Quick Facts: Interstate Child Support

This Quick Facts guide provides information about the special challenges and approaches to establishing, enforcing and modifying child support orders when parties live in different states.

The Child Support Enforcement Program[1] is a successful federal-state partnership whose mission is to promote economic stability for children whose parents live apart. Cases in which parties reside in different states or jurisdictions pose unique case processing challenges. Intergovernmental cases can be broken down into three categories: interstate, international, and tribal. This interstate quick facts document focuses on interstate case processing, where the parents live in different states. State child support agencies are required to pursue child support results as vigorously for children who live outside their borders as for those under their own jurisdiction. Almost one million cases were sent from one state to another in FFY2015.[2]

Case participants and practitioners experience challenges due to differences in laws, policies, and procedures from state to state. However, interstate case processing has evolved dramatically over the past 50 years. Currently, the primary state law to facilitate activity in intergovernmental cases is the Uniform Interstate Family Support Act (UIFSA). Each state was required by Congress[3] to pass UIFSA, thereby ensuring a baseline of consistency across all states. While specific laws, such as child support guidelines and ages of emancipation, vary from state to state, UIFSA ensures there is a common framework for interstate establishment, enforcement, and modification of support obligations. In conjunction with federal regulations, UIFSA also outlines responsibilities for initiating and responding jurisdictions, and provides timeframes to ensure prompt case processing.

UIFSA contains strict rules regarding when states can modify child support orders entered by other jurisdictions. It ensures that there is only one valid child support order that can be enforced for current support. This approach eliminates the confusion caused years ago when multiple orders were entered by different states for the same parties prior to UIFSA. UIFSA also provides for enforcement of orders through direct income withholding. Direct

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[1] Created by Title IV-D of the Social Security Act

[2] FFY2015 Preliminary Report to Congress-Table P-34

[3] All states originally were required to adopt UIFSA 1996 by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193); currently, all states had adopted UIFSA 2008 as required by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

income withholding allows an income withholding order to be sent directly to an employer in another state without involving the child support agency or court in that state. Unless there is a challenge, direct income withholding results in a quick flow of support money to the family.

In addition to UIFSA, states are required to have laws and procedures for the recognition of paternity determinations from sister states, and for the recognition and enforcement of child support liens. This expedites and simplifies child support collection across state lines.

At the federal level, both states and tribes are bound by the Federal Full Faith and Credit for Child Support Orders Act. The federal Office of Child Support Enforcement also operates the Federal Parent Locator Service, which is an invaluable locate and enforcement resource. It includes two federal databases – the National Directory of New Hires and the Federal Case Registry – that facilitate interstate case processing.

While interstate case processing can pose special challenges, the uniform application of UIFSA, as well as federal initiatives to enable communication between and among states, ensure that child support agencies are able to meet the financial needs for children whose parents live in different states.