



July 2023

Quick Facts: Child Support and Child Welfare

This Quick Facts guide provides information about how the child support and child welfare programs work together

The Child Support Program¹ is a successful federal-state-tribal partnership that seeks to promote economic stability for children whose parents live apart. The program collects \$4.73 for every \$1 in public funds invested. In FY 2022, \$32 billion was collected in 12.3 million cases for 12.8 million children.²

Child Support programs can share information with child welfare agencies about the children and families they share in their respective caseloads, resulting in several benefits:

- Increased child support collected by child support agencies on the child and caregiver's behalf.
- Paternity establishment for children born out of wedlock.
- Parent and relative location information, to aid in foster care case planning and permanency solutions for the child.

The Child Support Enforcement Amendments of 1984,³ required child welfare agencies to secure an assignment to the State of any rights to support for children receiving title IV-E foster care payments. After a child is placed in foster care, the state child welfare agency determines if it is appropriate to refer a case to the state child support agency. Once referred, the child support program is required to establish paternity and a child support obligation, if not previously established, and to collect child support from one or both parents of the child. Collections received from the paying parent(s) are retained by the government to repay the cost of care of the child in foster care.⁴ Any collections in excess of the cost of care are sent to the child welfare agency to be used in the best interests of the child.⁵

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

² [Office of Child Support Services \(OCSS\) FY 2022 Preliminary Report.](#)

³ 98 P.L. 378, 98 Stat. 1305, 98 P.L. 378, 98 Stat. 1305.

⁴ 42 U.S.C. 657(e)(1) and (3).

⁵ 42 U.S.C. 657(e)(2).

In July 2022, The Administration for Children and Families' (ACF) Children's Bureau (CB) and Office of Child Support Services (OCSS)⁶ issued a letter highlighting a new question and answer in the Child Welfare Policy Manual⁷ regarding when it is appropriate for a title IV-E agency to secure an assignment of rights to child support for a child receiving title IV-E foster care maintenance payments in accordance with section 471(a)(17) of the Social Security Act.⁸ The purpose of the letter was to emphasize that state IV-E agencies should only refer cases to the state IV-D agency for the purposes of establishing paternity or a support order where such referral will not disrupt the reunification process.

A referral to the state IV-D agency may be appropriate when a child is expected to be in foster care for a sufficient period of time to establish paternity and/or a child support order. A referral for child support services may also result in a shorter foster care stay, if the state is successful in establishing and collecting child support for a single parent or relative caregiver who would be able to care for the child with the additional financial support.

However, there are reasons why the child welfare agency may elect to not refer a case to the state child support agency. Some of these reasons may include:

- A child is expected to only be in foster care for a short period.
- The non-residential parent may be considered for possible placement of the child.
- Termination of parental rights are pending.

While a state child welfare agency may elect to not refer certain cases for child support services, the child welfare agency may choose to utilize the valuable locate information available through the child support program. In 1997, the Adoption and Safe Families Act (ASFA) established permanency, safety and well-being as national goals for children in the child welfare system.⁹

ASFA amended section 453 of the Social Security Act to authorize child welfare agencies to request information from the Federal Parent Locator Service (FPLS) to locate an individual who is or may be a child's parent. Child welfare agencies may access information from the FPLS through the federal OCSS Child Support Portal.¹⁰ Such information can also help child welfare agencies to identify a parent or relative for placement of the child outside the primary home, or to help rule out a parent as a possible placement.

⁶ [Effective June 5, 2023](#), the federal Office of Child Support Enforcement (OCSE) changed its name to the Office of Child Support Services (OCSS).

⁷ [About | The Administration for Children and Families \(hhs.gov\)](#)

⁸ [Joint Letter Regarding the Assignment of Rights to Child Support for Children in Foster Care.pdf \(hhs.gov\)](#)

⁹ ADOPTION AND SAFE FAMILIES ACT OF 1997, 1997 Enacted H.R. 867, 105 Enacted H.R. 867, 111 Stat. 2115, 105 P.L. 89, 1997 Enacted H.R. 867, 105 Enacted H.R. 867.

¹⁰ Access to the FPLS is authorized by OCSS after OCSS and the state child welfare agency execute a Memorandum of Understanding and a Reimbursement Agreement. See [FAQ: Child Welfare access to the Federal Parent Locator Service \(FPLS\) State Services Portal \(SSP\)](#).