

PERSON REQUESTING SERVICE: _____

NOTE TO SHERIFF:
Please serve the attached and forward return of services to the _____ County Courthouse,
_____. Please serve the attached and forward return of service and your bill to
this office. Please serve the attached and forward return of service to this office and your bill to
_____ County. _____

45 C.F.R. section 304.21 (b) (1) Iowa Code section 602.8109 (a) - (b)

If you have any questions, please do not hesitate to contact our office at the above listed phone number. Thank you.

CHILD SUPPORT RECOVERYDIRECTIONS FOR SERVICE, 470-3181 (Cont.)Specific Instructions (Cont.)

5. Check manner of service requested ("Personal Service Required" or "Service on any Adult in Household Permitted.")
6. Any other information which may be helpful related to service.
7. Requester's information:
 - Your name
 - Your title
 - CSRU's address, including city, state, and zip code.
 - CSRU's telephone number.
8. Return of service information. Check the appropriate option:
 - Forward return of service to the specified county courthouse in the specified city.
 - Forward return of service to the requesting CSRU.
 - Forward return of service to the specified county.
 - If other return of service is requested, specify return of service directions using the two "Other" fields.

Disposition

Send the form to the sheriff with the document requiring service.

CHILD SUPPORT RECOVERYOUT-OF-STATE DIRECTIONS AND RETURN OF SERVICE, 470-3325

Use the Out-of-State Directions and Return of Service form to instruct a process server outside Iowa on the manner of service, the documentation of information regarding the person served, and the return of service.

When Prepared

Prepare this form whenever a document requiring service on an out of state parent is generated. These documents include, but are not limited to:

- ◆ Notice to Alleged Father/Mother of Intent to Establish Paternity.
- ◆ URESA Petition for Support.
- ◆ Notice of Support Debt.
- ◆ Notice of Garnishment.
- ◆ Order to Show Cause.

When Prepared

Prepared by CSRU or FCRU staff.

Number of Copies

Prepare one copy.

Specific Instructions

Generate the form from the process screen or from FORMOSEL module. The process code is ADAPT. If the form is generated from the process, the system pulls the known variables from ICAR. If the form is generated from FORMOSEL module, the system does not pull known variables.

Enter the following information:

1. The CSC # and the court #.
2. Today's date and the expiration date.
3. Sheriff or process server information:
 - County name.
 - Sheriff or process server's address, including city, state, and zip code.
4. Name(s) of item(s) to be served as attached.

Iowa Department of Human Services
OUT OF STATE DIRECTIONS FOR SERVICE

CSC# _____

COURT # _____

DATE: _____

EXPIRATION DATE: _____

TO: _____
COUNTY _____

STATE OF _____

PLEASE SERVE THE ATTACHED:
UPON: _____

**PERSONAL SERVICE
REQUIRED SERVICE ON ANY ADULT IN
HOUSEHOLD PERMITTED**

EMPLOYER: _____

DESCRIPTION: SOC SEC#: _____ DOB: _____ SEX: _____
RACE: _____ HEIGHT: _____ WEIGHT: _____ HAIR: _____ EYES: _____

OTHER INFORMATION RELATING TO SERVICE: _____

PERSON REQUESTING SERVICE: _____

NOTE TO SHERIFF:
Please serve the attached, complete the return of service and forward the return of service and your bill to this office.
Iowa Law requires the signature on the return of service to be NOTARIZED.
45 C.F.R. section 304.21 (b)(1) Iowa Code section 602.8109(a)-(b).
If you have any questions, please contact our office at the above listed phone number. Thank you.

**Iowa Department of Human Services
OUT OF STATE RETURN OF SERVICE**

Case Number: _____

Date Received This Notice: _____

State of _____)
_____)ss

County _____

Return of Service:

- ____ Personal
- ____ Dwelling/Substitute
- ____ Hotel, Boarding/Rooming House
- ____ Corporation/Association

- ____ Official (State, County, City)
- ____ Spouse Away from Residence
- ____ Other _____

I Certify That I Served a Copy of:

- () Petition and Original Notice
- () Modification/Application of Notice
- () Order to Show Cause
- () Writ
- () Order filed _____
(Date)

- () Notice of Child Support Debt
- () Notice to Alleged Father of Intent to Establish Paternity and Set Support Obligation
- () Other _____

Served: _____ at _____
(Name) (Address)

on _____, 19____, @ _____ a.m./p.m. or by serving
(Date) (Time)

_____ *at _____
(Name) (Address)

on _____, 19____, @ _____ a.m./p.m.
(Date) (Time)

* a person residing therein who was then at least 18 years old or spouse away from residence

Notes: (Diligent Search, etc.) _____

Fees:

Service: _____
Mileage: _____
Copy: _____
TOTAL: _____

Signature and Official Title

SUBSCRIBED TO AND SWORN TO before
me this _____ day of _____,
19____.

NOTARY PUBLIC IN AND FOR THE STATE
OF _____

CHILD SUPPORT RECOVERYOUT-OF-STATE DIRECTIONS AND RETURN OF SERVICE, 470-3325 (Cont.)Specific Instructions (Cont.)

5. Person being served information:
 - Name
 - Home address, including city, state, zip code, and phone number, if available.
 - Date of birth and social security number, if available.
 - Physical descriptors information.
6. Check if "in person service" is required or if service can be on any adult in the person's household.
7. Any other information which may be helpful relating to service.
8. Requester's information.
 - Your name
 - Your title
 - CSRU's address, including city, state and zip code.
 - CSRU's telephone number.

On the Out of State Return of Service page, the system inputs the case number. The out-of-state sheriff or process server completes all other information.

Disposition

Send the form to the process server with the document requiring service. The process server returns the completed and notarized Return of Service page to the person requesting service.

CHILD SUPPORT RECOVERY

UNIFORM SUPPORT OF DEPENDENTS LAW, RC-252A

Use the RC-252A to inform out-of-state IV-D agencies of Iowa's state child support law.

When Prepared

Include copies whenever sending petitions out of state.

By Whom Prepared

Prepared by child support worker or attorney.

Number of Copies

Four copies.

Specific Instructions

There are no items requiring completion. Supplies are available from Iowa State Industries at Anamosa.

Disposition

Staple one copy with the petition (URESAs or paternity) to the initiating clerk of court.

Send three copies to the responding state.

CHAPTER 252A

UNIFORM SUPPORT OF DEPENDENTS LAW

252A.1	Title and purpose.	252A.13	Recipients of public assistant -- assignment of support payments..
252A.2	Definitions.	252A.14	and 252A.15 Reserved.
252A.3	Liability for support.	252A.16	Additional remedies for foreign support orders.
252A.3A	Establishing paternity by affidavit	252A.17	Registry of foreign support orders.
252A.4	Jurisdiction.	252A.18	Registration procedure for foreign support Orders -- notice.
252A.5	When proceeding may be maintained.	252A.19	Enforcement procedure for registered foreign Support orders.
252A.5A	Limitations of actions.	252A.20	Modification or adjustment of a registered foreign support order and of an Iowa order registered in a foreign jurisdiction.
252A.6	How commenced -- trial.	252A.21	through 252A.23 Reserved.
252A.6A	Additional provisions regarding paternity establishment.	252A.24	Interstate rendition.
252A.7	Petitioner's representatives to appear.	252A.25	Conditions of interstate rendition.
252A.8	Additional remedies.		
252A.9	Construction.		
252A.10	Costs advanced.		
252A.11	Custody of respondent.		
252A.12	Exchange lists of courts.		

252A.1 Title and purpose.

This chapter may be cited and referred to as the "*Uniform Support of Dependents Law*".

The purpose of this uniform chapter is to secure support in civil proceedings for dependent spouses, children and poor relatives from persons legally responsible for their support.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.1]

252A.2 Definitions.

As used in this chapter, unless the context shall require otherwise, the following terms shall have the meanings ascribed to them by this section:

1. "*Birth center*" means birth center as defined in section 135G.2.

2. "*Birthing hospital*" means a private or public hospital licensed pursuant to chapter 135B that has a licensed obstetric unit or is licensed to provide obstetric services, or a licensed birthing center associated with a hospital.

3. "*Child*" includes but shall not be limited to a stepchild, foster child or legally adopted child and means a child actually or apparently under eighteen years of age, and a dependent person eighteen years of age or over who is unable to maintain the person's self and is likely to become a public charge.

4. "*Court*" shall mean and include any court by whatever name known, in any state having reciprocal laws or laws substantially similar to this chapter upon which jurisdiction has been conferred to determine the liability of persons for the support of dependents within and without such state.

5. "*Dependent*" shall mean and include a spouse, child, mother, father, grandparent or grandchild who is in need of and entitled to support from a person who is declared to be legally liable for such support by the laws of the state or states wherein the petitioner and the respondent reside.

6. "*Initiating state*" shall mean the state of domicile or residence of the petitioner.

7. "*Institution*" means a birthing hospital or birth center.

8. "*Petitioner*" shall mean and include each dependent person for whom support is sought in a proceeding instituted pursuant to this chapter.

9. "*Petitioner's representative*" shall mean and include a corporation counsel, county attorney, state's attorney, commonwealth attorney and any other public officer, by whatever title the officer's public office may be known, charged by law with the duty of instituting, maintaining or prosecuting a proceeding under this chapter or under the laws of the state of states wherein the petitioner and the respondent reside.

10. "*Putative father*" means a man who is alleged to be or who claims to be the biological father of a child born to a woman to whom the man is not married at the time of the birth of the child.

11. "*Register*" means to file a foreign support order in the registry of foreign support orders maintained as a filing in equity by the clerk of court.

12. "*Rendering state*" means a state in which the court has issued a support order for which registration is sought or granted in the court of another state.

13. "*Respondent*" shall mean and include each person against whom a proceeding is instituted pursuant to this chapter.

14. "*Responding state*" shall mean the state wherein the respondent resides or is domiciled or found.

15. "*State*" means any state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any foreign jurisdiction in which this or a similar reciprocal law is in effect.

16. "*State registrar*" means state registrar as defined in section 144.1.

17. "*Summons*" shall mean and include a subpoena, warrant, citation, order or other notice, by

whatever name known, provided for by the laws of the state or states wherein the petitioner and the respondent reside as the means for requiring the appearance and attendance in court of the respondent in a proceeding instituted pursuant to this chapter.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.2; 82 Acts, ch 1004, §6, 7]

93 Acts, ch 79, §11; 94 Acts, ch 1171, §10, 11

NEW subsections 1 and 2 and former subsections 1-4 renumbered as 3-6
NEW subsections 7 and 10 and former subsections 5-13 renumbered as 8, 9, and 11-17

252A.3 Liability for support.

For the purpose of this chapter:

1. A spouse in one state is hereby declared to be liable for the support of the spouse and any child or children under eighteen years of age and any other dependent residing or found in the same state or in another state having substantially similar or reciprocal laws. The court having jurisdiction of the respondent in a proceeding instituted under this chapter shall establish the respondent's monthly support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4.

2. A parent in one state is hereby declared to be liable for the support of the parent's child or children under eighteen years of age residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever the other parent of such child or children is dead, or cannot be found, or is incapable of supporting the child or children, and, if the liable parent is possessed of sufficient means or able to earn the means. The court having jurisdiction of the respondent is a proceeding instituted under this chapter shall establish the respondent's monthly support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4.

3. The parents in one state are hereby declared to be severally liable for the support of a dependent child eighteen years of age or older residing or found in the same state or in another state having substantially similar or reciprocal laws, whenever such child is unable to maintain the child's self and is likely to become a public charge.

4. A child or children born of parents who, at any time prior or subsequent to the birth of such child, have entered into a civil or religious marriage ceremony, shall be deemed the legitimate child or children of both parents, regardless of the validity of such marriage.

5. A child or children born of parents who held or hold themselves out as husband and wife by virtue of a common law marriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate child or children of both parents.

6. A man or woman who was or is held out as the person's spouse by a person by virtue of a common law marriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate spouse of such person.

7. Notwithstanding the fact that the respondent has obtained in any state or country a final decree of divorce or separation from the respondent's spouse or a decree dissolving the marriage, the respondent shall be deemed legally liable for the support of any dependent child of such marriage.

8. Duties of support applicable under this chapter are those imposed or imposable under the laws of any state where the respondent was present during the period for which support is sought. The respondent is presumed to have been present in the responding state during the period for which support is sought until otherwise shown.

9. The parents of a child born out of wedlock shall be severally liable for the support of the child, but the liability of the father shall not be enforceable unless paternity has been legally established. Paternity may be established as follows:

a. By order of a court of competent jurisdiction or by administrative order when authorized by state law.

b. By the statement of the person admitting paternity in court and upon concurrence of the mother. If the mother was married, at the time of birth or conception of the child, to an individual other than the person admitting paternity, the individual to whom the mother was married at the time of birth or conception must deny paternity in order to establish the paternity of the person admitting paternity upon the sole basis of the admission.

c. By the filing of an affidavit of paternity executed on or after July 1, 1993, as provided in section 252A.3A, provided that the mother of the child was unmarried at the time of birth and conception of the child or if the mother was married at the time of birth or conception of the child, a court of competent jurisdiction has determined that the individual to whom the mother was married at that time is not the father of the child.

d. By establishment of paternity in a foreign jurisdiction in any manner provided for by laws of that jurisdiction.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.3] 89 Acts, ch 166, §2; 93 Acts, ch 79, §12; 94 Acts, ch 1171, §12

Spousal support debt for medical assistance to institutionalized spouse; ch 249B

Subsection 9, NEW paragraph d

252A.3A Establishing paternity by affidavit.

1. The paternity of a child born out of wedlock may be legally established by the completion and filing of an affidavit of paternity only as provided by this section.

2. When paternity has not been legally established, paternity may be established by affidavit under this section for the following children:

a. The child of a woman who was unmarried at the time of conception and birth of the child.

b. The child of a woman who is married at the time of conception or birth of a the child if a court of competent jurisdiction has determined that the individual to whom the mother was married at that time is not the father of the child.

3. a. Prior to or at the time of completion of an affidavit of paternity, written information about paternity establishment, developed by the child support recovery unit created in section 252B.2, shall be provided to the mother and putative father.

b. The information provided shall include a description of parental rights and responsibilities, including the duty to provide financial support for the child, and the benefits of establishing paternity.

c. Copies of the written information shall be made available by the child support recovery unit or the Iowa department of public health to those entities where an affidavit of paternity may be obtained as provided under subsection 4.

4. a. The affidavit of paternity form developed and used the Iowa department of public health is the only affidavit of paternity form recognized for the purpose of establishing paternity under this section.

b. The form shall be available from the state registrar, each county registrar, the child support recovery unit, and any institution in the state.

c. The Iowa department of public health shall make copies of the form available to the entities identified in paragraph "b" for distribution.

5. A completed affidavit of paternity shall contain or have attached all of the following:

a. A statement by the mother consenting to the assertion of paternity and the identity of the father and acknowledging either of the following:

(1) That the mother was unmarried at the time of conception and birth of the child.

(2) That the mother was married at the time of conception or birth of the child, and that a court order has been entered ruling that the individual to whom the mother was married at that time is not the father of the child.

b. If paragraph "a", subparagraph (2), is applicable, a certified copy of the filed order ruling that the husband is not the father of the child.

c. A statement from the putative father that the putative father is the father of the child.

d. The name of the child at birth and the child's birth date.

e. The signatures of the mother and putative father.

f. The social security numbers of the mother and putative father.

g. The addresses of the mother and putative father, as available.

h. The signature of a notary public attesting to the identities of the parties signing the affidavit of paternity.

i. Instructions for filing the affidavit.

6. A completed affidavit of paternity shall be filed with the state registrar. However, if the affidavit of paternity is obtained directly from the county registrar, the completed affidavit may be filed with the county registrar who shall forward the original affidavit to the state registrar. For the purposes of legal establishment of paternity under this section, paternity is legally established only upon filing of the affidavit with the state registrar.

7. The state registrar shall make copies of affidavits of paternity and identifying information from the affidavits filed pursuant to this section available to the child support recovery unit created under section 252B.2 in accordance with section 144.13, subsection 4.

8. An affidavit of paternity completed and filed pursuant to this section has of all the following effects:

a. Is admissible as evidence of paternity.

b. Has the same legal force and effect as a judicial determination of paternity.

c. Serves as a basis for seeking child or medical support without further determination of paternity.

9. All institutions in the state shall provide the following services with respect to any newborn child born out of wedlock:

a. Prior to discharge of the newborn from the institution, the institution where the birth occurs shall provide the mother and, if present, the putative father, with all the following:

(1) Written information about establishment of paternity pursuant to subsection 3.

(2) An affidavit of paternity form.

(3) An opportunity for consultation with the staff of the institution regarding the written information provided under subparagraph (1).

(4) An opportunity to complete an affidavit of paternity at the institution, as provided in this section.

b. The institution shall file any affidavit of paternity completed at the institution with the state registrar, pursuant to subsection 6, accompanied by a copy of the child's birth certificate, within ten days of the birth of the child.

10. a. An institution may be reimbursed by the child support recovery unit created in section 252B.2 for providing the services described under subsection 9, or may provide the services at no cost.

b. An institution electing reimbursement shall enter into a written agreement with the child support recovery unit for this purpose.

c. An institution entering into an agreement for reimbursement shall assist the parents of a child born out of wedlock in completing and filing an affidavit of paternity.

d. Reimbursement shall be based only on the number of affidavits completed in compliance with this section and submitted to the state registrar during the duration of the written agreement with the child support recovery unit.

e. The reimbursement rate is twenty dollars for each completed affidavit filed with the state registrar.

95 Acts, ch 52, §2
Subsection 2, unnumbered paragraph 1 amended

252A.4 Jurisdiction

For the purposes of this chapter:

1. The court shall have jurisdiction regardless of the state of last residence or domicile of the petitioner and the respondent and whether or not the respondent has ever been a resident of the initiating state

or the dependent person has ever been a resident of the responding state.

2. The court of the responding state may order the respondent to pay sums sufficient to provide necessary food, shelter, clothing, care, medical or hospital expenses, including medical support as defined in chapter 252E, expenses of confinement, expenses of education of a child, funeral expenses and such other reasonable and proper expenses of the petitioner as justice requires, having due regard to the circumstances of the respective parties.

3. The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the right so to take testimony shall be exercised, provided that the respondent is given a full and fair opportunity to answer the allegations of the petitioner.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81 §252A.4]
90 Acts, ch 1224, §

252A.5 When proceeding may be maintained.

A proceeding to compel support of a dependent may be maintained under this chapter in any of the following cases:

1. Where the petitioner and the respondent are residents of or domiciled or found in the same state.

2. Where the petitioner resides in one state and the respondent is a resident of or is domiciled or found in another state having substantially similar or reciprocal laws.

3. Where the respondent is not and never was a resident of or domiciled in the initiating state and the petitioner resides or is domiciled in such state and the respondent is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

4. Where the respondent was or is a resident of or domiciled in the initiating state and has departed or departs from such state leaving therein a dependent in need of and entitled to support under this chapter and is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

5. Whenever the state or a political subdivision thereof furnishes support to a dependent, it has the same right through proceedings instituted by the petitioner's representative to invoke the provisions hereof as the dependent to whom the support was furnished, for the purpose of securing reimbursement of expenditures so made and of obtaining continuing support; the petition in such case may be verified by any official having knowledge of such expenditures and consent of the dependent shall not be required in order to institute proceedings under this chapter.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.5]

252A.5A Limitations of actions.

1. An action to establish paternity and support under this chapter may be brought within the time limitations set forth in section 614.8.

2. Notwithstanding subsection 1, an action to establish paternity and support under this chapter may be brought concerning a person who was under age eighteen on August 16, 1984, regardless of whether any prior action was dismissed because a statute of limitations of less than eighteen years was then in time limitations set forth in section 614.8, or until July 2, 1992, whichever is later.

90 Acts, ch 1224, §3

252A.6 How commenced -- trial.

1. A proceeding under this chapter shall be commenced by a petitioner, or a petitioner's representative, by filing a verified petition in the court in equity in the county of the state wherein the petitioner resides or is domiciled, showing the name, age, residence and circumstances of the petitioner, alleging that the petitioner is in need of and is entitled to support from the respondent, giving the respondent's name, age, residence and circumstances, and praying that the respondent be compelled to furnish such support. The petitioner may include in or attach to the petition any information which may be help in locating or identifying the respondent including, but without limitation by enumeration, a photograph of the respondent, a description of any distinguishing marks of the respondent's person, other names and aliases by which the respondent has been or is known, the name of the respondent's employer, the respondent's fingerprints, or social security number.

2. If the respondent be a resident of or domiciled in such state and the court has or can acquire jurisdiction of the person of the respondent under existing laws in effect in such state, such laws shall govern and control the procedure to be followed in such proceeding.

3. If the court of this state acting as an initiating state finds that the petition sets forth facts from which it may be determined that the respondent owes a duty of support and that a court of the responding state may obtain jurisdiction of the respondent or the respondent's property, it shall so certify and shall cause three copies of (a) the petition (b) its certificate and (c) this chapter to be transmitted to the court in the responding state. If the name and address of such court is unknown and the responding state has an information agency comparable to that established in the initiating state it shall cause such copies to be transmitted to the state information agency or other proper official of the responding state, with a request that it forward them to the proper court, and that the court of the responding state acknowledge their receipt to the court of the initiating state.

4. When the court of this state, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall docket the cause, notify the county attorney or other official acting as petitioner's representative, set a time and place for a hearing, and take such action as is necessary in accordance with the laws of this state to serve notice

and thus obtain jurisdiction over the respondent. If a court of the state, acting as a responding state, is unable to obtain jurisdiction of the respondent or the respondent's property due to inaccuracies or inadequacies in the petition or otherwise, the court shall communicate this fact to the court in the initiating state, shall on its own initiative use all means at its disposal to trace the respondent or the respondent's property, and shall hold the case pending the receipt of more accurate information or an amended petition from the court in the initiating state.

However, if the court of the responding state is unable to obtain jurisdiction because the respondent resides in or is domiciled or found in another county of the responding state, the papers received from the court of the initiating state may be forwarded by the court of the responding state which received the papers to the court of the county in the responding state in which the respondent resides or is domiciled or found, and the court of the initiating state shall be notified of the transfer. The court of the county where the respondent resides or is domiciled or found shall acknowledge receipt of the papers to both the court of the initiating state and the court of the responding state which forwarded them, and shall take full jurisdiction of the proceedings with the same powers as if it had received the papers directly from the court of the initiating state.

5. It shall not be necessary for the petitioner or the petitioner's witnesses to appear personally at such hearing, but it shall be the duty of the petitioner's representative of the responding state to appear on behalf of and represent the petitioner at all stages of the proceeding.

6. If at such hearing the respondent controverts the petition and enters a verified denial of any of the material allegations thereof, the judge presiding at such hearing shall stay the proceedings and transmit to the judge of the court in the initiating state a transcript of the clerk's minutes showing the denials entered by the respondent.

7. Upon receipt by the judge of the court in the initiating state of such transcript, such court shall take such proof, including the testimony of the petitioner and the petitioner's witnesses and such other evidence as the court may deem proper, and, after due deliberation, the court shall make its recommendation, based on all of such proof and evidence, and shall transmit to the court in the responding state an exemplified transcript of such proof and evidence and of its proceedings and recommendation in connection therewith.

8. Upon the receipt of such transcript, the court in the responding state shall resume its hearings in the proceeding and shall give the respondent a reasonable opportunity to appear and reply.

9. Upon the resumption of such hearing, the respondent shall have the right to examine or cross-examine the petitioner and the petitioner's witnesses by means of depositions or written interrogatories, and the petitioner shall have the right to examine or cross-examine the respondent and the respondent's

witnesses by means of depositions or written interrogatories.

10. If a respondent, duly summoned by a court in the responding state, willfully fails without good cause to appear as directed in the summons, the respondent shall be punished in the same manner and to the same extent as is provided by law for the punishment of a defendant or witness who willfully disobeys a summons or subpoena duly issued out of such court in any other action or proceeding cognizable by said court.

11. If, on the return day of the summons, the respondent appears at the time and place specified in the summons and fails to answer the petition or admits the allegations of the petition, or, if, after a hearing has been duly held by the court in the responding state in accordance with this section, the court has found and determined that the prayer of the petitioner, or any part of the prayer, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall make and enter an order directing the respondent to furnish support to the petitioner and to pay a sum as the court determines pursuant to section 598.21, subsection 4. A certified copy of the order shall be transmitted by the court to the court in the initiating state and the copy shall be filed with and made a part of the records of the court in the proceeding. Upon entry of an order for support or upon failure of a person to make payments pursuant to an order for support, the court may require the respondent to provide security, a bond, or other guarantee which the court determines is satisfactory to secure the payment of the support. Upon the respondent's failure to pay the support under the order, the court may declare the security, bond, or other guarantee forfeited.

12. The court making such order may require the respondent to make payment at specified intervals to the clerk of the district court, or to the dependent, or to any state or county agency, and to report personally to the sheriff or any other official, at such times as may be deemed necessary.

13. A respondent who shall willfully fail to comply with or violate the terms or conditions of the support order or of the respondent's probation shall be punished by the court in the same manner and to the same extent as is provided by law for a contempt of such court or a violation of probation ordered by such court in any other suit or proceeding cognizable by such court.

14. The court of this state when acting as a responding state shall have the following duties which may be carried out through the clerk of the court: Upon receipt of a payment made by the respondent pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and upon request to furnish to the court of the initiating state a certified statement of all payments made by the respondent.

15. Any order of support issued by a court of the state acting as a responding state shall not supersede any previous order of support issued in a divorce or

separate maintenance action, but the amounts for a particular period paid pursuant to either order shall be credited against amounts accruing or accrued for the same period under both. This subsection also applies to orders entered following an administrative process including, but not limited to, the administrative processes provided pursuant to chapters 252C and 252F.

16. The court of the initiating state shall receive and accept all payments made by the respondent to the probation department or bureau of the court of the responding state and transmitted by the latter on behalf of the respondent. Upon receipt of any such payment, and under such rules as the court of the initiating state may prescribe, the court, or its probation department or bureau, as the court may direct, shall deliver such payment to the dependent person entitled thereto, take the proper receipt and acquittance therefore, and keep a permanent record thereof.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.6]
85 Acts, ch 100, §1; 89 Acts, ch 166, §3; 93 Acts, ch 79, §35

252A.6A Additional provisions regarding paternity establishment.

1. When a court of this state is acting as the responding state in an action initiated under this chapter to establish paternity, all of the following shall apply:

a. Except with the consent of all parties, the trial shall not be held until after the birth of the child and shall be held no earlier than twenty days from the date the respondent is served with notice of the action or, if blood or genetic tests are conducted, no earlier than fifty days from the date the test results are filed with the clerk of the district court as provided under section 600B.41.

b. If the respondent, after being served with notice as required under section 252A.6, fails to timely respond to the notice, or to appear for blood or genetic tests pursuant to a court or administrative order, or to appear at a scheduled hearing after being provided notice of the hearing, the court shall find the respondent in default, and shall enter an order establishing paternity and establishing the monthly child support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4, or medical support pursuant to chapter 252E, or both.

2. When a court of this state is acting as the responding state in an action initiated under this chapter to establish child or medical support based on a prior determination of paternity and the respondent files an answer to the notice required under section 252A.6 denying paternity, all of the following shall apply:

a. (1) If the prior determination of paternity is based on an affidavit of paternity filed pursuant to section 252A.3A, or an administrative order entered pursuant to chapter 252F, or an order by the courts of this state, or by operation of law when the mother and established father are or were married to each

other, the provisions of section 600B.41A are applicable.

(2) If the court determines that the prior determination of paternity should not be overcome, pursuant to section 600B.41A, and that the respondent has a duty to provide support, the court shall enter an order establishing the monthly child support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4, or medical support pursuant to chapter 252E, or both.

b. If the prior determination of paternity is based on an administrative or court order or by any other means, pursuant to the laws of a foreign jurisdiction, an action to overcome the prior determination of paternity shall be filed in that jurisdiction. Unless the respondent requests and is granted a stay of an action initiated under this chapter to establish child or medical support, the action shall proceed as otherwise provided in this chapter.

95 Acts, ch 67, §18
Subsection 2, paragraph a amended

252A.7 Petitioner's representatives to appear.

It shall be the duty of all petitioner's representatives of this state to appear in this state on behalf of and represent the petitioner in every proceeding pursuant to this chapter, at the time the petition is filed and at all stages of the proceeding thereafter, and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.7]

252A.8 Additional remedies.

This chapter shall be construed to furnish an additional or alternative civil remedy and shall in no way affect or impair any other remedy, civil or criminal, provided in any other statute and available to the petitioner in relation to the same subject matter.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.8]

252A.9 Construction.

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.9]

252A.10 Costs advanced.

Actual costs incurred in this state incidental to any action brought under the provisions of this chapter shall be advanced by the initiating party or agency unless otherwise ordered by the court. Where the action is brought by an agency of the state or county there shall be no filing fee.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.10]

252A.11 Custody of respondent.

When the court of this state, acting either as an initiating or responding state, has reason to believe that the respondent may flee the jurisdiction it may as an initiating state request in its certificate that the court of the responding state obtain the body of the

respondent by appropriate process if that be permissible under the law of the responding state; or, it may as a responding state, obtain the body of the respondent by appropriate process.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.11]

252A.12 Exchange lists of courts.

The state division of child and family services of the department of human services is hereby designated as the state information agency under this chapter, and it shall be its duty to compile a list of the courts and their addresses in this state having jurisdiction under this chapter and transmit the same to the state information agency of every other state which has adopted this or a substantially similar Act and to maintain a register of such lists received from other states.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §252A.12]
83 Acts, ch 96, §157, 159

252A.13 Recipients of public assistance -- assignment of support payments.

A person entitled to periodic support payments pursuant to an order or judgment entered in a uniform support action under this chapter, who is also a recipient of public assistance, is deemed to have assigned the person's rights to the support payments, to the extent of public assistance received by the person, to the department of human services. The department shall immediately notify the clerk of court by mail when a person entitled to support payments has been determined to be eligible for public assistance. Upon notification by the department that a person entitled to periodic support payments pursuant to this chapter is receiving public assistance, the clerk of court shall make a notation of the automatic assignment in the judgment docket and lien index. The notation constitutes constructive notice of the assignment. The clerk of court shall forward support payments received pursuant to section 252A.6, to which the department is entitled, to the department, unless the court has ordered the payments made directly to the department under subsection 12 of that section. The department may secure support payments in default through proceedings prescribed in this chapter. The clerk shall furnish the department with copies of all orders or decrees awarding support to parties having custody of minor children when the parties are receiving public assistance.

[C77, 79, 81, §252A.13; 82 Acts, ch 1237, §2]
83 Acts, ch 96, §157, 159

252A.14 and 252A.15 Reserved.

252A.16 Additional remedies for foreign support orders.

If the duty of support is based on a support order entered in a foreign jurisdiction the petitioner has the additional remedies provided in sections 252A.17 to 252A.19.

[82 Acts, ch 1004, §2]

252A.17 Registry of foreign support orders.

The petitioner may register the foreign support order in a court of this state in the manner and with the effect provided in section 252A.18 and 252A.19. The clerk of the court shall maintain a registry of foreign support orders in which foreign support orders shall be filed. The filing is in equity.

[82 Acts, ch 1004, §3]

252A.18 Registration procedure for foreign support orders -- notice.

1. A petitioner seeking to register a foreign support order in a court of this state shall transmit to the clerk of the court three certified copies of the order reflecting all modifications, one copy of the reciprocal enforcement of support act of the state in which the order was made, and a statement verified and signed by the petitioner, showing the post-office address of the petitioner, the last known place of residence and post-office address of the respondent, the amount of support remaining unpaid, a description and the location of any property of the respondent available upon execution, and a list of the states in which the order is registered. Upon receipt of these documents the clerk of the court, with payment of filing fee of the six dollars, shall file them in the registry of foreign support orders. The filing constitutes registration under this chapter.

2. Promptly upon registration, the clerk of the court shall send by restricted certified mail to the respondent at the address given a notice of the registration with a copy of the registered support order and the post-office address of the petitioner, or the petitioner may request that the respondent be personally served with the notice and the copy of the order in the same manner as original notices are personally served. The clerk shall also docket the case and notify the prosecuting attorney of the action.

3. a. The respondent shall have twenty days after receiving notice of the registration in which to petition the court to vacate the registration or for other relief. If the respondent does not so petition, the respondent is in default and the registered support order is confirmed.

b. If a registration action is initiated by the child support recovery unit, issues subject to challenge are limited to issues of fact relating to the support obligation and not other issues including, but not limited to, custody and visitation, or the terms of the support order.

[82 Acts, ch 1004, §4]

93 Acts, ch 78, §2

252A.19 Enforcement procedure for registered foreign support orders.

1. Upon registration the registered foreign support order shall be treated in the same manner as a support order issued by a court of this state. The order shall have the same effect and shall be subject to the same procedures, defenses, and proceedings for reopening, vacating, or staying as a support order of this state and may be enforced and satisfied in like manner.

2. At a hearing to enforce the registered support order the respondent may present only matters that would be available to the respondent as defenses in an action to enforce a foreign money judgment. If the respondent states to the court that an appeal from the order is pending or will be taken or that a stay of execution has been granted, the court shall stay enforcement of the order until the appeal is concluded, the time for appeal has expired, or the order is vacated, upon satisfactory proof that the respondent has furnished security for payment of the support as ordered by the court. If the respondent shows to the court any ground upon which enforcement of a support order of this state may be stayed the court shall stay enforcement of the order for an appropriate period if the respondent furnishes the same security for payment of the support ordered that is required for a support order of this state.

[82 Acts, ch 1004, §5]
93 Acts, ch 78, §3, 4

252A.20 Modification or adjustment of a registered foreign support order and of an Iowa order registered in a foreign jurisdiction.

1. An order which has been registered in a court of this state pursuant to section 252A.18 may be modified or adjusted following registration, subject to all of the following:

a. The modification or adjustment of the order does not affect the underlying judgment in the foreign jurisdiction, unless provided pursuant to the statute of the foreign jurisdiction.

b. The modification or adjustment of the underlying judgment by a foreign jurisdiction does not affect the registered order in this state unless confirmed by a court of this state.

2. A support order issued in a court of this state may be registered in a foreign jurisdiction and, following registration, may be modified or adjusted subject to the following:

a. The modification or adjustment of the registered order by a foreign jurisdiction does not affect the underlying judgment in this state unless confirmed by a court of this state.

b. The modification or adjustment of the underlying judgment by a court of this state following registration in a foreign jurisdiction does not affect the registered order unless provided by the statute of the foreign jurisdiction.

93 Acts, ch 78, §5

252A.21 through 252A.23 Reserved.

252A.24 Interstate rendition.

The governor of this state may:

1. Demand of the governor of another state the surrender of a person found in that state who is charged in this state with failing to provide for the support of any person.

2. Surrender on demand by the governor of another state a person found in this state who is charged in that state with failing to provide for the

support of any person. Provisions for extradition of criminals not inconsistent with this chapter apply to the demand even if the person whose surrender is demanded was not in the demanding state at the time of the commission of the act and has not fled therefrom. The demand, the oath, and any proceedings for extradition pursuant to this section need not state or show that the person whose surrender is demanded has fled from justice or at the time of the commission of the act was in the demanding state.

87 Acts, ch 62, §1

252A.25 Conditions of interstate rendition.

1. Before making the demand upon the governor of another state for the surrender of a person charged in this state with failing to provide for the support of a person, the governor of this state may require the department of human services or any county attorney of this state to satisfy the governor that at least sixty days prior thereto the obligee initiated proceedings for support under this chapter or that any proceeding would be of no avail.

2. If, under a substantially similar statute, the governor of another state makes a demand upon the governor of this state for the surrender of a person charged in that state with failure to provide for the support of a person, the governor may require any prosecuting attorney to investigate the demand and to report to the governor whether proceedings for support have been initiated or would be effective. If it appears to the governor that a proceeding would be effective but has not been initiated, the governor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

3. If proceedings have been initiated and the person demanded has prevailed therein, the governor may decline to honor the demand. If the obligee prevailed and the person demanded is subject to a support order, the governor may decline to honor the demand if the person demanded is complying with the support order.

87 Acts, ch 62, §2

State of Iowa
Department of Social Services

STATE OF IOWA)
) ss: A F F I D A V I T
COUNTY)

I, _____, being first duly sworn on
oath, depose and state as follows:

1. That I do not know who is the father of my child,
_____ born on the ____ day
of _____, 19____.
2. That I am not making this statement to protect anyone
from liability for child support or for any other
unlawful reason.
3. That I am willing to cooperate with the Child Support
Recovery Unit and submit to blood tests or other
genetic analyses.

Subscribed and sworn to before me on this _____ day of
_____, 19_____.

Notary Public in and for Iowa

CHILD SUPPORT RECOVERY

AFFIDAVIT, CS-5131-0 (470-0234)

Form CS-5131-0 is used in paternity cases where the mother is unsure of who the father of her child is.

When Prepared

Prepare the form after interviewing client and determining that the mother does not know who the father of her child is.

By Whom Prepared

Prepared by the support recovery officer or attorney.

Number of Copies

Original

Specific Instructions

Have the client fill out the form and sign it in front of a notary.

Disposition

Keep the original in the case file.

CHILD SUPPORT RECOVERY

(PAGES 10 THROUGH 12 ARE RESERVED)

STATE OF IOWA
CHILD SUPPORT PAYMENTS - ASSIGNMENTS OF INCOME
AND IMMEDIATE INCOME WITHHOLDING
1997 CODE OF IOWA
Chapter 252D
As updated by House File 612, 1997 Iowa Acts

Prepared by
Department of Human Services

IOWA CODE 1997 CHAPTER 252D SECTION 1

252D.1 DELINQUENT SUPPORT PAYMENTS

If support payments ordered under chapter 232, 234, 252A, 252C, 252D, 252E, 252F, 598, 600B, or any other applicable chapter, or under a comparable statute of a foreign jurisdiction, as certified to the child support recovery unit established in section 252B.2, are not paid to the clerk of the district court or the collection services center pursuant to section 598.22 and become delinquent in an amount equal to the payment for one month, the child support recovery unit may enter an ex parte order or, upon application of a person entitled to receive the support payments, the district court may enter an ex parte order, notifying the person whose income is to be withheld, of the delinquent amount, of the amount of income, to be withheld, and of the procedure to file a motion to quash the order for income withholding, and ordering the withholding of specified sums to be deducted from the delinquent person's income as defined in section 252D.16A sufficient to pay the support obligation and, except as provided in section 598.22, requiring the payment of such sums to the clerk of the district court or the collection services center. Notification of income withholding shall be provided to the obligor and to the payor of income pursuant to section 252D.17.

252D.2 MOTION TO QUASH. Repealed by 97 Acts, HF612 Section 67. See section 252D.31.

252D.3 NOTICE OF INCOME WITHHOLDING.

All orders for support entered on or after July 1, 1984 shall notify the person ordered to pay support of the mandatory withholding of income required under section 252D.1. However, for orders for support entered before July 1, 1984, the clerk of the district court, the child support recovery unit, or the person entitled by the order to receive the support payments, shall notify each person ordered to pay support under such orders of the mandatory withholding of income required under section 252D.1. The notice shall be sent by certified mail to the person's last known address or the person shall be personally served with the notice in the manner provided for service of an original notice at least fifteen days prior to the ordering of income withholding under section 252D.1. A person ordered to pay support may waive the right to receive the notice at any time.

252D.4 DUTIES OF PAYOR -- LIABILITY. Repealed by 90 Acts, ch 2 1123, s 14. See s 252D.18.

252D.5 OTHER REMEDIES. Repealed by 90 Acts, ch 1123, s 14. See s 252D.19.

252D.6 ADMINISTRATION OF WAGE WITHHOLDING PROCEDURES. Repealed by 90 Acts, ch 1123, s 14 See s 252D.20.

252D.7 PENALTY FOR MISREPRESENTATION. Repealed by 90 Acts, ch 2 1123, s 14. See s 252D.21.

252D.8 PERSONS SUBJECT TO IMMEDIATE INCOME WITHHOLDING.

1. In a support order issued or modified on or after November 1, 1990, for which services are being provided by the child support recovery unit, and in any support orders issued or modified after January 1, 1994, for which services are not provided by the child support recovery unit, the income of a support obligor is subject to withholding, on the effective date of the order, regardless of whether support payments by the obligor are in arrears. If services are being provided pursuant to chapter 252B, the child support recovery unit may enter an ex parte order for an immediate withholding of income. The district court may enter an ex parte order for immediate income withholding for cases in which the child support recovery unit is not providing services. The income of the obligor is subject to immediate withholding unless one of the following occurs:

- a. One of the parties demonstrates and the court or child support recovery unit finds there is good cause not to require immediate withholding. A finding of good cause shall be based on, at a minimum, written findings and conclusions by the court or administrative authority as to why implementing immediate withholding would not be in the best interests of the child. In cases involving modifications, the findings shall also include proof of timely payment of previously ordered support.
- b. A written agreement is reached between both parties which provides for an alternative arrangement. If the support payments have been assigned to the department of human services pursuant to chapter 234 or 239, or a comparable statute of another jurisdiction, the department shall be considered a party to the support order, and a written agreement pursuant to this section to waive immediate withholding is void unless approved by the child support recovery unit. Any agreement existing at the time an assignment of support is made pursuant to chapter 234 or 239 or pursuant to a comparable statute of another jurisdiction shall not prevent the child support recovery unit from implementing immediate withholding.

2. For an order not requiring immediate withholding, income of an obligor is subject to immediate withholding, without regard to whether there is an arrearage, on the earliest of the following:

- a. The date the obligor requests that the withholding begin.
- b. The date the custodial parent or party to the proceeding requests that the withholding begin, if the request is approved by the district court or, in cases in which services are being provided pursuant to chapter 252B, if the child support recovery unit approves the request.

252D.9 SUMS SUBJECT TO IMMEDIATE WITHHOLDING.

Specified sums shall be deducted from the obligor's income sufficient to pay the support obligation and any judgment established or delinquency accrued under the support order. The amount withheld pursuant to an income withholding order or notice of order for income withholding shall not exceed the amount specified in 15 U.S.C. 1673(b).

252D.10 NOTICE OF IMMEDIATE INCOME WITHHOLDING.

The notice requirements of section 252D.3 do not apply to this subchapter. An order for support entered after November 1, 1990, shall contain the notice of immediate income withholding. However, this subchapter is sufficient notice for implementation of immediate income withholding without any further notice.

252D.11 MOTION TO QUASH. Repealed by 97 Acts, HF612 Section 67. See section 252D.31.

252D.12 NOTICE TO EMPLOYER OR INCOME PAYOR. Repealed by 93 2 Acts, ch 78, s47. See s252D.17.

252D.13 PRIORITY. Repealed by 93 Acts, ch 78, s47. See 2 s252D.17.

252D.14 MODIFICATION OR REVOCATION OF IMMEDIATE INCOME WITHHOLDING. Repealed by 93 Acts, ch 78, s47. See s252D.18. 1

252D.15 and 252D.16 Reserved.

252D.16A DEFINITIONS

As used in this chapter, unless the context otherwise requires:

1. "Income" means all of the following:
 - a. Any periodic form of payment due an individual, regardless of source, including but not limited to wages, salaries, commissions, bonuses, worker's compensation, disability payments, payments pursuant to a pension or retirement program, and interest.
 - b. A sole payment or lump sum as provided in section 252D.18C.
 - c. Irregular income as defined in section 252D.18B.
2. "Payor of income" or "payor" means and includes, but is not limited to, an obligor's employer, trustee, the state of Iowa and all governmental subdivisions and agencies and any other person from whom an obligor receives income.

3. "Support" or "support payments" means any amount which the court or administrative agency may require a person to pay for the benefit of a child under a temporary order or a final judgment or decree entered under chapter 232, 234, 252A, 252C, 252F, 252H, 598, 600B, or any other comparable chapter, and may include child support, maintenance, medical support as defined in chapter 252E, spousal support, and any other term used to describe these obligations. These obligations may include support for a child of any age who is dependent on the parties to the dissolution proceedings because of physical or mental disability. The obligations may include support for a child eighteen or more years of age with respect to whom a child support order has been issued pursuant to the laws of a foreign jurisdiction. These obligations shall not include amounts for a post-secondary education subsidy as defined in section 598.1.

252D.17 NOTICE TO PAYOR OF INCOME - DUTIES AND LIABILITY - CRIMINAL PENALTY.

The district court shall provide notice by sending a copy of the order for income withholding or a notice of the order for income withholding to the obligor and the obligor's payor of income by regular mail, with proof of service completed according to rule of civil procedure 82. The child support recovery unit shall provide notice of the income withholding order by sending a notice of the order to the obligor's payor of income by regular mail or by electronic means. Proof of service may be completed according to rule of civil procedure 82. The child support recovery unit's notice of the order may be sent to the payor of income on the same date that the order is sent to the clerk of court for filing. In all other instances, the income withholding order shall be filed with the clerk of court prior to sending the notice of the order to the payor of income. In addition to the amount to be withheld for payment of support, the order or the notice of the order shall be in a standard format as prescribed by the unit and shall include all of the following information regarding the duties of the payor in implementing the withholding order:

1. The withholding order or notice of the order for income withholding for child support or child support and spousal support has priority over a garnishment or an assignment for any other purpose.
2. As reimbursement for the payor's processing costs, the payor may deduct a fee of no more than two dollars for each payment in addition to the amount withheld for support. The payor of income is not required to vary the payroll cycle to comply with the frequency of payment of a support order.
3. The amount withheld for support, including the processing fee, shall not exceed the amounts specified in 15 U.S.C. 1673(b).
4. The income withholding order is binding on an existing or future payor of income ten days after receipt of the copy of the order or the notice of the order, and is binding whether or not the copy of the order received is file-stamped.

5. The payor shall send the amounts withheld to the collection services center or the clerk of the district court within seven business days of the date the obligor is paid. "Business day" means a day on which state offices are open for regular business.

6. The payor may combine amounts withheld from the obligors' income in a single payment to the clerk of district court or to the collection services center, as appropriate. Whether combined or separate, payments shall be identified by the name of the obligor, account number, amount, and the date withheld. If payments for multiple obligors are combined, the portion of the payment attributable to each obligor shall be specifically identified.

7. The withholding is binding on the payor until further notice by the court or the child support recovery unit.

8. If the payor knowingly fails to withhold income or to pay the amounts withheld to the collection services center or the clerk of court in accordance with the provisions of the order or the notice of the order, the payor commits a simple misdemeanor and is liable for the accumulated amount which should have been withheld, together with costs, interest, and reasonable attorney fees related to the collection of the amounts due from the payor.

9. The payor shall promptly notify the court or the child support recovery unit when the obligor's employment or other income terminates, and provide the obligor's last known address and the name and address of the obligor's new employer, if known.

10. Any payor who discharges an obligor, refuses to employ an obligor, or takes disciplinary action against an obligor based upon income withholding is guilty of a simple misdemeanor. A withholding order or the notice of the order for income withholding has the same force and effect as any other district court order, including, but not limited to, contempt of court proceedings for noncompliance.

11. a. Beginning July 1, 1997, if a payor of income does business in another state through a registered agent and receives a notice of income withholding issued by another state the payor shall, and beginning January 1, 1998, any payor of income shall withhold funds as directed in a notice issued by another state, except that a payor of income shall follow the laws of the obligor's principal place of employment when determining all of the following:

- (1) The payor's fee for processing an income withholding payment.
- (2) The maximum amount permitted to be withheld from the obligor's income.
- (3) The time periods for implementing the income withholding order and forwarding the support payments.
- (4) The priorities for withholding and allocating income withheld for multiple child support obligees.
- (5) Any withholding terms or conditions not specified in the order.

- b. A payor of income who complies with an income withholding notice that is regular on its face shall not be subject to any civil liability to any individual or agency for conduct in compliance with the notice.
12. The payor of income shall comply with chapter 252K when receiving a notice of income withholding from another state.

252.17A NOTICE TO OBLIGOR OF IMPLEMENTATION OF INCOME WITHHOLDING ORDER.

The child support recovery unit or the district court shall send a notice of the income withholding order to the obligor at the time the notice is sent to the payor of income.

252D.18 MODIFICATION OR TERMINATION OF WITHHOLDING.

1. The court or the child support recovery unit may, by ex parte order, modify a previously entered income withholding order if the court or the unit determines any of the following:
 - a. There has been a change in the amount of the current support obligation.
 - b. The amount required to be withheld under the income withholding order is in error.
 - c. Any past due support debt has been paid in full. Should a delinquency later accrue, the withholding order may be modified to secure payment toward the delinquency.
2. The court or the child support recovery unit may, by ex parte order, terminate an income withholding order when the current support obligation has terminated and when the delinquent support obligation has been fully satisfied as applicable to all of the children covered by the income withholding order
3. In no case shall payment of overdue support be the sole basis for termination of withholding.

252D.18A MULTIPLE INCOME WITHHOLDING ORDERS -- AMOUNTS WITHHELD BY PAYOR.

When the obligor is responsible for paying more than one support obligation and the payor of income has received more than one income withholding order or notice of an order for the obligor, the payor shall withhold amounts in accordance with all of the following:

1. The total of all amounts withheld shall not exceed the amounts specified in 15 U.S.C. s 1673(b).
2. As reimbursement for the payor's processing costs, the payor may deduct a fee of no more than two dollars for each payment withheld in addition to the amount withheld for support.
3. Priority shall be given to the withholding of current support rather than delinquent support. The payor shall not allocate amounts withheld in a manner which results in the failure to withhold an amount for one or more of the current support obligations.

a. To arrive at the amount to be withheld for each obligee, the payor shall total the amounts due for current support under the income withholding orders and the notices of orders and determine the proportionate share for each obligee. The proportionate share shall be determined by dividing the amount due for current support for each order or notice of order by the total due for current support for all orders and notices of orders. The results are the percentages of the obligor's net income which shall be withheld for each obligee.

b. If, after completing the calculation in paragraph "a", the withholding limit specified under 15 U.S.C. s 1673(b) has not been attained, the payor shall total the amounts due for arrearages and determine the proportionate share for each obligee. The proportionate share amounts shall be established utilizing the procedures established in paragraph "a" for current support obligations.

4. The payor shall identify and report payments by the obligor's name, account number, amount, and date withheld pursuant to section 252D.17. If payments for multiple obligees are combined, the portion of the payment attributable to each obligee shall be specifically identified.

252D.18B IRREGULAR INCOME.

When payment of income is irregular, and an order for immediate or mandatory income withholding has been entered by the child support recovery unit or the district court, the income payor shall withhold income equal to the total that would have been withheld had there been regular monthly income. The amounts withheld shall not exceed the amounts specified in 15 U.S.C. s 1673(b). For the purposes of this section, an income source is irregular when there are periods in excess of one month during which the income payor makes no payment to the obligor and the periods are not the result of termination or suspension of employment.

252D.18C WITHHOLDING FROM LUMP SUM PAYMENTS.

The child support recovery unit or the district court may enter an ex parte order for income withholding when the obligor is paid by a lump sum income source. When a sole payment is made or payment occurs at two-month or greater intervals, the withholding order may include all current and delinquent support due through the current month, but shall not exceed the amounts 8 specified in 15 U.S.C. s 1673(b).

252D.19 OTHER REMEDIES.

The remedies provided in this chapter do not exclude the use of other civil or criminal remedies in enforcing support obligations.

252D.19A DISPARITY BETWEEN ORDER AND PAY DATES - - NOT DELINQUENT.

1. An obligor whose support payments are automatically withheld from the obligor's paycheck shall not be delinquent or in arrears if all of the following conditions are met:

- a. Any delinquency or arrearage is caused solely by a disparity between the schedules of the obligor's regular pay dates and the scheduled date the support is due.
 - b. The amount calculated to be withheld is such that the total amount of current support to be withheld from the paychecks of the obligor and the amount ordered to be paid in the support order are the same on an annual basis.
 - c. The automatic deductions for support are continuous and occurring.
2. If the unit takes an enforcement action during a calendar year against an obligor and the obligor is not delinquent or in arrears solely due to the applicability of this section to the obligor, upon discovering the circumstances, the unit shall promptly discontinue the enforcement action.

252D.20 ADMINISTRATION OF INCOME WITHHOLDING PROCEDURES.

The child support recovery unit is designated as the entity of the state to administer income withholding in accordance with the procedures specified for keeping adequate records to document, track, and monitor support payments on cases subject to Title IV-D of the federal Social Security Act. The clerks of the district court are designated as the entities for administering income withholding on cases which are not subject to Title IV-D. Notwithstanding section 622.53, in cases where the court or the child support recovery unit is enforcing a foreign judgment through income withholding, a certified copy of the underlying judgment is sufficient proof of authenticity.

252D.21 PENALTY FOR MISREPRESENTATION.

A person who knowingly makes a false statement or representation of a material fact or knowingly fails to disclose a material fact in order to secure an income withholding order or notice of income withholding against another person and to receive support payments or additional support payments pursuant to this chapter, is guilty, upon conviction, of a serious misdemeanor.

252D.22 RULES.

The department shall adopt the administrative rules necessary to implement the provisions of this chapter as they pertain to the operations of the child support recovery unit.

252D.23 FILING OF WITHHOLDING ORDER -- ORDER EFFECTIVE AS DISTRICT COURT ORDER.

An income withholding order entered by the child support recovery unit pursuant to this chapter shall be filed with the clerk of the district court. For the purposes of demonstrating compliance by the payor of income, the copy of the withholding order or the notice of the order received, whether or not the copy of the order is file-stamped, shall have all the force, effect, and attributes of a docketed order of the district court including, but not limited to, availability of contempt of court proceedings against a payor of income for noncompliance. However, any information contained in the income

withholding order or the notice of the order related to the amount of the accruing or accrued support obligation which does not reflect the correct amount of support due does not modify the underlying support judgment.

252D.24 APPLICABILITY TO SUPPORT ORDERS OF FOREIGN JURISDICTIONS.

1. An income withholding order may be entered to enforce a support order of a foreign jurisdiction. The foreign support order may be entered and filed with the clerk of the district court at the time the income withholding order is entered. Entry of the foreign support order under this subsection does not constitute registration of the order.

2. Notice of withholding requirements pursuant to section 252D.3 is met if comparable notice was issued in the foreign jurisdiction, was included in the support order, or was provided as a separate written notice.

3. Income withholding for a support order issued by a foreign jurisdiction governed by chapter 252K, articles 5 or 6, and this chapter as appropriate.

252D.25 LIMITATIONS ON SCOPE OF PROCEEDINGS.

1. Issues related to visitation, custody, or other provisions not related to the support provisions of a support order are not grounds for a motion to quash, revoke, suspend, or stay a withholding order.

2. Support orders shall not be modified under a motion to quash a withholding order.

252D.26 through 252D.29 Reserved.

252D.30 EX PARTE ORDER -- PROVISIONS FOR MEDICAL SUPPORT.

An ex parte order entered under this chapter may also include provisions for enforcement of medical support when medical support provisions are included in the support order. The ex parte order may require income withholding of a dollar amount for medical support or implementation of provision for dependent coverage under a health benefit plan pursuant to chapter 252E.

252D.31 MOTION TO QUASH.

An obligor under this chapter may move to quash an income withholding order or a notice of income withholding by filing a motion to quash with the clerk of court.

1. Grounds for contesting a withholding order under this chapter include all of the following:

a. A mistake of fact, which for purposes of this chapter means an error in the amount withheld or the amount of the withholding or the identity of the obligor.

b. For immediate withholding only, the conditions for exception to immediate income withholding as defined under section 252D.8 existed at the time of implementation of the withholding.

2. The clerk of the district court shall schedule a hearing on the motion to quash for a time not later than seven days after the filing of the motion to quash

and the notice of the motion to quash. The clerk shall mail to the parties copies of the motion to quash, the notice of the motion to quash, and the order scheduling the hearing.

3. The payor shall withhold and transmit the amount specified in the order or notice of the order of income withholding to the clerk of the district court or the collection services center, as appropriate, until the notice that a motion to quash has been granted is received.

CHILD SUPPORT RECOVERY

IOWA INCOME WITHHOLDING STATUTE. RC-252D

RC-252D sets forth the text of Iowa Code Chapter 252D. The Department prepares the text to incorporate the most recent legislative changes at the close of the legislative session (earlier than they can be published by the code editor). The text is used to inform out-of-state IV-D agencies of Iowa's state income withholding law.

When Prepared

Included copy of this chapter whenever sending petitions out of state.

By Whom Prepared

Prepared by child support attorney.

Number of Copies

Four copies

Specific Instructions

There are no items requiring completion. This form is updated annually and is available in a network share.

Disposition

Staple one copy with the petition (URESAs or paternity) to the initiating clerk of court.

Send three copies to the responding state.

CHILD SUPPORT RECOVERY

PAGES 14 THROUGH 18 ARE RESERVED FOR FUTURE USE.

State of Iowa
Department of Human Services

LEGAL ACTION REFERRAL

Case Name: _____ Case Number: _____ County: _____
Referred To: _____ Referred By: _____ Date Referred: _____

REFERRAL TYPE

AFDC _____ NON-PA _____ REPAY _____ OLD REFERRAL _____ NEW REFERRAL _____
_____ URESA (INTRA-STATE) _____ REIMBURSEMENT OF ADC
_____ (OUT-GOING) _____ REIMBURSEMENT AND FUTURE SUPPORT
_____ PATERNITY _____ EXECUTION FOR CHILD SUPPORT
_____ CONTEMPT _____

ABSENT PARENT DATA

NAME: _____
ADDRESS: _____
PHONE: _____
CURRENT EMPLOYER: _____
SSN: _____

CUSTODIAL PARENT DATA

NAME: _____
ADDRESS: _____
PHONE: _____
CHILDREN: _____ DOB: _____
_____ DOB: _____
_____ DOB: _____
_____ DOB: _____

DISSOLUTION PENDING: _____ BIRTH COSTS: _____
SUPPORT OBLIGATION CURRENT ADC
AMOUNT: \$ _____ per _____ GRANT AMOUNT: _____
DATE OF LAST PAYMENT: _____ DATES ON/OFF PUBLIC ASSISTANCE:
_____ TO _____
_____ TO _____
_____ TO _____
TOTAL DELINQUENCY ACCORDING TO CSRU CALCULATION: _____
ABSENT PARENT'S ASSETS: _____ TOTAL ADC PAID OUT: _____
LEGAL CUSTODY: _____ END DATE OF ADC PAY-OUT
COMPUTATION: _____

ABSENT PARENT DESCRIPTION

HEIGHT: _____ WEIGHT: _____ HAIR: _____ DATE OF BIRTH: _____
USUAL LINE OF WORK: _____ RACE: _____

ATTACHMENTS

_____ ABSENT PARENT FINANCIAL STATEMENT _____ AOC COMPUTATION
_____ TESTIMONY & PETITIONS _____ CHILD SUPPORT COMPUTATION
_____ PATERNITY PRELIMINARY QUESTIONS _____ SUPPORT INFORMATION FORM
_____ DECREE, STIPULATIONS, MODIFICATION, COURT ORDERS _____ OTHER: _____
_____ PAYRECORD _____

COMMENTS: _____

CHILD SUPPORT RECOVERY

LEGAL ACTION REFERRAL, CS-2105-0

Form CS-2105-0 is used when referring a case to the child support attorney, or it may be used to request the status of action taken.

When Prepared

Prepared at the discretion of the support recovery officer.

By Whom Prepared

Prepared by the support recovery officer.

Number of Copies

Original and one copy.

Specific Instructions

Fill out the form completely, sign, and date it.

Disposition

Send the original to the attorney and keep one copy in the case file.

CHILD SUPPORT RECOVERY

PETITION FOR REIMBURSEMENT, CS-5127-0

Form CS-5127-0 is used to file a URESA action on behalf on the Department for in-state cases.

When Prepared

This form may be prepared when an ADC recipient is terminated from ADC before CSRU files any action, but there is a possibility of recovering the ADC funds expended.

By Whom Prepared

Prepared by the attorney or support recovery officer.

Number of Copies

Original and three copies.

Specific Instructions

Notarize the signature. Under dependents, if the parents are not divorced, list the custodial parent's name and birthdate. If the parents are divorced, list only the child's name and birthdate.

Disposition

Send the original to the clerk of court for the county where the recipient resides. Send two copies to the sheriff of the county where the noncustodial parent resides. Keep one copy for case file.

IN THE IOWA DISTRICT COURT IN AND FOR _____ COUNTY

STATE OF IOWA, ex rel,
IOWA DEPARTMENT OF SOCIAL SERVICES)
PETITIONER)

EQUITY # _____

VS.)

PETITION FOR REIMBURSEMENT)

RESPONDENT.)

COMES NOW the Petitioner, State of Iowa, Iowa Department of Social Services, and for cause of action against the Respondent STATES:

1. That the following persons applied to the Iowa Department of Social Services for Aid to Families with Dependent Children and were found to be dependent persons and residents of _____ County, Iowa:

2. That the Respondent is liable for the support of the above named persons under the provisions of the Iowa Uniform Support of Dependents Law, Chapter 252A, Code of Iowa.

3. That it is believed that Respondent, _____, age _____, resides at _____ and has sufficient means or earning capacity to support the above named dependents.

4. That on or about the _____ day of _____, 19____, the above named dependents began to receive public assistance from the State of Iowa, Iowa Department of Social Services. The total amount of AFDC funds expended from _____ through _____ is \$ _____.

5. That Section 252A.5(5), Code of Iowa, provides that the State or a political subdivision thereof furnishing support may initiate proceedings to secure reimbursement of expenditures so made.

WHEREFORE, the State of Iowa, Iowa Department of Social Services, prays for an Order of Support directed to said Respondent for reimbursement of expenditures of public assistance made on behalf of the above named dependents, and for such other further relief as the law provides.

STATE OF IOWA
IOWA DEPARTMENT OF SOCIAL SERVICES

BY: _____

STATE OF IOWA)
COUNTY OF _____) ss:

I, _____, being first duly sworn on oath, state that I am the Petitioner's Representative, herein, that I have read the foregoing Petition and know the contents thereof, and that the allegations and statements contained therein are true as I verily believe.

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public in and for Iowa

IN THE IOWA DISTRICT COURT IN AND FOR _____ COUNTY

_____) Equity # _____
Petitioner,)
)
)
-vs-) ORDER TO SHOW CAUSE IN RE:
) CONTEMPT
)
_____) Respondent.)

To: Name
Address
City
Employer

BE IT REMEMBERED that the above entitled matter comes before the Court on this _____ day of _____, 19_____, as a result of the above named Respondent's failure and refusal to pay child support as ordered, and the Court, therefore, finds that time and place of hearing should be prescribed and notice thereof given.

IT IS THEREFORE ORDERED AND ADJUDGED that the above named Respondent be and he is hereby cited and directed to appear in the District Court of the State of Iowa, in and for _____ County, on the _____ floor of the _____ County Courthouse at _____, Iowa, at _____ o'clock _____ M., on the _____ day of _____, 19_____, before a Judge of this Court to show cause why he should not be held in Contempt of this Court and punished as by law provided for his failure and refusal to pay child support as previously ordered by this Court on the _____ day of _____, 19_____.

IT IS FURTHER ORDERED AND ADJUDGED that reasonable notice of the time and place of said hearing be given Respondent by serving a copy hereof upon him personally in the same manner as provided for service of an original notice.

IT IS FURTHER ORDERED that Respondent shall bring with him at the time and place above set forth copies of his income tax returns for the last two years and shall be entitled to make written explanation of his conduct under oath as provided by I.C.A Section 665.7.

DATED this _____ day of _____, 19_____.

Judge of the _____ Judicial
District of Iowa

CHILD SUPPORT RECOVERY

ORDER TO SHOW CAUSE IN RE: CONTEMPT, CS-5140-0

Each judicial district has approved through a general order an Order to Show Cause in Re: Contempt form to be used in that particular district. Each support recovery officer or child support attorney should be aware of the acceptable form to be used.

When Prepared

At the discretion of the support recovery officer or attorney.

By Whom Prepared

Support recovery officer or attorney.

Number of Copies

An original and three copies.

Specific Instructions

Fill the form out completely and have it signed by a district court judge.

Disposition

File the original with the clerk of court.

Send two copies to the sheriff in the county where the noncustodial parent is located.

Keep one copy for the case file.

CHILD SUPPORT RECOVERY

INSUFFICIENT FUNDS LETTER, CS-3205-0

The Insufficient Funds Letter is used to contact the noncustodial parent when a check is returned due to insufficient funds.

When Prepared

Upon the return of an insufficient funds check by the child support recovery cashier.

By Whom Prepared

Support recovery officer

Number of Copies

Original and one copy

Specific Instructions

Fill in the date that the replacement check is to be returned. (Allow 10 calendar days). Make a copy of the insufficient funds check and send it with the letter.

Disposition

Send the original to the noncustodial parent, with a copy of the insufficient funds check. Place the copy in the case file along with the insufficient funds check.

If the noncustodial parent sends a replacement check, return the insufficient funds check to the parent.



Iowa Department of Social Services

ROBERT D. RAY
GOVERNOR

MICHAEL V. REAGEN
COMMISSIONER

RE:

Dear

Your check for child support payments has been referred to our office due to insufficient funds. Please make arrangements to replace it with a cashier's check or money order in a like amount. This replacement should be sent to me at the address at the top of this letter for you to receive proper credit. When the replacement is received, your personal check will be returned to you.

Please see that the replacement is in my office by _____.
After this date I will refer this to the appropriate authorities. If you have any questions, please contact this office at once. Thank you for your cooperation.

Sincerely,

Child Support Recovery Officer

attachment

CS-3205-0 (1/81)

IOWA DEPARTMENT OF HUMAN SERVICES
CHILD SUPPORT COMPUTATION

Absent Parent: _____

Case Number: _____

Custodial Parent: _____

Completed By: _____

Date: _____

CHILD SUPPORT PAYMENT RECORD (Circle either "Delinquency" or "Overpayment")

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

19 _____
_____ payments @ _____
DUE: \$ _____
PAID: \$ _____
FTR/ITR: \$ _____
STATUS: \$ _____
Delinquent/Overpaid

CHILD SUPPORT COMPUTATION
PAGE 2

Petitioner _____
vs.
Respondent _____

Children		
Name	D.O.B	Child Emancipated

ABSENT PARENT S NAME: _____ CAR CASE NUMBER: _____

COURT ORDER NUMBERS: _____	ORDER TYPE (DECREE, UNIFORM SUPPORT, PATERNITY) _____	COURT ORDERED COUNTY: _____
_____	_____	_____
_____	_____	_____

SUPPORT ORDERS

DATE: _____ \$ _____ PER _____ PER CHILD DATE: _____ \$ _____ PER _____ PER CHILD
 DATE: _____ \$ _____ PER _____ PER CHILD DATE: _____ \$ _____ PER _____ PER CHILD
 DATE: _____ \$ _____ PER _____ PER CHILD DATE: _____ \$ _____ PER _____ PER CHILD

PROPERTY

Buying Full Release Subordination Agreement
 Selling Partial Release

LEGAL DESCRIPTION OF PROPERTY: _____ COUNTY WHERE PROPERTY IS LOCATED: _____

NAME OF REALTOR, BANK, OR ATTORNEY: _____

ADDRESS: _____

CHILD SUPPORT COMPUTATION
PAGE 3

DATES ON AND OFF ADC ASSISTANCE

ON: _____ OFF: _____ ON: _____ OFF: _____
 ON: _____ OFF: _____ ON: _____ OFF: _____
 ON: _____ OFF: _____ ON: _____ OFF: _____

PROPORTIONED ADC PAYMENT RECORD*

YEAR:																				
JANUARY																				
FEBRUARY																				
MARCH																				
APRIL																				
MAY																				
JUNE																				
JULY																				
AUGUST																				
SEPTEMBER																				
OCTOBER																				
NOVEMBER																				
DECEMBER																				
TOTALS:																				

TOTAL ADC
PAID OUT: \$ _____

Prepared by _____
Date Prepared _____

* The amount of ADC assistance shown is the proportionate share of assistance paid for the care-taker and children of the absent parent named above and does not include ADC assistance paid for children of other absent parents.

CHILD SUPPORT RECOVERY

CHILD SUPPORT COMPUTATION, CS-4101-5

The Child Support Computation is filled out by the support recovery officer upon a request for a release of lien or property settlement. Only the IV-D director or the director's central office designee is authorized to release a lien or make property settlements.

When Prepared

Upon a request regarding a release or property settlement.

If a release is needed immediately, the support recovery officer may call Central Office with the information required on the form. This form does not need to be completed if a call is made; however, copies of all court orders and pay records still need to be sent with a note attached giving the case name, case number, absent parent's name and a brief explanation why material was sent.

Example: Jane Doe Case Number 000000-A
 vs.
 John Doe

Property Settlement

By Whom Prepared

Prepared by the support recovery officer.

Number of Copies

Original

Specific Instructions

Fill form out completely. (The Child Support Payment Record section does not have to be completed if a copy of the clerk of court's pay record is attached). Attach copies of all court orders pertaining to child support.

Disposition

Send to Central Office CSRU for processing.

CHILD SUPPORT RECOVERY

(PAGES 24 THROUGH 26 ARE RESERVED)

CHILD SUPPORT RECOVERY

(PAGE 27 IS RESERVED)

CHILD SUPPORT RECOVERYAUTHORIZATION FOR AUTOMATIC WITHDRAWAL, 470-2602

Form 470-2602 is used by the noncustodial parent to authorize the withdrawal of child support payments from the parent's bank account. The payments are then sent directly to the Collection Services Center.

When Prepared

Completed when the noncustodial parent requests automatic withdrawal or agrees to automatic withdrawal as part of the written agreement exempting the parent from immediate income withholding.

By Whom Prepared

Prepared by the noncustodial parent.

Number of Copies

Two-part NCR form.

Specific Instructions

Self-explanatory. The form is completed, signed, and dated by the noncustodial parent. A voided blank check or deposit slip for the appropriate bank account must be attached.

Disposition

Give the copy to the noncustodial parent. Send the original with the voided blank check or deposit slip to the attention of accounting staff in the Collection Services Center. Note the date the form was sent to CSC in the case narrative.



The Collection Services Center wants to make it easier for you to make your child support payments.

*By filling out the form on the other side of this
and sending it back, we will work with your
bank so they will automatically send the money
to the CSC from your checking or savings
account, according to your instructions.*

ADVANTAGES TO YOU:

- Your child support payments will be made on time according to your instructions.
- Your CSC account will be quickly and accurately credited with your payment.
- You will no longer need to remember to make the payment. It will happen anyway.
- You will avoid the time and expense of mailing your payment.

WHAT YOU NEED TO KNOW:

- Complete the form on the other side, separate and keep the carbon copy, and send the original form in the enclosed envelope.
- *ENCLOSE A BLANK VOIDED CHECK OR DEPOSIT SLIP WITH THE FORM.*
- Continue mailing your child support until you get a notice from the CSC telling you when automatic payments will begin.
- Notify the CSC whenever you need a change made in the timing or amounts of payments, or if you change banks. Use the carbon copy of the authorization form to note changes, and send it to the CSC.
- If you have questions, call us at (515) 281-8994 if calling from Des Moines or out-of-state.

Call us at 1-800-223-1302 if calling from elsewhere in Iowa.



Collection Services Center
Hoover State Office Building, 5th Floor
Des Moines, Iowa 50319-0114

AUTHORIZATION FOR AUTOMATIC WITHDRAWAL

In accordance with my child support order, I hereby authorize the Iowa Collection Services Center (CSC) to withdraw child support payments on the days and in the amounts specified below. (Check one box and fill in information below.)

- Monthly Day(1-28) _____ Amount \$ _____
- Every Other Week Day of Week (M-F) _____ Amount \$ _____
- Weekly Day of Week (M-F) _____ Amount \$ _____
- Other - Specify two days of month and amount
Day (1-28) _____
Amount \$ _____ \$ _____

These withdrawals are authorized from the account indicated below and the Financial Institution named below:

Financial Insitution _____ Branch Address _____

City _____ State _____ Zip _____ Account No. _____

Account Type (check one): checking savings

NOTE: BE SURE TO ATTACH A VOIDED BLANK CHECK OR DEPOSIT SLIP SHOWING YOUR ACCOUNT NUMBER.

I understand that I am responsible for informing the CSC in writing of changes in the amount of my support order so that the appropriate amount can be withdrawn from my account.

This shall remain in full force and effect until the CSC has received written notification from me of its termination in such time and in such manner as to afford the CSC and Financial Institution a reasonable opportunity to act on it.

Name (print) _____
Last First MI

Your CSC Acct. No: _____

Signature: _____ Date: _____ Phone: () _____

Your Address: _____



The Collection Services Center wants to make it easier for you to deposit the child support payments we send you.

By filling out the form on the other side of this and sending it back, we will work with your bank so child support payments that are due to you will be automatically deposited to your savings or checking account.

ADVANTAGES TO YOU:

- You will not need to worry about your child support, sent from the CSC, being lost or stolen in the mail.
- You will avoid the time and expense of mailing or taking your payment to the bank.

IMPORTANT NOTICE

Using direct deposit should be more convenient for you, but please understand we will still only deposit the money to your account **after** the payor makes the child support payment to the CSC. If the payor elects to use automatic withdrawal as a method of payment, you should receive your payment faster and more reliably on-time.

WHAT YOU NEED TO DO:

- Complete the form on the other side, separate and keep the carbon copy and send the original form in the enclosed envelope.
 - **ENCLOSE A BLANK VOIDED CHECK OR DEPOSIT SLIP WITH THE FORM.**
- Write to the CSC if you want to stop direct deposit, or if you change banks. Use the carbon copy of the authorization form to note changes, and send it to the CSC.
- If you have questions, call us at (515) 281-8994 if calling from Des Moines or out-of-state.

Call us at 1-800-223-1302 if calling from elsewhere in Iowa.



Collection Services Center
Hoover State Office Building, 5th Floor
Des Moines, Iowa 50319-0114

AUTHORIZATION FOR AUTOMATIC DEPOSIT

The Iowa Collection Services Center (CSC) is hereby authorized to initiate credit entries for deposit of child support payments and to initiate, if necessary, debit entries and adjustments for any credit entries in error to my account indicated below and the Financial Institution named below:

Financial Institution _____ Branch Address _____

City _____ State _____ Zip _____ Account No. _____

Account Type (check one): checking savings

NOTE: BE SURE TO ATTACH A VOIDED BLANK CHECK OR DEPOSIT SLIP SHOWING YOUR ACCOUNT NUMBER.

Keep the second page of this form and send it in with the appropriate changes written on it if you wish to cancel or change your automatic deposit authorization.

Check appropriate box:

I DO need a notice of deposit mailed to me for each deposit made.

I DO NOT need a notice of deposit mailed to me for each deposit made.

This authority is to remain in full force and effect until the CSC has received written notification from me of its termination in such time and in such manner as to afford the CSC a reasonable opportunity to act on it.

Your Name (print) _____
Last First MI

Your CSC Acct. No.: _____

Signature: _____ Date _____ Phone: () _____

Your address: _____

CHILD SUPPORT RECOVERY

AUTHORIZATION FOR AUTOMATIC DEPOSIT, 470-2612

Form 470-2612 is used by the custodial parent to authorize the direct deposit of support payments into the parent's bank account.

When Prepared

Completed when the custodial parent requests automatic deposit.

By Whom Prepared

Prepared by the custodial parent.

Number of Copies

Two-part NCR form.

Specific Instructions

Self-explanatory. The form is completed, signed, and dated by the custodial parent. A voided blank check or deposit slip for the appropriate bank account must be attached.

Disposition

The custodial parent may return this form to the CSRU or may send it directly to the Collection Services Center. The copy should be kept by the custodial parent. Send the original with the voided blank check or deposit slip to the attention of the accounting staff in the Collection Services Center.

CHILD SUPPORT RECOVERYREQUEST FOR MANUAL REFUND, 470-2327

Form 470-2327 is used to request a refund to persons entitled to receive monies which have been submitted to the Department in error.

When Prepared

Prepared when CSRU determines that a refund is appropriate. Money must have been applied to the account before a refund can be paid out. Investigate carefully to determine the appropriateness of a refund. Check the ICAR system to ensure that a refund has not already been completed. Determine if a \$50.00 rebate has or will be issued and adjust the amount to be refunded accordingly.

By Whom Prepared

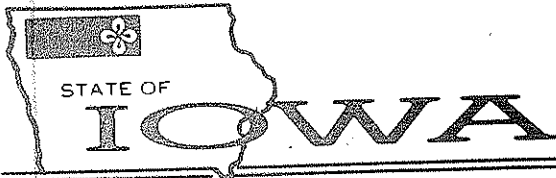
Prepared by the support recovery officer or by central office staff.

Number of Copies

Three-part NCR form.

Specific Instructions

1. Date the form and enter the name and office of the person preparing the form.
2. Enter the payee name and the case number. Enter the address of the payee or payor only if different from the address which is on the ICAR System. Enter the last name of the payor.
3. Indicate to whom the check is to be sent. If the check is to be sent to the payee, mark "Same as above"; if it is to be sent to another person, such as the payor or the clerk of court, mark "Other." If "Other" is marked, enter "payor" or, if other than the payor, fill in the correct name and address.
4. If appropriate, enter the date that assistance was cancelled, and the date the Termination of Assignment was submitted.
5. Complete the chart as follows:
 - a. Enter the receipt date of the payment which caused the need for a refund. If multiple payments are being refunded, enter each on a separate line.



TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF HUMAN SERVICES

CHARLES M. PALMER, DIRECTOR

REQUEST FOR MANUAL REFUND

Date:

To/Office: Collection Services Center

Attention: CSC Accounting

From/Office:

Subject: Request for Manual Refund

Payee Case Name	Case Number	Street, City, State, Zip	Payor's Last Name
_____	_____	_____	_____

Send warrant to: Same as above
 Other Name _____
 Street _____
 City, State, Zip _____

Date of Cancellation of Assistance: _____
 Date of Termination Submitted to CSC: _____

Month/Year	ADC Grant Amount	Exact Amount of Court Ordered Child Support	Child Support Shown Paid on Terminal	Batch Number	Refund Amount

Total: _____

REASON FOR REFUND:

- Support exceeds ADC grant
- State Tax Overpayment
- Federal Tax Overpayment
- Account paid in full
- Month of suspension
- Processing Year: _____
- Payor's SSN _____
- Other (Explain): _____

Authorized Signature _____

CHILD SUPPORT RECOVERYREQUEST FOR MANUAL REFUND, 470-2327 (Cont.)Specific Instructions (Cont.)

- b. Enter the ADC grant amount only if monies are being paid out because support exceeds the ADC grant.
 - c. Enter the exact amount of court-ordered child support. Do not convert to a monthly amount.
 - d. Enter the amount of the child support paid, as shown on the ICAR system.
 - e. Leave the "batch number" column blank.
 - f. Enter the actual amount to be refunded.
 - g. Enter the total amount to be refunded.
6. Indicate the reason for the refund. If refunding monies improperly withheld under an income withholding order, mark "Other" and explain. Also under "Other," list the current account type.

Disposition

Send the original to the attention of the accounting staff in the Collection Services Center. Attach a copy of the ICAR payment history and payment record for the appropriate dates. Highlight the payments to be refunded.

Retain one copy of the form in the case file. If the case is an active ADC case, send the pink copy to the income maintenance worker.

If notified by Central Office that a change has been made to the refund amount, the support recovery officer shall make the change to the yellow copy in the case file and, if the case is an active ADC case, notify the income maintenance worker of the change.

CHILD SUPPORT RECOVERY

Reserve pages 34 through 82 for future use

CHILD SUPPORT RECOVERY

PAGES 83 THROUGH 87 ARE RESERVED FOR FUTURE USE.

CHILD SUPPORT RECOVERY

NOTICE OF GARNISHMENT -- WAGES, CS-5149-0

The Notice of Garnishment -- Wages is used to notify an absent parent that the personal wages of the absent parent have been garnished. The garnished funds shall be applied to the outstanding support delinquency unless an answer is filed by the absent parent within ten days after being personally served with this notice.

When Prepared

At the time it is known that personal wages of the absent parent have been secured by the sheriff.

By Whom Prepared

Prepared by the child support recovery officer or attorney.

Number of Copies

Original and two copies.

Specific Instructions

The absent parent must be personally served before the garnished funds are condemned.

Disposition

The original and one copy shall be forwarded to the sheriff in the county where the absent parent may be located and personally served.

The sheriff will serve the original on the absent parent and make his/her return on the copy.

The second copy may be retained in the IV-D file.

)	
)	NO. _____
Petitioner,)	
vs.)	NOTICE OF GARNISHMENT
)	WAGES
Respondent.)	
)	

TO THE ABOVE NAMED JUDGEMENT DEBTOR:

YOU ARE HEREDY NOTIFIED that by virtue of a writ of Execution issued by the Clerk of the above named Court, the undersigned attorney has caused your wages to be garnished for unpaid child support.

YOU ARE HEREBY NOTIFIED that unless you make other arrangements with _____, Child Support Recovery Officer, said garnishment shall be served upon your employer each pay day for seventy (70) days, causing said employer to withhold _____ percent (%) of your net earnings to be applied to your child support delinquency.

YOU ARE FURTHER NOTIFIED, pursuant to §642.14, Code of Iowa, 19 ____, that if there is any reason why the wages withheld in accordance with this garnishment should not be condemned and applied to the judgment rendered against you herein, you have ten (10) days from the date of the Service of this Notice to file your resistance in writing with the court, and your attorney should be notified by you at once.

YOU ARE FURTHER NOTIFIED, pursuant to §630.3A, Code of Iowa, 19 ____, that:

At any time after the rendition of judgment the court, upon application of the judgment creditor or the judgment debtor and upon notice to the adverse party as the court shall direct, shall conduct a hearing to determine the reasonably expected annual earnings of the judgment debtor for the current calendar year and the applicable limitation upon garnishment in the interest of justice whether a greater amount than provided in section 642.21. The court shall also consider in the interest of justice whether a greater

amount than provided in section 642.21 shall be exempted from garnishment. In making the determination the court shall consider the age, number and circumstances of the dependents of the debtor, existing federal poverty level guidelines, the debtor's maintenance and support needs, the debtor's other financial obligations and any other relevant information. An order reducing the garnishment may be modified or vacated upon the application of a party to the court, notice to the adverse party, and a showing at a hearing of changed circumstances. An additional filing fee shall not be assessed for proceedings under this section.

YOU ARE FURTHER NOTIFIED, pursuant to §827.12, Code of Iowa, 19 ____, that:

The personal earnings of the debtor shall not be exempted from any order, judgment, or decree for the support of a minor child or children hereafter rendered in this state nor any installment of any such order, judgment, or decree heretofore rendered in this state which, by the provisions thereof, may hereafter become due.

OF THIS YOU SHALL TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY.

Assistant Attorney General
Child Support Recovery Unit

)	
)	
_____, Petitioner,)	NO. _____
)	
vs.)	NOTICE OF GARNISHMENT
)	BANK ACCOUNT
_____ Respondent.)	

TO THE ABOVE NAMED JUDGEMENT DEBTOR:

YOU ARE HEREBY NOTIFIED that by virtue of a writ of Execution issued by the Clerk of the above named Court, the undersigned attorney has caused your bank account to be garnished for unpaid child support.

YOU ARE FURTHER NOTIFIED, pursuant to §642.14, Code of Iowa, 19 ____, that if there is any reason why the money withheld in accordance with this garnishment should not be condemned and applied to the judgment rendered against you herein, you have ten (10) days from the date of the Service of this Notice to file your resistance in writing with the Court, and your attorney should be notified by you at once.

YOU ARE FURTHER NOTIFIED, pursuant to §630.3A, Code of Iowa, 19 ____, that:

At any time after the rendition of judgment the court, upon application of the judgment creditor or the judgment debtor and upon notice to the adverse party as the court shall direct, shall conduct a hearing to determine the reasonably expected annual earnings of the judgment debtor for the current calendar year and the applicable limitation upon garnishment as provided in section 642.21. The court shall also consider in the interest of justice whether a greater amount than provided in section 642.21 shall be exempted from garnishment. In making the determination the court shall consider the age, number and circumstances of the dependents of the debtor, existing federal poverty level guidelines, the debtor's maintenance and support needs, the debtor's other financial obligations and any other relevant information. An order reducing the garnishment may be modified or vacated

upon the application of a party to the court, notice to the adverse party, and a showing at a hearing of changed circumstances. An additional filing fee shall not be assessed for proceedings under this section.

YOU ARE FURTHER NOTIFIED, pursuant to §627.12, Code of Iowa, 19 ____, that:

The personal earnings of the debtor shall not be exempted from any order, judgment, or decree for the support of a minor child or children hereafter rendered in this state nor any installment of any such order, judgment, or decree heretofore rendered in this state which, by the provisions thereof, may hereafter become due.

OF THIS YOU SHALL TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY. If you have any questions concerning said garnishment, please contact _____, Child Support Recovery Officer.

Assistant Attorney General
Child Support Recovery Unit

CHILD SUPPORT RECOVERYNOTICE OF GARNISHMENT -- BANK ACCOUNT, 470-2001

The Notice of Garnishment -- Bank Account is used to notify an absent parent that the personal wages of the absent parent, held in a bank account, have been garnished. The garnished funds shall be applied to the outstanding support delinquency unless an answer is filed by the absent parent within ten days after being personally served with this notice.

When Prepared

At the time it is known that personal wages of the absent parent have been secured by the sheriff.

By Whom Prepared

Prepared by the child support recovery officer or attorney.

Number of Copies

Original and two copies.

Specific Instructions

The absent parent must be personally served before the garnished funds are condemned.

Disposition

The original and one copy shall be forwarded to the sheriff in the county where the absent parent may be located and personally served.

The sheriff will serve the original on the absent parent and make his/her return on the copy.

The second copy may be retained in the IV-D file.

CHILD SUPPORT RECOVERY

APPLICATION TO CONDEMN FUNDS, CS-5150-0

The Application to Condemn Funds is an application to the district court for an order to apply garnished funds of an absent parent to the existing support delinquency.

When Prepared

The form may be prepared ten days after the absent parent has been personally served provided that no objection was filed by the absent parent during the 10-day period.

By Whom Prepared

Prepared by the child support recovery officer or attorney.

Number of Copies

Original and two copies.

Specific Instructions

The form is self-explanatory.

Disposition

The original shall be filed with the clerk of the district court for the county where the support order exists. One copy shall be forwarded to the absent parent's attorney, or to the absent parent if no attorney is involved. The second copy shall be retained in the case file.

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

Petitioner

VS.

Resondent

*
*
*
*
*
*
*
*
*

APPLICATION TO CONDEMN FUNDS

NO. _____

The _____ makes application for an order stating:

1. That Judgment appears on file in the _____ County District Court in favor of the _____ against the _____.

2. That execution was duly issued from the Clerk of Court and the Sheriff of _____ County was directed to serve said execution pursuant to 15 USCA 1673 by levy upon money owed to the _____ by the _____.

3. That garnished funds now being held by the Sheriff were properly withheld.

WHEREFORE the Applicant requests the Court to order the garnished funds be sent to the Clerk of the _____ District Court to apply to the above judgment and that the Clerk be given authority to endorse said check and to pay the amount as and for child support.

Dated this ____ day of _____, 19 ____.

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

Petitioner

VS.

Resondent

*
*
*
*
*
*
*
*
*

ORDER CONDEMNING FUNDS

NO. _____

On the ____ day of _____, 19 ____, this matter came for hearing upon Application. The Court being advised in the premises finds:

1. That this Court has jurisdiction of the parties and of the subject matter.
2. That the facts are as stated in the Application.
3. That the _____ is entitled to the prayer of the Application.

THEREFORE it is Ordered that the Sheriff forward garnished funds collected to the Clerk of the _____ County District Court to be applied to the satisfaction of the above Judgment and that the Clerk be given authority to endorse said check and pay the amount as and for child support.

Dated this ____ day of _____, 19 ____.

CHILD SUPPORT RECOVERY

ORDER CONDEMNING FUNDS, CS-5151-0

The Order Condemning Funds is designed for use in establishing an order to condemn garnished funds.

When Prepared

Prepared at the time the application to condemn funds, form CS-5150-0 is prepared, for presentation to the district court judge.

By Whom Prepared

Prepared by the child support recovery officer or child support attorney for presentation to the district court judge.

Number of Copies

Original and two copies.

Specific Instructions

Form must be presented to the district court judge to enable garnished funds to be applied to the support delinquency.

Disposition

The original, once signed, shall be filed in the court file. One copy is forwarded to the absent parent's attorney or to the absent parent if no attorney is involved. The copy is to be retained in the IV-D case file.

CHILD SUPPORT RECOVERYNOTICE OF STATE TAX REFUND OFFSET, 470-0198

Form 470-0198 is used to inform a responsible person that the CSRU has made a claim against the responsible person's Iowa state income tax refund for a delinquent support obligation being enforced by the Unit.

When Prepared

The form is prepared when the Iowa Department of Revenue and Finance informs the central office CSRU that a responsible person meeting state tax offset certification criteria is entitled to a state tax refund.

By Whom Prepared

This form is generally prepared, printed, and issued by the ICAR computer system at central office CSRU. The form may also be prepared and generated by the CSRU case worker using the FORMS module of ICAR.

Number of Copies

Original and one copy.

Specific Instructions

When completed by the CSRU worker, the FORMS module identifies each variable item that must be entered by the worker. When completed by the ICAR system, the system enters all variables.

When a responsible person has more than one case meeting the certification criteria for state tax offset, only one notice shall be issued to the responsible person. The notice shall list the names and office addresses of the CSRU case workers assigned to the first two cases identified as meeting certification criteria. The copy of the notice shall be issued to the first CSRU worker listed on the notice. The total number of cases meeting certification criteria shall be indicated in the bottom right corner of the notice. A narrative shall be generated for each case meeting certification criteria to document that the notice was issued.

Disposition

Central office CSRU or the CSRU worker shall send the original to the responsible person by first class mail. Notices completed by the ICAR system are sent to the address used by the responsible person in completing the tax return resulting in the offset. Notices completed by the CSRU worker shall be sent to the last known address of the responsible person.

Iowa Department of Human Services
NOTICE OF STATE TAX REFUND OFFSET

RE: Rec. Co. C/O Co.

Your Iowa income tax refund in the amount of _____ is being held for your delinquent child support or foster care obligation. This action is taken pursuant to authority granted in Chapter 252B.5(4) and Chapter 421.17(21), Code of Iowa, which states that a setoff of a tax refund is authorized if the person obligated to pay support:

1. has not paid the support obligation as assessed or ordered by the court for each of the 12 months preceding the date of this letter, OR
2. has not made a monthly payment on a delinquency for each of the 12 months preceding the date of this letter.

You have the right to appeal this action. If you do not appeal this action in writing within 15 days, your refund will be applied to reduce your delinquency. If your delinquency is less than the amount of your tax refund, the difference will be sent to you unless other claims or debts are owed.

****YOUR RIGHTS TO APPEAL THIS ACTION ARE EXPLAINED ON PAGE 2 OF THIS NOTICE****

If you have filed a joint return, you or your spouse may request that your joint income tax refund be divided in proportion to your net income. You are not required to file an appeal in order for a division to be made. However, you must notify the Child Support office listed below within 15 calendar days of the date of this notice. If the setoff is for a foster care obligation, you may not be entitled to a division of the refund. A request for an appeal does not automatically constitute a request for a division of the refund, unless your written appeal states that a division is requested.

If you have any questions, need assistance in filing an appeal, or wish to request a division, contact the Child Support Recovery office listed below:

Child Support Recovery Office

Telephone:

470-0198 (Rev. 3/92)

RIGHTS OF APPEAL

You must appeal IN WRITING to the local Child Support Recovery Unit at the address shown on page 1 of this notice, OR to the Department of Human Services' Appeals Section, Hoover State Office Building, 5th Floor, Des Moines IA 50319-0114. You may use the Department of Human Services' appeal form or you may simply send a letter asking to appeal. There is no fee or charge for an appeal. Your local Department of Human Services' office will assist in filing an appeal if you ask them.

You must file your appeal within 15 calendar days of the date of this notice to be ensured of a hearing. If the appeal is filed late (that is, more than 15 calendar days, but less than 90 calendar days after the date of this notice), the Director of the Department of Human Services must approve, based upon a good cause for late filing, whether a hearing shall be granted. No hearing shall be granted if the appeal is filed more than 90 calendar days from the date of this notice. NOTE: Any discussion between you and the Department does NOT extend these time periods nor does it in any way diminish your right to a hearing.

The Department of Human Services will determine whether or not an appeal may be granted a hearing. If a hearing is granted, you will be notified of the time and place. However, a hearing need not be granted if the appeal is not eligible to be heard. If no hearing is granted, you will be notified in writing of the reason and the procedures to challenge that decision.

If a hearing is granted to your appeal, you may explain your disagreement or have someone else, like a relative or friend, explain your disagreement for you. If you wish, you may be represented by an attorney, but the Department cannot pay for the attorney. Your local Department of Human Services' office has information about legal services based on ability to pay that may be available to you. You may also phone Legal Services Corporation of Iowa at 1-800-532-1275. If you live in Polk County, phone 243-1193.

POLICY ON NONDISCRIMINATION

This action was taken without regard to race, color, creed, sex, age, physical or mental disability, religion, national origin, or political belief. If you have reason to believe that you have been discriminated against for any of the reasons stated above, you may file a complaint with the Iowa Department of Human Services (IDHS) by completing a Discrimination Complaint form. Any IDHS office, institution, or the IDHS Bureau of Equal Opportunity can give you a form. You may also file a complaint with the Iowa Civil Rights Commission (if you feel you were treated differently BECAUSE OF your race, creed, color, national origin, sex, religion, or disability); or the United States Department of Health and Human Services, Office for Civil Rights.

IOWA DEPARTMENT OF HUMAN SERVICES
Bureau of Equal Opportunity
Hoover State Office Building
Des Moines IA 50319-0114

IOWA CIVIL RIGHTS COMMISSION
211 E Maple St 2nd Fl
c/o Grimes State Office Building
Des Moines IA 50319-0201
1-800-457-4416 (toll-free) or
(515) 281-4121 (collect calls accepted)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights
601 E 12th St Rm 248
Kansas City MO 64106

CHILD SUPPORT RECOVERY

NOTICE OF STATE TAX REFUND OFFSET, 470-0198 (Cont.)

Disposition (Cont.)

The copy shall be sent to the CSRU worker assigned to the case, whose name and office address shall be indicated on the form. Keep this copy in the case file.

CHILD SUPPORT RECOVERYFINAL DISPOSITION OF SUPPORT RECOVERY CLAIM, 470-0199

Form 470-0199 is used to notify a responsible person of the final result of a claim against the responsible person's Iowa state income tax refund for delinquent support.

When Prepared

The form is prepared when:

1. The ICAR system or the CSRU worker determines that the responsible person no longer has any cases meeting certification criteria for state tax offset, after form 470-0198 was issued, and the ICAR system or CSRU worker has updated the Iowa Department of Revenue OFFS system to release CSRU's claim on the responsible person's state tax refund; AND
2. Money resulting from the offset is received from the Iowa Department of Revenue and Finance and applied to the responsible person's child support account.

By Whom Prepared

This form is generally prepared, printed and issued by the ICAR computer system at central office CSRU. The form may also be prepared and generated by the CSRU case worker through the FORMS module of ICAR.

Number of Copies

Original.

Specific Instructions

When completed by the CSRU worker, the FORMS module identifies each variable item that must be entered by the worker. When completed by the ICAR system, the system enters all variables.

When a responsible person has more than one case meeting the certification criteria for state tax offset, and the claim is released, only one notice shall be issued to the responsible person.

When money received through the offset applies to more than one case, a notice shall be issued for each case. Each notice shall indicate the amount of the offset that applied to that case.

The CSRU worker or ICAR system shall enter a narrative to document the final disposition of the offset for each case.

Iowa Department of Human Services
FINAL DISPOSITION OF SUPPORT RECOVERY CLAIM

RE:

Rec. Co. C/O Co.

An earlier notice informed you that the Child Support Recovery Unit made a claim against your Iowa income tax refund for a delinquent support debt. The following action has been taken in regard to this claim:

- () The Child Support Recovery Unit has credited your delinquent account for the case indicated in the amount of . Any balance in excess of this amount will be issued to you by the Iowa Department of Revenue and Finance in two to four weeks, unless other claims or debts are owed.
- () The Child Support Recovery Unit has released its claim to your state income tax refund. Your state income tax refund will be issued by the Iowa Department of Revenue and Finance in two to four weeks, unless other claims or debts are owed.

This action was taken following the results of any timely request for appeal or, in case of a joint refund, a request to have the nonobligated spouse's portion of the refund released.

Child Support Recovery Office

Telephone:

POLICY ON NONDISCRIMINATION

This action was taken without regard to race, color, creed, sex, age, physical or mental disability, religion, national origin, or political belief. If you have reason to believe that you have been discriminated against for any of the reasons stated above, you may file a complaint with the Iowa Department of Human Services (IDHS) by completing a Discrimination Complaint form. Any IDHS office, institution, or the IDHS Bureau of Equal Opportunity can give you a form. You may also file a complaint with the Iowa Civil Rights Commission (if you feel you were treated differently BECAUSE OF your race, creed, color, national origin, sex, religion, or disability); or the United States Department of Health and Human Services, Office for Civil Rights.

IOWA DEPARTMENT OF HUMAN SERVICES
Bureau of Equal Opportunity
Hoover State Office Building
Des Moines IA 50319-0114

IOWA CIVIL RIGHTS COMMISSION
211 E Maple St 2nd Fl
c/o Grimes State Office Building
Des Moines IA 50319-0201
1-800-457-4416 (toll-free) or
(515) 281-4121 (collect calls accepted)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights
601 E 12th St Rm 248
Kansas City MO 64106

CHILD SUPPORT RECOVERY

FINAL DISPOSITION OF SUPPORT RECOVERY CLAIM, 470-0199 (Cont.)

Disposition

Central office CSRU or the CSRU worker shall send the notice to the responsible person by first class mail. Notices completed by the ICAR system shall be sent to the address used by the responsible person in completing the tax return resulting in the offset. Notices completed by the CSRU worker shall be sent to the last known address of the responsible person.

Iowa Department of Human Services

ADJUSTMENT OF FEDERAL TAX SETOFF

I, _____, the undersigned, state that I am entitled to a federal tax refund in the amount of _____ (\$ _____), of which the Iowa Department of Human Services, Bureau of Collections, is entitled to _____ (\$ _____), and the balance of _____ (\$ _____) is due me.

In the event the Internal Revenue Service requests the Department of Human Services, Bureau of Collections, to return all or a portion of the amount stated above to the Internal Revenue Service, I will repay all of the amount which the Department of Human Services, Bureau of Collections, returns to the Internal Revenue Service. This amount shall be a judgment against me until said amount is paid in full to the Department and may be collected in all manners established by law.

Signed this _____ day of _____, 19____.

(Signature)

Subscribed and sworn before me this _____ day of

_____, 19____.

Notary Public in and for the State of Iowa

CHILD SUPPORT RECOVERY

ADJUSTMENT OF FEDERAL TAX SETOFF, 470-2082

The Adjustment of Federal Tax Setoff is an agreement by an absent parent, to repay the Department for any portion of the absent parent's federal tax refund which must later be returned due to a tax adjustment by the Internal Revenue Service.

When Prepared

Prepared when all or a portion of the federal tax refund from a prior processing year is to be returned to the absent parent-taxpayer in the current processing year.

By Whom Prepared

Initiated by the support recovery officer and signed by the absent parent-taxpayer.

Number of Copies

Original and one copy (two-part NCR form).

Specific Instructions

Enter the name of the absent parent taxpayer, the dollar amount of the total tax refund, the amount of the portion due the Department and the amount due the absent parent taxpayer on the top portion of the form. Dollar amounts shall be entered by word and by number. The lower portion of the form shall be signed and dated by the absent parent in the presence of a notary public.

Disposition

The original and copy are sent to the absent parent-taxpayer for signature notarization, and return to CSRU. When returned, the original is filed in the CSRU or FCRU case file. The copy is attached to the request for special abstract, which is forwarded to the Bureau of Collections accountant in central office.

CHILD SUPPORT RECOVERY

ADJUSTMENT OF FEDERAL TAX SETOFF COVER LETTER, 470-2083

The Adjustment of Federal Tax Setoff Cover Letter is an explanatory cover letter which accompanies the adjustment agreement, form 470-2082.

When Prepared

Prepared when an Adjustment of Federal Tax Setoff, form 470-2082, is initiated.

By Whom Prepared

Initiated and signed by the support recovery officer.

Number of Copies

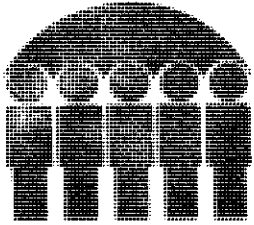
Original only.

Specific Instructions

The name and address of the absent parent taxpayer and the date of preparation shall be entered at the top of the form. The SRO who initiated the form shall sign in the lower left portion of the form.

Disposition

The completed original is sent to the absent parent taxpayer along with form 470-2082.



Iowa
Department
of
Human Services

HOOVER BUILDING

DES MOINES, IOWA 50319

TERRY E. BRANSTAD
GOVERNOR

Michael V. Reagen, Ph.D.
Commissioner

┌

└

Date _____

Due to the complications involved in the federal tax setoff program, there are occasions when the State has already reimbursed an individual for a federal tax refund and the Internal Revenue Service later determines the refund should not have been sent to the State. To ensure proper accounting for the funds as the result of adjustments made by the Internal Revenue Service, it will be necessary for you to sign, have notarized, and return the attached agreement to this office. In addition, you must also forward a copy of the setoff letter you received from the Internal Revenue Service showing the amount of your refund which was setoff for child support.

Upon receipt of this agreement and the setoff notice, steps will be taken to assure that your refund is issued to you.

Sincerely,

Child Support Recovery Officer

470-2083 (1/86)

IOWA COUNCIL ON HUMAN SERVICES

Sister Mary Augustine
Cedar Rapids

Paul Hasvold
Decorah

Myrna Langerud
Lake Mills

Dolph Pulliam
Des Moines

Lewis Rich
Glidden

Madalene Townsend
Davenport

J. T. Watson
West Des Moines

Iowa Department of Human Services

REPAYMENT AGREEMENT FOR FEDERAL TAX REFUND SETOFF

Custodial Parent's Name _____ SSN _____
Address _____ Home Phone _____
Employer _____ Work Phone _____
Absent Parent's Full Name _____ SSN _____
Address _____ Home Phone _____
Employer _____ Work Phone _____

CONDITIONS FOR TAX SETOFF

- 1) A valid court order or administrative order for child support must exist.
- 2) The absent parent must have a child support arrearage of at least \$500.00.
- 3) The absent parent's social security number must have been verified.
- 4) A \$25.00 fee will be charged for each offset \$50.00 or greater.
- 5) There is no guarantee that monies will be collected on your behalf.
- 6) If a setoff is made on your behalf, the state has the authority to hold the refund (if it involves a joint tax return) six months before sending the collection to you.
- 7) If the order for child support was not entered in Iowa, the state must have a copy of the order, any modifications to the order, and a copy of the support payment record or a signed affidavit from you before the case can be submitted for setoff.

CERTIFICATION STATEMENT

I agree to the tax setoff conditions stated above.

I swear or affirm that the information provided on this form is true and correct to the best of my knowledge.

I understand that if I have received public assistance in the past that any child support debt owed to the state will be satisfied first.

I understand that I am personally liable to refund any amounts which must be returned due to the filing of an amended tax return by the absent parent's current spouse.

Signature

Date

Witness

Date

CHILD SUPPORT RECOVERY

REPAYMENT AGREEMENT FOR FEDERAL TAX REFUND SETOFF, 470-2084

The Repayment Agreement For Federal Tax Refund Setoff is an agreement by the recipient of nonassistance support services to repay the Department any portion of federal income tax setoff money given to them which must later be returned due to a tax adjustment by the Internal Revenue Service.

When Prepared

Prepared before any collection from the federal income tax setoff can be paid to the recipient of nonassistance support services.

By Whom Prepared

Prepared by the support recovery officer in charge of the case and signed by the recipient.

Number of Copies

Original only.

Specific Instructions

The name, address, social security number and telephone number of both the custodial parent (recipient) and the absent parent shall be entered at the top of the form. The signature of the recipient at the bottom of the form shall be witnessed and dated.

Disposition

The original is completed by the SRO and sent to the recipient for witnessed signature. The original is returned by the recipient to the SRO and filed in the CSRU case file.

CHILD SUPPORT RECOVERYNOTICE OF ADMINISTRATIVE REVIEW, 470-2086

Use the Notice of Administrative Review form to:

- ◆ Schedule an administrative review of the amount of the obligor's delinquent balance.
- ◆ Notify the obligor, and the obligee on nonpublic assistance (NPA) cases, of the results of the review.

When Prepared

Prepare this form to:

- ◆ Schedule an administrative review of the delinquent balance in a federal tax offset and a federal administrative offset case, and if the delinquent balance is greater than five thousand dollars, in a passport sanction case.
- ◆ When the administrative review for a federal tax offset and a federal administrative offset case is completed. (The passport sanction process requires the use of different forms to report the results of the review.)

By Whom Prepared

Prepared by the caseworker assigned to the tax offset process.

Number of Copies

Three.

Specific Instructions

Access the form through FORMOSEL by entering the case number. Enter "case" in the PROCESS field. Press PF6 to access FORMVIEW. Select the appropriate paragraphs to:

- ◆ Identify the issues to be discussed at the review (i.e., the balance for a federal tax refund offset and federal administrative offset or the balance for both a federal tax refund offset and federal administrative offset and a passport sanction) and to schedule the review. Enter the date, time and place of the review to schedule the review.
- ◆ Document the completion and results of the review. Complete one or more of the outcome lines with the results of the review. The information you enter on these lines appears on the printed form.

Iowa Department of Human Services
NOTICE OF ADMINISTRATIVE REVIEW

Date: _____

CSC Case Number: _____

Dear _____:

You requested a review of the amount of past-due support you owe because you received notice that the Child Support Recovery Unit intends to offset your federal tax refund and your federal nontax payment to pay past-due support. You also received notice that the Child Support Recovery Unit intends to request the U.S. Secretary of State to impose a sanction on your passport because of the amount of past-due support you owe.

An administrative review of the amount of past-due support you owe has been scheduled for _____, _____, at _____. The review will be held at

_____.

_____. The issue to be discussed at the review is limited to whether the amount of the past-due support owed is correct. The purpose of the review is to allow you to present information or documents about the amount of your past-due support.

You may attend the review in person. If you wish, you may be represented at the review by an attorney, but the Child Support Recovery Unit will not pay for the attorney. The review will be conducted at the above time and place unless we notify you otherwise. If you are unable to appear in person, the administrative review may be conducted by telephone. However, it is your responsibility to provide a telephone number where you can be reached. Contact the Child Support Recovery Unit to make arrangements for a telephone conference.

Please direct any questions you have regarding the review process to the Child Support Recovery Unit listed below.

Sincerely,

Child Support Recovery Unit

Iowa Department of Human Services
NOTICE OF ADMINISTRATIVE REVIEW

Date: _____

CSC Case Number: _____

Dear _____:

You requested an administrative review of the amount of past-due support you owe because the Child Support Recovery Unit intends to offset your federal income tax refund and your federal nontax payment. That review has been conducted. The results of the review are:

Please direct any questions you have regarding the review process to the Child Support Recovery Unit listed below.

Sincerely,

Child Support Recovery Unit

Supervisor's Signature

Date of Signature

CHILD SUPPORT RECOVERY

Distribution

Distribute copies of the *Notice of Administrative Review* as follows:

- ◆ One copy for the obligor.
- ◆ One copy for the obligee on NPA cases. Discard the obligee copy for PA cases.
- ◆ One copy for the case file.