


|   |  |   |
|---|--|---|
|  | <b>INDIANA DEPARTMENT OF CHILD SERVICES<br/>TITLE IV-D POLICY MANUAL</b>                         |   |
|   | <b>Chapter 1: Establishment and Administration of the Program</b>                                | <b>Effective Date: 03/26/2020</b>                 |
|   | <b>Section 2: Role of the Title IV-D Prosecutor's Office in Providing Child Support Services</b> | <b>Version: 1.1<br/>Revision Date: 03/26/2020</b> |

|                   |
|-------------------|
| <b>BACKGROUND</b> |
|-------------------|

The Child Support Bureau (CSB) has a Cooperative Agreement with each Title IV-D Prosecutor's Office to provide child support services. While the trend in recent years has been to consolidate administrative enforcement activities at the state level, most participant services occur at the local level. Local access to the Courts remains a necessary and vital aspect of the provision of services because Indiana is primarily a judicial state in terms of child support services.

The Title IV-D Prosecutor's Office has six (6) principal tasks:

1. Parent Locate<sup>1</sup>

Where insufficient information exists, this involves research to locate a non-custodial parent (NCP) or alleged father.<sup>2</sup> The Title IV-D Prosecutor's Office uses various search techniques and tools, including the Federal Parent Locator Service (FPLS); parent locate via the statewide child support system; Federal Case Registry (FCR); multi-state and in-state Financial Institution Data Matches (FIDM); credit bureau reports; postal verification; the State Parent Locator Service (SPLS); and any other available sources of verifiable addresses. Locate has been enhanced by the use of automated data interfaces between the statewide child support system and other locate resources.

2. Paternity Establishment<sup>3</sup>

The Title IV-D Prosecutor's Office establishes paternity by filing a judicial action. Paternity can also be established administratively where the mother and biological father execute a Paternity Affidavit.<sup>4</sup>

3. Child Support Order Establishment<sup>5</sup>

The Title IV-D Prosecutor's Office establishes a financial obligation against either parent, or both parents to pay an amount for the support of a child. Parties may include parents who have never been married to each other, a wife and husband who have separated, or guardians with whom the child physically resides.<sup>6</sup> All child support orders must

---

<sup>1</sup> Chapter 8: Parent Locate

<sup>2</sup> 45 C.F.R. § 303.3(a)

<sup>3</sup> Chapter 9: Paternity Establishment

<sup>4</sup> IC 31-14-2

<sup>5</sup> Chapter 10: Child Support Establishment

<sup>6</sup> IC 31-16-2; IC 31-18.5-4

include a provision for medical support for the child to be provided by either or both parents.<sup>7</sup>

#### 4. Enforcement<sup>8</sup>

In order to enforce a child support order, the Title IV-D Prosecutor's Office may use a variety of judicial or administrative enforcement actions.<sup>9</sup> Where necessary, the Title IV-D Prosecutor's Office may begin an action involving another State, country, or Title IV-D Indian tribe under the provisions of the Uniform Interstate Family Support Act (UIFSA).<sup>10</sup>

#### 5. Review and Adjustment-Modification of the Child Support Order<sup>11</sup>

This task involves the "review and adjustment" process:

- a. If the state is providing Temporary Assistance for Needy Families (TANF) and an assignment of child support rights is in effect, a notice of review is generated every three (3) years; or
- b. At the request of either party to the case.

The Title IV-D Prosecutor's Office shall review the current financial status of the parties, and if an adjustment to the support amount is warranted, proceed with appropriate action to modify the order.<sup>12</sup> The Title IV-D Prosecutor's Office shall motion the Court for modification if the existing order does not conform with the Indiana Child Support Rules and Guidelines, or if a significant change in circumstances has occurred, without the consent of any party.<sup>13</sup>

#### 6. Medical Support<sup>14</sup>

When the Title IV-D Prosecutor's Office becomes aware of a Title IV-D case where the existing support order does not provide for medical support or a support order needs to be established, the Title IV-D Prosecutor's Office shall petition the Court for an order for medical support for the child to be provided by either or both parents.<sup>15</sup>

### **POLICY**

N/A

### **REFERENCES**

- [IC 31-14-2](#): Methods of Establishing Paternity
- [IC 31-16-2](#): Actions for Child Support

---

<sup>7</sup> IC 31-16-6-4

<sup>8</sup> Chapter 12: Enforcement

<sup>9</sup> IC 31-16-12-1

<sup>10</sup> 45 C.F.R. § 303.8(b)(1)(i); IC 31-18.5-5; IC 31-18.5-6

<sup>11</sup> Chapter 13: Review and Adjustment-Modification of the Child Support Order

<sup>12</sup> 45 C.F.R. § 303.8(a)

<sup>13</sup> IC 31-16-8; IC 31-18.5-6

<sup>14</sup> Chapter 15: Medical Support

<sup>15</sup> 45 C.F.R. § 303.31(b); IC 31-16-6-4; IC 31-16-8-2

- [IC 31-16-6-4](#): Medical support
- [IC 31-16-8](#): Modification of Child Support or Maintenance Orders
- [IC 31-16-8-2](#): Medical support
- [IC 31-16-12-1](#): Enforcement remedies
- [IC 31-18.5-4](#): Establishment of Support Order or Determination of Parentage
- [IC 31-18.5-5](#): Enforcement of Support Order Without Registration
- [IC 31-18.5-6](#): Registration, Enforcement, and Modification of Support Order
- [45 C.F.R. § 303.3](#): Location of noncustodial parents in IV-D cases
- [45 C.F.R. § 303.31](#): Securing and enforcing medical support obligations
- [45 C.F.R. § 303.8](#): Review and adjustment of child support orders

|                  |
|------------------|
| <b>PROCEDURE</b> |
|------------------|

N/A

|                        |
|------------------------|
| <b>FORMS AND TOOLS</b> |
|------------------------|

N/A

|                                   |
|-----------------------------------|
| <b>FREQUENTLY ASKED QUESTIONS</b> |
|-----------------------------------|

N/A

|                            |
|----------------------------|
| <b>RELATED INFORMATION</b> |
|----------------------------|

1. Chapter 8: Parent Locate
2. Chapter 9: Paternity Establishment
3. Chapter 12: Enforcement
4. Chapter 13: Review and Adjustment-Modification of the Child Support Order
5. Chapter 15: Medical Support
6. [Child Support Bureau Units and Responsibilities](#)
7. [Indiana Child Support Rules and Guidelines](#)

|                         |
|-------------------------|
| <b>REVISION HISTORY</b> |
|-------------------------|

| Version     | Date       | Description of Revision                                     |
|-------------|------------|---|
| Version 1   | 05/26/2015 | Final approved version                                      |
| Version 1.1 | 03/26/2020 | Updated hyperlinks;<br>Renumbered and reviewed for accuracy |