



Resolution Supporting State Option to Charge Fees to Families for Child Support Services

In the Deficit Reduction Act of 2005, the Congress required Title IV-D child support enforcement agencies to impose an annual fee of \$25 for cases involving families who have never received Title IV-A cash assistance where at least \$500 has been collected in child support payments. At the time that the legislation was debated, NCSEA opposed the mandate as an administrative burden to states and a burdensome surcharge on low income working families struggling to be self-sufficient without seeking welfare benefits.

After the mandate became law, states responded in a variety of ways. Some states decided to pay the federal share of the required revenue out of state tax dollars, while others imposed the \$25 annual requirement on custodial parents by taking the money out of child support collected once the \$500 threshold had been reached. A few states charged the noncustodial parent.

In the Bipartisan Budget Act of 2018, the fee was increased to \$35 and the collections threshold for imposing the fee was increased to \$550, effective October 1, 2018.

Although states have responded in different ways to the requirement, NCSEA members maintain their opposition to the federal mandate, holding that states should be free to develop fee policies appropriate to the individual state and that the Federal program should focus on measuring outcomes rather than on highly prescriptive program requirements.

THEREFORE, NCSEA resolves to urge the Congress to:

1. Eliminate the mandate that states collect an annual fee of \$35 from never welfare cases once at least \$550 in child support has been collected;
2. Maintain existing flexibility permitting states to charge fees to parents receiving IV-D child support enforcement services, as determined appropriate by the state;
3. Continue the requirement that states that collect fees for child support services report such revenue as "program income" and remit the federal share to the federal government; and
4. Take no action on the fee requirement that would have the effect of requiring states to alter the automated systems they have implemented to account for, collect, report, or distribute such fee revenue, leaving it to state option to make such changes as determined appropriate by the state.

Adopted by the NCSEA Board of Directors on May 10, 2010
Re-ratified by the NCSEA Board of Directors on August 11, 2018
Re-ratified by the NCSEA Board of Directors on August 6, 2023