DEAR COLLEAGUE LETTER

DCL-07-33

DATE: OCT 12 2007

TO: ALL STATE AND TRIBAL IV-D DIRECTORS


Dear Colleague:

As you know, the Federal Parent Locator Service (FPLS) has become an invaluable tool, providing the child support community with accurate and timely information about noncustodial parents involved in child support cases. In turn, we can help our child welfare colleagues by sharing certain information about these parents, to help locate individuals who have or may have parental rights to a child receiving services from the child welfare agency. However, many child welfare staff are unaware of the data available to them through the FPLS.

In an effort to increase collaboration between child support and child welfare agencies in the States, we have prepared the enclosed handout to educate child welfare staff about how they can access FPLS information via their State’s Parent Locator Service. We also encourage them to work with their child support colleagues so that both agencies can develop appropriate protocols regarding when to refer cases for full child support services and when it might be better to request limited location information.

This information will be shared with child welfare agencies in your State. We encourage you to meet with your State colleagues to discuss data sharing so that we can work together to benefit those children and families that we serve in common.

Sincerely,

Margot Bean
Commissioner
Office of Child Support Enforcement

Enclosure

cc: ACF OCSE Regional Program Managers
Child Welfare and Child Support: 
*Working Together to Help Children*

Moving children quickly from foster care to permanent homes requires title IV-B (child welfare/protection) and IV-E (foster/adoption) agency workers to gather timely information about the children’s noncustodial parents. State Child Support Enforcement (CSE) agencies often have access to valuable information about noncustodial parents through the Federal Parent Locator Service (FPLS). Child welfare agencies may go to the CSE agency in their State to request information from the FPLS to locate or facilitate the discovery of a child’s parent.\(^1\) However, many child welfare workers are unaware of the FPLS data and how they might acquire it.

Information contained in this handout can help you obtain data from CSE agencies to identify and locate noncustodial parents who may be able to provide a permanent home for a child. Sometimes, however, the information about noncustodial parents may help you in your efforts because ruling out such a parent as a possible placement resource and terminating parental rights accordingly can allow the agency and the courts to move quickly toward adoption or another permanent placement for the child.

There are certain times that you may simply want to obtain location data from CSE. Other times, you might decide that you want to refer a case to CSE for full services. Talk to your supervisor for more information about when a full case referral is most appropriate.

**WHAT is the Federal Parent Locator Service?**

The FPLS is a national location system that assists States in locating noncustodial parents, putative fathers, and custodial parties for the establishment of paternity and child support obligations, as well as the enforcement and modification of orders for child support, custody, and visitation. It also identifies child support cases involving the same parties in different States. Developed in cooperation with the States, employers, Federal agencies, and the judiciary, the FPLS includes two databases:

- *The National Directory of New Hires (NDNH)*: a central repository of employment, unemployment insurance, and wage data from State Directories of New Hires, State Workforce Agencies, and Federal Agencies. The NDNH has been operational since October 1, 1997.

- *The Federal Case Registry (FCR)*: a national database of child support cases that includes information on individuals involved in those cases. The FCR has been operational since October 1, 1998.

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\(^1\) More information about the FPLS can be found at §453(c)(4) of the Social Security Act. (Title IV-D, Child Support and Establishment of Paternity.)
Additionally, the FPLS has access to external locate sources such as the Internal Revenue Service (IRS), the Social Security Administration (SSA), Veterans Affairs (VA), the Department of Defense (DOD), the Federal Bureau of Investigation (FBI), and the National Security Administration (NSA).

**WHO can I try to locate and under what circumstances can a locate request be made?**

Child welfare agencies may request that the State CSE agency get information from the FPLS in order to locate individuals who have or may have parental rights to a child receiving services from the child welfare agency. However, the FPLS may *not* be used to locate any other relative of the child.

You can use the FPLS to locate or obtain information about a parent of a child that the child welfare agency serves:

- Who is ordered to pay child support
- Against whom a child support order is sought, or
- To whom child support is owed

Information from the FPLS may be requested for the following purposes.

- Establishing parentage
- Establishing, setting the amount of, modifying, or enforcing child support obligations
- Making or enforcing a child custody or visitation determination or enforcing any Federal or State law on unlawful taking or restraint of a child

**WHAT data will I get?**

The FPLS may generate information about an individual who has, or may have, parental rights to a child. The FPLS information will be given to the CSE agency, which then provides it to the child welfare agency. Such information includes:

- Person’s name
- Person’s Social Security Number
- Person’s address or location
- Employer’s name
- Employer’s address
- Employer’s FEIN

Any information obtained from the FPLS is confidential and must be safeguarded under strict requirements.
HOW do I make a request for locate information?

While you cannot access the FPLS directly, as a worker in a child welfare agency you can obtain certain data from the FPLS by making a request through your agency’s established procedure for requesting information from your State CSE agency. State law and policy may determine the manner in which the child welfare agency transmits the request. A child welfare agency may request that its CSE agency use the FPLS to obtain location information about an individual who has or may have parental rights to a child. For these requests, the CSE agency is not required to open a case because they are considered “limited services” requests.

The CSE agency will submit the child welfare request to the State Parent Locate Service and/or FPLS and the way the information comes back to your child welfare agency will depend on the way your State handles these requests. Please ask your supervisor about procedures for making requests to and obtaining information from your CSE agency to determine how the information will be submitted and received.

Some States develop interagency agreements between CSE and child welfare agencies to clarify how to access the FPLS and to ensure timely feedback on any information obtained on the noncustodial parent. You may want to check to see whether your State has such an agreement.

HOW is the custodial party’s information protected from an abusive noncustodial parent?

The law prohibits the disclosure of any FPLS information on an individual if there is reasonable evidence of domestic violence or child abuse and disclosure of that information could be harmful to the custodial party or the child. Therefore, in any case where family violence is “flagged,” no case information will be disclosed to any person. Courts may be able to obtain this information under certain circumstances, however. If the information relating to the location of an individual who has or may have parental rights to a child in a flagged case is needed to move toward termination of parental rights, the court should be informed so access to that information can be obtained.

WHEN should I refer a case to child support enforcement for full services?

Sometimes a child welfare agency only wants to locate an individual who has or may have parental rights to a child. Sometimes, however, the agency will want to refer a case to the CSE agency for full child support services. This might happen in cases where the State has secured an assignment of rights to child support on behalf of a child receiving IV-E foster care payments. In other words, the CSE agency will collect any child support that has been ordered for that child and turns this money over to the State to supplement the expenses being made by child welfare on behalf of that child.
IV-E agencies are required to work with the State CSE agency to ensure that child support rights are assigned to the State, when appropriate. Child welfare and CSE agencies should collaborate to determine what constitutes an appropriate referral. This collaboration benefits both agencies because once the case is referred to the child support agency, that agency must open a child support case and provide any necessary services.

Listed below are some examples of when it might be appropriate to refer a case to child support:

1. **A child is expected to remain in foster care for a significant period of time.** Child support may be sought from the parent(s) after a child has been removed from the home and placed in the care of the State or county. In determining whether it is necessary to submit a full case referral to the CSE agency, consider whether you expect the child to return home quickly or to remain in foster care for a sufficient amount of time (e.g., more than 30 days) to justify a full case referral.

2. **Establishing a child support case will help the child welfare agency determine an appropriate case plan goal.** Establishing a child support order against one or both parents may provide the child welfare agency with information that will help the agency make a decision about placement or permanency for the child. The level of parental involvement can help determine the direction of case goals such as eventual placement or reunification with a parent who may be able to regain care and custody of the child. (However, adoption may turn out to be the best option if the parents agree to relinquish the child voluntarily and terminate their parental rights. Then, any child support case would close.)

3. **The case plan is to reunify children with the custodial parent or other relatives.** Single parents or relative caregivers who would be willing to care for a child may be unable to support children who are or were in foster care without receiving child support payments. Establishing a child support case for a child and having support payments disbursed to a single parent or relative caregiver can shorten the time the child spends in the care of the child welfare agency and can ultimately lead to permanency for the child. Establishing a child support order for a child may provide a financial cushion for a relative or other prospective caregiver that allows the caregiver to provide a stable and, sometimes, permanent home for the child.

**WHEN should I NOT refer a case for full child support enforcement services?**

Sometimes there are child welfare cases that are not well suited to refer to child support enforcement. Your State agencies should work together to decide when not to make referrals. Case circumstances that you may want to consider when deciding not to refer a case may include the following:
1. If children are expected to be in foster care only for a short time.

2. If a noncustodial parent is a potential placement source.

3. If termination of parental rights is imminent.

4. If a child in foster care is not eligible for title IV-E. (While child welfare agencies may seek IV-D assistance with respect to case establishment and support collection activities for non-IV-E eligible children, the agency must file an application and pay an application fee of up to $25 on behalf of the family in order to receive services.)

Working Together

In circumstances where the child welfare agency is providing in-home services but does not have custody of the child, the agency cannot submit an application for child support services on behalf of a single parent or relative family to pursue child support collections from a noncustodial parent. However, the child welfare agency may provide single parent or relative families with information about child support services and encourage them to submit an application for services to the CSE agency.

Augmenting a single parent’s or relative’s household finances with child support can help reduce family stresses and improve outcomes for the child and the household in which s/he is living. Aiding a single parent or relatives in establishing a child support case for purposes of collecting child support from a noncustodial parent can provide essential support for in-home cases and help preclude a later removal, thereby preserving families and reducing foster care maintenance costs.

Child welfare and child support enforcement agencies can help one another by appropriately sharing information they might have about parents in their cases. Workers at both agencies are often trying to help the same children in the same families, so the better we become at communicating with each other, the better the outcomes will be for the families we serve.