

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

Office, Division, & Program: Rule Author: Jeana Hughes
Office of Economic Security,
Child Support Services Division

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RULEMAKING PACKET

Type of Rule: *(complete a and b, below)*

- a. Board Executive Director
- b. Regular Emergency

This package is submitted to State Board Administration as: *(check all that apply)*

- AG Initial Review
- Initial Board Reading
- AG 2nd Review
- Second Board Reading / Adoption

This package contains the following types of rules: *(check all that apply)*

- Number 222 Amended Rules
- 1 New Rules
- 3 Repealed Rules
- Reviewed Rules

What month is being requested for this rule to first go before the State Board?	April 2023
What date is being requested for this rule to be effective?	07/01/2023
Is this date legislatively required?	Yes

I hereby certify that I am aware of this rule-making and that any necessary consultation with the Executive Director’s Office, Budget and Policy Unit, and Office of Information Technology has occurred.

Office Director Approval: _____ Date: _____

REVIEW TO BE COMPLETED BY STATE BOARD ADMINISTRATION

Comments:

Estimated 1st Board 4/7/2023 2nd Board 5/5/2023 Effective Date 7/1/2023
Dates: _____

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STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for new rule or rule change.

*Explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. **1500 Char max***

The Division of Child Support Services (DCSS) is proposing a rule change to implement legislation, remove outdated or unnecessary requirements, make technical amendments to ensure clarity and accuracy of the existing rule, and to remove gendered language. To implement House Bill 22-1295, language referencing the Colorado Child Care Assistance Program (CCCAP) is removed as this bill eliminates the option for counties to require CCCAP applicants to participate in the Child Support Services (CSS) program, effective July 1, 2023. To implement House Bill 21-1220 and incorporate state policy guidance contained in OM-OES-2022-002, amendments to Income Withholding Order (IWO) noticing are proposed. This change will ensure that all obligors with orders not subject to the immediate activation of income withholding are properly noticed. To implement Senate Bill 22-086, an additional exemption reason is proposed for the Financial Institution Data Match (FIDM) enforcement remedy.

Several changes are proposed to remove outdated or unnecessary requirements, including the requirement to maintain an application log, complete an imputing potential income checklist affidavit, and to provide notice or obtain a waiver prior to accessing a credit report. The proposed rule also clarifies existing rule and county practices, including clarification of the timeframes related to disbursements on hold, the circumstances which require the enforcement and collection of spousal maintenance, the circumstances which require an arrears calculation, and that APA orders may be signed electronically. Also proposed is the removal of the option to establish debt or retroactive support during time periods that a mandatory referral was not appropriate.

Additionally, this proposed rule change includes the removal of unmaintained effective dates in titles and the removal of gendered language throughout Volume 6.

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

to comply with state/federal law and/or

to preserve public health, safety and welfare

Justification for emergency:

State Board Authority for Rule:

Code	Description
26-1-107(5)(b), C.R.S. (2020)	State Board to promulgate rules for programs administered and services provided by the Department under Titles 26 and 27. The Colorado Child Support Enforcement Act and The Colorado Administrative Procedure Act for the Establishment and Enforcement of Child support are administered by the Department under Title 26, articles 13 and 13.5. § 26-1-201(1)(v), (w).
26-1-111(2)(a), C.R.S. (2020)	State department to promulgate rules for public assistance and welfare activities that are administered or supervised by the Department pursuant to law. Child support enforcement is a public assistance or welfare activity.

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Program Authority for Rule: *Give federal and/or state citations and a summary of the language authorizing the rule-making function AND authority.*

Code	Description
26-13-103, C.R.S. (2020)	State Department to establish a program pursuant to rules and regulations to provide necessary child support enforcement services.
26-13.5-113, C.R.S. (2020)	State board to adopt rules and regulations establishing uniform forms and procedures to implement the administrative process and may adopt rules and regulations necessary to carry out the provisions of article 13.5.

Does the rule incorporate material by reference?

Yes

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

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REGULATORY ANALYSIS

1. List of groups impacted by this rule.

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

County child support professionals will benefit through the clarification of existing rule and the elimination of outdated and unnecessary requirements.

The State Division of Child Support Services will be responsible for county training and implementation of the proposed rule changes.

Parents, caretakers, county child support professionals, and the State Division of Child Support Services will benefit from more inclusive language in the CSS program.

2. Describe the qualitative and quantitative impact.

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

Parents and Caretakers – In both the short- and long-term, parents and caretakers will experience more inclusive language on forms.

County Child Support Professionals – In both the short- and long-term, county child support professionals will experience a reduction in workload through the elimination of unnecessary or outdated requirements, such as maintaining an application log.

State Division of Child Support Services – In the short-term, staff will be responsible for training and ensuring procedures, desk-aids, forms, and ACSES is updated, as appropriate.

3. Fiscal Impact

*For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources. **Answer should NEVER be just “no impact” answer should include “no impact because...”***

State Fiscal Impact (Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)

Changes to the Automated Child Support Enforcement System (ACSES) will be completed with funds already available to the program.

The cost of training will be absorbed within the positions that currently provide county training and technical support.

County Fiscal Impact

There are no expected county fiscal impacts associated with this rule change. The proposed rule changes will support more streamlined processes and improved parent/county partnerships that are expected to aid in long-term reduction of workload and costs.

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Federal Fiscal Impact

There are no fiscal impacts to the federal government.

Other Fiscal Impact (such as providers, local governments, etc.)

N/A

4. Data Description

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

No specific data or research was used for the proposal of this rule change.

5. Alternatives to this Rule-making

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative. Answer should NEVER be just “no alternative” answer should include “no alternative because...”

No other alternatives to rule-making are available. In order to ensure all counties in Colorado implement standards of service, rule-making is necessary. Rule-making defines the service expectation and allows for the state supervising agency to require a specific process or practice. It also allows the state supervising agency the ability to pursue disciplinary action when the rule is not followed.

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OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
6.001.1	Amended rule	<p>6.001.1 PURPOSE [Rev. eff. 4/1/12] The Colorado Child Support Services (CSS) Program is established to collect support, to reimburse, in part or whole, Title IV-A grants paid to families, help remove IV-A recipients from the IV-A program by assuring continuing support payments, and assist persons who do not receive IV-A or IV E foster care to remain financially independent. Such purpose is achieved by: locating noncustodial parents, establishing the paternity of children born out of wedlock, establishing child support obligations and health insurance, reviewing the order for a possible adjustment, and enforcing and collecting support. Although this program must be closely coordinated with the IV-A, Medicaid, Low-Income Child Care Assistance, and foster care programs, it is a separate and distinct program with defined functions, which must be performed by a distinct administrative unit.</p> <p>This manual sets forth the policies and rules by which the Colorado Child Support Services (CSS) program must be administered and describes the coordination that must take place with the IV-A and foster care programs. IV-A and IV E foster care cases in these rules are also referred to as public assistance (PA) cases. Cases that do not contain IV-A or IV E recipients and cases receiving continued services are referred to as non-public assistance (Non-PA; NPA) cases. Non-IV-E foster care, Medicaid, and Low-Income Child Care Assistance cases are also included in NPA cases. The policies and rules for the IV-A, Medicaid, Low-Income Child Care Assistance, and foster care programs are set forth in the respective staff manuals.</p>	<p>6.001.1 PURPOSE [Rev. eff. 4/1/12] The Colorado Child Support Services (CSS) Program is established to collect support, to reimburse, in part or whole, Title IV-A grants paid to families, help remove IV-A recipients from the IV-A program by assuring continuing support payments, and assist persons who do not receive IV-A or IV-E foster care to remain financially independent. Such purpose is achieved by: locating noncustodial parents, establishing the paternityPARENTAGE of children born out of wedlock, establishing child support obligations and health insurance, reviewing the order for a possible adjustment, and enforcing and collecting support. Although this program must be closely coordinated with the IV-A, Medicaid, Low-Income Child Care Assistance, and foster care programs, it is a separate and distinct program with defined functions, which must be performed by a distinct administrative unit.</p> <p>This manual sets forth the policies and rules by which the Colorado Child Support Services (CSS) program must be administered and describes the coordination that must take place with the IV-A and foster care programs. IV-A and IV-E foster care cases in these rules are also referred to as public assistance (PA) cases. Cases that do not contain IV-A or IV-E recipients and cases receiving continued services are referred to as non-public assistance (Non-PA; NPA) cases. Non-IV-E foster care, AND Medicaid, and Low-Income Child Care Assistance cases are also included in NPA cases. The policies and rules for the IV-A, Medicaid, Low-Income Child Care Assistance, and foster care programs are set forth in the respective staff manuals.</p>	<p>Removal of language referring to the Child Care Assistance Program to implement HB22-1295</p> <p>Removal of unmaintained effective date</p>	See attached
6.002	Amended and removed definitions	<p>“Administrative Process Action (APA)” - determination of paternity and/or support obligations through a non-judicial process.</p> <p>“Assignment of Support Rights” - the determination that a family is eligible for IV-A benefits automatically invokes a state law</p>	<p>“Administrative Process Action (APA)” - determination of paternityPARENTAGE and/or support obligations through a non-judicial process.</p> <p>“Assignment of Support Rights” - the determination that a family is</p>	<p>Addition of definitions for “Colorado Central Registry”,</p>	

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		<p>(Section 26-2-111(3), C.R.S., as amended) that assigns to the State Department all rights that the applicant may have to support from any other person on his/her own behalf or on behalf of any other family member for whom application is made. The assignment is effective for both current support and support that accrues as arrears during the period that the family receives assistance. The assignment is limited by the total amount of IV-A assistance received. When a child is placed in foster care, all rights to current and accrued child support for the benefit of the child are assigned to the State Department pursuant to Section 26-13-113, C.R.S.</p> <p>“Electronic Benefits Transfer (EBT) Notice” - the notice that is sent to the IV-A recipient at the beginning of each month informing him/her of how much public assistance money was deposited into his/her account. The notice also contains information about how much child support was paid by the noncustodial parent during that month.</p> <p>“Genetic Testing” - a scientific test that shows the probability of biological parentage of a child which can lead to the establishment of paternity.</p> <p>“Foster Care Fee Order” - a monthly amount assessed by application of the Colorado Child Support guidelines, which are found under 14-10-115(7), C.R.S., to the legally responsible person(s) whose child(ren) are receiving substitute care through a foster care placement as ordered by a court or through administrative process by a county Child Support Services Unit.</p> <p>“Income Assignment” - the process whereby a noncustodial parent's child support payments are taken directly from his/her income and forwarded to the FSR through a notice to the employer, trustee, or other payor of funds.</p> <p>“Interstate Central Registry” - the Interstate Network unit within the Colorado Division of Child Support Services (CSS) which receives and distributes responding cases and has oversight responsibility for intergovernmental IV-D cases.</p> <p>“Interstate Network” - the unit in the Colorado Division of Child Support Services which has responsibility for interstate central registry functions.</p>	<p>eligible for IV-A benefits automatically invokes a state law (Section 26-2-111(3), C.R.S., as amended) that assigns to the State Department all rights that the applicant may have to support from any other person on his/herTHEIR own behalf or on behalf of any other family member for whom application is made. The assignment is effective for both current support and support that accrues as arrears during the period that the family receives assistance. The assignment is limited by the total amount of IV-A assistance received. When a child is placed in foster care, all rights to current and accrued child support for the benefit of the child are assigned to the State Department pursuant to Section 26-13-113, C.R.S.</p> <p>“COLORADO CENTRAL REGISTRY” - THE UNIT WITHIN THE COLORADO DIVISION OF CHILD SUPPORT SERVICES WHICH RECEIVES AND DISTRIBUTES RESPONDING CASES AND HAS OVERSIGHT RESPONSIBILITY FOR INTERGOVERNMENTAL IV-D CASES.</p> <p>“COMMENCEMENT DATE” – A DAY WITHIN THE MONTH IN WHICH A NEW OR MODIFIED MONTHLY SUPPORT OBLIGATION BEGINS.</p> <p>“Electronic Benefits Transfer (EBT) Notice” - the notice that is sent to the IV-A recipient at the beginning of each month informing him/her of how much public assistance money was deposited into his/her account. The notice also contains information about how much child support was paid by the noncustodial parent during that month.</p> <p>“Foster Care Fee Order” - a monthly amount assessed by application of the Colorado Child Support guidelines, which are found under 14-10-115(7), C.R.S., to the legally responsible person(s) whose child(ren) are receiving substitute care through a foster care placement as ordered by a court or through administrative process by a county Child Support Services Unit. THESE ORDERS MAY BE REINSTATED WITHOUT FURTHER ACTION OF THE COURT, UPON THE CHILD RETURNING TO PLACEMENT FOR A NEW DECREE.</p> <p>“Genetic Testing” - a scientific test that shows the probability of biological parentage of a child which can lead to the establishment of paternityPARENTAGE.</p>	<p>“Commencement date”, and “Past-due support”</p> <p>Removal of definitions that are no longer applicable</p> <p>Revision of definitions for clarity</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of clerical error</p>
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	<p>"IV-E Payment" - payment made on behalf of a child for his/her foster care maintenance in accordance with Title IV-E of the Social Security Act.</p> <p>"Legal Father" - see "Paternity".</p> <p>"Monthly Support Obligation (MSO)" - the monthly obligation amount ordered by a court or through administrative process by a county Child Support Services Unit to be paid on behalf of (a) child(ren) or (b) child(ren) and former spouse, if established in the same court order and if the former spouse is living with the child(ren).</p> <p>"Obligor" - the party bound by a court or administrative order to provide support.</p> <p>"Paternity" - is the legal establishment of parentage, maternity or paternity, for a child, either by court determination, administrative process, or voluntary acknowledgment.</p> <p>Presumed Father" - a man who is more likely than not to be the legal father of a child because certain facts exist.</p> <p>"Retroactive Support Due" - the amount of support due for a time period prior to the entry of an order establishing paternity and/or support.</p> <p>"Unsworn Declaration" - A statement or document that is not notarized but is made under the penalty of perjury under the law of Colorado that it is true and correct. An unsworn declaration may be used in lieu of an affidavit 4.609.1 GENERAL ELIGIBILITY GUIDELINES [Rev. eff. 2/5/16]</p>	<p>"Income Assignment" - the process whereby a noncustodial parent'sAN OBLIGOR'S child support payments are taken directly from his/herTHE OBLIGOR'S income and forwarded to the FSR through a notice to the employer, trustee, or other payor of funds.</p> <p>"Interstate Central Registry" - the Interstate Network unit within the Colorado Division of Child Support Services (CSS) which receives and distributes responding cases and has oversight responsibility for intergovernmental IV-D cases.</p> <p>"Interstate Network" - the unit in the Colorado Division of Child Support Services which has responsibility for interstate central registry functions.</p> <p>"IV-E Payment" - payment made on behalf of a child for his/herTHE CHILD'S foster care maintenance in accordance with Title IV-E of the Social Security Act.</p> <p>"Legal FatherPARENT" - see "PaternityPARENTAGE".</p> <p>"Monthly Support Obligation (MSO)" - the monthly obligation amount ordered by a court or through administrative process by a county Child Support Services UnitIV-D AGENCY to be paid on behalf of (a) child(ren) or (b) child(ren) and former spouse, if established in the same court order and if the former spouse is living with the child(ren).</p> <p>"Obligor" - the party bound by a court or administrative order to provide support. THIS MAY OR MAY NOT BE THE PARTY WITH THE LEAST NUMBER OF OVERNIGHTS WITH THE CHILD FOR THE PURPOSES OF CALCULATING CHILD SUPPORT GUIDELINES.</p> <p>"PaternityPARENTAGE" - is the legal establishment of parentage, maternity or paternity, for a child, either by court determination, administrative process, or voluntary acknowledgment.</p> <p>"PAST-DUE SUPPORT" - THE AMOUNT OF A DELINQUENCY, DETERMINED AND/OR ACCRUED UNDER A COURT ORDER, OR AN ORDER OF AN ADMINISTRATIVE PROCESS ESTABLISHED UNDER STATE LAW, FOR SUPPORT AND</p>	
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			<p>MAINTENANCE OF A CHILD (WHETHER OR NOT A MINOR), OR OF A CHILD (WHETHER OR NOT A MINOR) AND THE PARENT WITH WHOM THE CHILD IS LIVING. EXPENSES OWED BETWEEN THE PARTIES, SUCH AS EXTRACURRICULAR EXPENSES, POST-SECONDARY EDUCATION, AND ATTORNEY FEES DO NOT MEET THE DEFINITION OF PAST-DUE SUPPORT.</p> <p>Presumed FatherPARENT” - a manPERSON who is more likely than not to be the legal fatherPARENT of a child because certain facts exist.</p> <p>“Retroactive Support Due” - the amount of support due for a time period prior to the entry of an order establishing paternityPARENTAGE and/or support.</p> <p>“Unsworn Declaration” - A statement or document that is not notarized but is made under the penalty of perjury under the law of Colorado that it is true and correct. An unsworn declaration may be used in lieu of an affidavit. 4.609.1 GENERAL ELIGIBILITY GUIDELINES [Rev. eff. 2/5/16]</p>		
6.101	Amended title only	6.101 STATE DEPARTMENT OF HUMAN SERVICES [Rev. eff. 3/1/12]	6.101 STATE DEPARTMENT OF HUMAN SERVICES [Rev. eff. 3/4/2]	Removal of unmaintained effective date	
6.102.21	Amended rule	<p>6.102.21 [Rev. eff. 4/1/13]</p> <p>The duties of the county department or its delegate shall include the following:</p> <ul style="list-style-type: none"> A. Establishing, maintaining, and implementing specific written procedures for the operation of the Child Support Services Program in accordance with these rules; B. Maintaining the Child Support Services staff manual, required state forms, and copies of county letters; C. Establishing and monitoring agreements with local law enforcement officials, legal services providers and other organizations for the provision of services in support of the Colorado Child Support Services Program; D. Securing compliance with the requirements of the Colorado Child Support Services Program in operations delegated under any agreement; E. Implementing and utilizing a statewide, comprehensive 	<p>6.102.21 [Rev. eff. 4/1/13]</p> <p>The duties of the county department or its delegate shall include the following:</p> <ul style="list-style-type: none"> A. Establishing, maintaining, and implementing specific written procedures for the operation of the Child Support Services Program in accordance with these rules; B. Maintaining the Child Support Services staff manual, required state forms, and copies of county letters; C. Establishing and monitoring agreements with local law enforcement officials, legal services providers and other organizations for the provision of services in support of the Colorado Child Support Services Program; D. Securing compliance with the requirements of the Colorado Child Support Services Program in operations delegated under any agreement; E. Implementing and utilizing a statewide, comprehensive 	<p>Removal of language referring to the Child Care Assistance Program to implement HB22-1295</p> <p>Addition of the option for DCSS to mail collection notices to obligees</p> <p>Correction of</p>	

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		<p>automated child support system, as prescribed by the state department;</p> <p>F. Certifying delinquent cases to the state department for the interception of Internal Revenue Service refunds and for interception of state income tax refunds;</p> <p>G. Ensure the accuracy and integrity of the automated child support system;</p> <p>H. Conduct an administrative review at the request of the custodial party as a result of the quarterly notice of current support and arrearage payment posted to the CSS website by the State Department. The county will review its files prior to or at the administrative review as provided for in state regulations at Section 6.220. The quarterly notice will be posted for current and former IV-A recipients with support obligations who have assigned their rights to support and shall contain:</p> <ol style="list-style-type: none"> 1. Explanation of the assignment of support rights, 2. Name of the noncustodial parent from whom the support is collected, 3. The starting date of the period reported, 4. The ending date of the period reported, 5. A separate listing of payments collected from each noncustodial parent when more than one noncustodial parent owes support, 6. Amount collected from each noncustodial parent which was retained to reimburse public assistance, 7. Amount collected from each noncustodial parent which was paid to the family in the form of excess collections, <p>I. Periodically, not less than annually, publicizing the availability of Child Support Services, including address and telephone number of the county Child Support Services Unit;</p> <p>J. Establishing an order for either party to provide medical support in new or modified court or administrative orders for child support, and enforcing the medical support provision when health insurance is accessible and available at reasonable cost to the obligor;</p> <p>K. Obtaining information regarding the health insurance available through the custodial party and/or noncustodial parent when a change in circumstance occurs that would warrant a change in the health insurance status and</p>	<p>automated child support system, as prescribed by the state department;</p> <p>F. Certifying delinquent cases to the state department for the interception of Internal Revenue Service refunds and for interception of state income tax refunds;</p> <p>G. Ensure the accuracy and integrity of the automated child support system;</p> <p>H. Conduct an administrative review at the request of the custodial partyOBLIGEE as a result of the quarterly notice of COLLECTIONScurrent support and arrearage payment MAILED TO THE OBLIGEE OR postedGENERATED to the CSS website by the State Department. The county will review its files prior to or at the administrative review as provided for in state regulations at Section 6.220-6.805.41. The quarterly notice will be postedGENERATED for current and former IV--A recipients with support obligations who have assigned their rights to support and shall contain:</p> <ol style="list-style-type: none"> 1. Explanation of the assignment of support rights, 2. Name of the noncustodial parent from whom the support is collected, 3. The starting date of the period reported, 4. The ending date of the period reported, 5. A separate listing of payments collected from each noncustodial parent when more than one noncustodial parent owes support, 6. Amount collected from each noncustodial parent which was retained to reimburse public assistance, 7. Amount collected from each noncustodial parent which was paid to the family in the form of excess collections, <p>I. Periodically, not less than annually, publicizing the availability of Child Support Services, including address and telephone number of the county Child Support Services Unit;</p> <p>J. Establishing an order for either party to provide medical support in new or modified court or administrative orders for child support, and enforcing the medical support provision when health insurance is accessible and available at reasonable cost to the obligor;</p> <p>K. Obtaining information regarding the health insurance available through the custodial party and/or noncustodial parent when a change in circumstance occurs that would</p>	<p>rule cite</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>reporting such information on the automated child support system. The automated child support system will generate a report to the state Medicaid Third Party Resource Section;</p> <p>L. Conducting administrative reviews of contested arrears;</p> <p>M. If the county director or the delegate exercises the option of referring Low-Income Child Care Assistance recipients to the Child Support Services Unit, the county must comply with all provisions found in these rules and in Section 3.900, in the "Income Maintenance" rule manual (9 CCR 2503-9) relating to the referral of Low-Income Child Care Assistance recipients to the Child Support Services Unit;</p> <p>N. Using diligent efforts to complete all actions appropriately and within the time frames required by the applicable federal regulations, statute or rule. Diligent efforts shall include the following:</p> <ol style="list-style-type: none"> 1. Initiating a task within the required time period; 2. Completion of the task, including any follow up activities within the required time period; 3. Taking the necessary actions in response to receipt of information that indicates that the task may not be on track to be completed within the required time frame. 	<p>warrant a change in the health insurance status and reporting such information on the automated child support system. The automated child support system will generate a report to the state Medicaid Third Party Resource Section;</p> <p>L. Conducting administrative reviews of contested arrears;</p> <p>M. If the county director or the delegate exercises the option of referring Low-Income Child Care Assistance recipients to the Child Support Services Unit, the county must comply with all provisions found in these rules and in Section 3.900, in the "Income Maintenance" rule manual (9 CCR 2503-9) relating to the referral of Low-Income Child Care Assistance recipients to the Child Support Services Unit;</p> <p>NM. Using diligent efforts to complete all actions appropriately and within the time frames required by the applicable federal regulations, statute or rule. Diligent efforts shall include the following:</p> <ol style="list-style-type: none"> 1. Initiating a task within the required time period; 2. Completion of the task, including any follow up activities within the required time period; 3. Taking the necessary actions in response to receipt of information that indicates that the task may not be on track to be completed within the required time frame. 		
6.102.3	Amended title only	6.102.3 Establishment of the County Department Child Support Services Unit [Rev. eff. 3/1/12]	6.102.3 Establishment of the County Department Child Support Services Unit [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.104-6.110	Amended title only	6.104 - 6.109 (None) 6.110 None [Rev. eff. 3/2/10]	6.104 - 6.1096.110 (None) 6.110 None [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.130	Amended title only	6.130 STATE DEPARTMENT TO SUPERVISE CSS PROGRAM [Rev. eff. 3/1/12]	6.130 STATE DEPARTMENT TO SUPERVISE CSS PROGRAM [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.140	Amended title only	6.140 PENALTY FOR FAILURE TO COMPLY WITH STATE AND FEDERAL REGULATIONS [Rev. eff. 3/1/12]	6.140 PENALTY FOR FAILURE TO COMPLY WITH STATE AND FEDERAL REGULATIONS [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.201.2	Amended rule	6.201.2 NON-PUBLIC ASSISTANCE (NPA) CASES [Rev. eff. 4/1/12] A. Continued Services Cases 1. The Child Support Services Unit shall provide to the person whose IV-A grant or IV-E foster	6.201.2 NON-PUBLIC ASSISTANCE (NPA) CASES [Rev. eff. 4/1/12] A. Continued Services Cases 1. The Child Support Services Unit shall provide to the person whose IV-A grant or IV-E foster care	Removal of language referring to the Child Care Assistance	

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		<p>care eligibility is discontinued, continued CSS services, without a formal application unless the CSS agency is notified to the contrary by the person whose IV-A grant or IV-E foster care eligibility is discontinued.</p> <ol style="list-style-type: none"> 2. The Notice of Action and the CSE 34 Notice are notices that inform the recipient of public assistance, when they have discontinued temporary aid to needy families (TANF) that their child support case will remain open unless they request that the county close their case. These notices will be generated and mailed to the recipient ten (10) days prior to the effective date of the discontinuation. 3. Form SS-4, Notice of Social Service Action, will be completed by the county services worker and mailed to recipients when a person(s) is discontinued from IV-E foster care. The form will be sent to the recipient five (5) days prior to the effective date of the discontinuation. The Notice Of Action, the CSE 34 Notice, and the Notice of Social Service Action (SS-4) shall: <ol style="list-style-type: none"> a. Notify the person whose IV-A grant or IV-E foster care has been discontinued, that the CSS Unit shall continue to provide CSS services unless the CSS Unit is notified by the former IV-A or IV-E foster care recipient to the contrary; b. Specify the CSS services that are available; c. Inform the person that the quality of information provided will affect the category of the case; d. Specify the name of the person whose IV-A grant and/or IV-E foster care has been discontinued; and, e. Specify the household number; f. Specify the unique case identifiers; g. Require the signature of the person discontinued who wishes to terminate CSS services; h. Specify the CSS unit will collect 	<p>eligibility is discontinued, continued CSS services, without a formal application unless the CSS agency is notified to the contrary by the person whose IV-A grant or IV-E foster care eligibility is discontinued.</p> <ol style="list-style-type: none"> 2. The Notice of Action and the CSE 34 Notice are notices that inform the recipient of public assistance, when they have discontinued temporary aid to needy families (TANF) that their child support case will remain open unless they request that the county close their case. These notices will be generated and mailed to the recipient ten (10) days prior to the effective date of the discontinuation. 3. Form SS-4, Notice of Social Service Action, will be completed by the county services worker and mailed to recipients when a person(s) is discontinued from IV-E foster care. The form will be sent to the recipient five (5) days prior to the effective date of the discontinuation. The Notice Of Action, the CSE 34 Notice, and the Notice of Social Service Action (SS-4) shall: <ol style="list-style-type: none"> a. Notify the person whose IV-A grant or IV-E foster care has been discontinued, that the CSS Unit shall continue to provide CSS services unless the CSS Unit is notified by the former IV-A or IV-E foster care recipient to the contrary; b. Specify the CSS services that are available; c. Inform the person that the quality of information provided will affect the category of the case; d. Specify the name of the person whose IV-A grant and/or IV-E foster care has been discontinued; and, e. Specify the household number; f. Specify the unique case identifiers; g. Require the signature of the person discontinued who wishes to terminate CSS services; h. Specify the CSS unit will collect 	<p>Program to implement HB22-1295</p> <p>Removal of requirement for the county CSS Unit to maintain an application log as this is no longer a federal requirement</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
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	<p>overdue support to repay past IV-A or IV-E foster care maintenance.</p> <p>i. Contain any other information deemed appropriate by the State Department.</p> <p>4. The county Low-Income Child Care Assistance unit must provide written notice to the person who's IV-A grant or IV-E foster care eligibility is discontinued, if continued cooperation with the CSS Unit will be required due to the receipt of Low-Income Child Care Assistance within five days of referral from any of these referenced programs. The county Low-Income Child Care Assistance Program must also notify the county Child Support Services Unit within the same time frame.</p> <p>B. Application Cases</p> <p>1. Persons who do not receive public assistance or continued CSS services may apply for full CSS services by completing the Application for Child Support Services, as prescribed by the State Department. Applications for child support services shall be readily accessible to the public. If the county department has elected to require Low-Income Child Care Assistance recipients to cooperate with the CSS Unit, the recipients must complete the State prescribed application for Child Support Services. Applications will not be accepted if all of the children associated with a specific obligee and obligor are emancipated, as defined in the existing child support order and the laws of the state where the child support order was entered. This same requirement applies to new interstate referrals sent to Colorado from another initiating state or jurisdiction. In a responding intergovernmental case, if the case was opened in the other state prior to emancipation and/or has state debt due, the application shall be accepted.</p> <p>2. Upon application, the services established for IV-A recipients to locate, establish paternity of a child (or children), establish court orders for</p>	<p>overdue support to repay past IV-A or IV-E foster care maintenance.</p> <p>i. Contain any other information deemed appropriate by the State Department.</p> <p>4. The county Low-Income Child Care Assistance unit must provide written notice to the person who's IV-A grant or IV-E foster care eligibility is discontinued, if continued cooperation with the CSS Unit will be required due to the receipt of Low-Income Child Care Assistance within five days of referral from any of these referenced programs. The county Low-Income Child Care Assistance Program must also notify the county Child Support Services Unit within the same time frame.</p> <p>B. Application Cases</p> <p>1. Persons who do not receive public assistance or continued CSS services may apply for full CSS services by completing the Application for Child Support Services, as prescribed by the State Department. Applications for child support services shall be readily accessible to the public. If the county department has elected to require Low-Income Child Care Assistance recipients to cooperate with the CSS Unit, the recipients must complete the State prescribed application for Child Support Services. Applications will not be accepted if all of the children associated with a specific obligee and obligor are emancipated, as defined in the existing child support order and the laws of the state where the child support order was entered. This same requirement applies to new interstate referrals sent to Colorado from another initiating state or jurisdiction. In a responding intergovernmental case, if the case was opened in the other state prior to emancipation and/or has state debt due, the application shall be accepted.</p> <p>2. Upon application, the services established for IV-A recipients to locate, establish paternityPARENTAGE of a child (or children), establish court orders for child support, review and modify orders for child support, and secure</p>	
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		<p>child support, review and modify orders for child support, and secure support from noncustodial and/or alleged parents shall also be made available on behalf of children who are or were deprived of parental support due to the absence of a parent or parents, but, for other reasons, are not recipients of IV-A, including those children who are receiving foster care services from funds other than Title IV-E of the Social Security Act.</p> <ol style="list-style-type: none">3. The application on behalf of the child for child support services may be made by either of the child's parents (custodial or noncustodial), an alleged father, legal guardian, or other person or agency.4. When the applicant is not a parent of the child, an application for child support services must be obtained for each noncustodial parent.5. Requests for Application<ol style="list-style-type: none">a. When an individual requests an application or CSS services in person, the CSS Unit shall provide an application on the day requested.b. When an individual requests an application by phone or in writing, the application shall be sent by the county CSS Unit within no more than five (5) business days from the date of request.c. The application shall include the following information:<ol style="list-style-type: none">1) available services;2) the individual's rights and responsibilities;3) fees, cost recovery and distribution policies;4) case categorization and the information necessary to change the category; and5) the lack of an attorney-client relationship.d. The CSS Unit must maintain a log of requests for services which includes	<p>support from noncustodial and/or alleged parents shall also be made available on behalf of children who are or were deprived of parental support due to the absence of a parent or parents, but, for other reasons, are not recipients of IV-A, including those children who are receiving foster care services from funds other than Title IV-E of the Social Security Act.</p> <ol style="list-style-type: none">3. The application on behalf of the child for child support services may be made by either of the child's parents (custodial or noncustodial), an alleged fatherPARENT, legal guardian, or other person or agency.4. When the applicant is not a parent of the child, an application for child support services must be obtained for each noncustodial parent.5. Requests for Application<ol style="list-style-type: none">a. When an individual requests an application or CSS services in person, the CSS Unit shall provide an application on the day requested.b. When an individual requests an application by phone or in writing, the application shall be sent by the county CSS Unit within no more than five (5) business days from the date of request.c. The application shall include the following information:<ol style="list-style-type: none">1) available services;2) the individual's rights and responsibilities;3) fees, cost recovery and distribution policies;4) case categorization and the information necessary to change the category; and5) the lack of an attorney-client relationship.d. The CSS Unit must maintain a log of requests for services which includes the following information:<ol style="list-style-type: none">1) — name of person requesting an	
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		<p>the following information:</p> <ol style="list-style-type: none">1) name of person requesting an application;2) type of request (in person, phone, mail);3) date of request;4) date the application was mailed or provided;5) date the application is accepted. <p>6. The application for non-PA CSS services shall be made on the Application for Child Support Services, as prescribed by the state department. The standard Application for Child Support Services shall include the following elements:</p> <ol style="list-style-type: none">a. The full name of the noncustodial parent;b. The full name, date of birth, place of birth, sex and social security number of each child for whom support is sought;c. The signature, address, telephone number, date of birth and social security number of the applicant and date of application. <p>7. Acceptance of Applications</p> <ol style="list-style-type: none">a. An application may be filed in any CSS office. If there is an existing case in another county, then the application shall be forwarded to the appropriate enforcing county within two (2) working days of receipt in the original county.b. An application shall be accepted as filed on the date it is received in the CSS office, if one or more of the children associated with a specific obligee and obligor are not emancipated as defined in the child support order and the laws of the state where the child support order was entered, and it includes the	<p>application; 2) type of request (in person, phone, mail); 3) date of request; 4) date the application was mailed or provided; 5) date the application is accepted.</p> <p>6. The application for non-PA CSS services shall be made on the Application for Child Support Services, as prescribed by the state department. The standard Application for Child Support Services shall include the following elements:</p> <ol style="list-style-type: none">a. The full name of the noncustodial parent;b. The full name, date of birth, place of birth, sex and social security number of each child for whom support is sought;c. The signature, address, telephone number, date of birth and social security number of the applicant and date of application. <p>7. Acceptance of Applications</p> <ol style="list-style-type: none">a. An application may be filed in any CSS office. If there is an existing case in another county, then the application shall be forwarded to the appropriate enforcing county within two (2) working days of receipt in the original county.b. An application shall be accepted as filed on the date it is received in the CSS office, if one or more of the children associated with a specific obligee and obligor are not emancipated as defined in the child support order and the laws of the state where the child support order was entered, and it includes the following information:<ol style="list-style-type: none">1) applicant's name, address and social security number;	
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		<p>following information:</p> <ol style="list-style-type: none"> 1) applicant's name, address and social security number; 2) the name of the noncustodial parent(s), if known; 3) name, birth date, sex, place of birth and social security number, if available, for each child; 4) applicant's signature, either handwritten or electronic. <p>c. Acceptance of an application involves recording the date of receipt on the application. The application must be entered into the ACSES for the application fee to be assessed..</p> <ol style="list-style-type: none"> 8. County CSS Units may collect costs incurred in excess of fees. These costs shall be determined on a case by case basis and shall be used to reduce CSS program expenditures. 9. Non-PA obligees shall be charged an annual twenty-five dollar (\$25) certification fee for collection of IRS tax refunds only if an actual intercept occurs. The fee shall be deducted from the tax refund intercept. The certification fee must be used to reduce CSS program expenditures. <p>If there is more than one tax refund intercept for a case, the twenty-five dollar (\$25) certification fee will be charged only once, regardless of the number of obligors, and will be deducted from the first intercept(s) that occurs. If the total amount of all tax refunds for a case is less than twenty-five dollars (\$25), the amount of refunds will satisfy the certification fee.</p> <ol style="list-style-type: none"> 10. Non-PA obligees shall be charged an annual thirty-five dollar (\$35) service fee once five hundred and fifty dollars (\$550) has been disbursed to the family. <p>The service fee will be reported to the federal government as program income, and will be</p>	<ol style="list-style-type: none"> 2) the name of the noncustodial parent(s), if known; 3) name, birth date, sex, place of birth and social security number, if available, for each child; 4) applicant's signature, either handwritten or electronic. <p>c. Acceptance of an application involves recording the date of receipt on the application. The application must be entered into the ACSES for the application fee to be assessed..</p> <ol style="list-style-type: none"> 8. County CSS Units may collect costs incurred in excess of fees. These costs shall be determined on a case by case basis and shall be used to reduce CSS program expenditures. 9. Non-PA obligees shall be charged an annual twenty-five dollar (\$25) certification fee for collection of IRS tax refunds only if an actual intercept occurs. The fee shall be deducted from the tax refund intercept. The certification fee must be used to reduce CSS program expenditures. <p>If there is more than one tax refund intercept for a case, the twenty-five dollar (\$25) certification fee will be charged only once, regardless of the number of obligors, and will be deducted from the first intercept(s) that occurs. If the total amount of all tax refunds for a case is less than twenty-five dollars (\$25), the amount of refunds will satisfy the certification fee.</p> <ol style="list-style-type: none"> 10. Non-PA obligees shall be charged an annual thirty-five dollar (\$35) service fee once five hundred and fifty dollars (\$550) has been disbursed to the family. <p>The service fee will be reported to the federal government as program income, and will be shared between the federal, state, and county governments.</p>	
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		<p>shared between the federal, state, and county governments.</p> <p>The service fee will be collected for each case set in all intrastate in-state and initiating intergovernmental cases on the ACSES if the \$550 disbursement threshold is reached.</p> <p>C. Locate Only Cases Persons who request only noncustodial parent locator service may complete the Request for Parent Locator Service. The Colorado State Parent Locator Service shall provide such caretaker with instructions for completing the form and fees to be paid by the caretaker. A non-PA application form is not required.</p>	<p>The service fee will be collected for each case set in all intrastate in-state and initiating intergovernmental cases on the ACSES if the \$550 disbursement threshold is reached.</p> <p>C. Locate Only Cases Persons who request only noncustodial parent locator service may complete the Request for Parent Locator Service. The Colorado State Parent Locator Service shall provide such caretaker with instructions for completing the form and fees to be paid by the caretaker. A non-PA application form is not required.</p>		
6.201.3	Amended title only	6.201.3 FOSTER CARE CASES [Rev. eff. 4/1/12]	6.201.3 FOSTER CARE CASES [Rev. eff. 4/1/12]	Removal of unmaintained effective date	
6.201.4	Repealed rule	<p>6.201.4 LOW-INCOME CHILD CARE ASSISTANCE RECIPIENTS [Rev. eff. 10/01/2009]</p> <p>A. Appropriately referred Low-Income Child Care Assistance cases, pursuant to Section 3.905.1 of the CDHS "Income Maintenance" rule manual (9 CCR 2503-1) shall be provided the full range of services as required by the Child Support Services program upon referral and completion of the State prescribed application form. Referral is defined as receipt of the referral packet from the county Low-Income Child Care Assistance program.</p> <p>B. The CSS Unit must document the case record with the date of referral, which is the date the CSS Unit received the packet. The CSS Unit must also have a process in place to notify the Child Care Assistance program within five business days after the recipient provides the completed application to the CSS Unit.</p>	<p>6.201.4 LOW-INCOME CHILD CARE ASSISTANCE RECIPIENTS [Rev. eff. 10/01/2009]</p> <p>A.—Appropriately referred Low-Income Child Care Assistance cases, pursuant to Section 3.905.1 of the CDHS "Income Maintenance" rule manual (9 CCR 2503-1) shall be provided the full range of services as required by the Child Support Services program upon referral and completion of the State prescribed application form. Referral is defined as receipt of the referral packet from the county Low-Income Child Care Assistance program.</p> <p>B.—The CSS Unit must document the case record with the date of referral, which is the date the CSS Unit received the packet. The CSS Unit must also have a process in place to notify the Child Care Assistance program within five business days after the recipient provides the completed application to the CSS Unit.</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295.	
6.201.5	Amended title only	6.201.5 MEDICAID REFERRAL CASES [Rev. eff. 10/1/09]	6.201.54 MEDICAID REFERRAL CASES [Rev. eff. 10/1/09]	Removal of unmaintained effective date	
6.205	Amended rule	<p>6.205 ENFORCING COUNTY [Rev. eff. 11/1/13]</p> <p>Designation of the county responsible for accepting the Child Support Services application or processing the case, or both, provides for centralized legal and financial activities and prevents duplication of effort and establishment of unnecessary orders for support when an order exists.</p>	<p>6.205 ENFORCING COUNTY [Rev. eff. 11/1/13]</p> <p>Designation of the county responsible for accepting the Child Support Services application or processing the case, or both, provides for centralized legal and financial activities and prevents duplication of effort and establishment of unnecessary orders for support when an order exists.</p>	Removal of language referring to the Child Care Assistance Program to	

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	<p>Provisions pertaining to enforcing county designation and responsibilities shall apply to all new Child Support Services cases and for existing cases where there is a dispute regarding an enforcing county issue.</p> <p>A. The enforcing county is the county responsible for processing a case for Child Support Services, including locating the noncustodial parent, establishment of paternity, establishment and modification of a support order and enforcement of a support order. Enforcing county means the enforcing county on the automated child support system. The enforcing county is responsible for financial management of the case.</p> <p>The enforcing county is also the county responsible for the case for audit purposes. When the noncustodial parent resides outside of Colorado, the enforcing county is the county responsible for initiating an intergovernmental action or appropriate in-state action for CSS services. If the noncustodial parent is the only party in the case residing in Colorado and there is no existing court order and no public assistance has been paid in Colorado, the enforcing county will be considered the county where the noncustodial parent resides.</p> <p>B. For all cases, the enforcing county for a Colorado Child Support Services case is the first county where a Child Support Services application or referral was made. The enforcing county shall provide the full range of services to the Low-Income Child Care Assistance referral case from another county, even if the enforcing county elected not to require the Low-Income Child Care Assistance recipients in its county to cooperate with the Child Support Services Unit.</p> <p>C. When there is a new application or referral in a county other than the enforcing county, the county of the new application or referral shall assist in the completion of the application and any intergovernmental or other necessary documents. The county of the new application or referral shall forward the application and documents to the enforcing county, as appropriate, utilizing the form as prescribed by the State Department. For a Low-Income Child Care Assistance referral case, the Low-</p>	<p>Provisions pertaining to enforcing county designation and responsibilities shall apply to all new Child Support Services cases and for existing cases where there is a dispute regarding an enforcing county issue.</p> <p>A. The enforcing county is the county responsible for processing a case for Child Support Services, including locating the noncustodial parent, establishment of paternityPARENTAGE, establishment and modification of a support order and enforcement of a support order. Enforcing county means the enforcing county on the automated child support system. The enforcing county is responsible for financial management of the case.</p> <p>The enforcing county is also the county responsible for the case for audit purposes. When the noncustodial parent resides outside of Colorado, the enforcing county is the county responsible for initiating an intergovernmental action or appropriate in-state action for CSS services. If the noncustodial parent is the only party in the case residing in Colorado and there is no existing court order and no public assistance has been paid in Colorado, the enforcing county will be considered the county where the noncustodial parent resides.</p> <p>B. For all cases, the enforcing county for a Colorado Child Support Services case is the first county where a Child Support Services application or referral was made. The enforcing county shall provide the full range of services to the Low-Income Child Care Assistance referral case from another county, even if the enforcing county elected not to require the Low-Income Child Care Assistance recipients in its county to cooperate with the Child Support Services Unit.</p> <p>C. When there is a new application or referral in a county other than the enforcing county, the county of the new application or referral shall assist in the completion of the application and any intergovernmental or other necessary documents. The county of the new application or referral shall forward the application and documents to the enforcing county, as appropriate, utilizing the form as prescribed by the State Department. For a Low-Income Child Care Assistance referral case, the Low-Income</p>	<p>implement HB22-1295</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>Income Child Care Assistance Program unit shall deal directly with the Child Support Services (CSS) Unit located in its county. The CSS Unit will then communicate with the enforcing county.</p> <p>D. Unless the CSS Units in the interested counties agree or there is enforcing county resolution to change enforcing county designation, the enforcing county remains the enforcing county until the case is closed in accordance with this manual. The enforcing county does not change when the parties in the case relocate.</p> <p>E. When a IV-D unit requests enforcing county designation and the interested CSS Units cannot agree, within five (5) calendar days, upon which county should be the enforcing county, the county directors, or their designees, in the counties will resolve the issue. If agreement cannot be reached, the CSS office shall refer the matter to the State Division of Child Support Services for resolution in accordance with the state procedure and prescribed form. The state decision is final and binding on the interested counties.</p>	<p>Child Care Assistance Program unit shall deal directly with the Child Support Services (CSS) Unit located in its county. The CSS Unit will then communicate with the enforcing county.</p> <p>D. Unless the CSS Units in the interested counties agree or there is enforcing county resolution to change enforcing county designation, the enforcing county remains the enforcing county until the case is closed in accordance with this manual. The enforcing county does not change when the parties in the case relocate.</p> <p>E. When a IV-D unit requests enforcing county designation and the interested CSS Units cannot agree, within five (5) calendar days, upon which county should be the enforcing county, the county directors, or their designees, in the counties will resolve the issue. If agreement cannot be reached, the CSS office shall refer the matter to the State Division of Child Support Services for resolution in accordance with the state procedure and prescribed form. The state decision is final and binding on the interested counties.</p>		
6.205.1	Amended rule	<p>6.205.1 ENFORCEMENT OF ORDER AND FINANCIAL MANAGEMENT [Rev. eff. 11/1/13]</p> <p>A. The enforcing county shall enforce the original order and any subsequent modifications, and modify, as appropriate. Copies of all legal actions, such as modifications, and judgments shall be filed into the original order.</p> <p>B. When IV-A or foster care placement costs (maintenance and services) have been expended in another Colorado county or counties, the enforcing county must contact all such counties and, within ten (10) working days, such counties shall provide the amount of unreimbursed public assistance or the costs for foster care placement to be included in the establishment of an order or to modify an order for UPA or foster care costs reimbursement. The enforcing county is responsible for coordinating arrearage balances of all interested counties.</p> <p>C. The enforcing county shall enforce the existing order to the extent possible even if the order was issued by another county. If a court hearing is necessary, the enforcing county may request the IV-D unit in the county of the existing order to have its CSS attorney appear on</p>	<p>6.205.1 ENFORCEMENT OF ORDER AND FINANCIAL MANAGEMENT [Rev. eff. 11/1/13]</p> <p>A. The enforcing county shall enforce the original order and any subsequent modifications, and modify, as appropriate. Copies of all legal actions, such as modifications, and judgments shall be filed into the original order.</p> <p>B. When IV-A or foster care placement costs (maintenance and services) have been expended in another Colorado county or counties, the enforcing county must contact all such counties and, within ten (10) working days, such counties shall provide the amount of unreimbursed public assistance or the costs for foster care placement to be included in the establishment of an order or to modify an order for UPA or foster care costs reimbursement. The enforcing county is responsible for coordinating arrearage balances of all interested counties.</p> <p>C. The enforcing county shall enforce the existing order to the extent possible even if the order was issued by another county. If a court hearing is necessary, the enforcing county may request the IV-D unit in the county of the existing order to have its CSS attorney appear on behalf of the enforcing county. When requested, the CSS</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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		<p>behalf of the enforcing county. When requested, the CSS attorney in the order-issuing county shall appear on behalf of the enforcing county and represent the case as if it were his/her own county's case.</p> <p>D. In cases in which the obligor has now become the obligee, known as role reversal, the county enforcing the existing order shall initiate the role reversal case and modify the existing court order to reflect the new change in circumstance, or initiate a reciprocal action to another jurisdiction, if appropriate, whether the role reversal occurred prior to or after the IV-D referral or application.</p>	<p>attorney in the order-issuing county shall appear on behalf of the enforcing county and represent the case as if it were his/herTHEIR own county's case.</p> <p>D. In cases in which the obligor has now become the obligee, known as role reversal, the county enforcing the existing order shall initiate the role reversal case and modify the existing court order to reflect the new change in circumstance, or initiate a reciprocal action to another jurisdiction, if appropriate, whether the role reversal occurred prior to or after the IV-D referral or application.</p>		
6.205.11	Amended title only	6.205.11 Change of Venue [Rev. eff. 4/1/12]	6.205.11 Change of Venue [Rev. eff. 4/1/12]	Removal of unmaintained effective date	
6.205.12	Amended title only	6.205.12 Controlling Order [Rev. eff. 4/1/12]	6.205.12 Controlling Order [Rev. eff. 4/1/12]	Removal of unmaintained effective date	
6.205.13	Amended title only	6.205.13 Registration Of Order [Rev. eff. 11/1/13]	6.205.13 Registration Of Order [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.205.2	Amended title only	6.205.2 INTERGOVERNMENTAL ENFORCING COUNTY [Rev. eff. 11/1/13]	6.205.2 INTERGOVERNMENTAL ENFORCING COUNTY [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.210.12	Amended rule	<p>6.210.12 [Rev. eff. 11/1/13] Child Support Services workers shall release the name, mailing and/or residential address, Social Security Number, place of employment, day care amount, income, health insurance information, and date of birth of custodial parties, noncustodial parents or children, and establishment or enforcement information concerning the legal obligation for support only in the following circumstances:</p> <p>A. When clarification of information is required to provide the next appropriate Child Support Services Unit service authorized in Colorado law and described in the Child Support Services state plan. For example, if a worker from a clerk and recorder's office calls to clarify information contained in a Child Support Services Unit's request for a lien to be placed on real property, the child support worker may confirm what action is being requested of the clerk and recorder.</p> <p>B. In the administration of the plan or any program approved under Part A (Temporary Assistance to Needy</p>	<p>6.210.12 [Rev. eff. 11/1/13] Child Support Services workers shall release the name, mailing and/or residential address, Social Security Number, place of employment, day care amount, income, health insurance information, and date of birth of custodial parties, noncustodial parents or children, and establishment or enforcement information concerning the legal obligation for support only in the following circumstances:</p> <p>A. When clarification of information is required to provide the next appropriate Child Support Services Unit service authorized in Colorado law and described in the Child Support Services state plan. For example, if a worker from a clerk and recorder's office calls to clarify information contained in a Child Support Services Unit's request for a lien to be placed on real property, the child support worker may confirm what action is being requested of the clerk and recorder.</p> <p>B. In the administration of the plan or any program approved under Part A (Temporary Assistance to Needy Families),</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

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		<p>Families), Part B (Child Welfare), Part D (Child Support Enforcement), Part E (Foster Care) or Part F (Child Care Services) or Titles XIX (Medicaid) or XXI (State Children’s Health Insurance Program) of the Social Security Act, and the Supplemental Nutrition Assistance Program, including data which is necessary for fraud investigation or audit.</p> <ol style="list-style-type: none"> 1. To assist any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such state plans or programs. 2. To report to the appropriate state or county department staff information that has been reported, to a Child Support Services worker, of suspected mental or physical injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child who is the subject of a child support services activity under circumstances which indicate that the child’s health or welfare is threatened. <p>C. In response to a request received from a party to the action or his/her attorney of record, the requester can receive information specific to himself/herself only, and not the other party. Each party may verify the accuracy of the information related to him/her only that is in the possession of the Child Support Services Unit. If the requestor is shown as a child on the case action, even if the child has since reached the age of emancipation, that requestor is not a party to the action and the information shall not be released except upon issuance of a court order.</p> <p>D. To provide statutorily required information to the court on child support orders and other documents that are completed by the CSS Unit and then filed with the court, unless there has been a court order of non-disclosure entered to suppress such information on that particular party.</p> <p>E. To inform the parties of information regarding the amount of public assistance benefits paid to the family which could be used in an administrative or court proceeding to establish or enforce an order for the past assistance.</p>	<p>Part B (Child Welfare), Part D (Child Support Enforcement), Part E (Foster Care) or Part F (Child Care Services) or Titles XIX (Medicaid) or XXI (State Children’s Health Insurance Program) of the Social Security Act, and the Supplemental Nutrition Assistance Program, including data which is necessary for fraud investigation or audit.</p> <ol style="list-style-type: none"> 1. To assist any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such state plans or programs. 2. To report to the appropriate state or county department staff information that has been reported, to a Child Support Services worker, of suspected mental or physical injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child who is the subject of a child support services activity under circumstances which indicate that the child’s health or welfare is threatened. <p>C. In response to a request received from a party to the action or his/herTHE PARTY’S attorney of record, the requester can receive information specific to himself/herselfTHEMSELF only, and not the other party. Each party may verify the accuracy of the information related to him/herTHEMSELF only that is in the possession of the Child Support Services Unit. If the requestor is shown as a child on the case action, even if the child has since reached the age of emancipation, that requestor is not a party to the action and the information shall not be released except upon issuance of a court order.</p> <p>D. To provide statutorily required information to the court on child support orders and other documents that are completed by the CSS Unit and then filed with the court, unless there has been a court order of non-disclosure entered to suppress such information on that particular party.</p> <p>E. To inform the parties of information regarding the amount of public assistance benefits paid to the family which could be used in an administrative or court proceeding to establish or enforce an order for the past assistance.</p>	
6.210.13	Amended	6.210.13 Disclosure [Rev. eff. 11/1/13]	6.210.13 Disclosure [Rev. eff. 11/1/13]	Replacement

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rule	<p>Disclosure of any Child Support Services case information is prohibited in the following circumstances:</p> <ul style="list-style-type: none"> A. At the request of all private collection agencies, unless the requesting agency is a state or county contractor and bonded as required by state or federal statute. B. In response to a written complaint from the party (constituent) received by a legislator. Child Support Services Units may provide only information which indicates what progress is being made on the case or what action has or will be taken to move the case forward. C. At the request of any attorney who is not the attorney of record as reflected on the automated child support system or in the court files. D. At the request of a current spouse or other individual even if that person has a notarized statement from the noncustodial parent. E. Any information received from the Internal Revenue Service that has not been verified by an independent source. Such information can only be released to the taxpayer. F. Information obtained through the State Income and Eligibility Verification System (IEVS) shall not be disclosed to anyone. The information shall be used exclusively by the Child Support Services program. G. Disclosure to any committee or legislative body (federal, state, or local) of any information that identifies any party to the action by name or address. H. Genetic test results can only be released to the parties of the action. Pursuant to Sections 19-1- 308 and 25-1-122.5, Colorado Revised Statutes, the parties are prohibited from disclosing the information to anyone else. I. The information obtained from the access of records using the Social Security Number, pursuant to Section 14-14-113, C.R.S., shall only be used for the purposes of establishing paternity or child support ordered, modifying or enforcing child support orders. J. Upon receipt of a non-disclosure affidavit and required documentation from either party, the county child support services worker shall create the affidavit of non-disclosure and the affidavit shall be forwarded to the court of jurisdiction. In this instance an individual's 	<p>Disclosure of any Child Support Services case information is prohibited in the following circumstances:</p> <ul style="list-style-type: none"> A. At the request of all private collection agencies, unless the requesting agency is a state or county contractor and bonded as required by state or federal statute. B. In response to a written complaint from the party (constituent) received by a legislator. Child Support Services Units may provide only information which indicates what progress is being made on the case or what action has or will be taken to move the case forward. C. At the request of any attorney who is not the attorney of record as reflected on the automated child support system or in the court files. D. At the request of a current spouse or other individual even if that person has a notarized statement from the noncustodial parent. E. Any information received from the Internal Revenue Service that has not been verified by an independent source. Such information can only be released to the taxpayer. F. Information obtained through the State Income and Eligibility Verification System (IEVS) shall not be disclosed to anyone. The information shall be used exclusively by the Child Support Services program. G. Disclosure to any committee or legislative body (federal, state, or local) of any information that identifies any party to the action by name or address. H. Genetic test results can only be released to the parties of the action. Pursuant to Sections 19-1- 308 and 25-1-122.5, Colorado Revised Statutes, the parties are prohibited from disclosing the information to anyone else. I. The information obtained from the access of records using the Social Security Number, pursuant to Section 14-14-113, C.R.S., shall only be used for the purposes of establishing paternityPARENTAGE or child support ordered, modifying or enforcing child support orders. J. Upon receipt of a non-disclosure affidavit and required documentation from either party, the county child support services worker shall create the affidavit of non-disclosure and the affidavit shall be forwarded to the court of jurisdiction. In this instance an individual's identity or location can be released only upon receipt of a court order requiring the override of the non-disclosure. The 	<p>of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>identity or location can be released only upon receipt of a court order requiring the override of the non-disclosure. The county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the affidavit. Interjurisdictional cases will be handled as follows:</p> <ol style="list-style-type: none"> 1. Initiating Interjurisdictional Cases: Treated the same as an in-state case with the exception that the affidavit will be sent to the responding jurisdiction along with the other required intergovernmental forms. 2. Responding Interjurisdictional Cases: If the initiating jurisdiction indicates that there is a nondisclosure granted in that jurisdiction, the county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the intergovernmental request. <p>K. No Financial Institution Data Match information or Federal Tax information from the Internal Revenue Service may be disclosed outside of the administration of the Title IV-D program.</p> <p>L. No information from the National Directory of New Hires or the Federal Case Registry may be disclosed outside of the administration of the Title IV-D program except:</p> <ol style="list-style-type: none"> 1. In the administration of the plan or any program approved under Part B and Part E of the Social Security Act to locate parents and putative fathers for the purpose of establishing parentage or establishing parental rights with respect to a child. 2. In the administration of the plan or any program approved under Part A, Part B, Part D, and Part E of the Social Security Act, which is incorporated by reference; no amendments or editions are included. They may be examined during regular business hours by contacting the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any State Publications 	<p>county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the affidavit. Interjurisdictional cases will be handled as follows:</p> <ol style="list-style-type: none"> 1. Initiating Interjurisdictional Cases: Treated the same as an in-state case with the exception that the affidavit will be sent to the responding jurisdiction along with the other required intergovernmental forms. 2. Responding Interjurisdictional Cases: If the initiating jurisdiction indicates that there is a nondisclosure granted in that jurisdiction, the county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the intergovernmental request. <p>K. No Financial Institution Data Match information or Federal Tax information from the Internal Revenue Service may be disclosed outside of the administration of the Title IV-D program.</p> <p>L. No information from the National Directory of New Hires or the Federal Case Registry may be disclosed outside of the administration of the Title IV-D program except:</p> <ol style="list-style-type: none"> 1. In the administration of the plan or any program approved under Part B and Part E of the Social Security Act to locate parents and putative fathersPARENTS for the purpose of establishing parentage or establishing parental rights with respect to a child. 2. In the administration of the plan or any program approved under Part A, Part B, Part D, and Part E of the Social Security Act, which is incorporated by reference; no amendments or editions are included. They may be examined during regular business hours by contacting the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any State Publications Depository Library. The Social Security Act is also available on-line at: http://www.ssa.gov/op_home/ssact/ssact.htm. 	
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		Depository Library. The Social Security Act is also available on-line at: http://www.ssa.gov/op_home/ssact/ssact.htm .			
	Amended title only	6.210.2 PAYMENT RECORDS [Rev. eff. 11/1/13]	6.210.2 PAYMENT RECORDS [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.210.3		6.210.3 CONFLICT OF INTEREST [Rev. eff. 11/1/13] Child Support Services Units shall establish processes in which certain case files are worked only by a supervisor or in a manner that provides limited access to case information. An example of these files: employee files or court ordered "sealed" files. Any employee with a personal interest in a case, including but not limited to his/her own case or a case of a relative or friend, shall not engage in any Child Support Services activity related to that case and may not view any case information maintained on the automated child support system for that case.	6.210.3 CONFLICT OF INTEREST [Rev. eff. 11/1/13] Child Support Services Units shall establish processes in which certain case files are worked only by a supervisor or in a manner that provides limited access to case information. An example of these files: employee files or court ordered "sealed" files. Any employee with a personal interest in a case, including but not limited to his/her THE EMPLOYEE'S own case or a case of a relative or friend, shall not engage in any Child Support Services activity related to that case and may not view any case information maintained on the automated child support system for that case.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.210.42	Amended title only	6.210.42 Financial Records [Rev. eff. 11/1/13]	6.210.42 Financial Records [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.210.5	Amended title only	6.210.5 ADOPTION INFORMATION [Rev. eff. 11/1/13]	6.210.5 ADOPTION INFORMATION [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.210.6	Amended title only	6.210.6 ACCESS TO INFORMATION [Rev. eff. 11/1/13]	6.210.6 ACCESS TO INFORMATION [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.220	Amended title only	6.220 FEDERAL TAX INFORMATION [Eff. 11/1/13]	6.220 FEDERAL TAX INFORMATION [Eff. 11/1/13]	Removal of unmaintained effective date	
6.230.1	Amended rule	6.230.1 Good Cause [Rev. eff. 4/1/12] Good cause is defined as circumstances under which cooperation with the Child Support Services Unit may not be "in the best interests of the child." In the case of a IV-A referral, the county director or the designate IV-A staff shall make the determination of good cause exemption from referral of a custodial party to the Child Support Services Unit. In the case of a Low-Income Child Care Assistance referral, the county director or designee shall make the determination of good cause exemption from referral to the CSS Unit. The Child Support Services Unit may provide information or participate with the county director or designate IV-A or Low-Income Child Care Assistance staff, as appropriate, to make the determination of good cause exemption.	6.230.1 Good Cause [Rev. eff. 4/1/12] Good cause is defined as circumstances under which cooperation with the Child Support Services Unit may not be "in the best interests of the child." In the case of a IV-A referral, the county director or the designate IV-A staff shall make the determination of good cause exemption from referral of a custodial party to the Child Support Services Unit. In the case of a Low-Income Child Care Assistance referral, the county director or designee shall make the determination of good cause exemption from referral to the CSS Unit. The Child Support Services Unit may provide information or participate with the county director or designate IV-A or Low-Income Child Care Assistance staff, as appropriate, to make the determination of good cause exemption.	Removal of language referring to the Child Care Assistance Program to implement HB22-1295 Removal of unmaintained effective date	
6.230.11	Amended	6.230.11 Cooperation Requirements [Rev. eff. 4/1/12]	6.230.11 Cooperation Requirements [Rev. eff. 4/1/12]	Replacement	

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rule	<p>The custodial party is required to cooperate with the county Child Support Services Unit in:</p> <p>A. Providing sufficient, verifiable information about the identity and location of the noncustodial parent(s) of the child(ren). Information is sufficient if it includes:</p> <ol style="list-style-type: none"> 1. Noncustodial parent's full name and Social Security Number; or, 2. Noncustodial parent's full name and at least two of the following items: <ol style="list-style-type: none"> a. Noncustodial parent's date of birth; b. Noncustodial parent's address; c. Noncustodial parent's telephone number; d. Noncustodial parent's employer's name and address; e. The names of the parents of the noncustodial parent; f. Noncustodial parent's vehicle information (manufacturer, model and license); g. Noncustodial parent's prison record; h. Noncustodial parent's military record; or, 3. Noncustodial parent's full name and additional information which leads to the location of the noncustodial parent, or if unable to comply with any of the above. <p>B. Provide all of the following that the custodial party has or can reasonably obtain that may lead to the identity of noncustodial parent:</p> <ol style="list-style-type: none"> 1. If paternity has not been established, provide a sworn statement of sexual intercourse between the alleged father(s) and the custodial parent of the child during probable period of conception; 2. Statements as to the identity or location of noncustodial parent from other individuals; 3. Records or information as to the whereabouts of records, from specific agencies; 4. Utility bills, parking tickets, credit card receipts, etc., that contain information about noncustodial parent; 5. Telephone numbers or addresses of others who knew the noncustodial parent; 	<p>The custodial party is required to cooperate with the county Child Support Services Unit in:</p> <p>A. Providing sufficient, verifiable information about the identity and location of the noncustodial parent(s) of the child(ren). Information is sufficient if it includes:</p> <ol style="list-style-type: none"> 1. Noncustodial parent's full name and Social Security Number; or, 2. Noncustodial parent's full name and at least two of the following items: <ol style="list-style-type: none"> a. Noncustodial parent's date of birth; b. Noncustodial parent's address; c. Noncustodial parent's telephone number; d. Noncustodial parent's employer's name and address; e. The names of the parents of the noncustodial parent; f. Noncustodial parent's vehicle information (manufacturer, model and license); g. Noncustodial parent's prison record; h. Noncustodial parent's military record; or, 3. Noncustodial parent's full name and additional information which leads to the location of the noncustodial parent, or if unable to comply with any of the above. <p>B. Provide all of the following that the custodial party has or can reasonably obtain that may lead to the identity of noncustodial parent:</p> <ol style="list-style-type: none"> 1. If paternityPARENTAGE has not been established, provide a sworn statement of sexual intercourse between the alleged father(s) and the custodial parent of the child during probable period of conception; 2. Statements as to the identity or location of noncustodial parent from other individuals; 3. Records or information as to the whereabouts of records, from specific agencies; 4. Utility bills, parking tickets, credit card receipts, etc., that contain information about noncustodial parent; 5. Telephone numbers or addresses of others who 	<p>of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>6. Sworn statement documenting efforts taken by custodial party and obstacles encountered by custodial party in pursuit of information about the noncustodial parent;</p> <p>7. Any other information that may assist the CSS Unit in identifying or locating the noncustodial parent.</p> <p>C. Establishing parentage of children for whom parentage has not been legally established or is in dispute and for whom assistance or foster care services is requested or provided.</p> <p>D. Establishing orders for financial and medical support and obtaining medical support for each child, when available to either party, as ordered by the court.</p> <p>E. Obtaining support payments for the recipient/applicant and for each child for whom assistance or foster care services is requested or provided, and to which the department is entitled to collect pursuant to the assignment of support rights.</p> <p>F. Obtaining any other payments or property to which the custodial party and/or each child for whom assistance is provided may be entitled, and to which the department is entitled to collect, pursuant to the assignment of support rights.</p>	<p>knew the noncustodial parent;</p> <p>6. Sworn statement documenting efforts taken by custodial party and obstacles encountered by custodial party in pursuit of information about the noncustodial parent;</p> <p>7. Any other information that may assist the CSS Unit in identifying or locating the noncustodial parent.</p> <p>C. Establishing parentage of children for whom parentage has not been legally established or is in dispute and for whom assistance or foster care services is requested or provided.</p> <p>D. Establishing orders for financial and medical support and obtaining medical support for each child, when available to either party, as ordered by the court.</p> <p>E. Obtaining support payments for the recipient/applicant and for each child for whom assistance or foster care services is requested or provided, and to which the department is entitled to collect pursuant to the assignment of support rights.</p> <p>F. Obtaining any other payments or property to which the custodial party and/or each child for whom assistance is provided may be entitled, and to which the department is entitled to collect, pursuant to the assignment of support rights.</p>		
6.230.13	Amended title only	6.230.13 Cooperation in Foster Care Cases [Eff. 4/1/12]	6.230.13 Cooperation in Foster Care Cases [Eff. 4/1/12]	Removal of unmaintained effective date	
6.230.2	Amended title only	6.230.2 Cooperation Defined [Rev. eff. 4/1/12]	6.230.2 Cooperation Defined [Rev. eff. 4/1/12]	Removal of unmaintained effective date	
6.230.3	Amended Rule	<p>6.230.3 Cooperation Determination [Rev. eff. 4/1/12] The county IV-D administrator, or a designee, is responsible for making the determination of whether a PA, foster care, or Low-Income Child Care Assistance recipient has cooperated with the CSS Unit for the purposes of establishing and enforcing child or medical support.</p>	<p>6.230.3 Cooperation Determination [Rev. eff. 4/1/12] The county IV-D administrator, or a designee, is responsible for making the determination of whether a PAPUBLIC ASSISTANCE, OR foster care, or Low-Income Child Care Assistance recipient has cooperated with the CSS Unit for the purposes of establishing and enforcing child or medical support.</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295	Removal of unmaintained

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				effective date	
6.230.4	Amended Rule	<p>6.230.4 Notification [Rev. eff. 4/1/12] The county CSS Unit shall notify immediately the IV-A unit, foster care unit, Low-Income Child Care Assistance unit, or Medicaid unit of any IV-A recipient, foster care placing parent, Low-Income Child Care Assistance recipient, or Medicaid referral case recipient who fails to fulfill the cooperation requirements of this section. The notification shall describe the circumstances of the non-cooperation and the date(s) upon which it occurred. For Low-Income Child Care Assistance recipients, the notice will be the sixty (60) day advance notice of case closure for non-cooperation described in Section 6.260.52, B.</p> <p>The county CSS Unit will not attempt to establish paternity and support or collect support or third party information for medical support in those cases where the custodial party is determined to have good cause for refusing to cooperate.</p>	<p>6.230.4 Notification [Rev. eff. 4/1/12] The county CSS Unit shall notify immediately the IV-A unit, foster care unit, Low-Income Child Care Assistance unit, or Medicaid unit of any IV-A recipient, foster care placing parent, Low-Income Child Care Assistance recipient, or Medicaid referral case recipient who fails to fulfill the cooperation requirements of this section. The notification shall describe the circumstances of the non-cooperation and the date(s) upon which it occurred. For Low-Income Child Care Assistance recipients, the notice will be the sixty (60) day advance notice of case closure for non-cooperation described in Section 6.260.52, B.</p> <p>The county CSS Unit will not attempt to establish paternityPARENTAGE and support or collect support or third party information for medical support in those cases where the custodial party is determined to have good cause for refusing to cooperate.</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295	
6.230.5	Amended rule	<p>6.230.5 Custodial Party Cooperates [Rev. eff. 4/1/12] After the CSS Unit has notified the IV-A, foster care, or Low-Income Child Care Assistance units of the custodial party's failure to cooperate, the custodial party may decide to cooperate rather than face penalties with the assistance grant, Low-Income Child Care Assistance or foster care treatment plan. Should this occur, the CSS Unit shall provide notification to the IV-A, foster care, or Low-Income Child Care Assistance units that the custodial party is now cooperating. The CSS Unit shall provide the notification to the IV-A, foster care, or Low-Income Child Care Assistance units within two (2) working days from the date the custodial party cooperated with the CSS Unit.</p>	<p>6.230.5 Custodial Party Cooperates [Rev. eff. 4/1/12] After the CSS Unit has notified the IV-A, OR foster care, or Low-Income Child Care Assistance units of the custodial party's failure to cooperate, the custodial party may decide to cooperate rather than face penalties with the assistance grant, Low-Income Child Care Assistance or foster care treatment plan. Should this occur, the CSS Unit shall provide notification to the IV-A, OR foster care, or Low-Income Child Care Assistance units that the custodial party is now cooperating. The CSS Unit shall provide the notification to the IV-A, OR foster care, or Low-Income Child Care Assistance units within two (2) working days from the date the custodial party cooperated with the CSS Unit.</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295	
6.230.6	Amended rule	<p>6.230.6 Request for Review Through Title IV-A When the custodial party requests a review through IV-A of the determination that he/she has failed to cooperate with the CSS Unit, the county IV-D administrator, or a designee, shall appear at the IV-A dispute resolution conference and/or state level hearings to provide information concerning the basis for the determination that the custodial party has failed to cooperate with the CSS Unit.</p>	<p>6.230.6 Request for Review Through Title IV-A When the custodial party requests a review through IV-A of the determination that he/sheTHEY has/HAVE failed to cooperate with the CSS Unit, the county IV-D administrator, or a designee, shall appear at the IV-A dispute resolution conference and/or state level hearings to provide information concerning the basis for the determination that the custodial party has failed to cooperate with the CSS Unit.</p>	Replacement of gendered language with gender-neutral language.	
6.230.7	Repealed rule	<p>6.230.7 Request for Review Through Child Care Assistance Program If a Low-Income Child Care Assistance recipient requests a review through the Child Care Assistance Program to determine whether or not she should be granted a good cause exemption</p>	<p>6.230.7 Request for Review Through Child Care Assistance Program If a Low-Income Child Care Assistance recipient requests a review through the Child Care Assistance Program to determine whether or not she should be granted a good cause exemption from</p>	Removal of language referring to the Child Care Assistance	

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CDHS Tracking #: 22-09-28-01

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		from cooperation with the Child Support Services Unit, the county CSS administrator shall provide to the Low-Income Child Care Assistance Program any information in the possession of the CSS Unit which may support a good cause exemption.	cooperation with the Child Support Services Unit, the county CSS administrator shall provide to the Low-Income Child Care Assistance Program any information in the possession of the CSS Unit which may support a good cause exemption.	Program to implement HB22-1295.	
6.240	Amended title only	6.240 MEDICAL SUPPORT ESTABLISHMENT AND ENFORCEMENT [Eff. 4/1/13]	6.240 MEDICAL SUPPORT ESTABLISHMENT AND ENFORCEMENT [Eff. 4/1/13]	Removal of unmaintained effective date	
6.240.1	Amended rule	6.240.1 MEDICAL SUPPORT ESTABLISHMENT [Rev. eff. 4/1/13] For all cases in which current child support is being sought (including zero dollar orders), the Child Support Services Unit shall include a provision for either party to provide health care coverage for his/her child(ren).	6.240.1 MEDICAL SUPPORT ESTABLISHMENT [Rev. eff. 4/1/13] For all cases in which current child support is being sought (including zero dollar orders), the Child Support Services Unit shall include a provision for either party PARENT to provide health care coverage for his/her THE child(ren).	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.240.2	Amended rule	6.240.2 MEDICAL SUPPORT ENFORCEMENT Unless the child(ren) are receiving public health care coverage, the National Medical Support Notice (NMSN) must be sent to the obligor's employer if the obligor is ordered to provide health insurance, the obligor is eligible for health insurance, the health insurance is accessible to the child(ren), and the monthly premiums are reasonable in cost. A. A notice must be sent to the obligor, informing him/her that the NMSN was sent to his/her employer and describing the rights and conditions regarding the issuance of the NMSN. The obligor has ten (10) calendar days from the date of the mailing to object with the Child Support Services Unit if the obligor believes there is a mistake in identity and he/she is not the obligor, there is no order for the obligor to provide health insurance, the health insurance is not accessible to the children, or the monthly premiums are not reasonable in cost. 1. Health insurance is considered not accessible to the child(ren) if the child(ren) resides outside the geographic area of coverage. 2. A premium amount is considered reasonable in cost if the premium payments (child(ren)'s portion) are less than five percent (5%) of the paying parent's gross income or application of	6.240.2 MEDICAL SUPPORT ENFORCEMENT Unless the child(ren) are receiving public health care coverage, the National Medical Support Notice (NMSN) must be sent to the obligor's employer if the obligor is ordered to provide health insurance, the obligor is eligible for health insurance, the health insurance is accessible to the child(ren), and the monthly premiums are reasonable in cost. A. A notice must be sent to the obligor, informing him/her THE OBLIGOR that the NMSN was sent to his/her THEIR employer and describing the rights and conditions regarding the issuance of the NMSN. The obligor has ten (10) calendar days from the date of the mailing to object with the Child Support Services Unit if the obligor believes there is a mistake in identity and he/she THEY is ARE not the obligor, there is no order for the obligor to provide health insurance, the health insurance is not accessible to the children, or the monthly premiums are not reasonable in cost. 1. Health insurance is considered not accessible to the child(ren) if the child(ren) resides outside the geographic area of coverage. 2. A premium amount is considered reasonable in cost if the premium payments (child(ren)'s portion) are less than five percent (5%) of the paying parent's gross income or application of	Replacement of gendered language with gender-neutral language.	

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		<p>the premium payment (child(ren)’s portion) on the guidelines does not result in a Monthly Support Obligation of fifty dollars(\$50) or less.</p> <p>B. The Child Support Services Unit will have ten (10) calendar days from the date the objection is mailed to determine if the objection is valid. If the obligor objects to the enforcement of the NMSN claiming it exceeds the reasonable cost standard, the Child Support Services Unit must determine if the premium amount is five percent (5%) or more of the obligor’s gross monthly income.</p> <p>C. If the obligor’s objection is valid, the Child Support Services Unit must send a notice of termination to the obligor’s employer with a copy to the obligor. If the obligor’s objection is not valid, the Child Support Services Unit must notify the obligor that the NMSN will remain in effect and that the obligor has the right to object with the court.</p> <p>D. In subsidized adoption cases, CSS units have the option of enforcing medical support through a NMSN. Verification of the subsidized adoption is required if the Child Support Services Unit chooses not to enforce.</p>	<p>the premium payment (child(ren)’s portion) on the guidelines does not result in a Monthly Support Obligation of fifty dollars(\$50) or less.</p> <p>B. The Child Support Services Unit will have ten (10) calendar days from the date the objection is mailed to determine if the objection is valid. If the obligor objects to the enforcement of the NMSN claiming it exceeds the reasonable cost standard, the Child Support Services Unit must determine if the premium amount is five percent (5%) or more of the obligor’s gross monthly income.</p> <p>C. If the obligor’s objection is valid, the Child Support Services Unit must send a notice of termination to the obligor’s employer with a copy to the obligor. If the obligor’s objection is not valid, the Child Support Services Unit must notify the obligor that the NMSN will remain in effect and that the obligor has the right to object with the court.</p> <p>D. In subsidized adoption cases, CSS units have the option of enforcing medical support through a NMSN. Verification of the subsidized adoption is required if the Child Support Services Unit chooses not to enforce.</p>		
6.250	Amended title only	6.250 PROVISION OF SERVICES IN INTERGOVERNMENTAL IV-D CASES BY CHILD SUPPORT SERVICES (CSS) UNITS [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]	6.250 PROVISION OF SERVICES IN INTERGOVERNMENTAL IV-D CASES BY CHILD SUPPORT SERVICES (CSS) UNITS [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]	Removal of unmaintained effective date	
6.250.1	Amended rule	<p>6.250.1 INITIATING STATE/JURISDICTION RESPONSIBILITIES [Rev. emergency eff 4/5/13; permanent eff. 7/1/13]</p> <p>County CSS Units shall ensure management of the initiating intergovernmental CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.</p> <p>A. When applicable, use long arm statutes to establish paternity or support. Also, determine if enforcement action can be completed through an instate action such as direct income withholding to the noncustodial parent’s out of state source of income.</p> <p>B. Within twenty (20) calendar days of locating the noncustodial parent in another state, Tribe or country, determine if the filing of an intergovernmental action is appropriate and refer the intergovernmental filing to the Interstate Central Registry of the appropriate state, to</p>	<p>6.250.1 INITIATING STATE/JURISDICTION RESPONSIBILITIES [Rev. emergency eff 4/5/13; permanent eff. 7/1/13]</p> <p>County CSS Units shall ensure management of the initiating intergovernmental CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.</p> <p>A. When applicable, use long arm statutes to establish paternityPARENTAGE or support. Also, determine if enforcement action can be completed through an instate action such as direct income withholding to the noncustodial parent’s out of state source of income.</p> <p>B. Within twenty (20) calendar days of locating the noncustodial parent in another state, Tribe or country, determine if the filing of an intergovernmental action is appropriate and refer the intergovernmental filing to the Interstate Central Registry of the appropriate state, to the</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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	<p>the Tribal IV- D program, or to the central authority of the foreign country, or take the next appropriate action.</p> <p>C. Ask the appropriate intrastate tribunal or refer the case to the appropriate responding state IV-D agency for a determination of the controlling order and a reconciliation of arrearages, if such a determination is necessary.</p> <p>D. The twenty (20) day time frame begins on the date the obligor's location is verified and/or necessary documentation to process the case is received, whichever date is later. UIFSA petitions are to be sent directly to the Interstate Central Registry of the appropriate state, to the Tribal IV-D program, or to the central authority of the foreign country.</p> <p>E. Provide sufficient and accurate information on appropriate standardized interstate forms with each action referred to enable the responding agency to take action. The Intergovernmental Child Support Enforcement Transmittal form and other standardized interstate forms, as prescribed by the state, shall be used for each intergovernmental action request.</p> <p>F. Request that the responding state include health insurance in all new and modified orders for support.</p> <p>G. Within thirty (30) calendar days of request, provide additional information and any order and payment record information requested by a state IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the requesting office when information will be provided.</p> <p>H. Within ten (10) working days of receipt of new case information, submit information to the CSS office in the responding agency. New information includes case status change or any new information that could assist the other agency in processing the case.</p> <p>I. Instruct the responding agency to close its intergovernmental case and to stop any withholding order or withholding notice that the responding agency has sent to an employer, before transmitting a withholding order or withholding notice, with respect to the same case, to the same or another employer, unless an alternative agreement is reached with the responding agency regarding how to proceed.</p> <p>J. Notify the responding agency within ten (10) working days when a case is closed and the reason for closure.</p>	<p>Tribal IV- D program, or to the central authority of the foreign country, or take the next appropriate action.</p> <p>C. Ask the appropriate intrastate tribunal or refer the case to the appropriate responding state IV-D agency for a determination of the controlling order and a reconciliation of arrearages, if such a determination is necessary.</p> <p>D. The twenty (20) day time frame begins on the date the obligor's location is verified and/or necessary documentation to process the case is received, whichever date is later. UIFSA petitions are to be sent directly to the Interstate Central Registry of the appropriate state, to the Tribal IV-D program, or to the central authority of the foreign country.</p> <p>E. Provide sufficient and accurate information on appropriate standardized interstate forms with each action referred to enable the responding agency to take action. The Intergovernmental Child Support Enforcement Transmittal form and other standardized interstate forms, as prescribed by the state, shall be used for each intergovernmental action request.</p> <p>F. Request that the responding state include health insurance in all new and modified orders for support.</p> <p>G. Within thirty (30) calendar days of request, provide additional information and any order and payment record information requested by a state IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the requesting office when information will be provided.</p> <p>H. Within ten (10) working days of receipt of new case information, submit information to the CSS office in the responding agency. New information includes case status change or any new information that could assist the other agency in processing the case.</p> <p>I. Instruct the responding agency to close its intergovernmental case and to stop any withholding order or withholding notice that the responding agency has sent to an employer, before transmitting a withholding order or withholding notice, with respect to the same case, to the same or another employer, unless an alternative agreement is reached with the responding agency regarding how to proceed.</p> <p>J. Notify the responding agency within ten (10) working days when a case is closed and the reason for closure.</p>		
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		<p>K. The CSS Unit may provide any documentation, notification, or information through any electronic means, as long as the electronic transaction is appropriately documented in the case record.</p> <p>L. If the initiating agency has closed its case pursuant to Section 6.260.5 and has not notified the responding agency to close its corresponding case, the initiating agency must make a diligent effort to locate the obligee, including use of the Federal Parent Locator Service and the State Parent Locator Service, and accept, distribute, and disburse any payment received from a responding agency.</p>	<p>K. The CSS Unit may provide any documentation, notification, or information through any electronic means, as long as the electronic transaction is appropriately documented in the case record.</p> <p>L. If the initiating agency has closed its case pursuant to Section 6.260.5 and has not notified the responding agency to close its corresponding case, the initiating agency must make a diligent effort to locate the obligee, including use of the Federal Parent Locator Service and the State Parent Locator Service, and accept, distribute, and disburse any payment received from a responding agency.</p>		
6.250.2	Amended rule	<p>6.250.2 RESPONDING STATE/JURISDICTION RESPONSIBILITIES [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] County CSS Units shall ensure management of the interstate CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.</p> <p>A. Ensure that organizational structure and staff are adequate to provide services in intergovernmental CSS cases.</p> <p>B. County CSS Units must initiate any electronic or manual referral from the interstate network within twenty (20) calendar days of the date of referral as found on the ACSES responding interstate recently referred list.</p> <p>C. If the noncustodial parent is located in another county within ten (10) working days of receipt of the intergovernmental case, the case shall be moved to the county of the noncustodial parent's residence unless:</p> <ol style="list-style-type: none"> 1. The county was the open enforcing county prior to the intergovernmental referral; or, 2. The county has registered a foreign order; or, 3. The county is the county of the original order. <p>If the case does need to be moved, the county shall contact the Interstate Network to move the case to the county of the noncustodial parent's residence.</p> <p>D. Within ten (10) working days of locating the noncustodial parent in another state or country, the CSS Unit will notify the initiating state of the new address. At the direction of the initiating agency, the case may be closed or the case may be forwarded to the appropriate Central</p>	<p>6.250.2 RESPONDING STATE/JURISDICTION RESPONSIBILITIES [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] County CSS Units shall ensure management of the interstate CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.</p> <p>A. Ensure that organizational structure and staff are adequate to provide services in intergovernmental CSS cases.</p> <p>B. County CSS Units must initiate any electronic or manual referral from the interstate networkCOLORADO CENTRAL REGISTRY within twenty (20) calendar days of the date of referral as found on the ACSES responding interstate recently referred list.</p> <p>C. If the noncustodial parent is located in another county within ten (10) working days of receipt of the intergovernmental case, the case shall be moved to the county of the noncustodial parent's residence unless:</p> <ol style="list-style-type: none"> 4. The county was the open enforcing county prior to the intergovernmental referral; or, 5. The county has registered a foreign order; or, 6. The county is the county of the original order. <p>If the case does need to be moved, the county shall contact the Interstate NetworkCOLORADO CENTRAL REGISTRY to move the case to the county of the noncustodial parent's residence.</p> <p>D. Within ten (10) working days of locating the noncustodial parent in another state or country, the CSS Unit will notify the initiating state of the new address. At the direction of the initiating agency, the case may be closed or the case</p>	Reference updated to Colorado Central Registry from Interstate Network as changed in 6.002	Removal of unmaintained effective date

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		Registry, to the Tribal IV-D program, or to the central authority of the foreign country in which the noncustodial parent now resides.	may be forwarded to the appropriate Central Registry, to the Tribal IV-D program, or to the central authority of the foreign country in which the noncustodial parent now resides.		
6.250.21	Amended rule	<p>6.250.21 Provide Necessary CSS Services as In state Title IV-D Cases [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] Provide all necessary CSS services as would be provided in instate IV-D cases by:</p> <ul style="list-style-type: none"> A. Establishing paternity and attempting to obtain a judgment for costs if paternity is established; if paternity has been determined by another state, whether it was established through voluntary acknowledgment, administrative process or judicial process, it shall be enforced and otherwise treated in the same manner as an order of this state; B. Establishing child support obligations; C. Establishing an order for either party to provide medical support in all new or modified orders for child support, if not addressed in the original order; D. Processing and enforcing orders referred by another agency, pursuant to the UIFSA or other legal processes; E. Enforcing medical support if there is evidence that health insurance is accessible and available to the obligor at a reasonable cost; F. Collecting and monitoring support payments for the initiating agency and forwarding payments to the location specified by the initiating CSS office within two business days of the Colorado date of receipt; G. If a determination of controlling order has been requested, file the request as defined by Section 14-5-207, C.R.S., with the appropriate tribunal within thirty (30) calendar days of receipt of the request or location of the noncustodial parent, whichever occurs later. Notify the initiating agency, the controlling order state, and any state, country, or Tribe where a support order in the case was issued or registered of the controlling order determination and any reconciled arrearages within thirty (30) calendar days of receipt of the determination from the tribunal. H. Provide timely notice to the CSS office in the initiating agency of any formal hearing regarding establishment or modification of an order. Respond to inquiries regarding intergovernmental case activity within five (5) working 	<p>6.250.21 Provide Necessary CSS Services as In state Title IV-D Cases [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] Provide all necessary CSS services as would be provided in instate IV-D cases by:</p> <ul style="list-style-type: none"> A. Establishing paternityPARENTAGE and attempting to obtain a judgment for costs if paternityPARENTAGE is established; if paternityPARENTAGE has been determined by another state, whether it was established through voluntary acknowledgment, administrative process or judicial process, it shall be enforced and otherwise treated in the same manner as an order of this state; B. Establishing child support obligations; C. Establishing an order for either party to provide medical support in all new or modified orders for child support, if not addressed in the original order; D. Processing and enforcing orders referred by another agency, pursuant to the UIFSA or other legal processes; E. Enforcing medical support if there is evidence that health insurance is accessible and available to the obligor at a reasonable cost; F. Collecting and monitoring support payments for the initiating agency and forwarding payments to the location specified by the initiating CSS office within two business days of the Colorado date of receipt; G. If a determination of controlling order has been requested, file the request as defined by Section 14-5-207, C.R.S., with the appropriate tribunal within thirty (30) calendar days of receipt of the request or location of the noncustodial parent, whichever occurs later. Notify the initiating agency, the controlling order state, and any state, country, or Tribe where a support order in the case was issued or registered of the controlling order determination and any reconciled arrearages within thirty (30) calendar days of receipt of the determination from the tribunal. H. Provide timely notice to the CSS office in the initiating agency of any formal hearing regarding establishment or modification of an order. Respond to inquiries regarding 	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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		<p>days.</p> <p>I. Respond to inquiries regarding intergovernmental case activity within five (5) working days.</p> <p>J. Within ten working days of receipt of new information on a case, submit information to the initiating agency. New information includes case status change or any new information that could assist the other agency in processing the case.</p> <p>K. Notify the initiating state within ten (10) working days of the case closure when a case is closed.</p>	<p>intergovernmental case activity within five (5) working days.</p> <p>I. Respond to inquiries regarding intergovernmental case activity within five (5) working days.</p> <p>J. Within ten working days of receipt of new information on a case, submit information to the initiating agency. New information includes case status change or any new information that could assist the other agency in processing the case.</p> <p>K. Notify the initiating state within ten (10) working days of the case closure when a case is closed.</p>		
6.250.3	Amended rule	<p>6.250.3 PAYMENT AND RECOVERY OF COSTS IN INTERSTATE IV-D CASES [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]</p> <p>The responding agency is responsible for payment of genetic tests for establishing paternity. The responding agency is responsible for attempting to obtain judgment for genetic test costs.</p> <p>The responding agency is responsible for payment of all costs it incurs in the processing of an interstate case.</p> <p>The responding agency may not recover costs from a Foreign Reciprocating Country (FRC) or from a foreign obligee in that FRC, when providing services under Sections 454(32) and 459A of the Social Security Act. The documents are incorporated by reference; no amendments or editions are included. They may be examined during regular business hours at the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any state publications depository library. The Social Security Act is also available on-line at: http://www.ssa.gov/OP_Home/ssact/ssact.htm.</p>	<p>6.250.3 PAYMENT AND RECOVERY OF COSTS IN INTERSTATE IV-D CASES [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]</p> <p>The responding agency is responsible for payment of genetic tests for establishing paternityPARENTAGE. The responding agency is responsible for attempting to obtain judgment for genetic test costs.</p> <p>The responding agency is responsible for payment of all costs it incurs in the processing of an interstate case.</p> <p>The responding agency may not recover costs from a Foreign Reciprocating Country (FRC) or from a foreign obligee in that FRC, when providing services under Sections 454(32) and 459A of the Social Security Act. The documents are incorporated by reference; no amendments or editions are included. They may be examined during regular business hours at the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any state publications depository library. The Social Security Act is also available on-line at: http://www.ssa.gov/OP_Home/ssact/ssact.htm.</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date
6.260.21	Amended rule	<p>6.260.21 Case Record Procedures</p> <p>County CSS Units shall establish procedures to ensure that all appropriate functions and activities related to opening a case record are undertaken and completed within the time frames specified. The time frames begin on the date of referral or acceptance of an application and end when the case is ready for the next appropriate activity, e.g. locate, establishment of paternity establishment of a support order, or enforcement. All activities must be documented on ACSES within five working days.</p>	<p>6.260.21 Case Record Procedures</p> <p>County CSS Units shall establish procedures to ensure that all appropriate functions and activities related to opening a case record are undertaken and completed within the time frames specified. The time frames begin on the date of referral or acceptance of an application and end when the case is ready for the next appropriate activity, e.g. locate, establishment of paternityPARENTAGE, establishment of a support order, or enforcement. All activities must be documented on ACSES within five working days.</p>	Replacement of gendered language with gender-neutral language	

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6.260.22	Amended title only	6.260.22 Opening a Case [Rev. eff. 9/15/12]	6.260.22 Opening a Case [Rev. eff. 9/15/12]	Removal of unmaintained effective date
6.260.23		<p>6.260.23 Maintenance of Records [Rev. eff. 11/1/13]</p> <p>A. For all cases, the Child Support Services Unit shall maintain a case record for each noncustodial or alleged parent which contains all information collected pertaining to the case. Such information shall include, but is not limited to the following:</p> <ol style="list-style-type: none"> 1. A chronological listing of information maintained on the State approved automated child support system. Such information shall include: <ol style="list-style-type: none"> a. Any contacts with the recipient of IV-A, or a Low-Income Child Care Assistance recipient, or foster care placing parent who is required to cooperate with the Child Support Services Unit, the date and reason, and the results of such contact; b. Any contacts with the non-PA or Low-Income Child Care Assistance custodial party for Child Support Services, the date and reason, and the results of such contact; c. Any contacts with the noncustodial parent, the date and reason therefore, and the results of such contact; d. Any contact with any other agency involved in the case. e. Actions taken to establish or modify a support obligation, establish child support debt, establish parentage, or enforce a support obligation, the dates and results; f. Identification of the reason for and date of case closure; and g. Any other significant actions taken regarding the case as deemed necessary for caseload documentation and management. 2. The referral document received from the IV-A or foster care units, or the Application for Child 	<p>6.260.23 Maintenance of Records [Rev. eff. 11/1/13]</p> <p>A. For all cases, the Child Support Services Unit shall maintain an ELECTRONIC OR PHYSICAL case record for each noncustodial or alleged parent which contains all information collected pertaining to the case. Such information shall include, but is not limited to the following:</p> <ol style="list-style-type: none"> 1. A chronological listing of information maintained on the State approved automated child support system. Such information shall include: <ol style="list-style-type: none"> a. Any contacts with the recipient of IV-A, or a Low-Income Child Care Assistance recipient, or foster care placing parent who is required to cooperate with the Child Support Services Unit, the date and reason, and the results of such contact; b. Any contacts with the non-PA or Low-Income Child Care Assistance custodial party for Child Support Services, the date and reason, and the results of such contact; c. Any contacts with the noncustodial parent, the date and reason therefore, and the results of such contact; d. Any contact with any other agency involved in the case. e. Actions taken to establish or modify a support obligation, establish child support debt, establish parentage, or enforce a support obligation, the dates and results; f. Identification of the reason for and date of case closure; and g. Any other significant actions taken regarding the case as deemed necessary for caseload documentation and management. 2. The referral document received from the IV-A or 	<p>Removal of language referring to the Child Care Assistance Program to implement HB22-1295</p> <p>Removal of unmaintained effective date</p> <p>Clarification that case files may be electronic or physical</p>

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

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Child Support Services Division

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		<p>Support Enforcement Services form;</p> <ol style="list-style-type: none"> 3. The written request from the recipient/applicant or the initiating jurisdiction in a responding intergovernmental case to terminate Child Support Services; 4. Information Concerning Noncustodial Parent form, as prescribed by the State Department or similar county created form; 5. A record of efforts to utilize local locate resources and the dates and results of these efforts; 6. A copy of the court or administrative order; 7. A copy of communications to and from the IV-A or the foster care program; 8. A copy of communications to and from the State Department; 9. A copy of communications to and from other Child Support Services Units or agencies; 10. A record of case categories and priorities assigned and reassigned to the case, the date of such determination, and identification of the individual who made the determination; 11. A copy of notices to the noncustodial parent and decisions concerning contested arrears. 12. An accurate and updated automated system ledger, including posting the court ordered Monthly Support Obligation and an accurate arrears balance. <p>B. Child Support Services staff shall change case categories as prescribed by the state immediately on the automated child support system when the case is ready for the next activity in order to provide documentation that the time frames have been met.</p>	<p>foster care units, or the Application for Child Support Enforcement Services form;</p> <ol style="list-style-type: none"> 3. The written request from the recipient/applicant or the initiating jurisdiction in a responding intergovernmental case to terminate Child Support Services; 4. Information Concerning Noncustodial Parent form, as prescribed by the State Department or similar county created form; 5. A record of efforts to utilize local locate resources and the dates and results of these efforts; 6. A copy of the court or administrative order; 7. A copy of communications to and from the IV-A or the foster care program; 8. A copy of communications to and from the State Department; 9. A copy of communications to and from other Child Support Services Units or agencies; 10. A record of case categories and priorities assigned and reassigned to the case, the date of such determination, and identification of the individual who made the determination; 11. A copy of notices to the noncustodial parent and decisions concerning contested arrears. 12. An accurate and updated automated system ledger, including posting the court ordered Monthly Support Obligation and an accurate arrears balance <p>B. Child Support Services staff shall change case categories as prescribed by the state immediately on the automated child support system when the case is ready for the next activity in order to provide documentation that the time frames have been met.</p>		
6.260.31	Amended title only	6.260.31 [Rev. eff. 11/1/13]	6.260.31 [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.260.32		6.260.32 The CSS Unit may utilize a case assessment and category system. Such system shall: A. Include all cases in the system. B. Ensure that no service including location, establishment of paternity, establishment and enforcement of support	6.260.32 The CSS Unit may utilize a case assessment and category system. Such system shall: A. Include all cases in the system. B. Ensure that no service including location, establishment of paternity PARENTAGE, establishment and enforcement	Replacement of gendered language with gender-neutral language	

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		<p>obligation is systematically excluded by the system.</p> <p>C. Provide for notice to the custodial party that the information provided to the CSS Unit, either initially or subsequently, may affect the relative category of the case.</p> <p>D. Provide that case assessment and category setting shall occur only after the intake information has been reviewed for accuracy and completeness and an attempt has been made to obtain the missing information.</p> <p>E. Provide for periodic review of cases and notification to the custodial party in those cases that new information may result in a category change for the case.</p>	<p>of support obligation is systematically excluded by the system.</p> <p>C. Provide for notice to the custodial party that the information provided to the CSS Unit, either initially or subsequently, may affect the relative category of the case.</p> <p>D. Provide that case assessment and category setting shall occur only after the intake information has been reviewed for accuracy and completeness and an attempt has been made to obtain the missing information.</p> <p>E. Provide for periodic review of cases and notification to the custodial party in those cases that new information may result in a category change for the case.</p>				
6.260.51	Amended rule	<p>6.260.51 Notice and Reasons for Closure [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] Unless otherwise noted, case closure requires a sixty (60) day advance notice of closure to the custodial party. For closure reasons that require notice, the Child Support Services Unit must notify the custodial party of the unit's intent to close the case by sending a notice of closure on the form prescribed by the State Department either by paper or electronic notification sixty (60) calendar days prior to closing a public assistance or non-public assistance case. The case must be left open if the custodial party or initiating agency supplies information in response to the notice which could lead to the establishment of paternity or a support order or enforcement of an order. If the case is a responding interstate case, the notice shall be sent to the initiating agency. Responding intergovernmental cases can only be closed using closure reasons "G" or "H" of this section. If the case is a foster care case, the notice of closure is not required because the custodial party (county department) initiated the request for closure based on the child(ren)'s termination from foster care placement. All records of closed cases must be retained for a minimum of three years. All documentation concerning the closure must remain in the case file.</p> <p>Public assistance and non-public assistance, including Low-Income Child Care Assistance, cases may be closed for one or more of the reasons listed below or in Section 6.260.52 or 6.260.53. If the Low-Income Child Care Assistance case is closed, the county CSS Unit must notify the appropriate county Low-Income Child Care Assistance Program.</p> <p>A. There is no longer a current support order and,</p>	<p>6.260.51 Notice and Reasons for Closure [Rev. emergency eff. 4/5/13; permanent eff. 7/1/13] Unless otherwise noted, case closure requires a sixty (60) day advance notice of closure to the custodial party. For closure reasons that require notice, the Child Support Services Unit must notify the custodial party of the unit's intent to close the case by sending a notice of closure on the form prescribed by the State Department either by paper or electronic notification sixty (60) calendar days prior to closing a public assistance or non-public assistance case. The case must be left open if the custodial party or initiating agency supplies information in response to the notice which could lead to the establishment of paternityPARENTAGE or a support order or enforcement of an order. If the case is a responding interstate case, the notice shall be sent to the initiating agency. Responding intergovernmental cases can only be closed using closure reasons "G" or "H" OR "I" of this section. If the case is a foster care case, the notice of closure is not required because the custodial party (county department) initiated the request for closure based on the child(ren)'s termination from foster care placement. All records of closed cases must be retained for a minimum of three years. All documentation concerning the closure must remain in the case file.</p> <p>Public assistance and non-public assistance, including Low-Income Child Care Assistance, cases may be closed for one or more of the reasons listed below or in Section 6.260.52 or 6.260.53. If the Low-Income Child Care Assistance case is closed, the county CSS Unit must notify the appropriate county Low-Income Child Care Assistance Program.</p> <p>A. There is no longer a current support order and,</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295	Correction to closure codes	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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	<p>1. All arrearages in the case are assigned to the state or;</p> <p>2. The arrearages are under \$500.</p> <p>B. The noncustodial parent or putative father is deceased and the death has been verified through sources such as:</p> <ol style="list-style-type: none"> 1. A newspaper obituary; 2. A death certificate; 3. Contact with the funeral home; 4. The custodial party's statement has been recorded in the case record; or, 5. The Social Security Death Index, and no further action, including a levy against the estate, can be taken. <p>C. The Child Support Services Unit determines that parentage cannot be established because:</p> <ol style="list-style-type: none"> 1. The child is at least 18 years old and the action is barred by a statute of limitations; 2. The results of genetic testing have excluded the alleged parent as the father of the child; 3. A court or administrative process has excluded the alleged father; 4. The Child Support Services Unit determines it is not in the best interest of the child to establish paternity in a case involving incest, rape, or in any case where legal proceedings for adoption are pending; 5. The identity of the biological, alleged, putative, or presumed father is unknown and cannot be identified after diligent efforts, including at least one interview by the Child Support Services Unit with the custodial party; or, 6. The child(ren) in the case has had his/her adoption finalized. <p>D. The noncustodial parent's location is unknown and the Child Support Services Unit has made diligent efforts using multiple sources, pursuant to Section 6.500, all of which have been unsuccessful in locating the noncustodial parent:</p> <ol style="list-style-type: none"> 1. Over a two-year period when there is sufficient information to initiate an automated locate effort; or, 2. Over a one-year period when there is not 	<p>1. All arrearages in the case are assigned to the state or;</p> <p>2. The arrearages are under \$500.</p> <p>B. The noncustodial parent or putative fatherPARENT is deceased and the death has been verified through sources such as:</p> <ol style="list-style-type: none"> 1. A newspaper obituary; 2. A death certificate; 3. Contact with the funeral home; 4. The custodial party's statement has been recorded in the case record; or, 5. The Social Security Death Index, and no further action, including a levy against the estate, can be taken. <p>C. The Child Support Services Unit determines that parentage cannot be established because:</p> <ol style="list-style-type: none"> 1. The child is at least 18 years old and the action is barred by a statute of limitations; 2. The results of genetic testing have excluded the alleged parent as the fatherPARENT of the child; 3. A court or administrative process has excluded the alleged fatherPARENT; 4. The Child Support Services Unit determines it is not in the best interest of the child to establish paternityPARENTAGE in a case involving incest, rape, or in any case where legal proceedings for adoption are pending; 5. The identity of the biological, alleged, putative, or presumed fatherPARENT is unknown and cannot be identified after diligent efforts, including at least one interview by the Child Support Services Unit with the custodial party; or, 6. The child(ren) in the case has had his/herTHEIR adoption(S) finalized. <p>D. The noncustodial parent's location is unknown and the Child Support Services Unit has made diligent efforts using multiple sources, pursuant to Section 6.500, all of which have been unsuccessful in locating the noncustodial parent:</p> <ol style="list-style-type: none"> 1. Over a two-year period when there is sufficient information to initiate an automated locate effort; or, 	
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		<p>sufficient information to initiate an automated locate effort. Sufficient information is defined as a name and Social Security Number and/or Individual Tax Identification Number (ITIN).</p> <p>3. After a one-year period when there is sufficient information to initiate an automated locate effort, but locate interfaces are unable to verify a Social Security Number. All cases in the Child Support Services caseload will be transmitted from the state case registry to the federal case registry. One step in the transmission will be to submit the case to the Enumeration Verification System (EVS) which will assist in identifying and verifying a Social Security Number.</p> <p>E. The noncustodial parent cannot pay support for the duration of the child's minority (or the child has reached the age of majority), because the parent has been institutionalized in a psychiatric facility, is incarcerated with no chance for parole, or has a medically verified total and permanent disability with no evidence of support potential above the subsistence level, which is defined as the federal poverty level. The Child Support Services Unit must determine that no income or assets are available to the noncustodial parent which could be levied or attached for support.</p> <p>F. The noncustodial parent's sole income is from Supplemental Security Income (SSI) payments, or both SSI payments and Social Security Disability Insurance (SSDI). This closure criterion does not apply when the parent is receiving only SSDI benefits. Paternity and support must be established in order to use this closure criterion.</p> <p>G. The noncustodial parent is a citizen of, and lives in, a foreign country, and does not work for the United States government or a company which has its headquarters or offices in the United States and the noncustodial parent has no reachable domestic income or assets and the federal office and the state have been unable to establish reciprocity with the foreign country.</p> <p>H. The initiating jurisdiction has requested in writing that the interstate case be closed. The sixty (60) day advance notice of closure is not required for these cases. Any</p>	<p>2. Over a one-year period when there is not sufficient information to initiate an automated locate effort. Sufficient information is defined as a name and Social Security Number and/or Individual Tax Identification Number (ITIN).</p> <p>3. After a one-year period when there is sufficient information to initiate an automated locate effort, but locate interfaces are unable to verify a Social Security Number. All cases in the Child Support Services caseload will be transmitted from the state case registry to the federal case registry. One step in the transmission will be to submit the case to the Enumeration Verification System (EVS) which will assist in identifying and verifying a Social Security Number.</p> <p>E. The noncustodial parent cannot pay support for the duration of the child's minority (or the child has reached the age of majority), because the parent has been institutionalized in a psychiatric facility, is incarcerated with no chance for parole, or has a medically verified total and permanent disability with no evidence of support potential above the subsistence level, which is defined as the federal poverty level. The Child Support Services Unit must determine that no income or assets are available to the noncustodial parent which could be levied or attached for support.</p> <p>F. The noncustodial parent's sole income is from Supplemental Security Income (SSI) payments, or both SSI payments and Social Security Disability Insurance (SSDI). This closure criterion does not apply when the parent is receiving only SSDI benefits. PaternityPARENTAGE and support must be established in order to use this closure criterion.</p> <p>G. The noncustodial parent is a citizen of, and lives in, a foreign country, and does not work for the United States government or a company which has its headquarters or offices in the United States and the noncustodial parent has no reachable domestic income or assets and the federal office and the state have been unable to establish reciprocity with the foreign country.</p> <p>H. The initiating jurisdiction has requested in writing that the interstate case be closed. The sixty (60) day advance</p>		
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		<p>income withholding order must be terminated and the responding case closed within ten (10) working days of the request from the initiating agency unless an alternative agreement is reached with that agency.</p> <p>I. The Child Support Services Unit documents failure by the initiating agency to take action which is essential for the next step in providing services.</p> <p>J. If a case was closed and then subsequently reopened to process child support payments received after case closure, the case should be closed once payment processing is completed. The sixty (60) day advance notice of closure is not required for these cases.</p> <p>K. There has been a change in legal custody in the case.</p> <p>L. The custodial parent is deceased.</p> <p>M. The responding jurisdiction does not have statutory authority to take the next appropriate action in the case.</p> <p>N. Unenforceable as defined in section 6.002.</p>	<p>notice of closure is not required for these cases. Any income withholding order must be terminated and the responding case closed within ten (10) working days of the request from the initiating agency unless an alternative agreement is reached with that agency.</p> <p>I. The Child Support Services Unit documents failure by the initiating agency to take action which is essential for the next step in providing services.</p> <p>J. If a case was closed and then subsequently reopened to process child support payments received after case closure, the case should be closed once payment processing is completed. The sixty (60) day advance notice of closure is not required for these cases.</p> <p>K. There has been a change in legal custody in the case.</p> <p>L. The custodial parent is deceased.</p> <p>M. The responding jurisdiction does not have statutory authority to take the next appropriate action in the case.</p> <p>N. Unenforceable as defined in section 6.002.</p>		
6.260.52	Amended rule	<p>6.260.52 Closure of Non-Public Assistance Cases Non-public assistance, including Low-Income Child Care Assistance, cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60-day advance notice of closure to the custodial party. If a Low-Income Child Care Assistance case is closed the county CSS Unit must notify the appropriate county Low-Income Child Care Assistance Program.</p> <p>A. The Child Support Services Unit is unable to contact the custodial party within a 60 calendar day period despite a good faith effort to contact the recipient through at least two different methods: mail, electronic, or telephone. If contact is reestablished with the custodial party in response to the notice which could lead to the establishment of paternity or support, or enforcement of an order, the case must be kept open. After a notice of case closure has been sent, if the custodial party reports a change in circumstances within the 60 days contained in the advance notice of closure, the case shall remain open.</p> <p>B. The Child Support Services Unit documents non-cooperation of the custodial party and that cooperation of the custodial party is essential for the next step in providing support enforcement services. If a Low-Income Child Care Assistance recipient fails to cooperate, then</p>	<p>6.260.52 Closure of Non-Public Assistance Cases Non-public assistance, including Low-Income Child Care Assistance, cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60-day advance notice of closure to the custodial party. If a Low-Income Child Care Assistance case is closed the county CSS Unit must notify the appropriate county Low-Income Child Care Assistance Program.</p> <p>A. The Child Support Services Unit is unable to contact the custodial party within a 60 calendar day period despite a good faith effort to contact the recipient through at least two different methods: mail, electronic, or telephone. If contact is reestablished with the custodial party in response to the notice which could lead to the establishment of paternityPARENTAGE or support, or enforcement of an order, the case must be kept open. After a notice of case closure has been sent, if the custodial party reports a change in circumstances within the 60 days contained in the advance notice of closure, the case shall remain open.</p> <p>B. The Child Support Services Unit documents non-cooperation of the custodial party and that cooperation of the custodial party is essential for the next step in providing support enforcement services. If a Low-Income Child Care Assistance recipient fails to cooperate, then</p>	Removal of language referring to the Child Care Assistance Program to implement HB22-1295	Replacement of gendered language with gender-neutral language

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		<p>the county CSS Unit shall send the advance notice of closure to the recipient and to the appropriate county Child Care Assistance Program. The notice shall include the basis of the recipient's failure to cooperate and the dates on which it occurred. The applicant requests closure of the case in writing and there are no arrears owed to the State. The 60 day advance notice of closure is not required for these cases.</p> <p>C. The Child Support Services Unit has provided location only services as requested. The 60 day advance notice of closure is not required for these cases.</p> <p>D. The status of the case has changed from non-public assistance to public assistance. The 60 day advance notice is not required for these cases.</p> <p>E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.</p> <p>F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.</p>	<p>the county CSS Unit shall send the advance notice of closure to the recipient and to the appropriate county Child Care Assistance Program. The notice shall include the basis of the recipient's failure to cooperate and the dates on which it occurred. The applicant requests closure of the case in writing and there are no arrears owed to the State. The 60 day advance notice of closure is not required for these cases.</p> <p>C. The Child Support Services Unit has provided location only services as requested. The 60 day advance notice of closure is not required for these cases.</p> <p>D. The status of the case has changed from non-public assistance to public assistance. The 60 day advance notice is not required for these cases.</p> <p>E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.</p> <p>F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.</p>		
6.260.53	Amended rule	<p>6.260.53 Closure of Public Assistance Cases Public assistance cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60 day advance of closure to the custodial party.</p> <p>A. The 60 day advance notice of closure is not required for these cases. There has been a finding by the county director or designated IV-A staff of good cause or other exceptions to cooperation with the Child Support Services Unit and the county has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative.</p> <p>B. The public assistance case has been closed and all possible assigned arrearages have been collected. The Child Support Services Unit is no longer providing services for the current monthly support obligation. The 60 day advance notice of closure is not required for these cases.</p>	<p>6.260.53 Closure of Public Assistance Cases Public assistance cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60 day advance of closure to the custodial party.</p> <p>A. The 60 day advance notice of closure is not required for these cases. There has been a finding by the county director or designated IV-A staff of good cause or other exceptions to cooperation with the Child Support Services Unit and the county has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative.</p> <p>B. The public assistance case has been closed and all possible assigned arrearages have been collected. The Child Support Services Unit is no longer providing services for the current monthly support obligation. The 60 day advance notice of closure is not required for these cases.</p>	Replacement of gendered language with gender-neutral language.	

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		<p>C. The public assistance case has been closed, the obligor owes no public assistance arrearages, and a case has been subsequently opened as a Child Support Services non-public assistance case. The 60 day advance notice of closure is not required for these cases.</p> <p>D. The public assistance case has been closed, there is no order for child support, child support debt, medical coverage, foster care fees, and where, pre 1984, the custodial parent did not request continued child support services (by signing the CSE-34), or post-1984, the obligee requested closure of his/her child support case in writing. The 60 day advance notice of closure is not required.</p> <p>E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.</p> <p>F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.</p>	<p>C. The public assistance case has been closed, the obligor owes no public assistance arrearages, and a case has been subsequently opened as a Child Support Services non-public assistance case. The 60 day advance notice of closure is not required for these cases.</p> <p>D. The public assistance case has been closed, there is no order for child support, child support debt, medical coverage, foster care fees, and where, pre 1984, the custodial parent did not request continued child support services (by signing the CSE-34), or post-1984, the obligee requested closure of his/herTHEIR child support case in writing. The 60 day advance notice of closure is not required.</p> <p>E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.</p> <p>F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.</p>		
6.260.54	Amended title only	6.260.54 Closure of Foster Care Cases [Rev. eff. 10/1/09]	6.260.54 Closure of Foster Care Cases [Rev. eff. 10/1/09]	Removal of unmaintained effective date	
6.260.6	Amended title only	6.260.6 IMAGING [Rev. eff. 4/1/12]	6.260.6 IMAGING [Rev. eff. 4/1/12]	Removal of unmaintained effective date	
6.260.7	Amended rule	<p>6.260.7 EXPEDITED PROCESSES FOR CHILD SUPPORT ESTABLISHMENT AND ENFORCEMENT ACTIONS [Rev. eff. 4/1/12]</p> <p>County child support units must develop, have in effect, and use procedures for all cases which ensure compliance with expedited process requirements. The procedures must include meeting the expedited process time frames for processing CSS actions based upon the following criteria:</p> <p>A. Actions to establish an order for support (and paternity, if not previously established) must be completed from the date of service of process to the time of disposition within the following time frames:</p>	<p>6.260.7 EXPEDITED PROCESSES FOR CHILD SUPPORT ESTABLISHMENT AND ENFORCEMENT ACTIONS [Rev. eff. 4/1/12]</p> <p>County child support units must develop, have in effect, and use procedures for all cases which ensure compliance with expedited process requirements. The procedures must include meeting the expedited process time frames for processing CSS actions based upon the following criteria:</p> <p>A. Actions to establish an order for support (and paternityPARENTAGE, if not previously established) must be completed from the date of service of process to the time of disposition within the following time frames:</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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CDHS Tracking #: 22-09-28-01

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		<p>1. Seventy five percent (75%) in six (6) months; and,</p> <p>2. Ninety percent (90%) in twelve (12) months.</p> <p>B. When an order is established using long arm jurisdiction and disposition occurs within twelve (12) months of service of process on the alleged father or noncustodial parent, the case may be counted as a success within the six-month tier of the expedited process time frame, regardless of when disposition actually occurs within those twelve (12) months.</p>	<p>1. Seventy five percent (75%) in six (6) months; and,</p> <p>2. Ninety percent (90%) in twelve (12) months.</p> <p>B. When an order is established using long arm jurisdiction and disposition occurs within twelve (12) months of service of process on the alleged fatherPARENT or noncustodial parent, the case may be counted as a success within the six-month tier of the expedited process time frame, regardless of when disposition actually occurs within those twelve (12) months.</p>		
6.261	Amended title only	6.261 REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS [Rev. eff. 4/1/13]	6.261 REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.261.1	Amended title only	6.261.1 (NONE) [Rev. eff. 4/1/13]	6.261.1 (NONE) [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.261.2	Amended rule	<p>6.261.2 NOTICE OF RIGHT TO REQUEST REVIEW Both parties or their attorney(s) of record, if any, subject to an order must be notified of their right to request a review.</p> <p>A. The obligee shall receive notification of his/her right to request a review on the Social Services Single Purpose Application (SSSPA), the Child Support Services application for services, and/or on the Administrative Process Orders or Judicial Order forms for cases having a support order established or modified by the Child Support Services Unit. At least every thirty-six (36) months, the obligee or his/her attorney of record shall receive notification of his/her right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligee's personal record and the order date or the notice date is thirty-six months or older.</p> <p>B. The obligor or his/her attorney of record shall receive notification of his/her right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligor's personal record and the order date or the notice date is thirty-six months or older, whichever is later. The right to request notice generated by the Automated Child Support Enforcement System document generation will automatically be documented in chronology. The obligor or his/her attorney of record shall also receive</p>	<p>6.261.2 NOTICE OF RIGHT TO REQUEST REVIEW Both parties or their attorney(s) of record, if any, subject to an order must be notified of their right to request a review.</p> <p>A. The obligee shall receive notification of his/herTHE right to request a review on the Social Services Single Purpose Application (SSSPA), the Child Support Services application for services, and/or on the Administrative Process Orders or Judicial Order forms for cases having a support order established or modified by the Child Support Services Unit. At least every thirty-six (36) months, the obligee or his/herTHE OBLIGEE'S attorney of record shall receive notification of his/herTHE right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligee's personal record and the order date or the notice date is thirty-six (36) months or older.</p> <p>B. The obligor or his/herTHE OBLIGOR'S attorney of record shall receive notification of his/herTHE right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligor's personal record and the order date or the notice date is thirty-six (36) months or older, whichever is later. The right to request notice generated by the Automated Child Support Enforcement System document generation will automatically be</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Addition of a requirement to send a right to request notice to the obligor of the obligor's attorney of record when reinstating foster care fee orders if it has been longer than 6 months</p>	

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		<p>notification on the administrative process orders or judicial order forms for cases having a support order established or modified by the Child Support Services Unit.</p> <p>C. The enforcing county delegate Child Support Services Unit must respond to the Automated Child Support Enforcement System's calendar review message indicating the automatic generation of the right to request review notice of each party or his/her attorney of record. The calendar review alerts the worker when a child(ren) has reached the age of emancipation. Within five (5) business days of receiving the calendar review message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the last or only child on the order, the worker shall mail a right to request review notice to each party or his/her attorney of record.</p> <p>D. The obligee or his/her attorney of record and the obligor or his/her attorney of record shall receive notification of his/her right to request a review via the right to request notice which is automatically generated within 15 business days of when incarceration information is populated as verified indicating incarceration for more than 180 days on the obligor's personal record. The right to request notice generated by the Automated Child Support Enforcement System document generation program will automatically be documented in chronology.</p>	<p>documented in chronology. The obligor or his/herTHE OBLIGOR'S attorney of record shall also receive notification on the administrative process orders or judicial order forms for cases having a support order established or modified by the Child Support Services Unit.</p> <p>C. The enforcing county delegate Child Support Services Unit must respond to the Automated Child Support Enforcement System's calendar review message indicating the automatic generation of the right to request review notice of each party or his/herTHEIR attorney of record. The calendar review alerts the worker when a child(ren) has reached the age of emancipation. Within five (5) business days of receiving the calendar review message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the last or only child on the order, the worker shall mail a right to request review notice to each party or his/herTHEIR attorney of record.</p> <p>D. The obligee or his/herTHE OBLIGEE'S attorney of record and the obligor or his/herTHE OBLIGOR'S attorney of record shall receive notification of his/herTHE right to request a review via the right to request notice which is automatically generated within FIFTEEN (15) business days of when incarceration information is populated as verified indicating incarceration for more than ONE HUNDRED AND EIGHTY (180) days on the obligor's personal record. The right to request notice generated by the Automated Child Support Enforcement System document generation program will automatically be documented in chronology.</p> <p>E. UPON REINSTATEMENT OF A FOSTER CARE FEE ORDER, IF IT HAS BEEN GREATER THAN SIX (6) MONTHS SINCE ENFORCING THE MONTHLY SUPPORT OBLIGATION, THE COUNTY CHILD SUPPORT SERVICES UNIT SHALL NOTIFY THE OBLIGOR OR THE OBLIGOR'S ATTORNEY OF RECORD OF THE RIGHT TO REQUEST A REVIEW BY GENERATING AND MAILING THE RIGHT TO REQUEST NOTICE WITHIN FIVE (5) BUSINESS DAYS OF REINSTATEMENT.</p>	
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6.261.3	Amended title only	6.261.3 CASES SUBJECT TO REVIEW AND ADJUSTMENT [Rev. eff. 4/1/13]	6.261.3 CASES SUBJECT TO REVIEW AND ADJUSTMENT [Rev. eff. 4/1/13]	Removal of unmaintained effective date
6.261.4	Amended rule	<p>6.261.4 CONDUCTING THE REVIEW [Rev. eff. 4/1/13]</p> <p>A. The Child Support Services worker shall send the following documents to the requesting party or his/her attorney of record, except in foster care cases where the requesting party is the county department, at least thirty (30) calendar days prior to commencement of the review:</p> <ol style="list-style-type: none"> 1. The Review Notice; and, 2. At county option, the county may choose to send the Administrative Subpoena to obtain additional income/financial information. The forms generated from the automated child support system document generation will automatically be documented in chronology. <p>B. The Child Support Services worker shall send the following documents to the non-requesting party or his/her attorney of record, except in foster care cases where the non-requesting party is the county department, thirty (30) calendar days prior to commencement of the review. In interjurisdictional cases, a copy shall also be sent to the other agency involved in the case:</p> <ol style="list-style-type: none"> 1. The Review Notice; and, 2. The Income and Expense Affidavit. The forms generated from the automated child support system document generation will automatically be documented in chronology. <p>C. The Child Support Services worker shall conduct the review on or before the thirtieth calendar day following the date the Review Notice is sent to the parties using income information from each party's Income and Expense Affidavit and/or the Department of Labor and Employment records and/or other reliable financial/wage information. The review may be conducted in person at the Child Support Services office, via United States mail, or via an electronic communication method.</p> <p>D. The delegate Child Support Services Unit may grant a continuance of the review for good cause. The continuance shall be for a reasonable period of time and shall not exceed thirty (30) calendar days.</p>	<p>6.261.4 CONDUCTING THE REVIEW [Rev. eff. 4/1/13]</p> <p>A. The Child Support Services worker shall send the following documents to the requesting party or his/herTHEIR attorney of record, except in foster care cases where the requesting party is the county department, at least thirty (30) calendar days prior to commencement of the review:</p> <ol style="list-style-type: none"> 1. The Review Notice; and, 2. At county option, the county may choose to send the Administrative Subpoena to obtain additional income/financial information. The forms generated from the automated child support system document generation will automatically be documented in chronology. <p>B. The Child Support Services worker shall send the following documents to the non-requesting party or his/herTHEIR attorney of record, except in foster care cases where the non-requesting party is the county department, thirty (30) calendar days prior to commencement of the review. In interjurisdictional cases, a copy shall also be sent to the other agency involved in the case:</p> <ol style="list-style-type: none"> 1. The Review Notice; and, 2. The Income and Expense Affidavit. The forms generated from the automated child support system document generation will automatically be documented in chronology. <p>C. The Child Support Services worker shall conduct the review on or before the thirtieth calendar day following the date the Review Notice is sent to the parties using income information from each party's Income and Expense Affidavit and/or the Department of Labor and Employment records and/or other reliable financial/wage information. The review may be conducted in person at the Child Support Services office, via United States mail, or via an electronic communication method.</p> <p>D. The delegate Child Support Services Unit may grant a continuance of the review for good cause. The continuance shall be for a reasonable period of time and shall not exceed thirty (30) calendar days.</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>

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		<p>E. When conducting the review, the Child Support Services worker shall apply the child support guidelines to determine any inconsistencies between the existing child support award amount and the amount resulting from application of the child support guidelines.</p> <p>F. If the non-requesting party or his/her attorney of record fails to provide financial or wage information, the Child Support Services worker shall use income information which is available to the Child Support Services Unit through Colorado Department of Labor and Employment records and/or other verified sources such as the State Parent Locator Service, the Expanded Federal Parent Locator Service, and the State Employment Security Administration. Information from the other party/parent or from a prior review or establishment action may also be used.</p> <p>G. If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following when said information is available: the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.</p> <p>H. In conducting the review, the Child Support Services worker shall examine the existing order to determine if a medical support provision needs to be added or modified.</p>	<p>E. When conducting the review, the Child Support Services worker shall apply the child support guidelines to determine any inconsistencies between the existing child support award amount and the amount resulting from application of the child support guidelines.</p> <p>F. If the non-requesting party or his/herTHEIR attorney of record fails to provide financial or wage information, the Child Support Services worker shall use income information which is available to the Child Support Services Unit through Colorado Department of Labor and Employment records and/or other verified sources such as the State Parent Locator Service, the Expanded Federal Parent Locator Service, and the State Employment Security Administration. Information from the other party/parent or from a prior review or establishment action may also be used.</p> <p>G. If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following when said information is available: the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.</p> <p>H. In conducting the review, the Child Support Services worker shall examine the existing order to determine if a medical support provision needs to be added or modified.</p>		
6.261.5	Amended title only	6.261.5 TERMINATION OF REVIEW [Rev. eff. 4/1/13]	6.261.5 TERMINATION OF REVIEW [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.261.7	Amended	6.261.7 REVIEW RESULTS, NO ADJUSTMENT REQUIRED	6.261.7 REVIEW RESULTS, NO ADJUSTMENT REQUIRED	Replacement	

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	rule	<p>[Rev. eff. 4/1/13] Judicial and Administrative Process Orders: After completion of the review, the child support services worker may determine that there is no adjustment required in the ordered child support amount because the guideline calculation does not indicate at least a ten percent change in the ordered child support amount and/or the provision for medical support is already a part of the order.</p> <p>Within five (5) business days of completing the review, the Child Support Services worker shall provide to each party or his/her attorney of record, including the foster care agency and other child support agencies:</p> <ul style="list-style-type: none"> A. The Post Review Notice stating that a “substantial and continuing change of circumstances” has not been shown but that a party may file his or her own motion to modify with the court. B. The Guideline Calculation Worksheets. C. The forms generated by the automated child support system document generation will automatically be documented in chronology. 	<p>[Rev. eff. 4/1/13] Judicial and Administrative Process Orders: After completion of the review, the child support services worker may determine that there is no adjustment required in the ordered child support amount because the guideline calculation does not indicate at least a ten percent change in the ordered child support amount and/or the provision for medical support is already a part of the order.</p> <p>Within five (5) business days of completing the review, the Child Support Services worker shall provide to each party or his/herTHEIR attorney of record, including the foster care agency and other child support agencies:</p> <ul style="list-style-type: none"> A. The Post Review Notice stating that a “substantial and continuing change of circumstances” has not been shown but that a party may file his or her own motion to modify with the court. B. The Guideline Calculation Worksheets. C. The forms generated by the automated child support system document generation will automatically be documented in chronology. 	<p>of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
6.261.8	Amended rule	<p>6.261.8 REVIEW RESULTS, ADJUSTMENT REQUIRED [Rev. eff. 4/1/13]</p> <ul style="list-style-type: none"> A. Judicial Orders: After completion of the review, the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change in or addition of medical support provision is needed. <ul style="list-style-type: none"> 1. Within five (5) business days of completing the review and determining that an adjustment is required, the Child Support Services worker shall provide to the obligor and obligee or his/her attorney of record and to the other agency involved in interjurisdictional cases: <ul style="list-style-type: none"> a. The Post Review notice; b. The guideline calculation worksheets; c. All supporting financial documentation used to calculate the monthly support obligation; and, d. The order/stipulation. 2. Either party may file a challenge to the review results based on the post review notice or the 	<p>6.261.8 REVIEW RESULTS, ADJUSTMENT REQUIRED [Rev. eff. 4/1/13]</p> <ul style="list-style-type: none"> A. Judicial Orders: After completion of the review, the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change in or addition of medical support provision is needed. <ul style="list-style-type: none"> 1. Within five (5) business days of completing the review and determining that an adjustment is required, the Child Support Services worker shall provide to the obligor and obligee or his/herTHEIR attorney of record and to the other agency involved in interjurisdictional cases: <ul style="list-style-type: none"> a. The Post Review notice; b. The guideline calculation worksheets; c. All supporting financial documentation used to calculate the monthly support obligation; and, d. The order/stipulation. 2. Either party may file a challenge to the review results based on the post review notice or the 	<p>Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments</p> <p>Removal of unmaintained effective date</p>

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		<p>proposed order:</p> <ol style="list-style-type: none">a. The challenge must be received no later than the fifteenth day following the Post Review Notice date.b. The challenge must be in writing.c. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.d. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.e. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipt of the challenge to respond to the challenge.f. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall provide an amended notice of review and a new order/stipulation to the parties.g. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review. <ol style="list-style-type: none">3. Within five (5) business days of determining that a review indicates that a change to the monthly support obligation is appropriate, and the review is not challenged or all challenges have been addressed, the delegate Child Support Services Unit shall file with the court:<ol style="list-style-type: none">a. A Motion to Modify; and,b. The order/stipulation.4. Upon receipt of the order/stipulation from the court, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases. The Child Support	<p>proposed order:</p> <ol style="list-style-type: none">a. The challenge must be received no later than the fifteenth day following the Post Review Notice date.b. The challenge must be in writing.c. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.d. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.e. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipt of the challenge to respond to the challenge.f. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall provide an amended notice of review and a new order/stipulation to the parties.g. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review. <ol style="list-style-type: none">3. Within five (5) business days of determining that a review indicates that a change to the monthly support obligation is appropriate, and the review is not challenged or all challenges have been addressed, the delegate Child Support Services Unit shall file with the court:<ol style="list-style-type: none">a. A Motion to Modify; and,b. The order/stipulation.4. Upon receipt of the order/stipulation from the court, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases. The Child Support		
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		<p>Services worker shall document the automated child support system chronology with this activity.</p> <ol style="list-style-type: none"> 5. Within five (5) business days of determining that a challenge cannot be resolved, the Child Support Services worker shall file with the court: <ol style="list-style-type: none"> a. A Motion to Modify; b. The order/stipulation; c. The Guideline Calculation Worksheets; and, d. Income and Expense Affidavits of the parties. 6. Within eighteen (18) days of determining that a challenge cannot be resolved, the Child Support Services worker shall check for the court's signature on the order; if the court has not signed the order, set a hearing pursuant to local court rules. 7. After a hearing has been set, the Child Support Services worker shall send copies of the notice of hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases and document the automated child support system's chronology with this activity. 8. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(II)(A), C.R.S.: <ol style="list-style-type: none"> a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered; b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires; c. Send a National Medical Support 	<p>Services worker shall document the automated child support system chronology with this activity.</p> <ol style="list-style-type: none"> 5. Within five (5) business days of determining that a challenge cannot be resolved, the Child Support Services worker shall file with the court: <ol style="list-style-type: none"> a. A Motion to Modify; b. The order/stipulation; c. The Guideline Calculation Worksheets; and, D. THE IMPUTING POTENTIAL INCOME CHECKLIST, WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, IF APPLICABLE, E. E. Income and Expense Affidavits of the parties. 6. Within eighteen (18) days of determining that a challenge cannot be resolved, the Child Support Services worker shall check for the court's signature on the order; if the court has not signed the order, set a hearing pursuant to local court rules. 7. After a hearing has been set, the Child Support Services worker shall send copies of the notice of hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases and document the automated child support system's chronology with this activity. 8. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(II)(A), C.R.S.: <ol style="list-style-type: none"> a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered; b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment 	
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		<p>Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>B. Administrative Process Orders: After completion of the review the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change to or an addition of a medical support provision is needed.</p> <ol style="list-style-type: none">1. Within five (5) business days of completing the review and determining that a modification is required, the Child Support Services worker shall provide to the obligor and obligee or his/her attorney of record and to the other agency involved in interjurisdictional cases:<ol style="list-style-type: none">a. The Administrative Process Notice of Financial Responsibility for Modification form, which schedules a negotiation conference fifteen (15) days from the review date,b. The Guideline Calculation Worksheets,c. All supporting financial documentation used to calculate the monthly support obligation; and,d. The Administrative Process Modified Order of Financial Responsibility.2. Either party may file a challenge to the review results based on the Administrative Process Notice of Financial Responsibility for Modification or the Administrative Process Modified Order of Financial Responsibility:<ol style="list-style-type: none">a. The challenge must be received no later than the fifteenth (15th) day	<p>through the state directory of new hires;</p> <p>c. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>B. Administrative Process Orders: After completion of the review the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change to or an addition of a medical support provision is needed.</p> <ol style="list-style-type: none">1. Within five (5) business days of completing the review and determining that a modification is required, the Child Support Services worker shall provide to the obligor and obligee or his/herTHEIR attorney of record and to the other agency involved in interjurisdictional cases:<ol style="list-style-type: none">a. The Administrative Process Notice of Financial Responsibility for Modification form, which schedules a negotiation conference fifteen (15) days from the review date,b. The Guideline Calculation Worksheets,c. All supporting financial documentation used to calculate the monthly support obligation; and,d. The Administrative Process Modified Order of Financial Responsibility.2. Either party may file a challenge to the review results based on the Administrative Process Notice of Financial Responsibility for Modification or the Administrative Process Modified Order of Financial Responsibility:	
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		<p>following the date of the review results or date of the negotiation conference.</p> <ul style="list-style-type: none">b. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.c. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.d. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipts of the challenge to respond to the challenge.e. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall deliver, as defined in 6.002 -definitions, an amended notice of review and a new Notice Of Financial Responsibility For Modification to the parties or their attorney of record and to the other agency involved in interjurisdictional cases. The notice must include a date and time for the negotiation conference.f. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review. <p>3. If the APA-Petitioner and APA-Respondent sign the Administrative Process Modified Order of Financial Responsibility at the negotiation conference or returns it in the mail prior to the negotiation conference date, then the county director or APA certified county CSS staff member signs the Administrative Process Modified Order of Financial Responsibility. The</p>	<ul style="list-style-type: none">a. The challenge must be received no later than the fifteenth (15th) day following the date of the review results or date of the negotiation conference.b. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.c. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.d. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipts of the challenge to respond to the challenge.e. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall deliver, as defined in 6.002 - definitions, an amended notice of review and a new Notice Of Financial Responsibility For Modification to the parties or their attorney of record and to the other agency involved in interjurisdictional cases. The notice must include a date and time for the negotiation conference.f. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review. <p>3. If the APA-Petitioner and APA-Respondent sign the Administrative Process Modified Order of Financial Responsibility at the negotiation conference or returns it in the mail prior to the negotiation conference date, then the county director or APA certified county CSS staff member signs the Administrative Process</p>	
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Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

Office, Division, & Program:
Office of Economic Security,
Child Support Services Division

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		<p>Child Support Services worker shall, within five (5) business days, file with the court:</p> <ol style="list-style-type: none">a. The Administrative Process Notice of Financial Responsibility for Modification;b. Income and Expense Affidavits of the parties;c. The Guideline Calculation Worksheets; and,d. The Imputing Potential Income Checklist and affidavit, If any, and,e. The Administrative Process Modified Order of Financial Responsibility. <p>4. The Administrative Process Modified Order of Financial Responsibility shall also be provided to the parties and to the other agency involved in interjurisdictional cases on the same date it is filed with the court.</p> <p>5. If the APA-Petitioner and APA-Respondent does not sign and return the Administrative Process Modified Order of Financial Responsibility, but:</p> <ol style="list-style-type: none">a. A party appears at the negotiation conference and does not agree, the Child Support Services worker within five (5) business days shall file with the court:<ol style="list-style-type: none">1) The Administrative Process Notice of Financial Responsibility for Modification;2) The Guideline Calculation Worksheet;3) The Imputing Potential Income Checklist and affidavit, if any;4) The delegate Child Support Services Unit's request for court hearing; and,5) Income and Expense Affidavits of the parties. After a hearing is set, the Child Support Services	<p>Modified Order of Financial Responsibility. The Child Support Services worker shall, within five (5) business days, file with the court:</p> <ol style="list-style-type: none">a. The Administrative Process Notice of Financial Responsibility for Modification;b. Income and Expense Affidavits of the parties;c. The Guideline Calculation Worksheets; and,d. The Imputing Potential Income Checklist, and affidavit WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, If any APPLICABLE, and,e. The Administrative Process Modified Order of Financial Responsibility. <p>4. The Administrative Process Modified Order of Financial Responsibility shall also be provided to the parties and to the other agency involved in interjurisdictional cases on the same date it is filed with the court.</p> <p>5. If the APA-Petitioner and APA-Respondent does not sign and return the Administrative Process Modified Order of Financial Responsibility, but:</p> <ol style="list-style-type: none">a. A party appears at the negotiation conference and does not agree, the Child Support Services worker within five (5) business days shall file with the court:<ol style="list-style-type: none">1) The Administrative Process Notice of Financial Responsibility for Modification;2) The Guideline Calculation Worksheet;3) The Imputing Potential Income Checklist and affidavit, if any;4) The delegate Child Support Services Unit's request for court hearing; and,5) Income and Expense Affidavits of the parties. After a hearing is set, the Child	
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		<p>worker shall file a Notice of Hearing with the court and send copies of the Notice of Hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.</p> <p>b. If the APA-Petitioner and the APA-Respondent does not appear at the negotiation conference, the Child Support Services worker, within five (5) business days shall file with the court:</p> <ol style="list-style-type: none">1) The Administrative Process Notice of Financial Responsibility for Modification;2) Income and Expense Affidavits of the parties;3) The Guideline Calculation Worksheets;4) The Affidavit of Non-Appearance for modification; and,5) The Administrative Process Default Order of Financial Responsibility (modified). <p>c. Upon receipt of a copy of the default order with signed approval by the judge or magistrate, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.</p> <p>d. The Child Support Services worker shall document this activity on the automated child support system.</p> <p>6. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of the good cause criteria specified in Section 14-</p>	<p>Support Services worker shall file a Notice of Hearing with the court and send copies of the Notice of Hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.</p> <p>b. If the APA-Petitioner and the APA-Respondent does not appear at the negotiation conference, the Child Support Services worker, within five (5) business days shall file with the court:</p> <ol style="list-style-type: none">1) The Administrative Process Notice of Financial Responsibility for Modification;2) Income and Expense Affidavits of the parties;3) The Guideline Calculation Worksheets;4) The Affidavit of Non-Appearance for modification; and,5) The Administrative Process Default Order of Financial Responsibility (modified). <p>c. Upon receipt of a copy of the default order with signed approval by the judge or magistrate, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.</p> <p>d. The Child Support Services worker shall document this activity on the automated child support system.</p> <p>6. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of</p>		
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		14-111.5(3)(a)(II)(A), C.R.S.: a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered; b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires, c. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.	14-111.5(3)(a)(II)(A), C.R.S.: a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered; b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires, c. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.		
6.270	Amended title only	6.270 CHILD SUPPORT SERVICES PROGRAM PLAN [Rev. eff. 3/1/12]	6.270 CHILD SUPPORT SERVICES PROGRAM PLAN [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.270.3	Amended title only	6.270.3 [Rev. eff. 3/1/12]	6.270.3 [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.280	Amended title only	6.280 REPORTING [Rev. eff. 3/1/12]	6.280 REPORTING [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.300	Amended title only	6.300 (None) [Rev. eff. 3/1/12]	6.300 (None) [Rev. eff. 3/1/12]	Removal of unmaintained effective date	
6.400	Amended rule	6.400 INTAKE [Rev. eff. 11/1/13] County Child Support Services Units shall establish procedures to ensure that all activities regarding intake are undertaken and completed within the time frames, along with appropriate and specified functions pursuant to Section 6.260.22. The time frames begin when the application or referral is received and end when	6.400 INTAKE [Rev. eff. 11/1/13] County Child Support Services Units shall establish procedures to ensure that all activities regarding intake are undertaken and completed within the time frames, along with appropriate and specified functions pursuant to Section 6.260.22. The time frames begin when the application or referral is received and end when	Replacement of gendered language with gender-neutral language	

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		the case is ready for the next appropriate activity, e.g., locate, paternity establishment, establishment of a support order, or enforcement. All activities must be documented on the automated child support system.	the case is ready for the next appropriate activity, e.g., locate, paternity PARENTAGE establishment, establishment of a support order, or enforcement. All activities must be documented on the automated child support system.	Removal of unmaintained effective date	
6.400.1	Amended title only	6.400.1 INTAKE FUNCTIONS [Rev. eff. 11/1/13]	6.400.1 INTAKE FUNCTIONS [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.500	Amended rule	6.500 LOCATE [Rev. eff. 11/1/13] Attempts to determine the physical whereabouts of noncustodial parents, placing parents, or the noncustodial or placing parents' employer(s), other sources of income or assets, as appropriate, for paternity establishment, establishment or modification of a child support order or enforcement of an order are a required service of the Child Support Services program. Locate activity is provided for all cases.	6.500 LOCATE [Rev. eff. 11/1/13] Attempts to determine the physical whereabouts of noncustodial parents, placing parents, or the noncustodial or placing parents' employer(s), other sources of income or assets, as appropriate, for paternity PARENTAGE establishment, establishment or modification of a child support order or enforcement of an order are a required service of the Child Support Services program. Locate activity is provided for all cases.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.501	Amended rule	6.501 LOCATE PROCEDURES [Rev. eff. 11/1/13] County Child Support Services Units shall establish procedures to ensure that all appropriate locate activities are undertaken and completed within the time frames specified. The time frames begin when it is determined that location of the noncustodial or placing parent is necessary and end when the noncustodial or placing parent is located and the case is ready for the next appropriate activity, e.g. establishment of paternity, establishment or modification of a support order or foster care fee order, or enforcement. All locate activities must be documented by source (Division of Motor Vehicles, Department of Labor and Employment, no hit, etc.) on the automated child support system.	6.501 LOCATE PROCEDURES [Rev. eff. 11/1/13] County Child Support Services Units shall establish procedures to ensure that all appropriate locate activities are undertaken and completed within the time frames specified. The time frames begin when it is determined that location of the noncustodial or placing parent is necessary and end when the noncustodial or placing parent is located and the case is ready for the next appropriate activity, e.g. establishment of paternity PARENTAGE, establishment or modification of a support order or foster care fee order, or enforcement. All locate activities must be documented by source (Division of Motor Vehicles, Department of Labor and Employment, no hit, etc.) on the automated child support system.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.502	Amended title only	6.502 LOCATE FUNCTIONS [Rev. eff. 11/1/13]	6.502 LOCATE FUNCTIONS [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.502.1	Amended title only	6.502.1 [Rev. eff. 11/1/13]	6.502.1 [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.502.2	Amended title only	6.502.2 [Rev. eff. 11/1/13]	6.502.2 [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.503	Amended title only	6.503 LOCATION IN INTERGOVERNMENTAL CASES [Rev. eff. 11/1/13]	6.503 LOCATION IN INTERGOVERNMENTAL CASES [Rev. eff. 11/1/13]	Removal of unmaintained effective date	
6.504	Amended title only	6.504 REPEATED LOCATION ATTEMPTS [Rev. eff. 3/1/12]	6.504 REPEATED LOCATION ATTEMPTS [Rev. eff. 3/1/12]	Removal of unmaintained	

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				effective date	
6.600	Amended title only	6.600 ESTABLISHMENT OF PATERNITY [Rev. eff. 4/1/13]	6.600 ESTABLISHMENT OF PATERNITY [Rev. eff. 4/1/13]PARENTAGE	Removal of unmaintained effective date Replacement of gendered language with gender-neutral language	
6.600.1	Amended rule	6.600.1 STATUTE OF LIMITATIONS [Rev. eff. 4/1/13] In a IV-D case involving a child for whom parentage has not been legally established, the Child Support Services Unit shall attempt to establish the paternity of such child if the action can be brought prior to the child's eighteenth birthday: A. Unless a good cause exemption on a mandatory referral to the Child Support Services Unit has been determined by the county director or designated staff. B. If the statute of limitations in effect at the time of the child's birth was less than eighteen years, the county Child Support Services Unit may bring an action on behalf of the child at any time prior to the child's twenty-first birthday. C. An action brought solely to establish paternity is not a CSS function.	6.600.1 STATUTE OF LIMITATIONS [Rev. eff. 4/1/13] In a IV-D case involving a child for whom parentage has not been legally established, the Child Support Services Unit shall attempt to establish the paternity PARENTAGE of such child if the action can be brought prior to the child's eighteenth birthday: A. Unless a good cause exemption on a mandatory referral to the Child Support Services Unit has been determined by the county director or designated staff. B. If the statute of limitations in effect at the time of the child's birth was less than eighteen years, the county Child Support Services Unit may bring an action on behalf of the child at any time prior to the child's twenty-first birthday. C. An action brought solely to establish paternity PARENTAGE is not a CSS function.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.601	Amended rule	6.601 PATERNITY ESTABLISHMENT TIME FRAMES [Rev. eff. 4/1/13] County Child Support Services Units shall establish procedures to ensure that all appropriate paternity establishment activities are undertaken and completed within the timeframes specified. In judicial cases the timeframes begin when the alleged or presumed father is located. For APA cases, it begins when the APA-Respondent is located and ends when paternity and a support obligation are established or the alleged or presumed father is excluded. All paternity establishment activities must be documented on the automated child support system. A. Within ninety (90) calendar days of locating the alleged father or when the APA-Respondent is located, the Child Support Services Unit must: 1. Document unsuccessful attempts to serve process, or, 2. Complete service of process, establish	6.601 PATERNITYPARENTAGE ESTABLISHMENT TIME FRAMES [Rev. eff. 4/1/13] County Child Support Services Units shall establish procedures to ensure that all appropriate paternity PARENTAGE establishment activities are undertaken and completed within the timeframes specified. In judicial cases the timeframes begin when the alleged or presumed father PARENT is located. For APA cases, it begins when the APA-Respondent is located and ends when paternity PARENTAGE and a support obligation are established or the alleged or presumed father PARENT is excluded. All paternity PARENTAGE establishment activities must be documented on the automated child support system. A. Within ninety (90) calendar days of locating the alleged father PARENT or when the APA-Respondent is located, the Child Support Services Unit must: 1. Document unsuccessful attempts to serve process, or,	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	

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		<p>paternity, and establish an order for support.</p> <p>B. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.</p>	<p>2. Complete service of process, establish paternityPARENTAGE, and establish an order for support.</p> <p>B. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.</p>		
6.601.1	Amended title only	6.601.1 GOOD CAUSE [Rev. eff. 4/1/13]	6.601.1 GOOD CAUSE [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.602	Amended rule	<p>6.602 DETERMINATION OF PATERNITY STATUS [REV. EFF. 4/1/13]</p> <p>A. Before initiating a judicial or APA case, the CSS shall conduct paternity and order research to determine if paternity of the child has been established by a judicial or APA order or determined pursuant to the laws of another state.</p> <p>B. For all Colorado births, the CSS shall research the Colorado Vital Information System (COVIS) to determine if a father's name is listed on the child's birth certificate and the method/grounds used to list a father, if any. The CSS shall determine if, for any listed father:</p> <ol style="list-style-type: none"> 1. A presumption of paternity based on marriage or a civil union exists, 2. A court or APA order establishing paternity exists, or 3. A voluntary acknowledgment of paternity has been filed. <p>C. The CSS shall examine the child's birth certificate, if obtained and the COVIS record for the parents and child to determine if the parents' names are listed on the certificate according to law. If not, the CSS shall notify Colorado vital records of any inconsistency or error and take other appropriate actions to correct the error or omission.</p>	<p>6.602 DETERMINATION OF PATERNITYPARENTAGE STATUS [REV. EFF. 4/1/13]</p> <p>A. Before initiating a judicial or APA case, the CSS shall conduct paternityPARENTAGE and order research to determine if paternityPARENTAGE of the child has been established by a judicial or APA order or determined pursuant to the laws of COLORADO OR another state.</p> <p>B. For all Colorado births, the CSS UNIT shall research the Colorado Vital Information System (COVIS) to determine if THEa father'sPARENTS' nameS isARE listed on the child's birth certificate and the method/grounds used to list a fatherNON-BIRTHING PARENT, if any. The CSS shall determine if, for any listed fatherNON-BIRTHING PARENT:</p> <ol style="list-style-type: none"> 1. A presumption of paternityPARENTAGE based on marriage or a civil union exists, 2. A court or APA order establishing paternityPARENTAGE exists, or 3. A voluntary acknowledgment of paternityPARENTAGE has been filed. <p>C. The CSS UNIT shall examine the child's birth certificate, if obtained and the COVIS record for the parents and child to determine if the parents' names are listed on the certificate according to law. If not, the CSS shall notify Colorado vital records of any inconsistency or error and take other appropriate actions to correct the error or omission.</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
6.602.1	Amended rule	<p>6.602.1 ESTABLISHMENT OF PATERNITY</p> <p>A. If paternity has not been established or determined for the child, the CSS shall pursue the establishment of paternity.</p>	<p>6.602.1 ESTABLISHMENT OF PATERNITYPARENTAGE</p> <p>A. If paternityPARENTAGE has not been established or determined for the child, the CSS UNIT shall pursue the establishment of paternityPARENTAGE.</p>	Replacement of gendered language with gender-neutral	

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		B. If paternity has been established or determined for the child, the CSS shall not pursue the establishment of paternity but shall pursue the establishment of child support actions as appropriate.	B. If paternity PARENTAGE has been established or determined for the child, the CSS UNIT shall not pursue the establishment of paternity PARENTAGE but shall pursue the establishment of child support actions as appropriate.	language	
6.602.2	Amended rule	6.602.2 PRESUMPTION OF PATERNITY A. The CSS shall determine if a presumption of paternity exists pursuant to §19-4-105, C.R.S. or 14- 15-101, et seq., C.R.S. as to one or more alleged or presumed fathers of the child. B. The CSS shall use the judicial process only to establish paternity if multiple alleged/presumed fathers of a child exist.	6.602.2 PRESUMPTION OF PATERNITYPARENTAGE A. The CSS UNIT shall determine if a presumption of paternity PARENTAGE exists pursuant to § SECTION 19-4-105, C.R.S. or 14-15-101, et seq., C.R.S. as to one or more alleged or presumed fathers PARENTS of the child. B. The CSS UNIT shall ONLY use the judicial process only to establish paternity PARENTAGE if multiple alleged/presumed fathers BIRTHING PARENTS OR MULTIPLE ALLEGED/PRESUMED NON-BIRTHING PARENTS of a child exist.	Replacement of gendered language with gender-neutral language	
6.603	Amended rule	6.603 VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY [Rev. eff. 4/1/13] County Child Support Services Units shall provide all parents who are applying for services with or are referred to the Child Support Services Unit with the opportunity to voluntarily acknowledge paternity at the Child Support Services office. The Child Support Services Unit shall provide to parents the voluntary acknowledgment form prescribed and furnished by the state registrar and oral and written state prescribed standardized notices stating the alternatives to, the legal consequences of, and the rights and responsibilities that arise from signing the acknowledgment. Either the Child Support Services Unit or a party of the case shall forward the completed acknowledgement of paternity form to the Department of Public Health and Environment, the Division of Health Statistics and Vital Records, according to the instructions provided on the form.	6.603 VOLUNTARY ACKNOWLEDGEMENT OF PATERNITYPARENTAGE [Rev. eff. 4/1/13] County Child Support Services Units shall provide all parents who are applying for services with or are referred to the Child Support Services Unit with the opportunity to voluntarily acknowledge paternity PARENTAGE at the Child Support Services office. The Child Support Services Unit shall provide to parents the voluntary acknowledgment form prescribed and furnished by the state registrar and oral and written state prescribed standardized notices stating the alternatives to, the legal consequences of, and the rights and responsibilities that arise from signing the acknowledgment. Either the Child Support Services Unit or a party of the case shall forward the completed acknowledgement of paternity PARENTAGE form to the Department of Public Health and Environment, the Division of Health Statistics and Vital Records, according to the instructions provided on the form.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.603.1	Amended rule	6.603.1 RESCISSION OF A VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY [Rev. eff. 4/1/13] A. A signed voluntary paternity acknowledgment is considered a legal finding of paternity, subject to the right of either party who signed the acknowledgment to rescind the acknowledgment within the earlier of: 1. Sixty (60) calendar days from the date signed; or, 2. The date of a prior administrative or judicial proceeding relating to the child in which the person who signed the paternity	6.603.1 RESCISSION AND CONTEST OF A VOLUNTARY ACKNOWLEDGEMENT OF PATERNITYPARENTAGE [Rev. eff. 4/1/13] A. A signed voluntary paternity PARENTAGE acknowledgment is considered a legal finding of paternity PARENTAGE, subject to the right of either party who signed the acknowledgment to rescind the acknowledgment within the earlier of: 1. Sixty (60) calendar days from the date signed; or, 2. The date of a prior administrative or judicial	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	

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	<p>acknowledgment is a party.</p> <p>B. When a party in a IV-D case notifies the Child Support Services Unit of his/her desire to rescind his/her signature on a voluntary acknowledgement of paternity or to contest paternity based on a voluntary acknowledgement of paternity and the voluntary acknowledgement of paternity was filed with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, and paternity has not been established by or pursuant to the laws of another state, the Child Support Services Unit shall, through administrative process, if appropriate, pursue the establishment of paternity and support and order genetic testing.</p> <ol style="list-style-type: none">1. If the results of the genetic testing establish a threshold of probability of paternity of ninety-seven percent (97%) or higher and the party continues to contest paternity, the Child Support Services Unit shall proceed with administrative process procedures to establish a temporary support order and request a court hearing to obtain a court finding and order.2. If the results of the genetic testing establish a threshold of probability of paternity of ninety-seven percent (97%) or higher and the party does not continue to contest paternity, the Child Support Services Unit shall proceed with administrative process procedures to establish an appropriate administrative process paternity and support order.3. If the results of the genetic testing do not establish a threshold of probability of paternity of at least ninety-seven percent (97%), the Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law, including filing a request for court hearing.4. If the court finds that the parent who signed the voluntary acknowledgment of paternity is not the legal father of the child and orders that such parent's name be removed from that child's birth certificate, the Child Support Services Unit shall notify the Department of Public Health and	<p>proceeding relating to the child in which the person who signed the paternityPARENTAGE acknowledgment is a party.</p> <p>B. When a party in a IV-D case notifies the Child Support Services Unit of his/herTHEIR desire to rescind his/herTHEIR signature on a voluntary acknowledgement of paternityPARENTAGE or to contest paternityPARENTAGE based on a voluntary acknowledgement of paternityPARENTAGE and the voluntary acknowledgement of paternityPARENTAGE was filed with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, and paternityPARENTAGE has not been established by or pursuant to the laws of COLORADO OR another state, the Child Support Services Unit shall, through administrative process, if appropriate, pursue the establishment of paternityPARENTAGE and support and order genetic testing.</p> <ol style="list-style-type: none">1. If the results of the genetic testing establish a threshold of probability of paternityPARENTAGE of ninety-seven percent (97%) or higher and the party continues to contest paternityPARENTAGE, the Child Support Services Unit shall proceed with administrative process procedures to establish a temporary support order and request a court hearing to obtain a court finding and order.2. If the results of the genetic testing establish a threshold of probability of paternityPARENTAGE of ninety-seven percent (97%) or higher and the party does not continue to contest paternityPARENTAGE, the Child Support Services Unit shall proceed with administrative process procedures to establish an appropriate administrative process paternityPARENTAGE and support order.3. If the results of the genetic testing do not establish a threshold of probability of paternityPARENTAGE of at least ninety-seven percent (97%), the Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law, including filing a request for court hearing.	
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		<p>Environment, Division of Health Statistics and Vital Records, and request that they remove the party's name from the child's birth certificate. The notification shall be either a certified copy of the court order or a modified report of paternity determination, as prescribed by the Division of Health Statistics and Vital Records.</p>	<p>4. If the court finds that the parent who signed the voluntary acknowledgment of paternityPARENTAGE is not the legal father PARENT of the child and orders that such parent's name be removed from that child's birth certificate, the Child Support Services Unit shall notify the Department of Public Health and Environment, Division of Health Statistics and Vital Records, and request that they remove the party's name from the child's birth certificate. The notification shall be either a certified copy of the court order or a modified report of paternity determination, as prescribed by the Division of Health Statistics and Vital Records.</p>		
6.603.2	Amended rule	<p>6.603.2 CONTESTING PATERNITY ESTABLISHED BY A VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY [Rev. eff. 4/1/13]</p> <p>A. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind his/her signature on or contests paternity established by a voluntary acknowledgement of paternity and there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, the party shall be advised to contact the court for resolution.</p> <p>B. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind his/her signature on or contests paternity established by a voluntary acknowledgement of paternity and there has been no prior administrative process or judicial proceeding involving the party concerning the paternity or support of the child, and the current proceeding is being conducted through an administrative process action and it has been sixty or more calendar days since the acknowledgment was signed and the father's name is on the child(ren)'s birth certificate, and paternity has not been established by or pursuant to the laws of another state, the Child Support Services Unit shall:</p> <ol style="list-style-type: none"> 1. Enter an administrative process order for genetic testing, then 2. Establish an administrative process temporary order of financial responsibility and request a court hearing to obtain a permanent court 	<p>6.603.2 CONTESTING PATERNITYPARENTAGE ESTABLISHED BY A VOLUNTARY ACKNOWLEDGEMENT OF PATERNITYPARENTAGE [Rev. eff. 4/1/13]</p> <p>A. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind his/herTHEIR signature on or contests paternityPARENTAGE established by a voluntary acknowledgement of paternityPARENTAGE and there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, the party shall be advised to contact the court for resolution.</p> <p>B. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind his/herTHEIR signature on or contests paternityPARENTAGE established by a voluntary acknowledgement of paternityPARENTAGE and there has been no prior administrative process or judicial proceeding involving the party concerning the paternityPARENTAGE or support of the child, and the current proceeding is being conducted through an administrative process action and it has been sixty or more calendar days since the acknowledgment was signed and the father'sPARENT'S name is on the child(ren)'s birth certificate, and paternityPARENTAGE has not been established by or pursuant to the laws of COLORADO OR another state, the Child Support Services Unit shall:</p> <ol style="list-style-type: none"> 1. Enter an administrative process order for genetic 	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		<p>finding and order if the genetic testing results show a ninety seven percent (97%) or greater probability of parentage and the party continues to contest paternity, or</p> <p>3. If the genetic testing results show a less than ninety-seven percent (97%) probability of parentage, the county Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law.</p> <p>C. If the party withdraws his/her contest of paternity at any time, even after genetic testing has been done and the father's name is on the child's birth certificate, the delegate Child Support Services Unit shall enter the appropriate administrative process order if the genetic testing results do show a ninety-seven percent (97%) or greater probability of paternity.</p>	<p>testing, then</p> <p>2. Establish an administrative process temporary order of financial responsibility and request a court hearing to obtain a permanent court finding and order if the genetic testing results show a ninety seven percent (97%) or greater probability of parentage and the party continues to contest paternityPARENTAGE, or</p> <p>3. If the genetic testing results show a less than ninety-seven percent (97%) probability of parentage, the county Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law.</p> <p>C. If the party withdraws his/herTHEIR contest of paternityPARENTAGE at any time, even after genetic testing has been done and the father'sPARENT'S name is on the child's birth certificate, the delegate Child Support Services Unit shall enter the appropriate administrative process order if the genetic testing results do show a ninety-seven percent (97%) or greater probability of paternityPARENTAGE.</p>		
6.604	Amended rule	<p>6.604 CONTESTING PATERNITY BASED ON OTHER PRESUMPTIONS OF PATERNITY [Rev. eff. 4/1/13] Whether or not a father's name is listed on a child's birth certificate, if one or more presumptions of paternity of a child exist pursuant to Section 19-4-105, C.R.S., including the execution of a voluntary acknowledgment of paternity for one or more possible fathers, the delegate Child Support Services Unit shall pursue the establishment of paternity and support for that child judicially and all alleged and/or presumed fathers shall be joined as parties in the case, if possible, pursuant to Section 19-4-110, C.R.S.</p> <p>However, if child support or paternity has already been established against a father by an administrative or judicial order or paternity has been established pursuant to the laws of another state, a support only order shall be pursued against such father.</p>	<p>6.604 CONTESTING PATERNITYPARENTAGE BASED ON OTHER PRESUMPTIONS OF PATERNITYPARENTAGE [Rev. eff. 4/1/13] Whether or not a father'sPARENT'S name is listed on a child's birth certificate, if one or more presumptions of paternityPARENTAGE of a child exist pursuant to Section 19-4-105, C.R.S., including the execution of a voluntary acknowledgment of paternityPARENTAGE for one or more possible fathersBIRTHING PARENTS OR ONE OR MORE POSSIBLE NON-BIRTHING PARENTS, the delegate Child Support Services Unit shall pursue the establishment of paternityPARENTAGE and support for that child judicially and all alleged and/or presumed fathersPARENTS shall be joined as parties in the case, if possible, pursuant to Section 19-4-110, C.R.S.</p> <p>However, if child support or paternityPARENTAGE has already been established against a fatherPARENT by an administrative or judicial order or paternityPARENTAGE has been established pursuant to the laws of another state, a support only order shall be pursued against such fatherPARENT.</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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6.604.1	Amended rule	<p>6.604.1 CONTESTING PATERNITY – NO IV-D CASE [Rev. eff. 4/1/13] Parties who do not have a IV-D case and request the Child Support Services Unit to assist them in rescinding a voluntary acknowledgment of paternity, and it has been less than sixty (60) days since the voluntary acknowledgment of paternity was signed, and there has been no prior administrative process or judicial proceeding involving the party concerning the support of the child, shall be advised that he or she may apply for full child support services, or he or she may contact the court for assistance. If it has been more than sixty (60) days since the voluntary acknowledgment of paternity was signed, or there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, or he or she wants to disestablish paternity, he or she shall be referred to the court.</p>	<p>6.604.1 CONTESTING PATERNITY PARENTAGE – NON IV-D CASE [Rev. eff. 4/1/13] Parties who do not have a IV-D case and request the Child Support Services Unit to assist them in rescinding a voluntary acknowledgment of paternityPARENTAGE, and it has been less than sixty (60) days since the voluntary acknowledgment of paternityPARENTAGE was signed, and there has been no prior administrative process or judicial proceeding involving the party concerning the support of the child, shall be advised that he or sheTHEY may apply for full child support services, or he or she may contact the court for assistance. If it has been more than sixty (60) days since the voluntary acknowledgment of paternityPARENTAGE was signed, or there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, or he or sheTHE PARTY wants to disestablish paternityPARENTAGE, he or sheTHE PARTY shall be referred to the court.</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
6.605	Amended rule	<p>6.605 GENETIC TESTING [Rev. eff. 4/1/13]</p> <p>A. County Child Support Services Units shall require that the child and all other parties in a contested paternity case submit to genetic testing, upon the request of any party, except in cases:</p> <ol style="list-style-type: none"> 1. Where good cause has been determined; or, 2. Where paternity has been determined by or pursuant to the laws of another state; or, 3. Where paternity has been established by a Colorado administrative process or judicial order. <p>B. The parties are required to use the genetic testing laboratory designated by the Child Support Services Unit.</p> <p>C. Counties, or the state Division of Child Support Services on behalf of counties, shall competitively procure, according to county or state procedures, services from genetic testing laboratories which have been accredited. The state Division of Child Support Services shall provide a list of genetic testing laboratories which have been accredited to the county Child Support Services Units. Genetic testing laboratories procured by the counties must perform, at reasonable cost, legally and medically acceptable genetic tests to identify the father or exclude the alleged father. Proof of competitive procurement may be requested by the Colorado</p>	<p>6.605 GENETIC TESTING [Rev. eff. 4/1/13]</p> <p>A. County Child Support Services Units shall require that the child and all other parties in a contested paternityPARENTAGE case submit to genetic testing, upon the request of any party, except in cases:</p> <ol style="list-style-type: none"> 1. Where good cause has been determined; or, 2. Where paternityPARENTAGE has been determined by or pursuant to the laws of another state; or, 3. Where paternityPARENTAGE has been established by a Colorado administrative process or judicial order. <p>B. The parties are required to use the genetic testing laboratory designated by the Child Support Services Unit.</p> <p>C. Counties, or the state Division of Child Support Services on behalf of counties, shall competitively procure, according to county or state procedures, services from genetic testing laboratories which have been accredited. The state Division of Child Support Services shall provide a list of genetic testing laboratories which have been accredited to the county Child Support Services Units. Genetic testing laboratories procured by the counties must perform, at reasonable cost, legally and medically acceptable genetic tests to identify the fatherPARENT or exclude the alleged fatherPARENT. Proof of competitive procurement may be requested by the Colorado</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		<p>Department of Human Services at any time.</p> <p>D. County Child Support Services Units shall pay the costs of the genetic testing for all parties for instate cases, including long-arm paternity establishment. For interstate cases, the responding state is responsible for the genetic testing costs, as stated in Section 6.605.2.</p> <p>E. Genetic testing services may only be provided on open IV-D cases.</p> <p>F. If genetic testing results excluding the alleged father are obtained in an APA case, the results, notice of filing and genetic testing sample collection forms shall be filed:</p> <ol style="list-style-type: none"> 1. In the county and in the court case where an action relating to support is pending, 2. In the court where an order has been entered but is silent as to child support, or 3. In the county where the APA case was conducted. 	<p>Department of Human Services at any time.</p> <p>D. County Child Support Services Units shall pay the costs of the genetic testing for all parties for instate cases, including long-arm paternity establishment OF PARENTAGE. For interstate cases, the responding state is responsible for the genetic testing costs, as stated in Section 6.605.2.</p> <p>E. Genetic testing services may only be provided on open IV-D cases.</p> <p>F. If genetic testing results excluding the alleged fatherPARENT are obtained in an APA case, the results, notice of filing and genetic testing sample collection forms shall be filed:</p> <ol style="list-style-type: none"> 1. In the county and in the court case where an action relating to support is pending, 2. In the court where an order has been entered but is silent as to child support, or 3. In the county where the APA case was conducted. 		
6.605.1	Amended rule	<p>6.605.1 OBJECTION TO GENETIC TESTING RESULTS [Rev. eff. 4/1/13]</p> <p>Any objection to the genetic testing results shall be made in writing at least fifteen (15) days before the hearing where the results may be introduced, or fifteen (15) days after the Motion for Summary Judgment is served. If, however, the results were not received at least fifteen days before the hearing, the objection to the genetic testing results shall be made at least twenty-four (24) hours prior to the hearing. In APA cases, the objection must be made at or before the currently scheduled negotiation conference. If no objection is made, the test results shall be entered as evidence of paternity in a paternity action without the need for proof of authenticity or accuracy.</p> <p>Upon receipt of an objection to the genetic testing results, the delegate Child Support Services Unit will take the following action:</p> <ol style="list-style-type: none"> A. If the case is an Administrative Process case, establish a temporary order if appropriate, and file a Child Support Services Unit Request for Court Hearing as required in Section 6.713. B. If the case has been filed through the Judicial process, request the court to set a hearing to resolve the objection and decide the issue of paternity and child 	<p>6.605.1 OBJECTION TO GENETIC TESTING RESULTS [Rev. eff. 4/1/13]</p> <p>Any objection to the genetic testing results shall be made in writing at least fifteen (15) days before the hearing where the results may be introduced, or fifteen (15) days after the Motion for Summary Judgment is served. If, however, the results were not received at least fifteen days before the hearing, the objection to the genetic testing results shall be made at least twenty-four (24) hours prior to the hearing. In APA cases, the objection must be made at or before the currently scheduled negotiation conference. If no objection is made, the test results shall be entered as evidence of paternityPARENTAGE in a paternityPARENTAGE action without the need for proof of authenticity or accuracy.</p> <p>Upon receipt of an objection to the genetic testing results, the delegate Child Support Services Unit will take the following action:</p> <ol style="list-style-type: none"> A. If the case is an Administrative Process case, establish a temporary order if appropriate, and file a Child Support Services Unit Request for Court Hearing as required in Section 6.713. B. If the case has been filed through the Judicial process, request the court to set a hearing to resolve the objection and decide the issue of paternityPARENTAGE and child support. 	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		support. C. The Notice of Hearing must be sent to the parties by the delegate Child Support Services Unit.	C. The Notice of Hearing must be sent to the parties by the delegate Child Support Services Unit.		
6.605.2	Amended rule	6.605.2 GENETIC TESTING COSTS [Rev. eff. 4/1/13] In all cases, when paternity is adjudicated, the county Child Support Services Units shall attempt to enter a judgment for the costs of genetic testing for full payment or prorated payment with a specified monthly amount due to liquidate those costs. In intergovernmental cases, the responding jurisdiction is responsible for the cost of initial genetic testing.	6.605.2 GENETIC TESTING COSTS [Rev. eff. 4/1/13] In all cases, when paternity PARENTAGE is adjudicated, the county Child Support Services Units shall MAY attempt to enter a judgment for the costs of genetic testing for full payment or prorated payment with a specified monthly amount due to liquidate those costs. In intergovernmental cases, the responding jurisdiction is responsible for the cost of initial genetic testing.	Removal of requirement for the county CSS unit to recover genetic testing costs as this is an option per 6.201.2 (B)(8) Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.606	Amended rule	6.606 REPORTING THE DETERMINATION OF PATERNITY TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, DIVISION OF HEALTH STATISTICS AND VITAL RECORDS [Rev. eff. 4/1/13] A. After a child's paternity has been established, either judicially or administratively, the Child Support Services Unit shall complete and file the State prescribed forms with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, to ensure that the parent's name is added to the child's birth record. These documents shall be filed with the Division of Health Statistics and Vital Records within ten (10) days of the judicial or administrative order establishing paternity. B. The Child Support Services Unit shall document in the Automated Child Support Enforcement System the date on which the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with	6.606 REPORTING THE DETERMINATION OF PATERNITYPARENTAGE TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, DIVISION OF HEALTH STATISTICS AND VITAL RECORDS [Rev. eff. 4/1/13] A. After a child's paternity PARENTAGE has been established, either judicially or administratively, the Child Support Services Unit shall complete and file the State prescribed forms with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, to ensure that the parent's name is added to the child's birth record. These documents shall be filed with the Division of Health Statistics and Vital Records within ten (10) days of the judicial or administrative order establishing paternity PARENTAGE. B. The Child Support Services Unit shall document in the Automated Child Support Enforcement System the date on which the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	

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		<p>comparable respective agencies in other jurisdictions</p> <p>C. Within forty five (45) days after the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, the Child Support Services Unit shall attempt to determine whether or not the parent's name has been added to the child's birth record. If the Child Support Services Unit determines that the parent's name has not been added to the child's birth certificate, they shall attempt to determine why the name has not been added and take all reasonable steps to correct the situation including requesting assistance from the State Division of Child Support Services where appropriate.</p> <p>D. If the Child Support Services Unit has contact with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with comparable respective agencies in other jurisdictions, about corrections needed to the State prescribed forms, the worker shall take all steps reasonably necessary and within his/her ability to resolve the issue so that the parent's name can be added to the child's birth record. This may include requesting assistance from the State Division of Child Support Services where appropriate.</p> <p>E. The Child Support Services Unit shall document in the automated child support system the date on which the parent's name has been verified to be on the child's birth record.</p>	<p>comparable respective agencies in other jurisdictions</p> <p>C. Within forty-five (45) days after the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, the Child Support Services Unit shall attempt to determine whether or not the parent's name has been added to the child's birth record. If the Child Support Services Unit determines that the parent's name has not been added to the child's birth certificate, they shall attempt to determine why the name has not been added and take all reasonable steps to correct the situation including requesting assistance from the State Division of Child Support Services where appropriate.</p> <p>D. If the Child Support Services Unit has contact with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with comparable respective agencies in other jurisdictions, about corrections needed to the State prescribed forms, the worker shall take all steps reasonably necessary and within his/herTHEIR ability to resolve the issue so that the parent's name can be added to the child's birth record. This may include requesting assistance from the State Division of Child Support Services where appropriate.</p> <p>E. The Child Support Services Unit shall document in the automated child support system the date on which the parent's name has been verified to be on the child's birth record.</p>		
6.700	Amended title only	6.700 ESTABLISHMENT OF SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]	6.700 ESTABLISHMENT OF SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.700.1	Amended rule	6.700.1 EXPEDITED PROCESS [Rev. eff. 4/1/13] A. County Child Support Services Units shall establish procedures to ensure that all appropriate functions and activities to establish support obligations are undertaken and completed within the time frames specified. The time frames begin when the APA-Respondent is located and end when a temporary or permanent order is established or service of process is unsuccessful. All support activities must be documented on the automated child support system.	6.700.1 EXPEDITED PROCESS [Rev. eff. 4/1/13] A. County Child Support Services Units shall establish procedures to ensure that all appropriate functions and activities to establish support obligations are undertaken and completed within the time frames specified. The time frames begin when the APA-Respondent is located and end when a temporary or permanent order is established or service of process is unsuccessful. All support activities must be documented on the automated child support system.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	

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		<p>B. Within ninety (90) calendar days of locating the alleged father or noncustodial parent in judicial cases or the APA-Respondent IN APA cases, the Child Support Services Unit must check to ensure that the child(ren) has not reached the age of emancipation; and,</p> <ol style="list-style-type: none"> 1. Document unsuccessful attempts to serve process, or 2. Complete service of process (or obtain a waiver of service) and establish an order for support (and paternity, if not already established or determined). <p>C. Actions subject to expedited process must be completed from the time of successful service of process (or obtaining a waiver of service) to the time of disposition within the required time frames.</p> <p>D. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.</p>	<p>B. Within ninety (90) calendar days of locating the alleged fatherPARENT or noncustodial parent in judicial cases or the APA-Respondent IN APA cases, the Child Support Services Unit must check to ensure that the child(ren) has not reached the age of emancipation; and,</p> <ol style="list-style-type: none"> 1. Document unsuccessful attempts to serve process, or 2. Complete service of process (or obtain a waiver of service) and establish an order for support (and paternityPARENTAGE, if not already established or determined). <p>C. Actions subject to expedited process must be completed from the time of successful service of process (or obtaining a waiver of service) to the time of disposition within the required time frames.</p> <p>D. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.</p>		
6.701	Amended rule	<p>6.701 ESTABLISHING SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]</p> <p>A. All child support obligations must be established using the Colorado child support guidelines as found in Section 14-10-115, C.R.S., to determine the amount to be ordered. Child Support Services staff shall not deviate from the guidelines. Child Support Services Units shall refer to Section 6.707 for rules on how to determine income to use in the guideline calculation.</p> <p>B. In the instance of an adoption subsidy paid for a child, the case shall be handled judicially and when establishing an order against the adoptive parents, the amount of the monthly support order cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount for the monthly support order exceeds the amount of the monthly adoption assistance payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.</p> <p>C. In all cases, the Child Support Services Unit shall attempt to establish child support obligations and</p>	<p>6.701 ESTABLISHING SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]</p> <p>A. All child support obligations must be established using the Colorado child support guidelines as found in Section 14-10-115, C.R.S., to determine the amount to be ordered. Child Support Services staff shall not deviate from the guidelines. Child Support Services Units shall refer to Section 6.707 for rules on how to determine income to use in the guideline calculation.</p> <p>B. In the instance of an adoption subsidy paid for a child, the case shall be handled judicially and when establishing an order against the adoptive parents, the amount of the monthly support order ESTABLISHED AGAINST THE ADOPTIVE PARENT(S) RECEIVING THE MONTHLY ADOPTION ASSISTANCE PAYMENTS cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount for the monthly support order exceeds the amount of the monthly adoption assistance payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.</p> <p>C. In all cases, the Child Support Services Unit shall attempt</p>	Clarification that the restriction of MSO not exceeding the amount of adoption assistance is only applicable to orders against the parent(s) receiving the adoption assistance	Change to commencement date time frame to be from the date the order is submitted to

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		<p>medical support from any person who is legally liable for support of a child.</p> <ol style="list-style-type: none"> 1. In a foster care referral case, the county Child Support Services Unit shall attempt to establish a foster care fee obligation. 2. In public assistance, foster care, and low-income child care assistance referral cases, the Child Support Services Unit shall not pursue the establishment of a child support obligation, child support debt, retroactive support or medical support if good cause exemption has been determined by the county director or designee. <p>D. Establishing the legal obligation to provide child support includes activities related to establishing the amount of retroactive support due, determining the ability of both parents to provide support, and determining the amount of the support obligation.</p> <p>E. If the applicant for services or continued services party requests case closure after process has issued in an APA case or a petition has been filed with the court on a judicial case, the county CSS shall complete the establishment case and establish an order (if appropriate) before the IV- D case is closed.</p> <p>F. In both APA and judicial establishment cases, including add a child actions, the CSS unit shall establish a commencement date of the monthly support obligation as follows:</p> <ol style="list-style-type: none"> 1. If the order was established between the first and the 15th of the month, the 5th of the next month, 2. If the order was established between the 16th and the last day of the month, the 5th of the month two months in the future, and 3. If a default order is established, the 5th of the month two months in the future. 	<p>to establish child support obligations and medical support from any person who is legally liable for support of a child.</p> <ol style="list-style-type: none"> 1. In a foster care referral case, the county Child Support Services Unit shall attempt to establish a foster care fee obligation. 2. In public assistance, AND foster care, and low-income child care assistance referral cases, the Child Support Services Unit shall not pursue the establishment of a child support obligation, child support debt, retroactive support or medical support if good cause exemption has been determined by the county director or designee. <p>D. Establishing the legal obligation to provide child support includes activities related to establishing the amount of retroactive support due, determining the ability of both parents to provide support, and determining the amount of the support obligation.</p> <p>E. If the applicant for services or continued services party requests case closure after process has issued in an APA case or a petition has been filed with the court on a judicial case, the county CSS shall complete the establishment case and establish an order (if appropriate) before the IV- D case is closed.</p> <p>F. In both APA and judicial establishment cases, including add-a-child actions, the CSS unit shall establish a commencement date of the monthly support obligation as follows:</p> <ol style="list-style-type: none"> 1. If the order was establishedSUBMITTED TO THE COURT between the first1ST and the 15th of the month, the 5th1ST of the next month, 2. If the order was establishedSUBMITTED TO THE COURT between the 16th and the last day of the month, the 5th1ST of the month two months in the future, and 3. If a default order is establishedSUBMITTED TO THE COURT, the 5th1ST of the month two months in the future. <p>G. IN JUDICIAL ESTABLISHMENT CASES, INCLUDING ADD-A-CHILD ACTIONS, THE CSS UNIT SHALL ESTABLISH A COMMENCEMENT DATE OF THE MONTHLY SUPPORT OBLIGATION AS FOLLOWS:</p> <ol style="list-style-type: none"> 1. IF THE ORDER WAS ESTABLISHED BETWEEN THE 1ST AND THE 15TH OF THE 	<p>the court as this is within county control</p> <p>Removal of language referring to the Child Care Assistance Program to implement HB22-1295</p> <p>Removal of unmaintained effective date</p>
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			<p>MONTH, THE 1ST OF THE NEXT MONTH, 2. IF THE ORDER WAS ESTABLISHED BETWEEN THE 16TH AND THE LAST DAY OF THE MONTH, THE 1ST OF THE MONTH TWO MONTHS IN THE FUTURE, AND 3. IF A DEFAULT ORDER IS ESTABLISHED, THE 1ST OF THE MONTH TWO MONTHS IN THE FUTURE.</p>		
6.701.1	Amended rule	<p>6.701.1 HEALTH INSURANCE [Rev. eff. 4/1/13] For all cases in which current child support is being sought, including zero dollar MSO orders, the Child Support Services Unit shall include a provision for either party to provide health insurance for his/her children.</p>	<p>6.701.1 HEALTH INSURANCE [Rev. eff. 4/1/13] For all cases in which current child support is being sought, including zero dollar MSO orders, the Child Support Services Unit shall include a provision for either party PARENT to provide health insurance for his/her THEIR children.</p>	Replacement of gendered language with gender-neutral language	
6.702	Amended title only	<p>6.702 ESTABLISHING DEBT OR RETROACTIVE SUPPORT [Rev. eff. 4/1/13]</p>	<p>6.702 ESTABLISHING DEBT OR RETROACTIVE SUPPORT [Rev. eff. 4/1/13]</p>	Removal of unmaintained effective date	
6.702.1	Amended rule	<p>6.702.1 DEBT [Rev. eff. 4/1/13] Action taken to establish debt must be pursued in accordance with Section 14-14-104, C.R.S. Debt may be established on public assistance and foster care referral cases. A. A CSS may establish a debt-only order in APA or judicial cases if public assistance paid for the child(ren) terminates before an order is established and the person who received the public assistance does not want continued services. B. if additional child support obligations need to be established subsequent to the establishment of a debt only order, the CSS shall use the establishment process, referenced in 6.701(c), including new service of process. C. if not already established, paternity shall be established in a debt only action and a judgment for costs may also be established.</p>	<p>6.702.1 DEBT [Rev. eff. 4/1/13] Action taken to establish debt must be pursued in accordance with Section 14-14-104, C.R.S. Debt may be established on public assistance and foster care referral cases. A. A CSS may establish a debt-only order in APA or judicial cases if public assistance paid for the child(ren) terminates before an order is established and the person who received the public assistance does not want continued services. B. #IF additional child support obligations need to be established subsequent to the establishment of a debt only order, the CSS shall use the establishment process, referenced in 6.701(c), including new service of process. C. #IF not already established, paternity PARENTAGE shall be established in a debt only action and a judgment for costs may also be established. D. DEBT SHALL NOT BE ESTABLISHED FOR MONTHS IN WHICH A GOOD CAUSE EXEMPTION FROM REFERRAL WAS IN PLACE OR MONTHS IN WHICH THE COUNTY CHILD WELFARE DEPARTMENT DETERMINED THAT A REFERRAL IS NOT APPROPRIATE.</p>	Removal of the option for the county CSS Unit to establish debt during time periods that a referral was not appropriate	Removal of unmaintained effective date

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

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6.702.2	Amended rule	<p>6.702.2 RETROACTIVE SUPPORT [Rev. eff. 4/1/13]</p> <p>A. An order for a reasonable amount of retroactive support due may be included in any action, except a debt-only action, if requested by a custodial party, if there is a time period which occurred prior to or after the receipt of public assistance benefits for which such support can be established.</p> <p>B. The custodial party shall be required to complete an "Affidavit of Retroactive Support" and return it to the Child Support Services Unit before the initiation of any judicial or administrative action to establish retroactive support. A Child Support Services Unit shall not establish an order for retroactive support unless an "Affidavit for Retroactive Support" has been received from the custodial party. The county Child Support Services Unit shall use the State prescribed "Affidavit of Retroactive Support".</p> <p>C. If the custodial party is waiving the right to retroactive support, this shall be reflected in the support order. If the Child Support Services Unit does not establish retroactive support on behalf of custodial parties, the order shall contain a statement to this effect and also an advisement to the noncustodial parent that the custodial party may pursue the establishment of retroactive support separately.</p> <p>D. Retroactive support will not be established for:</p> <ol style="list-style-type: none"> 1. Any months for which the custodial party received public assistance. 2. Any months for which the children did not reside with the custodial party, including months in which the child(ren) were in out of home placement. 3. Any months when the custodial party, noncustodial parent, and the child(ren) lived in the same household. 4. If the retroactive support is being established in a divorce or legal separation action, the amount of retroactive support will be based upon the number of months after the date of physical separation of the parents, the filing date of the action, or the date of service upon the respondent, whichever date is latest. 	<p>6.702.2 RETROACTIVE SUPPORT [Rev. eff. 4/1/13]</p> <p>A. An order for a reasonable amount of retroactive support due may be included in any action, except a debt-only action, if requested by a custodial party, if there is a time period which occurred prior to or after the receipt of public assistance benefits for which such support can be established.</p> <p>B. The custodial party shall be required to complete an "Affidavit of Retroactive Support" and return it to the Child Support Services Unit before the initiation of any judicial or administrative action to establish retroactive support. A Child Support Services Unit shall not establish an order for retroactive support unless an "Affidavit for Retroactive Support" has been received from the custodial party. The county Child Support Services Unit shall use the State prescribed "Affidavit of Retroactive Support".</p> <p>C. If the custodial party is waiving the right to retroactive support, this shall be reflected in the support order. If the Child Support Services Unit does not establish retroactive support on behalf of custodial parties, the order shall contain a statement to this effect and also an advisement to the noncustodial parent that the custodial party may pursue the establishment of retroactive support separately.</p> <p>D. Retroactive support willSHALL not be established for:</p> <ol style="list-style-type: none"> 1. Any months for which the custodial party received public assistance. 2. ANY MONTHS IN WHICH A GOOD CAUSE EXEMPTION FROM REFERRAL WAS IN PLACE. 3. ANY MONTHS IN WHICH THE COUNTY CHILD WELFARE DEPARTMENT DETERMINED THAT A REFERRAL IS NOT APPROPRIATE. 2.4. Any months for which the children did not reside with the custodial party, including months in which the child(ren) were in out of home placement. 3.5. Any months when the custodial party, noncustodial parent, and the child(ren) lived in the same household. 4.6. If the retroactive support is being 	<p>Removal of the option for the county CSS Unit to establish retroactive support during time periods that a referral was not appropriate</p> <p>Removal of unmaintained effective date</p>
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			<p>established in a divorce or legal separation action, the amount of retroactive support will be based upon the number of months after the date of physical separation of the parents, the filing date of the action, or the date of service upon the respondent, whichever date is latest.</p>	
<p>6.702.3</p>	<p>Amended rule</p>	<p>6.702.3 CALCULATING RETROACTIVE SUPPORT AND CHILD SUPPORT DEBT [Rev. eff. 4/1/13]</p> <p>A. If action is taken to establish debt in a public assistance case, including Title IV-A, Title IV-E foster care, and non-IV-E foster care referral cases, because no order for a monthly support obligation existed at the time public assistance was paid, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado Child Support Guidelines times the number of months that the custodial party received public assistance or the total amount of public assistance paid, whichever amount is lower as the initial basis for the amount of child support debt owed by the noncustodial parent.</p> <ol style="list-style-type: none"> 1. In a IV-E foster care case, the amount of the foster care fee debt is limited by the total of the unreimbursed maintenance payments for that child(ren). 2. In a non-IV-E foster care case, the amount of the foster care fee debt is limited by the total cost of placement for that child(ren). <p>B. If action is taken to establish retroactive support, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado child support guidelines times the number of months that the children lived in the custodial party's home without the presence of the noncustodial parent as the initial basis for the amount of retroactive support owed by the noncustodial parent.</p> <p>C. The Child Support Services Unit may take the following factors into consideration in determining whether the initial amount of retroactive support calculated pursuant to paragraphs A and B, above, is appropriate and reasonable. Once the factors have been considered the CSS unit may adjust the amount as appropriate:</p> <ol style="list-style-type: none"> 1. An increase in the parent's income since the date of child's birth that may result in the 	<p>6.702.3 CALCULATING RETROACTIVE SUPPORT AND CHILD SUPPORT DEBT [Rev. eff. 4/1/13]</p> <p>A. If action is taken to establish debt in a public assistance case, including Title IV-A, Title IV-E foster care, and non-IV-E foster care referral cases, because no order for a monthly support obligation existed at the time public assistance was paid, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado Child Support Guidelines times the number of months that the custodial party received public assistance or the total amount of public assistance paid, whichever amount is lower as the initial basis for the amount of child support debt owed by the noncustodial parent.</p> <ol style="list-style-type: none"> 1. In a IV-E foster care case, the amount of the foster care fee debt is limited by the total of the unreimbursed maintenance payments for that child(ren). 2. In a non-IV-E foster care case, the amount of the foster care fee debt is limited by the total cost of placement for that child(ren). <p>B. If action is taken to establish retroactive support, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado child support guidelines times the number of months that the children lived in the custodial party's home without the presence of the noncustodial parent as the initial basis for the amount of retroactive support owed by the noncustodial parent.</p> <p>C. The Child Support Services Unit may take the following factors into consideration in determining whether the initial amount of retroactive support calculated pursuant to paragraphs A and B, above, is appropriate and reasonable. Once the factors have been considered the CSS unit may adjust the amount as appropriate:</p> <ol style="list-style-type: none"> 1. An increase in the parent's income since the date of child's birth that may result in the current 	<p>Addition of a requirement to consider circumstances to ensure retroactive support amount is appropriate and reasonable</p> <p>Removal of unmaintained effective date</p>

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		<p>current monthly child support order being higher than it would have been at the time of the child's birth.</p> <ol style="list-style-type: none"> 2. The length of time that a custodial party waited before requesting the services for the establishment of retroactive support, including whether the noncustodial parent knew or should have known about the existence of the children. 3. Special circumstances that may have inhibited the custodial party from requesting assistance from Child Support Services at an earlier date. 4. Direct cash or in-kind support provided by the noncustodial parent to custodial party for the children for periods prior to the entry of the support order. 5. Any circumstances beyond the control of the custodial or noncustodial parent which might have lengthened the time periods for which child support debt or retroactive support are being established including, but not limited to, non-cooperation by the custodial party. <p>D. If either the custodial or noncustodial parent does not agree to the proposed amount of retroactive support, a temporary order, according to Section 6.712, must be established and the case referred for a court hearing. The temporary order may not include any amount for child support debt or retroactive support.</p>	<p>monthly child support order being higher than it would have been at the time of the child's birth.</p> <ol style="list-style-type: none"> 2.—The length of time that a custodial party waited before requesting the services for the establishment of retroactive support, including whether the noncustodial parent knew or should have known about the existence of the children. 3.—Special circumstances that may have inhibited the custodial party from requesting assistance from Child Support Services at an earlier date. 4.—Direct cash or in-kind support provided by the noncustodial parent to custodial party for the children for periods prior to the entry of the support order. 5.—Any circumstances beyond the control of the custodial or noncustodial parent which might have lengthened the time periods for which child support debt or retroactive support are being established including, but not limited to, non-cooperation by the custodial party. <p>D. C. If either the custodial or noncustodial parent does not agree to the proposed amount of retroactive support, a temporary order, according to Section 6.712, must be established and the case referred for a court hearing. The temporary order may not include any amount for child support debt or retroactive support.</p>		
6.703	Amended title only	6.703 DISMISSAL [Rev. eff. 4/1/13]	6.703 DISMISSAL [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.704	Amended rule	6.704 ADMINISTRATIVE PROCEDURES TO ESTABLISH CHILD SUPPORT AND PATERNITY [Rev. eff. 4/1/13] Pursuant to Article 13.5 of Title 26, C.R.S., the delegate Child Support Services Unit is authorized to establish certain paternity and child support obligations through administrative procedures.	6.704 ADMINISTRATIVE PROCEDURES TO ESTABLISH CHILD SUPPORT AND PATERNITY PARENTAGE [Rev. eff. 4/1/13] Pursuant to Article 13.5 of Title 26, C.R.S., the delegate Child Support Services Unit is authorized to establish certain paternity PARENTAGE and child support obligations through administrative procedures.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.704.1	Amended rule	6.704.1 CASES SUBJECT TO ADMINISTRATIVE PROCESS [Rev. eff. 4/1/13]	6.704.1 CASES SUBJECT TO ADMINISTRATIVE PROCESS [Rev. eff. 4/1/13]	Replacement of gendered	

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	<p>A. Administrative procedures to establish a monthly support obligation, foster care fee order, child support debt, foster care debt, medical support and/or retroactive support, or to modify an order established by administrative process shall be used by the delegate Child Support Services Unit in all cases to establish these obligations as appropriate, unless:</p> <ol style="list-style-type: none"> 1. A court order exists that was issued in this or any other state, tribe, or reciprocating country, which establishes any child support obligation; or, 2. An order for the obligation already exists but excluding appropriate administrative process, add-a-child actions; or, 3. The case requires paternity establishment and the case involves multiple presumed and/or alleged father(s); or, 4. One or both of the parents in the case is under age eighteen (18); or, 5. A hearing has been scheduled by the court or a request for hearing has been filed with the court by any party on the issue of child support; or, 6. Another state's order was entered judicially and a modification must be conducted. 7. The court has exercised jurisdiction over a child support issue; or, 8. A court's paternity only order is not silent as to a child support obligation. If the judicial paternity only order is silent as to child support APA may be used. 9. There has been a pre-order change of physical care arrangement in that APA case. <p>B. Administrative process shall be utilized in cases in which a divorce decree is silent on the issue of child support and service in the divorce was by publication. In these cases, the administrative process action (APA) will be filed under a new court number.</p> <p>C. In cases in which there is a pending court action relating to child support, the Child Support Services Unit shall proceed to utilize administrative process as set forth in these rules. Copies of all documents, including the APA order, shall be filed by the Child Support Services Unit in the existing court case, utilizing the case number of the</p>	<p>A. Administrative procedures to establish a monthly support obligation, foster care fee order, child support debt, foster care debt, medical support and/or retroactive support, or to modify an order established by administrative process shall be used by the delegate Child Support Services Unit in all cases to establish these obligations as appropriate, unless:</p> <ol style="list-style-type: none"> 1. A court order exists that was issued in this or any other state, tribe, or reciprocating country, which establishes any child support obligation; or, 2. An order for the obligation already exists but excluding appropriate administrative process, add-a-child actions; or, 3. The case requires paternityPARENTAGE establishment and the case involves multiple presumed and/or alleged father(s)PARENT(S); or, 4. One or both of the parents in the case is under age eighteen (18); or, 5. A hearing has been scheduled by the court or a request for hearing has been filed with the court by any party on the issue of child support; or, 6. Another state's order was entered judicially and a modification must be conducted. 7. The court has exercised jurisdiction over a child support issue; or, 8. A court's paternityPARENTAGE only order is not silent as to a child support obligation. If the judicial paternityPARENTAGE only order is silent as to child support APA may be used. 9.—There has been a pre-order change of physical care arrangement in that APA case. <p>B. Administrative process shall be utilized in cases in which a divorce decree is silent on the issue of child support and service in the divorce was by publication. In these cases, the administrative process action (APA) will be filed under a new court number.</p> <p>C. In cases in which there is a pending court action relating to child support, the Child Support Services Unit shall proceed to utilize administrative process as set forth in these rules. Copies of all documents, including the APA order, shall be filed by the Child Support Services Unit in</p>	<p>language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		existing court case.	the existing court case, utilizing the case number of the existing court case.		
6.704.2	Amended title only	6.704.2 ESTABLISHING AN ORDER FOR WORK ACTIVITIES [Rev. eff. 4/1/13]	6.704.2 ESTABLISHING AN ORDER FOR WORK ACTIVITIES [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.704.3	Amended title only	6.704.3 ENFORCING COUNTY APPLICATION TO ADMINISTRATIVE PROCESS [Rev. eff. 4/1/13]	6.704.3 ENFORCING COUNTY APPLICATION TO ADMINISTRATIVE PROCESS [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.705	Amended title only	6.705 NOTICE OF FINANCIAL RESPONSIBILITY, NOTICE OF FINANCIAL RESPONSIBILITY- PATERNITY ACTION OR AMENDED NOTICE OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]	6.705 NOTICE OF FINANCIAL RESPONSIBILITY, NOTICE OF FINANCIAL RESPONSIBILITY- PATERNITYPARENTAGE ACTION OR AMENDED NOTICE OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.705.1	Amended title only	6.705.1 SUBPOENA TO PRODUCE [Rev. eff. 4/1/13]	6.705.1 SUBPOENA TO PRODUCE [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.705.2	Amended title only	6.705.2 INCOME AND EXPENSE AFFIDAVIT [Rev. eff. 4/1/13]	6.705.2 INCOME AND EXPENSE AFFIDAVIT [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.705.3	Amended rule	6.705.3 SERVICE OF THE NOTICE OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. The delegate Child Support Services Unit shall serve the Notice or amended Notice of Financial Responsibility on the APA-Respondent at least fifteen (15) calendar days prior to the date stated in the Notice or amended Notice for the negotiation conference. B. The following forms shall be included in the packet served on the APA-Respondent. 1. Notice or amended Notice of Financial Responsibility, 2. Subpoena to Produce, and 3. Income and Expense Affidavit. C. Either a Return of Service or a Waiver of Service must be obtained in all cases. Within five (5) working days of receipt of a Return of Service or a Waiver of Service, the delegate Child Support Services Unit shall data enter the date of service or the waiver on the automated child support system and send notice of the negotiation	6.705.3 SERVICE OF THE NOTICE OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. The delegate Child Support Services Unit shall serve the Notice or amended Notice of Financial Responsibility on the APA-Respondent at least fifteen (15) calendar days prior to the date stated in the Notice or amended Notice for the negotiation conference. B. The following forms shall be included in the packet served on the APA-Respondent. 1. Notice or amended Notice of Financial Responsibility, 2. Subpoena to Produce, and 3. Income and Expense Affidavit. C. Either a Return of Service or a Waiver of Service must be obtained in all cases. Within five (5) working days of receipt of a Return of Service or a Waiver of Service, the delegate Child Support Services Unit shall data enter the date of service or the waiver on the automated child support system and send notice of the negotiation	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	

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		<p>conference to all parties or his/her attorney of record and the other state, if appropriate.</p> <p>D. If service was by certified mail restricted delivery, the return receipt shall be attached to the return of service. If service was effected by the county director or delegate Child Support Services Unit employee designated in writing by the county director, he/she shall complete the return of service within five (5) working days of effecting service of process and attach the "green card".</p> <p>E. The notice shall be delivered, as defined in section 6.002 – definitions, to the APA-Petitioner at least fifteen (15) calendar days prior to the date stated in the notice or amended notice for the negotiation conference.</p>	<p>conference to all parties or his/herTHEIR attorney of record and the other state, if appropriate.</p> <p>D. If service was by certified mail restricted delivery, the return receipt shall be attached to the return of service. If service was effected by the county director or delegate Child Support Services Unit employee designated in writing by the county director, he/sheTHE DIRECTOR OR DESIGNATED EMPLOYEE shall complete the return of service within five (5) working days of effecting service of process and attach the "green card".</p> <p>E. The notice shall be delivered, as defined in section 6.002 – definitions, to the APA-Petitioner at least fifteen (15) calendar days prior to the date stated in the notice or amended notice for the negotiation conference.</p>		
6.706.1	Amended title only	6.706.1 STANDARD CONTINUANCES [Rev. eff. 4/1/13]	6.706.1 STANDARD CONTINUANCES [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.706.2	Amended rule	<p>6.706.2 CONTINUANCES FOR GOOD CAUSE [Rev. eff. 4/1/13]</p> <p>A. More than one continuance and for any number of days may be granted only for good cause as defined in Section 6.708.</p> <p>B. Continuances for good cause may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.</p> <p>C. If a continuance for good cause is granted, the delegate Child Support Services Unit shall issue a Notice of Continuance of Negotiation Conference to the noncustodial parent, the custodial party, or their attorney of record and the other state if appropriate. The notice shall contain the rescheduled date and will be provided by first class mail or hand delivery.</p> <p>D. If a continuance for good cause is granted, the delegate Child Support Services Unit shall data enter the type and reason for the continuance and the date for the rescheduled negotiation conference on the automated child support system.</p> <p>E. A finding of good cause may be made for the following reasons:</p> <ol style="list-style-type: none"> 1. The case involves a paternity determination and genetic tests results are needed to proceed; or, 	<p>6.706.2 CONTINUANCES FOR GOOD CAUSE [Rev. eff. 4/1/13]</p> <p>A. More than one continuance and for any number of days may be granted only for good cause as defined in Section 6.7086.706.2(E).</p> <p>B. Continuances for good cause may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.</p> <p>C. If a continuance for good cause is granted, the delegate Child Support Services Unit shall issue a Notice of Continuance of Negotiation Conference to the noncustodial parent, the custodial party, or their attorney of record and the other state if appropriate. The notice shall contain the rescheduled date and will be provided by first class mail or hand delivery.</p> <p>D. If a continuance for good cause is granted, the delegate Child Support Services Unit shall data enter the type and reason for the continuance and the date for the rescheduled negotiation conference on the automated child support system.</p> <p>E. A finding of good cause may be made for the following reasons:</p> <ol style="list-style-type: none"> 1. The case involves a paternityPARENTAGE determination and genetic tests results are needed to proceed; or, 2. A valid contest of paternityPARENTAGE is made 	<p>Correction to rule cite</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		<ol style="list-style-type: none"> 2. A valid contest of paternity is made and paternity has not been established pursuant to the laws of another state; or, 3. Additional time is needed to verify income or other information necessary to calculate a child support order pursuant to the Colorado Child Support Guidelines, Section 14 10 115, C.R.S. as amended; or, 4. An allegation of fraud and referral for investigation; or, 5. A party or his/her attorney, is unable to appear at the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents a party or his/her attorney's appearance at the negotiation conference, the burden of proof to show cause of this type shall be upon the party; or, 6. No Child Support Services Unit employee authorized to conduct negotiation conferences is able to attend the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by is emergency nature and drastic effect, prevents an authorized Child Support Services Unit employee from attending the negotiation conference. 	<p>and paternityPARENTAGE has not been established pursuant to the laws of another state; or,</p> <ol style="list-style-type: none"> 3. Additional time is needed to verify income or other information necessary to calculate a child support order pursuant to the Colorado Child Support Guidelines, Section 14 10 115, C.R.S. as amended; or, 4. An allegation of fraud and referral for investigation; or, 5. A party or his/herTHEIR attorney, is unable to appear at the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents a party or his/herTHEIR attorney's appearance at the negotiation conference, the burden of proof to show cause of this type shall be upon the party; or, 6. No Child Support Services Unit employee authorized to conduct negotiation conferences is able to attend the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by is emergency nature and drastic effect, prevents an authorized Child Support Services Unit employee from attending the negotiation conference. 		
6.707	Amended rule	<p>6.707 CALCULATING THE MONTHLY CHILD SUPPORT OBLIGATION [Rev. eff. 4/1/13]</p> <ol style="list-style-type: none"> A. In any order for financial responsibility, the delegate Child Support Services Unit shall calculate the monthly child support obligation pursuant to the Colorado Child Support Guidelines, Section 14-10-115, C.R.S. The delegate Child Support Services Unit shall not deviate from the amount calculated pursuant to Section 14-10-115, C.R.S. B. In the instance of adoption assistance services, when establishing an order against the adoptive parents, the amount of the monthly support order cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount for the monthly support order exceeds the amount of the monthly adoption 	<p>6.707 CALCULATING THE MONTHLY CHILD SUPPORT OBLIGATION [Rev. eff. 4/1/13]</p> <ol style="list-style-type: none"> A. In any order for financial responsibility, the delegate Child Support Services Unit shall calculate the monthly child support obligation pursuant to the Colorado Child Support Guidelines, Section 14-10-115, C.R.S. The delegate Child Support Services Unit shall not deviate from the amount calculated pursuant to Section 14-10-115, C.R.S. B. In the instance of adoption assistance services, when establishing an order against the adoptive parents, the amount of the monthly support order ESTABLISHED AGAINST THE ADOPTIVE PARENT(S) RECEIVING THE MONTHLY ADOPTION ASSISTANCE PAYMENTS cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount 	Clarification that the restriction of MSO not exceeding the amount of adoption assistance is only applicable to orders against the parent(s) receiving the adoption assistance	

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		assistance payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.	for the monthly support order exceeds the amount of the monthly adoption assistance payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.	Removal of unmaintained effective date
6.707.1	Amended rule	<p>6.707.1 DETERMINING INCOME [Rev. eff. 4/1/13]</p> <p>A. The delegate Child Support Services Unit shall calculate the monthly support obligation using reliable information concerning the parents' actual and/or potential income, as appropriate, which may include, but is not limited to, the following:</p> <ol style="list-style-type: none"> 1. Wage statements; or, 2. Wage information obtained from the Department of Labor and Employment; or, 3. Tax records; or, 4. Verified statement by the obligee, as prescribed by the State Department; or, 5. Income and Expense Affidavit, as prescribed by the State Department. <p>B. The delegate Child Support Services Unit may obtain credit reports for purposes of establishing a child support order. Prior to obtaining a credit report for the noncustodial parent the Child Support Services Unit must verify that paternity has been established or acknowledged. If paternity is not an issue, the Child Support Services Unit must:</p> <ol style="list-style-type: none"> 1. Send a ten-day notice to the noncustodial parent or attorney of record by certified mail or registered mail that a full credit report will be obtained, or 2. Obtain a waiver from the noncustodial parent or attorney of record to obtain a full credit report. <p>C. If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following when said information is available: the parent's assets, residence, employment and earnings history, job skills,</p>	<p>6.707.1 DETERMINING INCOME [Rev. eff. 4/1/13]</p> <p>A. The delegate Child Support Services Unit shall calculate the monthly support obligation using reliable information concerning the parents' actual and/or potential income, as appropriate, which may include, but is not limited to, the following:</p> <ol style="list-style-type: none"> 1. Wage statements; or, 2. Wage information obtained from the Department of Labor and Employment; or, 3. Tax records; or, 4. Verified statement by the obligee, as prescribed by the State Department; or, 5. Income and Expense Affidavit, as prescribed by the State Department; or 6. INFORMATION FROM A CONSUMER CREDIT REPORTING AGENCY. <p>B. The delegate Child Support Services Unit may obtain credit reports for purposes of establishing a child support order. Prior to obtaining a credit report for the noncustodial parent the Child Support Services Unit must verify that paternity has been established or acknowledged. If paternity is not an issue, the Child Support Services Unit must:</p> <ol style="list-style-type: none"> 1. Send a ten-day notice to the noncustodial parent or attorney of record by certified mail or registered mail that a full credit report will be obtained, or 2. Obtain a waiver from the noncustodial parent or attorney of record to obtain a full credit report. <p>C.B. If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following</p>	<p>Removal of the requirement for the CSS Unit to provide notice or obtain a waiver prior to accessing a credit report as Section 80001 of the FAST ACT eliminated the noticing requirement in Section 604(a)(4) of the Fair Credit Reporting Act in December 2015.</p> <p>Removal of unmaintained effective date</p>

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CDHS Tracking #: 22-09-28-01

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		educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.	when said information is available: the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.		
6.707.2	Amended rule	6.707.2 NEGOTIATE DEBT AMOUNT [Rev. eff. 4/1/13]	6.707.2 NEGOTIATE DEBT AMOUNT [Rev. eff. 4/1/13] The delegate CSS Unit shall not negotiate the amount of child support or foster care debt unless: A. No other county or state has unreimbursed public assistance or unreimbursed maintenance payments or unreimbursed costs of foster care placement (for non-IV-E cases); or, B. All other counties and states with UPA or UMP or unreimbursed costs of foster care placement (for non-IV-E cases) have agreed to the negotiated amount in writing; and, C. Automated child support system chronology is updated by the enforcing county delegate Child Support Services Unit to document the agreed upon negotiation.	Removal of unmaintained effective date Clarification that all assigned arrears may be negotiated	
6.708	Amended rule	6.708 ISSUANCE OF ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. If a stipulation is agreed upon at the negotiation conference, the delegate Child Support Services Unit shall prepare and issue an Order of Financial Responsibility, as prescribed by the State Department. B. The order shall be signed by the APA-Respondent and the APA Petitioner, if appropriate and by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director. C. The order shall specify that the noncustodial parent send all payments to the Family Support Registry. D. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the noncustodial parent that the unpaid child support balance is entered as judgment. E. The original order and one copy shall be filed with the clerk of the district court in the county which issued the	6.708 ISSUANCE OF APA ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. If a stipulation is agreed upon at the negotiation conference, the delegate Child Support Services Unit shall prepare and issue an Order of Financial Responsibility, as prescribed by the State Department. B. The order shall be signed by the APA-Respondent and the APA Petitioner, if appropriate and by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director. C. The order shall specify that the noncustodial parent send all payments to the Family Support Registry. D. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the noncustodial parent that the unpaid child support balance is entered as judgment. E. The original order and one copy shall be filed with the clerk of the district court in the county which issued the	Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments Replacement of gendered	

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		<p>notice of financial responsibility or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) business days of the negotiation conference.</p> <p>F. The following documents shall be filed with the order:</p> <ol style="list-style-type: none"> 1. Notice or amended Notice of Financial Responsibility; 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service; 3. Guidelines worksheets; 4. Income and Expense Affidavit for noncustodial parent and custodial party; 5. Imputing Potential Income Checklist and affidavit, if any; 6. Subpoena to Produce; 7. Retroactive support affidavit, if the action is for support of the child(ren) prior to entry of the support order; and, 8. Adoption Assistance Agreement, if applicable. <p>G. Upon receipt of a copy of the order with a docket number assigned by the court, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with court order and initiate a ledger; and, 2. Send a copy of the order to the noncustodial parent, or his/her attorney of record, and to the custodial party of the child by first class mail. 3. For intergovernmental cases, send a copy to the initiating agency. 	<p>where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) business days of the negotiation conference.</p> <p>F. The following documents shall be filed with the order:</p> <ol style="list-style-type: none"> 1. Notice or amended Notice of Financial Responsibility; 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service; 3. Guidelines worksheets; 4. Income and Expense Affidavit for noncustodial parent and custodial party; 5. Imputing Potential Income Checklist and affidavit WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if any APPLICABLE; 6. Subpoena to Produce; AND 7. Retroactive support affidavit, if the action is for support of the child(ren) prior to entry of the support order; and, 8. Adoption Assistance Agreement, if applicable. <p>G. Upon receipt of a copy of the order with a docket number assigned by the court OR UPON CONFIRMATION OF RECEIPT FROM THE COURT CLERK THROUGH DISH PURSUANT TO SECTION 6.715, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with court order and initiate a ledger; and, 2. Send a copy of the order to the noncustodial parent, or his/her THEIR attorney of record, and to the custodial party of the child by first class mail. 3. For intergovernmental cases, send a copy to the initiating agency. 	<p>language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
6.708.1	Amended title only	6.708.1 NOTICE TO WITHHOLD INCOME [Rev. eff. 4/1/13]	6.708.1 NOTICE TO WITHHOLD INCOME [Rev. eff. 4/1/13]	Removal of unmaintained effective date
6.709	Amended rule	6.709 ISSUANCE OF ORDER ESTABLISHING PATERNITY AND FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. The delegate Child Support Services Unit shall issue an order establishing paternity and financial responsibility after a negotiation conference if:	6.709 ISSUANCE OF ORDER ESTABLISHING PATERNITY PARENTAGE AND FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. The delegate Child Support Services Unit shall issue an order establishing paternity PARENTAGE and financial	Clarification that APA orders may be signed electronically

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		<ol style="list-style-type: none"> 1. Neither the custodial party nor the noncustodial parent is contesting the issue of paternity, and 2. A Father's Paternity Advisement and Admission and a Mother's Parentage Advisement and Admission, as prescribed by the State Department, is provided to and signed by the noncustodial parent and the mother. <p>B. The order shall be signed by APA-Respondent and APA-Petitioner, if appropriate and by the county director or the employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the obligor that the unpaid child support balance is entered as judgment.</p>	<p>responsibility after a negotiation conference if:</p> <ol style="list-style-type: none"> 1. Neither the custodial party nor the noncustodial parent is contesting the issue of paternityPARENTAGE, and 2. A Father'sPARENT'S PaternityPARENTAGE Advisement and Admission and a Mother's Parentage Advisement and Admission, as prescribed by the State Department, is provided to and signed by the CUSTODIAL AND noncustodial parent and the mother. <p>B. The order shall be signed, ELECTRONICALLY OR BY HAND, by APA-Respondent and APA-Petitioner, if appropriate and by the county director or the employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the obligor that the unpaid child support balance is entered as judgment.</p>	<p>by the parties</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
6.709.1	Amended rule	<p>6.709.1 CONTESTING PATERNITY [Rev. eff. 4/1/13]</p> <p>A. If any party contests paternity, the delegate Child Support Services Unit shall issue an Order for Genetic Testing unless paternity has already been established or determined pursuant to the laws of another state. The negotiation conference may be continued in accordance with the provision of Section 6.706.2.</p> <p>B. A finding of good cause to reschedule genetic testing may be made for the following reasons:</p> <ol style="list-style-type: none"> 1. A parent is unable to appear at the appointed time or place for genetic testing due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents their appearance at the time or place for genetic testing. The burden of proof to show good cause of this type shall be upon the parent. 2. Any other reason beyond a party's control (i.e., if the person authorized to collect the genetic testing sample is unable to appear or fails to appear at the time and place for genetic testing). <p>C. Rescheduling of the time and place for genetic testing</p>	<p>6.709.1 CONTESTING PATERNITYPARENTAGE [Rev. eff. 4/1/13]</p> <p>A. If any party contests paternityPARENTAGE, the delegate Child Support Services Unit shall issue an Order for Genetic Testing unless paternityPARENTAGE has already been established or determined pursuant to the laws of another state. The negotiation conference may be continued in accordance with the provision of Section 6.706.2.</p> <p>B. A finding of good cause to reschedule genetic testing may be made for the following reasons:</p> <ol style="list-style-type: none"> 1. A parent is unable to appear at the appointed time or place for genetic testing due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents their appearance at the time or place for genetic testing. The burden of proof to show good cause of this type shall be upon the parent. 2. Any other reason beyond a party's control (i.e., if the person authorized to collect the genetic testing sample is unable to appear or fails to appear at the time and place for genetic testing). <p>C. Rescheduling of the time and place for genetic testing</p>	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		<p>may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.</p> <p>D. If rescheduling for good cause is granted, the delegate Child Support Services Unit shall issue an Order for Genetic Testing to the parties with the new date for the genetic testing which shall be delivered to the parties.</p> <p>E. If the mother and child(ren) fail to appear for or submit to genetic testing, the case shall be set for hearing pursuant to Section 6.713. Upon receipt of the test results, if a stipulation is not reached, the case shall be set for hearing pursuant to Section 6.713.</p>	<p>may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.</p> <p>D. If rescheduling for good cause is granted, the delegate Child Support Services Unit shall issue an Order for Genetic Testing to the parties with the new date for the genetic testing which shall be delivered to the parties.</p> <p>E. If the motherBIRTHING PARENT OR CARETAKER, and child(ren) fail to appear for or submit to genetic testing, the case shall be set for hearing pursuant to Section 6.713. Upon receipt of the test results, if a stipulation is not reached, the case shall be set for hearing pursuant to Section 6.713.</p>		
6.709.2	Amended rule	<p>6.709.2 REQUEST FOR COURT HEARING WHEN PATERNITY IS AT ISSUE [Rev. eff. 4/1/13]</p> <p>If no stipulation is agreed upon at the negotiation conference because a party contests the issue of paternity, the delegate Child Support Services Unit shall file the Notice or amended notice of Financial Responsibility, genetic testing results, if any, the appropriate APA order, if any and proof of service with the clerk of the court, and shall request the court set a hearing in accordance with Section 6.713.</p>	<p>6.709.2 REQUEST FOR COURT HEARING WHEN PATERNITY PARENTAGE IS AT ISSUE [Rev. eff. 4/1/13]</p> <p>If no stipulation is agreed upon at the negotiation conference because a party contests the issue of paternityPARENTAGE, the delegate Child Support Services Unit shall file the Notice or amended nNotice of Financial Responsibility, genetic testing results, if any, the appropriate APA order, if any and proof of service with the clerk of the court, and shall request the court set a hearing in accordance with Section 6.713.</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date
6.709.3	Amended rule	<p>6.709.3 FILING THE ORDER [Rev. eff. 4/1/13]</p> <p>The original order and one copy shall be filed with the clerk of the district court in the county which issued the notice of financial responsibility or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) working days of the negotiation conference.</p> <p>A. The following documents shall be filed with the order:</p> <ol style="list-style-type: none"> 1. Notice or amended Notice of Financial Responsibility (Paternity Action); 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service. 3. Father's Paternity Advisement and Admission; 4. Mother's Parentage Advisement and Admission; 5. Guideline Worksheets; 6. Income and Expense Affidavits; 7. Subpoena to Produce; 	<p>6.709.3 FILING THE ORDER [Rev. eff. 4/1/13]</p> <p>The original order and one copy shall be filed with the clerk of the district court in the county which issued the notice of financial responsibility or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) working days of the negotiation conference.</p> <p>A. The following documents shall be filed with the order:</p> <ol style="list-style-type: none"> 1. Notice or amended Notice of Financial Responsibility (PaternityPARENTAGE Action); 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service. 3. Father's PaternityPARENTAGE Advisement and Admission; 4. Mother's Parentage Advisement and Admission; 5-4. Guideline Worksheets; 6-5. Income and Expense Affidavits; 	Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments	Removal of requirement for the county

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		<p>8. Retroactive support affidavit, if the action is for support of the child(ren) prior to the entry of the order establishing paternity;</p> <p>9. Adoption Assistance Agreement, if applicable.</p> <p>10. Imputing Potential Income Checklist and affidavit, if any and</p> <p>11. Genetic testing results, if any.</p> <p>B. Upon receipt of a copy of the order with a docket number assigned by the court, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with paternity, court order and initiate a ledger, and 2. Send a copy of the order to the noncustodial parent, the custodial party, or his/her attorney, and the initiating agency, if appropriate, by first class mail. <p>C. If the obligor's employer's address is known, the delegate child support Services unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(a), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a notice to withhold income for support within fifteen (15) calendar days of the date the order is entered; 2. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires. <p>D. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>E. The order shall specify that the noncustodial parent send all payments to the Family Support Registry.</p>	<p>7-6. Subpoena to Produce;</p> <p>8-7. Retroactive support affidavit, if the action is for support of the child(ren) prior to the entry of the order establishing paternityPARENTAGE;</p> <p>9-8. Adoption Assistance Agreement, if applicable.</p> <p>10-8. Imputing Potential Income Checklist and affidavitWITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if anyAPPLICABLE; and</p> <p>11-9. Genetic testing results, if any.</p> <p>B. Upon receipt of a copy of the order with a docket number assigned by the court, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with paternityPARENTAGE, court order and initiate a ledger, and 2. Send a copy of the order to the noncustodial parent, the custodial party, or his/herTHEIR attorney, and the initiating agency, if appropriate, by first class mail. <p>C. If the obligor's employer's address is known, the delegate child support Services unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(a), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a notice to withhold income for support within fifteen (15) calendar days of the date the order is entered; 2. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires. <p>D. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>E. The order shall specify that the noncustodial parent send all payments to the Family Support Registry.</p>	<p>CSS Unit to file adoption assistance agreements in APA cases as 6.701(B) requires cases with adoption subsidies to be handled judicially</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
6.710	Amended title only	6.710 ISSUANCE OF DEFAULT ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]	6.710 ISSUANCE OF DEFAULT ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]	Removal of unmaintained	

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				effective date
6.710.1	Amended rule	<p>6.710.1 FILING THE ORDER OF DEFAULT [Rev. eff. 4/1/13]</p> <p>A. The following documents shall be filed with the Order of Default:</p> <ol style="list-style-type: none"> 1. Return of Service or Waiver of Service and, if service was by certified mail, the return receipt must be attached to the Return of Service. 2. Affidavit of Non-Appearance as prescribed by the State Department; and, 3. Notice or amended Notice of Financial Responsibility; and, 4. Verified Statement of Obligee, as prescribed by the State Department, used to set the monthly support obligation, or other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment; and, 5. Affidavit and Certification of Official Record or Foster Care Arrearage/Unreimbursed Maintenance Payment Calculation as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate; and, 6. Guidelines worksheets; and, 7. Subpoena to Produce; and, 8. Income and Expense Affidavit for each parent, if available; and, 9. Imputing Potential Income Checklist and affidavit, if any 10. Retroactive Support Affidavit, if any; and, 11. Adoption Assistance Agreement, if applicable. <p>B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court.</p>	<p>6.710.1 FILING THE ORDER OF DEFAULT [Rev. eff. 4/1/13]</p> <p>A. The following documents shall be filed with the Order of Default:</p> <ol style="list-style-type: none"> 1. Return of Service or Waiver of Service and, if service was by certified mail, the return receipt must be attached to the Return of Service-; 2. Affidavit of Non-Appearance as prescribed by the State Department; and, 3. Notice or amended Notice of Financial Responsibility; and, 4. Verified Statement of Obligee, as prescribed by the State Department, used to set the monthly support obligation, or other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment; and, 5. Affidavit and Certification of Official Record or Foster Care Arrearage/Unreimbursed Maintenance Payment Calculation as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate; and, 6. Guidelines worksheets; and, 7. Subpoena to Produce; and, 8. Income and Expense Affidavit for each parent, if available; and, 9. Imputing Potential Income Checklist and affidavit WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if any APPLICABLE; AND 10. Retroactive Support Affidavit, if any; and, 11. Adoption Assistance Agreement, if applicable. <p>B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated</p>	<p>Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments</p> <p>Removal of requirement for the county CSS Unit to file adoption assistance agreements in APA cases as 6.701(B) requires cases with adoption subsidies to be handled judicially</p> <p>Removal of unmaintained effective date</p>

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		<p>The reviewer shall sign the order confirming that the review has been conducted.</p> <p>D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.</p> <p>E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate Child Support Services Unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.</p> <p>F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered; 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires; 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2. <p>G. The order shall specify that the noncustodial parent send all payments through the Family Support Registry.</p> <p>H. The effective date of the default order shall be the date signed by the court approving the default order.</p> <p>I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.</p>	<p>entering the order before the order is filed with the court. The reviewer shall sign the order confirming that the review has been conducted.</p> <p>D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.</p> <p>E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate Child Support Services Unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.</p> <p>F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered; 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires; 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2. <p>G. The order shall specify that the noncustodial parentOBLIGOR send all payments through the Family Support Registry.</p> <p>H. The effective date of the default order shall be the date signed by the court approving the default order.</p> <p>I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.</p>		
6.710.2	Amended	6.710.2 RECEIPT OF THE ORDER OF DEFAULT [Rev. eff.	6.710.2 RECEIPT OF THE ORDER OF DEFAULT [Rev. eff.	Replacement	

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

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	rule	4/1/13 Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days: A. Update automated child support system with court order and initiate a ledger, and B. Send a copy of the order to the noncustodial parent, the custodial party, or his/her attorney, and to the initiating agency, if appropriate, by first class mail.	4/1/13 Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days: A. Update automated child support system with court order and initiate a ledger, and B. Send a copy of the order to the noncustodial parent, the custodial party, or his/her THEIR attorney, and to the initiating agency, if appropriate, by first class mail.	of gendered language with gender-neutral language Removal of unmaintained effective date
6.711	Amended rule	6.711 ISSUANCE OF DEFAULT ORDER ESTABLISHING PATERNITY AND FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. A default order may be issued in cases where paternity is at issue if, after service pursuant to Section 6.705.2: 1. The alleged father fails to appear for the initial negotiation conference as scheduled in the Notice of Financial Responsibility and fails to reschedule a negotiation conference prior to the date and time stated in the Notice of Financial Responsibility or fails to appear for a rescheduled negotiation conference; 2. The alleged father fails to take or appear for a genetic test and a finding of good cause as described in Section 6.709.1 has not been made; or, 3. The genetic test results, if any, show a ninety-seven percent (97%) or greater probability that the alleged father is the father of the child(ren), and he fails to appear at the negotiation conference and fails to reschedule the negotiation conference. B. The delegate Child Support Services Unit shall within five (5) working days of the date of the negotiation conference, or the date of the scheduled genetic test, or within fifteen (15) calendar days of the negotiation conference if the delegate Child Support Services Unit has mailed the noncustodial parent a stipulated order and it has not been signed and returned by the noncustodial parent or a rescheduled negotiation conference has not been conducted within the fifteen (15) days, file an original Order of Default, as prescribed by the State Department, and one copy with the clerk of the District Court in the county in which the Notice or	6.711 ISSUANCE OF DEFAULT ORDER ESTABLISHING PATERNITY PARENTAGE AND FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13] A. A default order may be issued in cases where paternity PARENTAGE is at issue if, after service pursuant to Section 6.705.2: 1. The alleged father PARENT fails to appear for the initial negotiation conference as scheduled in the Notice of Financial Responsibility and fails to reschedule a negotiation conference prior to the date and time stated in the Notice of Financial Responsibility or fails to appear for a rescheduled negotiation conference; 2. The alleged father PARENT fails to take or appear for a genetic test and a finding of good cause as described in Section 6.709.1 has not been made; or, 3. The genetic test results, if any, show a ninety-seven percent (97%) or greater probability that the alleged father PARENT is the father PARENT of the child(ren), and he THE PARENT fails to appear at the negotiation conference and fails to reschedule the negotiation conference. B. The delegate Child Support Services Unit shall within five (5) working days of the date of the negotiation conference, or the date of the scheduled genetic test, or within fifteen (15) calendar days of the negotiation conference if the delegate Child Support Services Unit has mailed the noncustodial parent a stipulated order and it has not been signed and returned by the noncustodial parent or a rescheduled negotiation conference has not been conducted within the fifteen (15) days, file an original Order of Default, as prescribed by the State Department, and one copy with the clerk of the District	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date

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		<p>amended Notice of Financial Responsibility-Paternity Action was issued, or in the District Court where an action relating to paternity and child support is pending.</p> <p>C. A Default Order Establishing Paternity and Financial Responsibility will not be issued when the noncustodial parent is incarcerated and fails to appear for the negotiation conference or the rescheduled negotiation conference. In these circumstances, the delegate Child Support Services Unit's worker shall close the administrative process action for the reason that a hearing has been requested. The delegate Child Support Services Unit's worker shall follow the process for requesting a court hearing pursuant to Section 6.713.</p>	<p>Court in the county in which the Notice or amended Notice of Financial Responsibility-PaternityPARENTAGE Action was issued, or in the District Court where an action relating to paternityPARENTAGE and child support is pending.</p> <p>C. A Default Order Establishing PaternityPARENTAGE and Financial Responsibility will not be issued when the noncustodial parent is incarcerated and fails to appear for the negotiation conference or the rescheduled negotiation conference. In these circumstances, the delegate Child Support Services Unit's worker shall close the administrative process action for the reason that a hearing has been requested. The delegate Child Support Services Unit's worker shall follow the process for requesting a court hearing pursuant to Section 6.713.</p>		
6.711.1	Amended rule	<p>6.711.1 FILING THE ORDER OF DEFAULT [Rev. eff. 4/1/13]</p> <p>A. The following documents shall be filed with the Order of Default:</p> <ol style="list-style-type: none"> 1. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service; 2. Affidavit of Non-Appearance as prescribed by the State Department; 3. Notice or amended Notice of Financial Responsibility (Paternity Action); 4. Verified Affidavit of Obligee as prescribed by the State Department, regarding paternity and genetic tests, if any; 5. Other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment; 6. Affidavit and Certification of Official Record or foster care arrearage/unreimbursed maintenance payment calculation, as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate; 7. Guidelines worksheets; 8. Subpoena to Produce; 	<p>6.711.1 FILING THE ORDER OF DEFAULT [Rev. eff. 4/1/13]</p> <p>A. The following documents shall be filed with the Order of Default:</p> <ol style="list-style-type: none"> 1. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service; 2. Affidavit of Non-Appearance as prescribed by the State Department; 3. Notice or amended Notice of Financial Responsibility (PaternityPARENTAGE Action); 4. Verified Affidavit of Obligee as prescribed by the State Department, regarding paternityPARENTAGE and genetic tests, if any; 5. Other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment; 6. Affidavit and Certification of Official Record or foster care arrearage/unreimbursed maintenance payment calculation, as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate; 7. Guidelines worksheets; 8. Subpoena to Produce; 9. Income and Expense Affidavit for each parent if 	<p>Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments</p> <p>Removal of requirement for the county CSS Unit to file adoption assistance agreements in APA cases as 6.701(B) requires cases with adoption</p>	

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	<p>9. Income and Expense Affidavit for each parent if available;</p> <p>10. Retroactive Support Affidavit, if any; and,</p> <p>11. Genetic testing results, if any;</p> <p>12. Imputing Potential Income Checklist and affidavit, if any;</p> <p>13. Statement Of Paternity; and,</p> <p>14. Adoption Assistance Agreement, if applicable.</p> <p>B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. the reviewer shall sign the order confirming that the review has been conducted.</p> <p>D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.</p> <p>E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven days (7) on the forty-second (42nd) day.</p> <p>F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered; 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires; 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from 	<p>available;</p> <p>10. Retroactive Support Affidavit, if any; and,</p> <p>11. Genetic testing results, if any;</p> <p>12. Imputing Potential Income Checklist and affidavit WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if any APPLICABLE;</p> <p>13. Statement Of Paternity PARENTAGE; and, 14. Adoption Assistance Agreement, if applicable.</p> <p>B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.</p> <p>C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. the reviewer shall sign the order confirming that the review has been conducted.</p> <p>D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.</p> <p>E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven days (7) on the forty-second (42nd) day.</p> <p>F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:</p> <ol style="list-style-type: none"> 1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered; 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires; 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the 	<p>subsidies to be handled judicially</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>the report of the obligor’s employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>G. The court shall specify that the noncustodial parent send all payments through the Family Support Registry.</p> <p>H. The effective date of the default order shall be the date signed by the court approving the default order.</p> <p>I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.</p> <p>J. Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with court order, paternity information and initiate a ledger, and 2. Send a copy of the order to the noncustodial parent or his attorney of record to the custodial party and the initiating agency, if appropriate, by first class mail. 	<p>party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.</p> <p>G. The court shall specify that the noncustodial parent send all payments through the Family Support Registry.</p> <p>H. The effective date of the default order shall be the date signed by the court approving the default order.</p> <p>I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.</p> <p>J. Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days:</p> <ol style="list-style-type: none"> 1. Update automated child support system with court order, paternityPARENTAGE information and initiate a ledger, and 2. Send a copy of the order to the noncustodial parent or his attorney of record to the custodial party and the initiating agency, if appropriate, by first class mail. 		
6.712	Amended rule	<p>6.712 ISSUANCE OF A TEMPORARY ORDER IF NO STIPULATION IS REACHED [Rev. eff. 4/1/13]</p> <p>If no stipulation is agreed upon at the negotiation conference and paternity is not an issue, or if any party contests paternity and the genetic test results are ninety-seven percent (97%) or higher probability of paternity or parentage has previously been determined by another state, the delegate Child Support Services Unit shall issue temporary orders for current child support, arrears, foster care, maintenance, medical support and reasonable support for a time period prior to the entry of the order for support. The Notice or amended Notice of Financial Responsibility and proof of service shall be filed with the clerk of the court. The Child Support Services Unit shall file a request for hearing in accordance with Section 6.713.</p>	<p>6.712 ISSUANCE OF A TEMPORARY ORDER IF NO STIPULATION IS REACHED [Rev. eff. 4/1/13]</p> <p>If no stipulation is agreed upon at the negotiation conference and paternityPARENTAGE is not an issue, or if any party contests paternityPARENTAGE and the genetic test results are ninety-seven percent (97%) or higher probability of paternity or parentage has previously been determined by another state, the delegate Child Support Services Unit shall issue temporary orders for current child support, arrears, foster care, maintenance, medical support and reasonable support for a time period prior to the entry of the order for support. The Notice or amended Notice of Financial Responsibility and proof of service shall be filed with the clerk of the court. The Child Support Services Unit shall file a request for hearing in accordance with Section 6.713.</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date
6.713	Amended rule	<p>6.713 REQUEST FOR COURT HEARING [Rev. eff. 4/1/13]</p> <p>A. A request for a court hearing is made when:</p> <ol style="list-style-type: none"> 1. No stipulation is agreed upon at a negotiation 	<p>6.713 REQUEST FOR COURT HEARING [Rev. eff. 4/1/13]</p> <p>A. A request for a court hearing is made when:</p> <ol style="list-style-type: none"> 1. No stipulation is agreed upon at a negotiation 	Replacement of gendered language with	

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		<p>conference and a temporary order is completed; or,</p> <ol style="list-style-type: none"> 2. the APA-Respondent is incarcerated and does not participate in a negotiation conference or sign a stipulated order, or 3. An alleged or presumed parent is excluded by genetic testing results but facts exist that the person may be a psychological parent, or 4. The APA-Respondent, after valid service of process or execution of a waiver of service, "opts-out" of APA by delivering a written request for court hearing prior to the commencement of the negotiation conference, or 5. A case is referred to court without entry of an administrative order because adoption subsidy payments are being made for a child; or, 6. An order needs to be established but for other reasons cannot be established at the negotiation conference. <p>B. No judicial complaint or new service of process is necessary for the transfer of subject matter jurisdiction to the court in these situations, however, the CSS shall issue and file with the court and deliver to all parties a notice of hearing. In these instances, a hearing shall be held and appropriate permanent orders shall be entered without the necessity of a complaint being issued or served on the parties. The delegate Child Support Services Unit shall request the court to set a hearing in the matter by:</p> <p>C. Filing a Child Support Services Unit Request for Court Hearing, as prescribed by the State Department, with the clerk of the district court in the county in which the Notice of Financial Responsibility was issued or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support.</p> <p>D. Attaching to the Child Support Services Unit Request for Court Hearing the following:</p> <ol style="list-style-type: none"> 1. Notice of Hearing, as prescribed by the State Department; 2. Notice of Financial Responsibility; 3. Return of Service or Waiver of Service: if 	<p>conference and a temporary order is completed; or,</p> <ol style="list-style-type: none"> 2. the APA-Respondent is incarcerated and does not participate in a negotiation conference or sign a stipulated order, or 3. An alleged or presumed parent is excluded by genetic testing results but facts exist that the person may be a psychological parent, or 4. The APA-Respondent, after valid service of process or execution of a waiver of service, "opts-out" of APA by delivering a written request for court hearing prior to the commencement of the negotiation conference, or 5. A case is referred to court without entry of an administrative order because adoption subsidy payments are being made for a child; or, 6. An order needs to be established but for other reasons cannot be established at the negotiation conference. <p>B. No judicial complaint or new service of process is necessary for the transfer of subject matter jurisdiction to the court in these situations, however, the CSS shall issue and file with the court and deliver to all parties a notice of hearing. In these instances, a hearing shall be held and appropriate permanent orders shall be entered without the necessity of a complaint being issued or served on the parties. The delegate Child Support Services Unit shall request the court to set a hearing in the matter by:</p> <p>C-1. Filing a Child Support Services Unit Request for Court Hearing, as prescribed by the State Department, with the clerk of the district court in the county in which the Notice of Financial Responsibility was issued or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support.</p> <p>D-2. Attaching to the Child Support Services Unit Request for Court Hearing the following:</p> <ol style="list-style-type: none"> 1-a. Notice of Hearing, as prescribed by the State Department; 2-b. Notice of Financial Responsibility; 3-c. Return of Service or Waiver of Service: if service was by certified mail, the return receipt 	<p>gender-neutral language</p> <p>Removal of unmaintained effective date</p>	
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		<p>service was by certified mail, the return receipt must be attached to the Return of Service;</p> <ol style="list-style-type: none"> 4. Income and Expense Affidavits of each parent, if available; 5. Temporary Order of Financial Responsibility; 6. Adoption Assistance Agreement, if applicable. <p>E. The delegate Child Support Services Unit shall file a request for hearing within ninety (90) days of service of the Notice of Financial Responsibility or Notice of Financial Responsibility-Paternity Action on the APA-Respondent or within five (5) of determining that APA is no longer appropriate and that the case must be referred to court, whichever date is earlier.</p> <p>F. The Notice of Hearing must be sent to the noncustodial parent or the noncustodial parent's attorney and the custodial party and other agency, if appropriate, by the delegate Child Support Services Unit if delegated and authorized by the court in writing.</p> <p>G. The delegate Child Support Services Unit is responsible for notifying the court of the last day for a hearing to be held in order to decide the issue of child support within ninety days after receipt of notice, commencing on the date the service of the Notice or amended Notice of Financial Responsibility is accomplished. This is the date on the return receipt if service is by certified mail or the date on the return of service, if through personal services.</p>	<p>must be attached to the Return of Service;</p> <p>4.d.Income and Expense Affidavits of each parent, if available;</p> <p>5.e.Temporary Order of Financial Responsibility;</p> <p>6.f.Adoption Assistance Agreement, if applicable.</p> <p>E-C.The delegate Child Support Services Unit shall file a request for hearing within ninety (90) days of service of the Notice of Financial Responsibility or Notice of Financial Responsibility-PaternityPARENTAGE Action on the APA-Respondent or within five (5) of determining that APA is no longer appropriate and that the case must be referred to court, whichever date is earlier.</p> <p>F-D.The Notice of Hearing must be sent to the noncustodial parent or the noncustodial parent's attorney and the custodial party and other agency, if appropriate, by the delegate Child Support Services Unit if delegated and authorized by the court in writing.</p> <p>G-E.The delegate Child Support Services Unit is responsible for notifying the court of the last day for a hearing to be held in order to decide the issue of child support within ninety days after receipt of notice, commencing on the date the service of the Notice or amended Notice of Financial Responsibility is accomplished. This is the date on the return receipt if service is by certified mail or the date on the return of service, if through personal services.</p>		
6.714	Amended rule	<p>6.714 MODIFICATION OF ADMINISTRATIVE ORDERS [Rev. eff. 4/1/13]</p> <ol style="list-style-type: none"> A. If the current order was established or modified using administrative process and APA is still appropriate, the CSS shall use APA to modify the order. B. The CSS shall follow the provisions of §26-13-121, C.R.S., §14-10-122, C.R.S. and sections 6.261.4 through 6.261.8 and this section of these rules in conducting the review and any modification of the current APA order. C. At the negotiation conference, the CSS shall enter an order as follows: <ol style="list-style-type: none"> 1. If both parties appear and agree to the terms of the proposed order, enter a stipulated order of modification, 2. If neither party appears for the negotiation 	<p>6.714 MODIFICATION OF ADMINISTRATIVE ORDERS [Rev. eff. 4/1/13]</p> <ol style="list-style-type: none"> A. If the current order was established or modified using administrative process and APA is still appropriate, the CSS UNIT shall use APA to modify the order. B. The CSS UNIT shall follow the provisions of SECTIONS §26-13-121, C.R.S., 26-13.5-112, AND §14-10-122, C.R.S. and sSections 6.261.4 through 6.261.8 and this section of these rules in conducting the review and any modification of the current APA order. C. At the negotiation conference, the CSS UNIT shall enter an order as follows: <ol style="list-style-type: none"> 1. If both parties appear and agree to the terms of the proposed order, enter a stipulated order of modification, 2. If neither party appears for the negotiation 	<p>Addition of applicable C.R.S. cite</p> <p>Removal of unmaintained effective date</p>	

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		<p>conference, enter a default order of modification,</p> <p>3. If one or both parties appear and one or both do not agree to the terms of the proposed order, the CSS shall not enter an APA order of modification but shall request a court hearing on the modification and continue to enforce the current order until modified by the court.</p>	<p>conference, enter a default order of modification,</p> <p>3. If one or both parties appear and one or both do not agree to the terms of the proposed order, the CSS UNIT shall not enter an APA order of modification but shall request a court hearing on the modification and continue to enforce the current order until modified by the court.</p>		
6.714.1	Amended rule	<p>6.714.1 DEFAULT ORDER OF MODIFICATION If a default order of modification is entered:</p> <p>A. The order and accompanying documents shall be signed by the APA certified employee of the county CSS or county director and be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. The reviewer shall sign the order confirming that the review has been conducted.</p> <p>B. The following documents shall be filed with the court:</p> <ol style="list-style-type: none"> 1. Affidavit of Non-Appearance 2. Default Order of Modification 3. Notice of Financial Responsibility – Modification 4. Guidelines Worksheet(s) 5. Imputing Potential Income Checklist and affidavit, if any, 6. Subpoena to Produce 7. Income and Expense Affidavit, if any, 8. Documentation supporting the guidelines calculation, if any, and 9. Adoption subsidy, if any. <p>C. If the court has not approve or denied approval of the default order within the thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.</p> <p>D. The effective date of the order shall be the date the order is approved by the court.</p>	<p>6.714.1 DEFAULT ORDER OF MODIFICATION If a default order of modification is entered:</p> <p>A. The order and accompanying documents shall be signed by the APA certified employee of the county CSS or county director and be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. The reviewer shall sign the order confirming that the review has been conducted.</p> <p>B. The following documents shall be filed with the court:</p> <ol style="list-style-type: none"> 1. Affidavit of Non-Appearance; 2. Default Order of Modification; 3. Notice of Financial Responsibility – Modification 4. Guidelines Worksheet(s); 5. Imputing Potential Income Checklist and affidavit WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if any APPLICABLE; 6. Subpoena to Produce; 7. Income and Expense Affidavit, if any; AND 8. Documentation supporting the guidelines calculation, if any; and. 9. —Adoption subsidy, if any. <p>C. If the court has not approve or denied approval of the default order within the thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.</p> <p>D. The effective date of the order shall be the date the order is approved by the court.</p>	<p>Removal of requirement for the county CSS Unit to complete an imputing potential income checklist affidavit as that information is captured in the guideline worksheet comments</p> <p>Removal of requirement for the county CSS Unit to file adoption assistance agreements in APA cases as 6.701(B) requires cases with adoption subsidies to be handled judicially</p>	

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				unmaintained effective date	
6.801	Amended title only	6.801 PROCESSING COLLECTIONS [Rev. eff. 9/15/12]	6.801 PROCESSING COLLECTIONS [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.801.1	Amended title only	6.801.1 Family Support Registry [Rev. eff. 9/15/12]	6.801.1 Family Support Registry [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.801.2	Amended title only	6.801.2 Colorado Date of Receipt [Rev. eff. 9/15/12]	6.801.2 Colorado Date of Receipt [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.801.3	Amended title only	6.801.3 County Processes [Rev. eff. 9/15/12]	6.801.3 County Processes [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.801.4	Amended title only	6.801.4 Information on Automated Systems [Rev. eff. 9/15/12]	6.801.4 Information on Automated Systems [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.802	Amended title only	6.802 ALLOCATION [Rev. eff. 9/15/12]	6.802 ALLOCATION [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.802.1	Amended title only	6.802.1 Voluntary Collections on Cases With No Support Orders [Rev. eff. 9/15/12]	6.802.1 Voluntary Collections on Cases With No Support Orders [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.802.2	Amended title only	6.802.2 Collections on Cases With Support Orders [Rev. eff. 9/15/12]	6.802.2 Collections on Cases With Support Orders [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.802.3	Amended title only	6.802.3 IRS Collections [Rev. eff. 9/15/12]	6.802.3 IRS Collections [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.802.4	Amended title only	6.802.4 Judgment Collections [Rev. eff. 9/15/12]	6.802.4 Judgment Collections [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.803.2	Amended title only	6.803.2 Distribution From a Title IV-E Allocation [Rev. eff. 9/15/12]	6.803.2 Distribution From a Title IV-E Allocation [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.803.3	Amended title only	6.803.3 Distribution From a Non-IV-A Allocation [Rev. eff. 9/15/12]	6.803.3 Distribution From a Non-IV-A Allocation [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.803.4	Amended title only	6.803.4 Distribution From a Non-IV-E Allocation [Rev. eff. 9/15/12]	6.803.4 Distribution From a Non-IV-E Allocation [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.804.2	Amended	6.804.2 Disbursement From a Title IV-E Allocation [Rev. eff. 9/15/12]	6.804.2 Disbursement From a Title IV-E Allocation [Rev. eff. 9/15/12]	Removal of	

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	title only	9/15/12]	9/15/12]	unmaintained effective date	
6.804.3	Amended title only	6.804.3 Disbursement from a Non-IV-A Allocation [Rev. eff. 9/15/12]	6.804.3 Disbursement from a Non-IV-A Allocation [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.804.4	Amended title only	6.804.4 DISBURSEMENT FROM A NON-IV-E ALLOCATION [Rev. eff. 4/1/13]	6.804.4 DISBURSEMENT FROM A NON-IV-E ALLOCATION [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.804.5	Amended title only	6.804.5 Disbursement in Intergovernmental Cases [Rev. eff. 9/15/12]	6.804.5 Disbursement in Intergovernmental Cases [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.804.6	Amended title only	6.804.6 Disbursements From Federal Income Tax Return Allocations [Rev. eff. 9/15/12]	6.804.6 Disbursements From Federal Income Tax Return Allocations [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.804.7	Amended title only	6.804.7 Erroneous Intercept Collection [Rev. eff. 9/15/12]	6.804.7 Erroneous Intercept Collection [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.804.8	Amended title only	6.804.8 Erroneous Collection From an Enforcement Remedy [Rev. eff. 9/15/12]	6.804.8 Erroneous Collection From an Enforcement Remedy [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.805.1	Amended rule	<p>6.805.1 COUNTY LEVEL REVIEW</p> <p>A. The county department shall establish procedures for reviewing arrearage amounts that are to be reported to a consumer credit reporting agency or have been certified for the administrative offset program, administrative lien and levy, tax offset, lottery intercept, workers' compensation attachment, state vendor offset program, gambling intercept, license suspension, or administrative lien and attachment of insurance claim payments, awards, and settlements.</p> <p>B. Upon written request for an administrative review, within the time frame specified on the advance notice for reporting arrears to a consumer credit reporting agency, the pre offset notice for tax purposes, the notice of intercept of lottery winnings, the Administrative Lien and Attachment for workers' compensation benefits, the notice for license suspension, the notice of administrative lien and levy, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for federal administrative offset program, or the notice of administrative lien and attachment of insurance claim payments, awards, and</p>	<p>6.805.1 COUNTY LEVEL REVIEW</p> <p>A. The county department shall establish procedures for reviewing arrearage amounts that are to be reported to a consumer credit reporting agency or have been certified for the administrative offset program, administrative lien and levy, tax offset, lottery intercept, workers' compensation attachment, state vendor offset program, gambling intercept, license suspension, or administrative lien and attachment of insurance claim payments, awards, and settlements.</p> <p>B. Upon written request for an administrative review, within the time frame specified on the advance notice for reporting arrears to a consumer credit reporting agency, the pre offset notice for tax purposes, the notice of intercept of lottery winnings, the Administrative Lien and Attachment for workers' compensation benefits, the notice for license suspension, THE NOTICE OF LICENSE DENIAL, the notice of administrative lien and levy, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for federal administrative offset program, or the notice of administrative lien and attachment of insurance claim</p>	<p>Addition of new notice for the recently implemented DOR license denial enforcement remedy</p> <p>Replacement of gendered language with gender-neutral language</p>	

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	<p>settlements, the county Child Support Services Unit shall:</p> <ol style="list-style-type: none">1. Schedule and advise the obligor, and the obligee in a non-public assistance case, of the date, time and place of the review and initiate administrative review information on the administrative review tracking system screen in the automated child support system.2. Request from the obligor copies of any modifications of the support order.3. Request from the obligor records of payments made by the obligor.4. Advise the obligor this review is a review of the records only and not a judicial determination.5. Request proof from the obligor if he/she has contested being the obligor.6. Advise the obligor that a decision will be rendered within thirty (30) days of the request for a review. <p>C. The county department shall notify the obligor that an administrative review will only be held if the request for an administrative review concerns an issue of mistaken identity of the obligor or the amount of arrearages specified on the advance notice for reporting to a consumer credit reporting agency, the pre-offset notice for tax offset, the notice for lottery intercept, administrative lien and attachment for workers' compensation benefits, the notice of license suspension, the notice for federal administrative offset program, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for administrative lien and levy, or the notice of administrative lien and attachment of insurance claim payments, awards, and settlements.</p> <p>D. On the date established, the county department shall review the child support case record and the documents submitted by the obligor and determine the arrears.</p> <p>E. Within ten (10) calendar days of the decision rendered, the county department shall update the automated child support system, take any additional action appropriate to reflect the decision, notify the obligor, and the obligee in a non-public assistance case, of the decision rendered. The written decision shall include the time frames</p>	<p>payments, awards, and settlements, the county Child Support Services Unit shall:</p> <ol style="list-style-type: none">1. Schedule and advise the obligor, and the obligee in a non-public assistance case, of the date, time and place of the review and initiate administrative review information on the administrative review tracking system screen in the automated child support system.2. Request from the obligor copies of any modifications of the support order.3. Request from the obligor records of payments made by the obligor.4. Advise the obligor this review is a review of the records only and not a judicial determination.5. Request proof from the obligor if he/sheTHEY hasHAVE contested being the obligor.6. Advise the obligor that a decision will be rendered within thirty (30) days of the request for a review. <p>C. The county department shall notify the obligor that an administrative review will only be held if the request for an administrative review concerns an issue of mistaken identity of the obligor or the amount of arrearages specified on the advance notice for reporting to a consumer credit reporting agency, the pre-offset notice for tax offset, the notice for lottery intercept, administrative lien and attachment for workers' compensation benefits, the notice of license suspension, the notice for federal administrative offset program, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for administrative lien and levy, or the notice of administrative lien and attachment of insurance claim payments, awards, and settlements.</p> <p>D. On the date established, the county department shall review the child support case record and the documents submitted by the obligor and determine the arrears.</p> <p>E. Within ten (10) calendar days of the decision rendered, the county department shall update the automated child support system, take any additional action appropriate to reflect the decision, notify the obligor, and the obligee in a non-public assistance case, of the decision rendered. The written decision shall include the time frames reviewed, balance due for that time frame, court orders reviewed</p>	
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		<p>reviewed, balance due for that time frame, court orders reviewed including the child support terms of those orders, payment records reviewed, and amounts credited based on those records.</p> <p>F. The county department shall notify the obligor of his/her right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.</p>	<p>including the child support terms of those orders, payment records reviewed, and amounts credited based on those records.</p> <p>F. The county department shall notify the obligor of his/herTHE right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.</p>		
6.805.2	Amended rule	<p>6.805.2 STATE LEVEL REVIEW Upon written request from the obligor to the State Department for review of arrearage amounts, that are to be reported to a consumer credit reporting agency, or have been certified for tax offset, for lottery intercept, for workers' compensation benefits attachment, license suspension, federal administrative offset program, state vendor offset program, gambling intercept, administrative lien and levy, and administrative lien and attachment of insurance claim payments, awards, and settlements, the State Department shall</p> <p>A. Determine if a county level administrative review occurred.</p> <ol style="list-style-type: none"> 1. If not and the obligor is within the time frame specified on the notice, forward the request to the appropriate county and ensure that the county conducts an administrative review within thirty (30) calendar days of receiving the request from the State Department. 2. If not and the obligor is outside of the time frame specified on the notice, the obligor has lost the right to contest the arrears through the administrative review process. 3. If yes, set a date, time, and place for the review, which shall be within thirty (30) calendar days from the date the written request for review was received by the State Department. <p>B. Provide a written notice to the obligor, and the obligee in a non-public assistance case, of the date, time, and place of the review. This notice shall contain a statement which advises the parties:</p> <ol style="list-style-type: none"> 1. The only issues to be reviewed are a mistake in the identity of the obligor or a disagreement of the amount of arrears. 	<p>6.805.2 STATE LEVEL REVIEW Upon written request from the obligor to the State Department for review of arrearage amounts, that are to be reported to a consumer credit reporting agency, or have been certified for tax offset, for lottery intercept, for workers' compensation benefits attachment, license suspension, LICENSE DENIAL, federal administrative offset program, state vendor offset program, gambling intercept, administrative lien and levy, and administrative lien and attachment of insurance claim payments, awards, and settlements, the State Department shall</p> <p>A. Determine if a county level administrative review occurred.</p> <ol style="list-style-type: none"> 1. If not and the obligor is within the time frame specified on the notice, forward the request to the appropriate county and ensure that the county conducts an administrative review within thirty (30) calendar days of receiving the request from the State Department. 2. If not and the obligor is outside of the time frame specified on the notice, the obligor has lost the right to contest the arrears through the administrative review process. 3. If yes, set a date, time, and place for the review, which shall be within thirty (30) calendar days from the date the written request for review was received by the State Department. <p>B. Provide a written notice to the obligor, and the obligee in a non-public assistance case, of the date, time, and place of the review. This notice shall contain a statement which advises the parties:</p> <ol style="list-style-type: none"> 1. The only issues to be reviewed are a mistake in the identity of the obligor or a disagreement of the amount of arrears. 	<p>Addition of requirement to advise parties of their right to appeal a state determination pursuant to § 24-4-106 C.R.S.</p> <p>Replacement of gendered language with gender-neutral language</p>	

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		<p>2. The review is a review of the records only and not a judicial determination.</p> <p>3. The obligor must provide all records of his or her support payments.</p> <p>4. That a decision will be rendered within thirty (30) days of the review.</p> <p>C. Request that the county provide:</p> <p>1. The records that established the arrearages; and,</p> <p>2. A copy of its decision if not previously provided by the noncustodial parent.</p> <p>D. On the date established for the review, the State Department shall review the records and determine the arrears. If more time is required to review the records or render a decision, the State Department may extend the time for rendering a decision by an additional thirty (30) days.</p> <p>E. Within ten (10) calendar days of the decision rendered, the State Department shall notify, in writing, the obligor, the obligee in a non-public assistance case, and the county Child Support Services Unit of the decision rendered. Any party shall have the right to appeal the decision. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amount credited based on those records.</p> <p>F. Update the Automated Child Support Enforcement system to reflect the administrative review.</p> <p>G. A decision will be rendered within thirty (30) calendar days of the receipt of the written request for review unless the parties fail to provide the required information.</p>	<p>2. The review is a review of the records only and not a judicial determination.</p> <p>3. The obligor must provide all records of his or her support payments MADE.</p> <p>4. That a decision will be rendered within thirty (30) days of the review.</p> <p>C. Request that the county provide:</p> <p>1. The records that established the arrearages; and,</p> <p>2. A copy of its decision if not previously provided by the noncustodial parent.</p> <p>D. On the date established for the review, the State Department shall review the records and determine the arrears. If more time is required to review the records or render a decision, the State Department may extend the time for rendering a decision by an additional thirty (30) days.</p> <p>E. Within ten (10) calendar days of the decision rendered, the State Department shall notify, in writing, the obligor, the obligee in a non-public assistance case, and the county Child Support Services Unit of the decision rendered. Any party shall have the right to appeal the decision. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amount credited based on those records.</p> <p>F. Update the Automated Child Support Enforcement system to reflect the administrative review.</p> <p>G. A decision will be rendered within thirty (30) calendar days of the receipt of the written request for review unless the parties fail to provide the required information.</p> <p>H. ADVISE THE PARTIES OF THEIR RIGHT TO APPEAL THE STATE DECISION BY FILING AN ACTION FOR JUDICIAL REVIEW WITH THE STATE DISTRICT COURT WITHIN THIRTY-FIVE (35) CALENDAR DAYS OF THE EFFECTIVE DATE OF THE STATE DECISION. THE STATE DECISION IS EFFECTIVE ON THE DATE OF THE DECISION.</p>		
6.805.21	Amended title only	6.805.21 Reflect Decision Rendered [Rev. eff. 9/15/12]	6.805.21 Reflect Decision Rendered [Rev. eff. 9/15/12]	Removal of unmaintained effective date	

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6.805.3	Amended rule	<p>6.805.3 Intergovernmental Review [Rev. eff. 9/15/12] Procedure for Reviewing arrearage amounts that have been certified and submitted for a federal income tax refund offset on an intergovernmental case.</p> <p>A. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the submitting state and the requester has requested that the order-issuing state conduct the review or Colorado, as the submitting state, cannot resolve the matter, the county CSS Unit shall notify the order-issuing state and send all necessary information which was considered in the decision of an arrearage amount. Colorado, as the submitting state, shall be bound by the decision of the order-issuing state.</p> <p>B. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the order-issuing state and the requester has requested that the order-issuing state conduct the review or the submitting state cannot resolve the matter, the county Child Support Services Unit shall:</p> <ol style="list-style-type: none"> 1. Schedule and advise the obligor, and the obligee in a non-public assistance case, and the other state, of the date, time, and place of the administrative review. 2. Advise the obligor, and the obligee in a non-public assistance case and the other state that a decision will be rendered within forty five (45) calendar days of the receipt of the submitting state's request and information. 3. On the date established, the order-issuing state shall review the child support case record, and the documents submitted by the requester and forwarded by the submitting state, and determine the arrears. 4. Within ten (10) calendar days of the decision rendered, the order-issuing state shall notify in writing, the obligor, the obligee, and the submitting state of the decision rendered. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amounts credited based on 	<p>6.805.3 Intergovernmental Review [Rev. eff. 9/15/12] Procedure for Reviewing arrearage amounts that have been certified and submitted for a federal income tax refund offset on an intergovernmental case.</p> <p>A. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the submitting state and the requester has requested that the order-issuing state conduct the review or Colorado, as the submitting state, cannot resolve the matter, the county CSS Unit shall notify the order-issuing state and send all necessary information which was considered in the decision of an arrearage amount. Colorado, as the submitting state, shall be bound by the decision of the order-issuing state.</p> <p>B. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the order-issuing state and the requester has requested that the order-issuing state conduct the review or the submitting state cannot resolve the matter, the county Child Support Services Unit shall:</p> <ol style="list-style-type: none"> 1. Schedule and advise the obligor, and the obligee in a non-public assistance case, and the other state, of the date, time, and place of the administrative review. 2. Advise the obligor, and the obligee in a non-public assistance case and the other state that a decision will be rendered within forty five (45) calendar days of the receipt of the submitting state's request and information. 3. On the date established, the order-issuing state shall review the child support case record, and the documents submitted by the requester and forwarded by the submitting state, and determine the arrears. 4. Within ten (10) calendar days of the decision rendered, the order-issuing state shall notify in writing, the obligor, the obligee, and the submitting state of the decision rendered. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amounts credited based on those 	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>
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		<p>those records.</p> <p>5. The county department shall notify the obligor of his/her right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.</p> <p>6. The county department, upon receiving the decisions rendered by the other state shall, within ten (10) calendar days, adjust the Automated Child Support Enforcement System records to reflect the decision rendered and take any additional appropriate action.</p>	<p>records.</p> <p>5. The county department shall notify the obligor of his/herTHE right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.</p> <p>6. The county department, upon receiving the decisions rendered by the other state shall, within ten (10) calendar days, adjust the Automated Child Support Enforcement System records to reflect the decision rendered and take any additional appropriate action.</p>		
6.805.41	Amended rule	<p>6.805.41 County Responsibility [Rev. eff. 9/15/12]</p> <p>A. Following verbal or written contact from an obligee regarding questions or disagreement about distribution of amounts collected, the CSS unit shall review the distribution and respond verbally or in writing. The obligee must be advised that if there is still disagreement, he/she must submit a written request for an administrative review by the Child Support Services Unit.</p> <p>B. Within ten (10) calendar days of the receipt of a written request for an administrative review, the Child Support Services unit shall:</p> <ol style="list-style-type: none"> 1. Schedule and advise the obligee of the date, time and place of the review; 2. Request from the obligee copies of any modification of the support order that have not been previously provided to the Child Support Services Unit; 3. Request from the obligee records of any payments made directly to the family from the obligor; 4. Advise the obligee that a written decision will be rendered within thirty (30) days of the date of the review; 5. Request from the obligee any other information to support his/her contention that the collections were distributed in error. <p>C. If the request for an administrative review concerns an issue other than the distribution of current support and/or</p>	<p>6.805.41 County Responsibility [Rev. eff. 9/15/12]</p> <p>A. Following verbal or written contact from an obligee regarding questions or disagreement about distribution of amounts collected, the CSS unit shall review the distribution and respond verbally or in writing. The obligee must be advised that if there is still disagreement, he/sheTHE OBLIGEE must submit a written request for an administrative review by the Child Support Services Unit.</p> <p>B. Within ten (10) calendar days of the receipt of a written request for an administrative review, the Child Support Services unit shall:</p> <ol style="list-style-type: none"> 1. Schedule and advise the obligee of the date, time and place of the review; 2. Request from the obligee copies of any modification of the support order that have not been previously provided to the Child Support Services Unit; 3. Request from the obligee records of any payments made directly to the family from the obligor; 4. Advise the obligee that a written decision will be rendered within thirty (30) days of the date of the review; 5. Request from the obligee any other information to support his/herTHE contention that the collections were distributed in error. <p>C. If the request for an administrative review concerns an issue other than the distribution of current support and/or</p>	Replacement of gendered language with gender-neutral language	Removal of unmaintained effective date

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		<p>arrearage payments, the Child Support Services unit shall notify the obligee that a review will not be held.</p> <p>D. On the date established for the administrative review, the Child Support Services unit shall review the child support case record and any information submitted by the obligee and determine if the distribution of the amounts collected was correct.</p> <p>E. The Child Support Services unit shall promptly notify the obligee in writing of the decision rendered and will provide a copy of the decision to the State Department within five (5) days of the date the decision is rendered.</p> <p>F. The Child Support Services Unit shall notify the obligee in writing of his/her right to request a further review by the State Department. The obligee will be advised that the written request must be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligee.</p> <p>G. The Child Support Services Unit, upon receiving the decision rendered by the State Department after a state level review shall, within ten (10) calendar days, adjust the automated child support enforcement system records to reflect the decision rendered and take any additional action as appropriate.</p>	<p>arrearage payments, the Child Support Services unit shall notify the obligee that a review will not be held.</p> <p>D. On the date established for the administrative review, the Child Support Services unit shall review the child support case record and any information submitted by the obligee and determine if the distribution of the amounts collected was correct.</p> <p>E. The Child Support Services unit shall promptly notify the obligee in writing of the decision rendered and will provide a copy of the decision to the State Department within five (5) days of the date the decision is rendered.</p> <p>F. The Child Support Services Unit shall notify the obligee in writing of his/herTHE right to request a further review by the State Department. The obligee will be advised that the written request must be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligee.</p> <p>G. The Child Support Services Unit, upon receiving the decision rendered by the State Department after a state level review shall, within ten (10) calendar days, adjust the automated child support enforcement system records to reflect the decision rendered and take any additional action as appropriate.</p>		
6.805.42	<p>6.805.42 State Responsibilities [Rev. eff. 9/15/12] Upon written request for further administrative review, the State Department shall:</p> <p>A. Provide notice to the obligee, which shall contain:</p> <ol style="list-style-type: none"> 1. A statement that the only issue to be reviewed is the distribution of current support and/or arrearage payments collected; 2. A statement that the review is a review of the records only and not a judicial determination and that the review will be limited to the documentation in the CSS file and any written material the obligee wishes to present. <p>B. Request from the CSS Unit or obtain from the automated child support system, the records used for the distribution;</p> <p>C. Request from the CSS Unit a copy of its decision;</p> <p>D. Request from the county records of support payment paid directly to the family which were provided by the obligee during the administrative review;</p> <p>E. Advise the obligee that a written decision will be made</p>	<p>6.805.42 State Responsibilities [Rev. eff. 9/15/12] Upon written request for further administrative review, the State Department shall:</p> <p>A. Provide notice to the obligee, which shall contain:</p> <ol style="list-style-type: none"> 1. A statement that the only issue to be reviewed is the distribution of current support and/or arrearage payments collected; 2. A statement that the review is a review of the records only and not a judicial determination and that the review will be limited to the documentation in the CSS file and any written material the obligee wishes to present. <p>B. Request from the CSS Unit or obtain from the automated child support system, the records used for the distribution;</p> <p>C. Request from the CSS Unit a copy of its decision;</p> <p>D. Request from the county records of support payment paid directly to the family which were provided by the obligee during the administrative review;</p> <p>E. Advise the obligee that a written decision will be made within thirty (30) calendar days of the receipt of the</p>	<p>Correction of time frame for an obligee to appeal a state determination pursuant to § 24-4-106 C.R.S.</p> <p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>		

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		<p>within thirty calendar days of the receipt of the request;</p> <p>F. Advise the obligee of his/her right to appeal the state determination to State District Court on Judicial Review within thirty calendar days of the mailing of the decision.</p>	<p>request;</p> <p>F. Advise the obligee of his/her THE right to appeal the state determination DECISION BY FILING AN ACTION FOR JUDICIAL REVIEW WITH THE State District Court on Judicial Review within thirty calendar days of the mailing of the decision WITHIN THIRTY-FIVE (35) CALENDAR DAYS OF THE EFFECTIVE DATE OF THE STATE DECISION. THE STATE DECISION IS EFFECTIVE ON THE DATE OF THE DECISION</p>		
6.805.43	Amended title only	6.805.43 Notify of Decision Rendered [Rev. eff. 9/15/12]	6.805.43 Notify of Decision Rendered [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.805.5	Amended title only	6.805.5 Appeal of Joint Account Collection From FIDM [Rev. eff. 9/15/12]	6.805.5 Appeal of Joint Account Collection From FIDM [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.806	Amended rule	<p>6.806 INTEREST [Rev. emergency eff. 4/5/13; permanent 7/1/13]</p> <p>Collection of interest is optional for county Child Support Services Units. If a county chooses to collect interest, the following rules shall apply.</p> <p>A. Interest on support collections that are deposited in a financial institution in interest bearing accounts shall be used to reduce administrative costs as prescribed by the State Department.</p> <p>B. Interest collected through support arrears/debt shall be considered a support collection and shall be used to reduce the UPA/UMP balances or, for non IV-A cases, paid to the family.</p> <ol style="list-style-type: none"> 1. In order to collect interest on a Colorado order, the interest rate will be calculated as prescribed by the State Department on the balance past due at the current interest rate in effect as set forth in Sections 5-12-101 and 14-14-106, C.R.S. 2. Interest on arrears balances will be calculated for a specific amount of arrearages/debt covering a specific period of time. The amount of interest will be listed separately from the amount listed for child support arrears/debt and shall be added to the IV-D ledger on the automated child support enforcement system using the appropriate interest adjustment 	<p>6.806 INTEREST [Rev. emergency eff. 4/5/13; permanent 7/1/13]</p> <p>Collection of interest is optional for county Child Support Services Units. If a county chooses to collect interest, the following rules shall apply.</p> <p>A. Interest on support collections that are deposited in a financial institution in interest bearing accounts shall be used to reduce administrative costs as prescribed by the State Department.</p> <p>B. Interest collected through support arrears/debt shall be considered a support collection and shall be used to reduce the UPA/UMP balances or, for non IV-A cases, paid to the family.</p> <ol style="list-style-type: none"> 1. In order to collect interest on a Colorado order, the interest rate will be calculated as prescribed by the State Department on the balance past due at the current interest rate in effect as set forth in Sections 5-12-101 and 14-14-106, C.R.S. 2. Interest on arrears balances will be calculated for a specific amount of arrearages/debt covering a specific period of time. The amount of interest will be listed separately from the amount listed for child support arrears/debt and shall be added to the IV-D ledger on the automated child support enforcement system using the appropriate interest adjustment reason codes. 	<p>Replacement of gendered language with gender-neutral language</p> <p>Removal of unmaintained effective date</p>	

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		<p>reason codes. The two figures will be added together to show the total amount of judgment or non-judgment balances.</p> <p>3. A county may charge interest on a Colorado child support order according to statute. If a county intends to calculate interest, it must:</p> <ul style="list-style-type: none"> a. Send a written notice to the obligor or his/her attorney of record, if one exists, that interest will be assessed on the order. b. Only assess interest beginning with the date of the notice referenced in paragraph a, of this section. c. Complete an updated interest calculation every six (6) months for all cases where notice, in paragraph "a" of this section, was provided and shall provide written notification of the amount of interest assessed to the obligor or his/her attorney of record, if one exists. d. Notify the responding agency in an initiating reciprocal action, at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support. <p>4. The county Child Support Services Unit may waive the collection of interest if it wishes to use interest as a negotiating tool to reach a payment settlement on both public assistance and non-public assistance cases.</p> <p>5. Counties must collect interest on interjurisdictional cases if they are enforcing another jurisdiction's order and the jurisdiction requests collection of interest.</p>	<p>The two figures will be added together to show the total amount of judgment or non-judgment balances.</p> <p>3. A county may charge interest on a Colorado child support order according to statute. If a county intends to calculate interest, it must:</p> <ul style="list-style-type: none"> a. Send a written notice to the obligor or his/herTHE OBLIGOR'S attorney of record, if one exists, that interest will be assessed on the order. b. Only assess interest beginning with the date of the notice referenced in paragraph a, of this section. c. Complete an updated interest calculation every six (6) months for all cases where notice, in paragraph "a" of this section, was provided and shall provide written notification of the amount of interest assessed to the obligor or his/herTHE OBLIGOR'S attorney of record, if one exists. d. Notify the responding agency in an initiating reciprocal action, at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support. <p>4. The county Child Support Services Unit may waive the collection of interest if it wishes to use interest as a negotiating tool to reach a payment settlement on both public assistance and non-public assistance cases.</p> <p>5. Counties must collect interest on interjurisdictional cases if they are enforcing another jurisdiction's order and the jurisdiction requests collection of interest.</p>		
6.807	Amended rule	<p>6.807 DISBURSEMENTS ON HOLD [Rev. eff. 9/15/12]</p> <ul style="list-style-type: none"> A. If a disbursement returns as undeliverable mail, if there is no existing address on the automated child support system, or if a disbursement has been reported as lost or stolen, the user shall put all disbursements for that ledger on hold until the issue is resolved. B. Child Support Services Units shall ensure that procedures are established in the county to work the 	<p>6.807 DISBURSEMENTS ON HOLD [Rev. eff. 9/15/12]</p> <ul style="list-style-type: none"> A. If a disbursement returns as undeliverable mail, if there is no existing address on the automated child support system, or if a disbursement has been reported as lost or stolen, the user shall put all disbursements for that ledger on hold until the issue is resolved. B. Child Support Services Units shall ensure that procedures are established in the county to work the scheduled 	Clarification of timeframes relating to disbursement on hold	Removal of unmaintained

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		<p>scheduled disbursements daily.</p> <p>C. The county Child Support Services Unit shall utilize all appropriate local, state, and federal sources to determine the location of the payee.</p> <p>D. If the obligee cannot be located within ninety (90) calendar days of the original warrant issue date, the Child Support Services worker shall allocate the payment(s) first to any obligor erroneous disbursement balance and second to any assigned arrears balance.</p> <p>E. If there are no obligor erroneous disbursement or assigned arrears balances, the Child Support Services worker shall allocate the payment to obligor over collect and disburse to the obligor.</p> <p>F. If the obligor cannot be located within one hundred eighty (180) calendar days of the original warrant issue date, the Child Support Services worker shall, by the one hundred eighty-first (181st) calendar day, mark the collection to transfer to the abandoned collections account on the disbursement record on the automated child support enforcement system. The automated child support enforcement system will automatically reimburse any obligee unfunded disbursement balance on the ledger before the payment is transferred to the abandoned collections account.</p> <p>G. If the payee requests payment of the disbursement once it has been transferred to the abandoned collections account, the transfer will be reversed through a problem log to the state office, and the disbursement will be scheduled.</p>	<p>disbursements daily.</p> <p>C. The county Child Support Services Unit shall utilize all appropriate local, state, and federal sources to determine the location of the payee.</p> <p>D. If the obligee cannot be located within ninety (90) calendar days of the original warrant issue date OF THE DISBURSEMENT TO THE OBLIGEE, the Child Support Services worker shall allocate the payment(s) first to any obligor erroneous disbursement balance and second to any assigned arrears balance.</p> <p>E. If there are no obligor erroneous disbursement or assigned arrears balances, the Child Support Services worker shall allocate the payment to obligor over collect and disburse to the obligor.</p> <p>F. If the obligor cannot be located within one hundred eighty (180)NINETY (90) calendar days of the original warrant issue date OF THE DISBURSEMENT TO THE OBLIGOR, the Child Support Services worker shall, by the one hundred eighty-first (181st)NINETY-FIRST (91ST) calendar day, mark the collection to transfer to the abandoned collections account on the disbursement record on the automated child support enforcement system. The automated child support enforcement system will automatically reimburse any obligee unfunded disbursement balance on the ledger before the payment is transferred to the abandoned collections account.</p> <p>G. If the payee requests payment of the disbursement once it has been transferred to the abandoned collections account, the transfer will be reversed through a problem log to the state office, and the disbursement will be scheduled.</p>	effective date	
6.808	Amended title only	6.808 UNFUNDED DISBURSEMENTS [Rev. eff. 9/15/12]	6.808 UNFUNDED DISBURSEMENTS [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.808.1	Amended title only	6.808.1 Notification [Rev. eff. 9/15/12]	6.808.1 Notification [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.808.2	Amended title only	6.808.2 Recovery [Rev. eff. 9/15/12]	6.808.2 Recovery [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.808.3	Amended	6.808.3 Balance Statement [Rev. eff. 9/15/12]	6.808.3 Balance Statement [Rev. eff. 9/15/12]	Removal of	

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	title only			unmaintained effective date	
6.808.4	Amended title only	6.808.4 Balance Write-Off [Rev. eff. 9/15/12]	6.808.4 Balance Write-Off [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809	Amended title only	6.809 CHILD SUPPORT INCENTIVE PAYMENTS [Rev. eff. 9/15/12]	6.809 CHILD SUPPORT INCENTIVE PAYMENTS [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809.1	Amended title only	6.809.1 Incentive Formula [Rev. eff. 9/15/12]	6.809.1 Incentive Formula [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809.2	Amended title only	6.809.2 Performance Measures [Rev. eff. 9/15/12]	6.809.2 Performance Measures [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809.3	Amended title only	6.809.3 “Statewide Incentive Amount” for Each Performance Measure [Rev. eff.9/15/12]	6.809.3 “Statewide Incentive Amount” for Each Performance Measure [Rev. eff.9/15/12]	Removal of unmaintained effective date	
6.809.4	Amended title only	6.809.4 Conversion Tables [Rev. eff. 9/15/12]	6.809.4 Conversion Tables [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809.5	Amended title only	6.809.5 Adjustment [Rev. eff. 9/15/12]	6.809.5 Adjustment [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.809.6	Amended title only	6.809.6 Reinvestment [Rev. eff. 9/15/12]	6.809.6 Reinvestment [Rev. eff. 9/15/12]	Removal of unmaintained effective date	
6.901	Amended title only	6.901 ENFORCEMENT PROCEDURES [Rev. eff. 5/1/07]	6.901 ENFORCEMENT PROCEDURES [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.902.1	Amended title only	6.902.1 [Rev. eff. 4/1/13]	6.902.1 [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.11	Amended rule	6.902.11 County Procedures [Rev. Eff. 4/1/13] Within thirty calendar days of identifying a delinquency or other non-compliance with the order, or location of the obligor, whichever occurs later, the Child Support Services Unit must take appropriate enforcement action. The Child Support Services Unit must assess each enforcement case to determine appropriate enforcement actions pursuant to Section 6.903.11. A. When an obligor fails to make full payment in the month the payment is due, appropriate enforcement action shall	6.902.11 County Procedures [Rev. Eff. 4/1/13] Within thirty (30) calendar days of identifying a delinquency or other non-compliance with the order, or location of the obligor, whichever occurs later, the Child Support Services Unit must take appropriate enforcement action. The Child Support Services Unit must assess each enforcement case to determine appropriate enforcement actions pursuant to Section 6.903.11. A. When an obligor fails to make full payment in the month the payment is due, appropriate enforcement action shall	Implementation of HB21-1220 and incorporation of state policy guidance contained in OM-OES-2022-0002	

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		<p>be taken.</p> <p>B. Income Assignment</p> <ol style="list-style-type: none"> 1. For support orders entered on or after January first, nineteen ninety (1990), the Notice to Withhold Income for Support must be sent within two business days after receipt of an income source. 2. For support orders entered before January first, nineteen ninety (1990), if income assignment is not included in the court order, the Notice of Pending Income Assignment, the Advance Notice to Activate an Income Assignment and the Objection to Activate an Income Assignment must be sent within two business days after receipt of an income source. If the obligor does not file an objection to the activation of the income assignment, the Notice to Withhold Income for Support must be sent within two business days of the end of the fourteen (14) day objection period. 3. A copy of the Notice to Withhold Income for Support shall be provided to the obligor by the employer. 4. Exception to automated income assignments. If an automated income assignment cannot be issued due to an exception, the automated child support system will electronically generate a message to the enforcing county and the county child support services worker shall complete the following within two working days of the date of the receipt of the message: <ol style="list-style-type: none"> a. Research the case to determine whether the exception is valid and correct the exception data if possible; b. Document the findings and the actions taken to correct the exception in the automated child support system; c. Issue the income assignment to the employer, if appropriate. <p>C. Service of Process</p> <ol style="list-style-type: none"> 1. If service of process is necessary, service must be completed and enforcement action taken 	<p>be taken.</p> <p>B. Income Assignment</p> <ol style="list-style-type: none"> 1. For support orders entered on or after January first, nineteen ninety (1990) SUBJECT TO THE IMMEDIATE ACTIVATION OF AN INCOME ASSIGNMENT, the Notice to Withhold Income for Support must be sent within two (2) business days after receipt of an income source. 2. For support orders entered before January first, nineteen ninety (1990), if income assignment is not included in the court order, the Notice of Pending Income Assignment NOT SUBJECT TO THE IMMEDIATE ACTIVATION OF AN INCOME ASSIGNMENT, the Advance Notice to Activate an OF ACTIVATION OF Income Assignment and the Objection to Activate an Income Assignment must be sent FILED WITH THE COURT AND MAILED TO THE OBLIGOR within two (2) business days after receipt of an income source. If the obligor does not file an objection to the activation of the income assignment, the Notice to Withhold Income for Support must be sent within two (2) business days of the end of the fourteen (14) day objection period. 3. A copy of the Notice to Withhold Income for Support shall be provided to the obligor by the employer. 4. Exception to automated income assignments. If an automated income assignment cannot be issued due to an exception, the automated child support system will electronically generate a message to the enforcing county and the county child support services worker shall complete the following within two (2) working days of the date of the receipt of the message: <ol style="list-style-type: none"> a. Research the case to determine whether the exception is valid and correct the exception data if possible; b. Document the findings and the actions taken to correct the exception in the automated child support system; c. Issue the income assignment to the 	<p>Removal of unmaintained effective date</p>
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		<p>within 60 calendar days of identifying a delinquency or of locating the obligor, whichever occurs later.</p> <p>Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.</p>	<p>employer, if appropriate.</p> <p>C. Service of Process</p> <ol style="list-style-type: none"> 1. If service of process is necessary, service must be completed and enforcement action taken within SIXTY (60) calendar days of identifying a delinquency or of locating the obligor, whichever occurs later. 2. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function. 		
6.902.12	Amended rule	<p>6.902.12 Public Assistance Cases [Rev. eff. 10/1/09] In public assistance and foster care cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied, including assigned arrearages, unless good cause exemption from referral to the Child Support Services Unit has been determined to exist by the county director or designee. Spousal maintenance must also be enforced if established in the same court action and if the former spouse has physical custody of the children.</p>	<p>6.902.12 Public Assistance Cases [Rev. eff. 10/1/09] In public assistance and foster care cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied, including assigned arrearages, unless good cause exemption from referral to the Child Support Services Unit has been determined to exist by the county director or designee. Spousal maintenance must also be enforced if established in the same court action and if the former spouse has physical custody of the children CHILD(REN) IS LIVING WITH THE OBLIGEE OF CHILD SUPPORT AND SPOUSAL MAINTENANCE.</p>	Clarification of the circumstances which require the enforcement and collection of spousal maintenance	Removal of unmaintained effective date
6.902.13	Amended rule	<p>6.902.13 Non-Public Assistance Cases [Rev. eff. 6/1/04] In non-public assistance cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied or services are no longer requested. Spousal maintenance must also be enforced if established in the same court action and if the former spouse has physical custody of the children. When the current support order and/or the child support arrears are no longer being enforced, the Child Support Services Unit shall cease enforcement of spousal maintenance.</p>	<p>6.902.13 Non-Public Assistance Cases [Rev. eff. 6/1/04] In non-public assistance cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied or services are no longer requested. Spousal maintenance must also be enforced if established in the same court action and if the former spouse has physical custody of the children CHILD(REN) IS LIVING WITH THE OBLIGEE OF CHILD SUPPORT AND SPOUSAL MAINTENANCE. When the current support order and/or the child support arrears are no longer being enforced, the Child Support Services Unit shall cease enforcement of spousal maintenance.</p>	Clarification of the circumstances which require the enforcement and collection of spousal maintenance	Removal of unmaintained effective date
6.902.14	Amended rule	<p>6.902.14 Arrears Calculation [Rev. eff. 4/1/13] For all cases, the Child Support Services Unit is required to calculate arrearages from the date the child support order is</p>	<p>6.902.14 Arrears Calculation [Rev. eff. 4/1/13] For all cases WHERE THE DATE OF THE ORDER IS PRIOR TO THE DATE OF REFERRAL, APPLICATION, OR REQUEST</p>	Clarification of the circumstances	

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		<p>entered, including those cases where the date of the order is prior to the date of referral or application.</p> <p>A. Child Support Services Unit must provide notice of the arrears by providing the arrears calculation to the non-custodial and custodial parent. Notice is only required when an arrears balance has been determined and there was no existing arrears balance on the ledger. Notice is also required when the arrears balance has changed and the change is not solely due to payments made through the Family Support Registry.</p> <ol style="list-style-type: none"> 1. Parties are allowed fourteen (14) days to respond to the calculation. 2. Any determined arrearages may not be added to the case ledger until the fifteenth (15th) day. 3. Should the parties disagree with the arrears calculation, the county must refer the case to the court for an arrears determination. <ol style="list-style-type: none"> a. Current support must be collected during the period in which the arrears are being determined. b. Should it be determined arrears are owed, the county must amend the income withholding order to include all monthly payments due. 	<p>FROM AN INITIATING STATE/JURISDICTION, the Child Support Services Unit is required to SHALL calculate arrearages from the date the child support order is entered, including those cases where the date of the order is prior to the date of referral or application TO DETERMINE THE BEGINNING ARREARS BALANCE.</p> <p>B. THE Child Support Services Unit must SHALL provide notice of the arrears by providing the arrears calculation AND ANY SUPPORTING DOCUMENTATION to the non-custodial OBLIGOR and custodial parent OBLIGEE OR INITIATING STATE/JURISDICTION. Notice is only required when an arrears balance has been determined and there was no existing arrears balance on the ledger. Notice is also required when the arrears balance has changed and the change is not solely due to payments made through the Family Support Registry.</p> <ol style="list-style-type: none"> 1. Parties are allowed fourteen (14) days to respond to the calculation. 2. Any determined arrearages may not be added to the case ledger until the fifteenth (15th) day. 3. Should IF the parties disagree with the arrears calculation, the county must SHALL refer the case to the court WITH JURISDICTION for an arrears determination. <ol style="list-style-type: none"> a. Current support must be collected during the period in which the arrears are being determined. THE COUNTY SHALL COLLECT CURRENT SUPPORT WHILE THE COURT DETERMINES THE ARREARS. b. Should it be determined IF THE COURT DETERMINES THAT arrears are owed, the county must amend the income withholding order to include all monthly payments due. 	<p>which require an arrears calculation to be completed</p> <p>Removal of unmaintained effective date</p>	
6.902.15	Amended title only	6.902.15 National Medical Support Notice [Rev. eff. 4/1/13]	6.902.15 National Medical Support Notice [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.16	Amended rule	6.902.16 Notice of Emancipation of a Child [Rev. eff. 4/1/13] The enforcing Child Support Services Unit must respond to the automated child support system's electronic message indicating the automatic generation of the right to request review notice for	6.902.16 Notice of Emancipation of a Child [Rev. eff. 4/1/13] The enforcing Child Support Services Unit must respond to the automated child support system's electronic message indicating the automatic generation of the right to request review notice for	Replacement of gendered language with gender-neutral	

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		each party or his/her attorney of record. The electronic message alerts the worker when a child(ren) has reached the age of emancipation. Within five working days of receiving the electronic message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the youngest child on the order, the worker shall mail a right to request review notice to each party or his/her attorney of record.	each party or his/her THEIR attorney of record. The electronic message alerts the worker when a child(ren) has reached the age of emancipation. Within five working days of receiving the electronic message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the youngest child on the order, the worker shall mail a right to request review notice to each party or his/her THEIR attorney of record.	language Removal of unmaintained effective date	
6.902.17	Amended title only	6.902.17 Credit Reporting (CRA) [Rev. eff. 4/1/13]	6.902.17 Credit Reporting (CRA) [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.171	Amended title only	6.902.171 Selection [Rev. eff. 4/1/13]	6.902.171 Selection [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.172	Amended title only	6.902.172 Notice [Rev. eff. 4/1/13]	6.902.172 Notice [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.173	Amended rule	6.902.173 Disputes [Rev. eff. 4/1/13] If, during the monthly referral to the credit reporting agencies, the obligor contacts the county child support enforcement worker to dispute the information contained in his/her credit report, the county child support enforcement worker shall: A. Enter the dispute code in the automated child support system within one working day of contact. B. Research the case to determine if the information is correct or incorrect. If incorrect, the necessary changes must be made to the child support case. The changes will be reflected in the next monthly update to the credit reporting agencies. C. Document in the automated child support system all changes or other actions taken. The county Child Support Services Units shall respond to requests from the Division of Child Support Services within two working days for payoff amounts and status information and within six working days for information needed to complete the investigation of a consumer credit dispute. If the Child Support Services Unit receives a request for information from a lender, credit reporting agency or obligor, it shall follow Section 6.902.174.	6.902.173 Disputes [Rev. eff. 4/1/13] If, during the monthly referral to the credit reporting agencies, the obligor contacts the county child support enforcement worker to dispute the information contained in his/her THEIR credit report, the county child support enforcement worker shall: A. Enter the dispute code in the automated child support system within one working day of contact. B. Research the case to determine if the information is correct or incorrect. If incorrect, the necessary changes must be made to the child support case. The changes will be reflected in the next monthly update to the credit reporting agencies. C. Document in the automated child support system all changes or other actions taken. The county Child Support Services Units shall respond to requests from the Division of Child Support Services within two working days for payoff amounts and status information and within six working days for information needed to complete the investigation of a consumer credit dispute. If the Child Support Services Unit receives a request for information from a lender, credit reporting agency or obligor, it shall follow Section 6.902.174.	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date	
6.902.174	Amended	6.902.174 Limited Point of Contact [Rev. eff. 4/1/13]	6.902.174 Limited Point of Contact [Rev. eff. 4/1/13]	Removal of	

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

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	title only			unmaintained effective date	
6.902.175	Amended title only	6.902.175 Arrears or Payoff Requests [Rev. eff. 4/1/13]	6.902.175 Arrears or Payoff Requests [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.2	Amended title only	6.902.2 SELECTION FOR DRIVER'S LICENSE SUSPENSION PROCESS [Rev. Eff. 5/1/07]	6.902.2 SELECTION FOR DRIVER'S LICENSE SUSPENSION PROCESS [Rev. Eff. 5/1/07]	Removal of unmaintained effective date	
6.902.21	Amended title only	6.902.21 Reports [Rev. Eff. 5/1/07]	6.902.21 Reports [Rev. Eff. 5/1/07]	Removal of unmaintained effective date	
6.902.22	Amended title only	6.902.22 Notices [Rev. Eff. 5/1/07]	6.902.22 Notices [Rev. Eff. 5/1/07]	Removal of unmaintained effective date	
6.902.23	Amended title only	6.902.23 Rescission [Rev. eff. 4/1/13]	6.902.23 Rescission [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.902.3	Amended rule	<p>6.902.3 PAYMENT PLAN [Rev. eff. 4/1/13] The payment plan displays the monthly payment due. The monthly payment due consists of the monthly support obligation and Monthly Amount Due (MAD) on the arrears. The total monthly payment due shall not exceed the maximum amount of disposable income that is eligible to be withheld pursuant to Section 13-54-104(3)(b)(I & II), C.R.S.</p> <p>A. If the obligor has a court ordered MAD on the arrears balance, the county child support worker must enter this amount and the correct code on the court ordered screen in the automated child support system. The code and amount must be removed when the court ordered MAD is no longer valid.</p> <p>B. If the obligor has a MAD set by the county child support worker, the following must be done when an obligor contacts the county to request a reduction of the MAD:</p> <ol style="list-style-type: none"> 1. The county child support worker shall inform the obligor that documentation of their current income must be provided to adjust the MAD. The obligor must provide one of the following types of documentation: <ol style="list-style-type: none"> a. Pay check stubs for the last three months; b. Business bank statements for the last year; 	<p>6.902.3 PAYMENT PLAN [Rev. eff. 4/1/13] The payment plan displays the monthly payment due. The monthly payment due consists of the mMonthly sSupport eObligation (MSO) and Monthly Amount Due (MAD) on the arrears. The total monthly payment due shall not exceed the maximum amount of disposable income that is eligible to be withheld pursuant to Section 13-54-104(3)(b)(I & II), C.R.S.</p> <p>A. If the obligor has a court ordered MAD on the arrears balance, the county child support worker must enter this amount and the correct code on the court ordered screen in the automated child support system. The code and amount must be removed when the court ordered MAD is no longer valid.</p> <p>B. If the obligor has a MAD PREVIOUSLY set by theA county child support worker, THE OBLIGOR MAY REQUEST THE WORKER REDUCE THE MAD. UPON A REQUEST FOR A REDUCTION BY THE OBLIGOR, THE COUNTY CHILD SUPPORT WORKER MUST CONSIDER INFORMATION RELEVANT TO THE DETERMINATION OF THE MAD, INCLUDING BUT NOT LIMITED TO, the following must be done when an obligor contacts the county to request a reduction of the MAD: THE ARREARS BALANCE, OBLIGOR'S CURRENT INCOME, AND OTHER CHILD SUPPORT OBLIGATIONS. THE COUNTY CHILD SUPPORT</p>	Clarification of when the county technician may change the monthly amount due (MAD) on the arrears.	Removal of unmaintained effective date

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		<p>c. Federal/State tax return for the last three years; d. Documentation of disability; or, e. Letter from parole/probation officer of current financial circumstances.</p> <p>2. The county child support worker shall enter the monthly gross income amount for the obligor, as determined by the documentation provided, into the income data screens on the automated child support system.</p> <p>3. If the obligor has more than one child support services case, all counties must honor the income data entered on the income data screens by changing the MAD for their case to between the automated child support system calculated fair share MAD and the minimum MAD.</p> <p>4. Income documentation from the obligor shall be required in order for the county child support worker to update the income data screens. The income data can only be changed upon receipt of updated income documentation as outlined above in Number 1.</p> <p>5. Income documentation shall be retained in the county case file.</p> <p>6. When the pay plan amounts change, the county child support worker shall issue an amended order/notice to withhold income for support to reflect the new pay plan amount.</p> <p>C. If the obligor has a MAD set by the child support system that is not a previously technician set MAD, the county shall review the case and ensure the default MAD amount is appropriate and document findings in chronology.</p>	<p>WORKER SHALL DOCUMENT ANY CHANGES TO THE MAD IN CHRONOLOGY.</p> <p>1.—The county child support worker shall inform the obligor that documentation of their current income must be provided to adjust the MAD. The obligor must provide one of the following types of documentation:</p> <p>a. Pay check stubs for the last three months;</p> <p>b. Business bank statements for the last year;</p> <p>c. Federal/State tax return for the last three years;</p> <p>d. Documentation of disability; or,</p> <p>e. Letter from parole/probation officer of current financial circumstances.</p> <p>2.—The county child support worker shall enter the monthly gross income amount for the obligor, as determined by the documentation provided, into the income data screens on the automated child support system.</p> <p>3.—If the obligor has more than one child support services case, all counties must honor the income data entered on the income data screens by changing the MAD for their case to between the automated child support system calculated fair share MAD and the minimum MAD.</p> <p>4.—Income documentation from the obligor shall be required in order for the county child support worker to update the income data screens. The income data can only be changed upon receipt of updated income documentation as outlined above in Number 1.</p> <p>5.—Income documentation shall be retained in the county case file.</p> <p>6.—When the pay plan amounts change, the county child support worker shall issue an amended order/notice to withhold income for support to reflect the new pay plan amount.</p> <p>C. If the obligor has a MAD set by the child support system that is not a previously technician set MAD, the county shall review the case and ensure the default MAD amount is appropriate and document findings in chronology.</p>	
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6.902.4	Amended title only	6.902.4 UNEMPLOYMENT COMPENSATION BENEFITS (UCB) [Rev. eff. 4/1/13]	6.902.4 UNEMPLOYMENT COMPENSATION BENEFITS (UCB) [Rev. eff. 4/1/13]	Removal of unmaintained effective date
6.903.11	Amended rule	6.903.11 Enforcement Remedies [Rev. eff. 4/1/13] The following enforcement remedies shall be utilized as appropriate: A. One of two processes of assignment from any type of income through a Notice to Withhold Income for Support: 1. Immediate income assignment - the process whereby the income assignment is ordered in the original or modified court or administrative order or where the original or modified support order was issued after a certain date and takes effect immediately without any further notice to the obligor; 2. Other income assignment - the process whereby the order for income assignment is not part of the original order or the original order was issued before a certain date and the obligor is afforded due process through advance notification. B. Immediate health insurance premium withholding through a National Medical Support Notice (NMSN) - notice of health insurance premium withholding shall be included in the original or modified court or administrative order and take effect immediately without any further notice to the parties. The NMSN shall be issued in accordance with Section 6.240. C. Judgment for arrearages - the process of filing with the court of record a verified entry of judgment or motion and order for judgment for the amount of arrearages owed by the noncustodial parent. All Verified Entries of Judgement must be provided to all parties in a case. D. Post Judgment remedies - the execution of legal remedies that are available in state law and procedure that are used to satisfy judgment. Such remedies include, but are not limited to: 1. Garnishment of earnings; 2. Garnishment of assets; 3. Liens upon real property; 4. Liens upon personal property; 5. Forced sale of real or personal property; 6. Liens upon motor vehicles.	6.903.11 Enforcement Remedies [Rev. eff. 4/1/13] The following enforcement remedies shall be utilized as appropriate: A. One of two processes of assignment from any type of income through a Notice to Withhold Income for Support: 1. Immediate income assignment - the process whereby the income assignment is ordered in the original or modified court or administrative order or where the original or modified support order was issued after a certain date and takes effect immediately without any further notice to the obligor; 2. Other income assignment - the process whereby the order for income assignment is not part of the original order or the original order was issued before a certain date and the obligor is afforded due process through advance notification. B. Immediate health insurance premium withholding through a National Medical Support Notice (NMSN) - notice of health insurance premium withholding shall be included in the original or modified court or administrative order and take effect immediately without any further notice to the parties. The NMSN shall be issued in accordance with Section 6.240. C. Judgment for arrearages - the process of filing with the court of record a verified entry of judgment or motion and order for judgment for the amount of arrearages owed by the noncustodial parent. All Verified Entries of Judgement must be provided to all parties in a case. D. Post Judgment remedies - the execution of legal remedies that are available in state law and procedure that are used to satisfy judgment. Such remedies include, but are not limited to: 1. Garnishment of earnings; 2. Garnishment of assets; 3. Liens upon real property; 4. Liens upon personal property; 5. Forced sale of real or personal property; 6. Liens upon motor vehicles. E. Intercept Program Participation - the participation in state	Replacement of gendered language with gender-neutral language Removal of unmaintained effective date

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	<p>E. Intercept Program Participation - the participation in state and federal intercept programs which includes:</p> <ul style="list-style-type: none"> - IRS income tax refunds, - State lottery winnings, - Unemployment Compensation Benefits, - State income tax refunds, - Gambling intercepts; - Federal administrative offset, and - State vendor offset. <p>F. Billings and delinquency notices - the process of billing noncustodial parents or noticing delinquent noncustodial parents as a reminder of support obligations due and past due.</p> <p>G. Contempt Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent has failed to comply with a court order and therefore should be held in contempt of court;</p> <p>H. Criminal Non-Support Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent should be held criminally liable for the failure to support his/her family;</p> <p>I. Payment Guarantee Action - request to the court to order the obligor to post security, bond, or other form of guarantee to secure payment of the child support order;</p> <p>J. Contact with the noncustodial parent - the process of obtaining a support collection by contacting the noncustodial parent by telephone or in writing;</p> <p>K. Internal Revenue Service full collection service - levy by Internal Revenue Service against noncustodial parent's income or assets;</p> <p>L. Denial, Revocation, or Limitation of Passports - certifying to the United States Secretary of Health and Human Services the names of noncustodial parents that have failed to comply with a court order to pay child support and who owe the amount of federally mandated arrears for the purpose of denying, revoking, or limiting their passports;</p> <p>M. Fraudulent Transfers - a petition to the court to void transfers of property by an noncustodial parent to another party;</p> <p>N. Refer case for prosecution under the Federal Child Support Recovery Act;</p>	<p>and federal intercept programs which includes:</p> <ul style="list-style-type: none"> - IRS income tax refunds, - State lottery winnings, - Unemployment Compensation Benefits, - State income tax refunds, - Gambling intercepts; - Federal administrative offset, and - State vendor offset. <p>F. Billings and delinquency notices - the process of billing noncustodial parents or noticing delinquent noncustodial parents as a reminder of support obligations due and past due.</p> <p>G. Contempt Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent has failed to comply with a court order and therefore should be held in contempt of court;</p> <p>H. Criminal Non-Support Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent should be held criminally liable for the failure to support his/herTHEIR family;</p> <p>I. Payment Guarantee Action - request to the court to order the obligor to post security, bond, or other form of guarantee to secure payment of the child support order;</p> <p>J. Contact with the noncustodial parent - the process of obtaining a support collection by contacting the noncustodial parent by telephone or in writing;</p> <p>K. Internal Revenue Service full collection service - levy by Internal Revenue Service against noncustodial parent's income or assets;</p> <p>L. Denial, Revocation, or Limitation of Passports - certifying to the United States Secretary of Health and Human Services the names of noncustodial parents that have failed to comply with a court order to pay child support and who owe the amount of federally mandated arrears for the purpose of denying, revoking, or limiting their passports;</p> <p>M. Fraudulent Transfers - a petition to the court to void transfers of property by an noncustodial parent to another party;</p> <p>N. Refer case for prosecution under the Federal Child Support Recovery Act;</p> <p>O. Administrative Lien and Attachment - form used to attach</p>	
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		O. Administrative Lien and Attachment - form used to attach noncustodial parent's Department of Corrections inmate accounts.	noncustodial parent's Department of Corrections inmate accounts.		
6.905	Amended title only	6.905 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REGULATORY AGENCIES [Rev. eff. 2/1/08]	6.905 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REGULATORY AGENCIES [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.905.1	Amended title only	6.905.1 SELECTION [Rev. eff. 2/1/08]	6.905.1 SELECTION [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.905.12	Amended title only	6.905.12 REPORTS [Rev. eff. 3/2/10]	6.905.12 REPORTS [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.905.13	Amended title only	6.905.13 NOTICES [Rev. eff. 5/1/07]	6.905.13 NOTICES [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.905.14	Amended title only	6.905.14 POINT OF CONTACT [Rev. eff. 2/1/08]	6.905.14 POINT OF CONTACT [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.905.2	Amended title only	6.905.2 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REVENUE [Rev. eff. 2/1/08]	6.905.2 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REVENUE [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.905.21	Amended title only	6.905.21 SELECTION [Rev. eff. 2/1/08]	6.905.21 SELECTION [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.905.22	Amended title only	6.905.22 NOTICE [REV. EFF. 5/1/07]	6.905.22 NOTICE [REV. EFF. 5/1/07]	Removal of unmaintained effective date	
6.905.23	Amended title only	6.905.23 POINT OF CONTACT [Rev. eff. 2/1/08]	6.905.23 POINT OF CONTACT [Rev. eff. 2/1/08]	Removal of unmaintained effective date	
6.906	Amended title only	6.906 SELECTION FOR FINANCIAL INSTITUTION DATA MATCH (FIDM) [Rev. eff. 4/1/13]	6.906 SELECTION FOR FINANCIAL INSTITUTION DATA MATCH (FIDM) [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.906.1	Amended title only	6.906.1 REVIEW OF SELECTED CASES [Rev. eff. 3/2/10]	6.906.1 REVIEW OF SELECTED CASES [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.906.21	Amended title only	6.906.21 Temporary Suppression [Rev. eff. 4/1/13]	6.906.21 Temporary Suppression [Rev. eff. 4/1/13]	Removal of unmaintained effective date	
6.906.22	Amended title only	6.906.22 Indefinite Suppression [Rev. eff. 3/2/10]	6.906.22 Indefinite Suppression [Rev. eff. 3/2/10]	Removal of unmaintained effective date	

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6.906.3	Amended title only	6.906.3 CREATION OF THE LIEN AND LEVY [Rev. eff. 5/1/07]	6.906.3 CREATION OF THE LIEN AND LEVY [Rev. eff. 5/1/07]	Removal of unmaintained effective date
6.906.4	Amended rule	<p>6.906.4 EXCEPTION OR EXEMPTION CLAIM [Rev. eff. 3/2/10]</p> <p>A. Within twenty (20) calendar days from the date of the lien, the obligor may request an exception claim per State policy from the Colorado Department of Human Services, Division of Child Support Services, if there is terminal illness of the obligor or the obligor’s biological or adopted child.</p> <p>B. Within 20 calendar days from the date of the lien, the obligor may request an exemption claim per State statute from the Colorado Department of Human Services, Division of Child Support Services, if there is:</p> <ol style="list-style-type: none"> 1. Misidentification; or, 2. A custodial account created pursuant to the “Colorado Uniform Transfers to Minors Act”, Article 50 of Title 11, C.R.S., or a trust account of moneys held in trust for a third party; or, 3. An account held with a corporate tax identification number; or, 4. An account used to receive deposits of Supplemental Security Income benefits, Social Security survivors benefits, or any combination of these funds, Veterans Administration disability benefits, child support payments or public assistance benefits; or, 5. An account used to receive “earnings” as defined in Section 13-54-104, C.R.S. The maximum percentage amount of the account balance that can be seized will be determined based upon the documentation provided by the obligor. Documentation requirements are specified on the notice that the obligor receives. <p>The obligor is responsible for providing the Colorado Department of Human Services, Division of Child Support Services, documentation in support of the above situations.</p> <p>The Colorado Department of Human Services, Division of Child Support Services, shall review the claim and document its decision whether to approve or deny the claim. The claim shall be reviewed within three business days of receipt based upon the</p>	<p>6.906.4 EXCEPTION OR EXEMPTION CLAIM [Rev. eff. 3/2/10]</p> <p>A. Within twenty (20) calendar days from the date of the lien, the obligor may request an exception claim per State policy from the Colorado Department of Human Services, Division of Child Support Services, if there is terminal illness of the obligor or the obligor’s biological or adopted child.</p> <p>B. Within 20 calendar days from the date of the lien, the obligor may request an exemption claim per State statute from the Colorado Department of Human Services, Division of Child Support Services, if there is:</p> <ol style="list-style-type: none"> 1. Misidentification; or, 2. A custodial account created pursuant to the “Colorado Uniform Transfers to Minors Act”, Article 50 of Title 11, C.R.S., or a trust account of moneys held in trust for a third party; or, 3. An account held with a corporate tax identification number; or, 4. An account used to receive deposits of Supplemental Security Income benefits, Social Security survivors benefits, or any combination of these funds, Veterans Administration disability benefits, child support payments, or public assistance benefits, OR FEDERAL OR STATE INCOME TAX REFUNDS ATTRIBUTED TO AN EARNED INCOME OR CHILD TAX CREDIT AS A REFUNDABLE TAX CREDIT OR AS A NONREFUNDABLE REDUCTION IN TAX; or, 5. An account used to receive “earnings” as defined in Section 13-54-104, C.R.S. The maximum percentage amount of the account balance that can be seized will be determined based upon the documentation provided by the obligor. Documentation requirements are specified on the notice that the obligor receives. <p>The obligor is responsible for providing the Colorado Department of Human Services, Division of Child Support Services, documentation in support of the above situations.</p>	<p>Addition of exemption reasons to implement SB22-086</p> <p>Removal of unmaintained effective date</p>

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		documentation outlined in the lien and levy exception/exemption policy that is included with the Notice of Lien and Levy. If the claim is approved, the Colorado Department of Human Services, Division of Child Support Services, will issue a release of lien and levy to the financial institution. If the claim is denied, the lien and levy will remain in effect. The Colorado Department of Human Services, Division of Child Support Services, shall notify the obligor and the county child support services worker of the claim decision.	The Colorado Department of Human Services, Division of Child Support Services, shall review the claim and document its decision whether to approve or deny the claim. The claim shall be reviewed within three business days of receipt based upon the documentation outlined in the lien and levy exception/exemption policy that is included with the Notice of Lien and Levy. If the claim is approved, the Colorado Department of Human Services, Division of Child Support Services, will issue a release of lien and levy to the financial institution. If the claim is denied, the lien and levy will remain in effect. The Colorado Department of Human Services, Division of Child Support Services, shall notify the obligor and the county child support services worker of the claim decision.		
6.906.5	Amended title only	6.906.5 APPEAL PROCESS FOR JOINT ACCOUNTS [Rev. eff. 5/1/07]	6.906.5 APPEAL PROCESS FOR JOINT ACCOUNTS [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.906.6	Amended title only	6.906.6 ALLOCATION OF FUNDS [Rev. eff. 3/2/10]	6.906.6 ALLOCATION OF FUNDS [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.907	Amended title only	6.907 VENDOR OFFSET [Rev. eff. 5/1/07]	6.907 VENDOR OFFSET [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.907.1	Amended title only	6.907.1 SELECTION AND REFERRAL TO VENDOR OFFSET [Rev. eff. 3/2/10]	6.907.1 SELECTION AND REFERRAL TO VENDOR OFFSET [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.907.2	Amended rule	6.907.2 REVIEW OF SELECTED CASES [Rev. eff. 3/2/10] When the county child support services worker is notified that the case has been selected for vendor offset, he/she shall review the case to ensure that the ledger balances are correct. If the county child support services worker determines that vendor offset is not appropriate for the case, an electronic message must be sent through the automated child support system to the "SEU VO" mailbox to request suppression. The case will remain suppressed until the county child support services worker electronically requests the Colorado Department of Human Services, Division of Child Support Services, lift the suppression.	6.907.2 REVIEW OF SELECTED CASES [Rev. eff. 3/2/10] When the county child support services worker is notified that the case has been selected for vendor offset, he/she THE WORKER shall review the case to ensure that the ledger balances are correct. If the county child support services worker determines that vendor offset is not appropriate for the case, an electronic message must be sent through the automated child support system to the "SEU VO" mailbox to request suppression. The case will remain suppressed until the county child support services worker electronically requests the Colorado Department of Human Services, Division of Child Support Services, lift the suppression.	Removal of unmaintained effective date Replacement of gendered language with gender-neutral language.	
6.907.3	Amended title only	6.907.3 NOTICE [Rev. eff. 5/1/07]	6.907.3 NOTICE [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.908	Amended title only	6.908 RECREATIONAL LICENSE SUSPENSION [Rev. eff. 5/1/07]	6.908 RECREATIONAL LICENSE SUSPENSION [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.908.1	Amended	6.908.1 SELECTION [Eff. 2/1/04]	6.908.1 SELECTION [Eff. 2/1/04]	Removal of	

Title of Proposed Rule: 2023 Child Support Services Rule Change

CDHS Tracking #: 22-09-28-01

Office, Division, & Program:
Office of Economic Security,
Child Support Services Division

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	title only			unmaintained effective date	
6.908.2	Amended title only	6.908.2 NOTICES [Rev. eff. 5/1/07]	6.908.2 NOTICES [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.908.3	Amended title only	6.908.3 REPORT [Rev. eff. 3/2/10]	6.908.3 REPORT [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.908.4	Amended title only	6.908.4 POINT OF CONTACT [Rev. eff. 3/2/10]	6.908.4 POINT OF CONTACT [Rev. eff. 3/2/10]	Removal of unmaintained effective date	
6.908.5	Amended title only	6.908.5 MISTAKEN IDENTITY [Rev. eff. 5/1/07]	6.908.5 MISTAKEN IDENTITY [Rev. eff. 5/1/07]	Removal of unmaintained effective date	
6.908.6	Repealed rule	6.908.6 POINT OF CONTACT [Rev. eff. 5/1/07] The Colorado Department of Human Services, Division of Child Support Services, is the only point of contact with the Department of Natural Resources, Parks and Wildlife. County child support Services workers shall electronically contact the Colorado Department of Human Services, Division of Child Support Services, with any questions or concerns through the automated child support system. The Colorado Department of Human Services, Division of Child Support Services, shall resolve child support enforcement issues with the Department of Natural Resources, Parks and Wildlife and electronically communicate the resolution to the county child support Services worker through the automated child support system.	6.908.6 POINT OF CONTACT [Rev. eff. 5/1/07] The Colorado Department of Human Services, Division of Child Support Services, is the only point of contact with the Department of Natural Resources, Parks and Wildlife. County child support Services workers shall electronically contact the Colorado Department of Human Services, Division of Child Support Services, with any questions or concerns through the automated child support system. The Colorado Department of Human Services, Division of Child Support Services, shall resolve child support enforcement issues with the Department of Natural Resources, Parks and Wildlife and electronically communicate the resolution to the county child support Services worker through the automated child support system.	Removal of duplicate rule (6.908.4)	
6.905	Amended title only	6.905 Notices A. The delegate County Child Support Services Unit shall generate a right to request notice through the automated system for Obligor who have been sentenced to one hundred-eighty (180) days or greater in a Federal, State, or County Corrections Facility. The confirmation of the sentencing may be through a manual or automated match. B. This notice sets forth the Obligor's right to request an administrative review. The Obligor has thirty (30) calendar days from the date on the notice to request, in writing, an administrative review. When a written request is timely received, the delegate County Child Support Services worker shall follow section 6.805	6.909.5 Notices A. The delegate County Child Support Services Unit shall generate a right to request notice through the automated system for Obligor who have been sentenced to one hundred-eighty (180) days or greater in a Federal, State, or County Corrections Facility. The confirmation of the sentencing may be through a manual or automated match. B. This notice sets forth the Obligor's right to request an administrative review. The Obligor has thirty (30) calendar days from the date on the notice to request, in writing, an administrative review. When a written request is timely received, the delegate County Child Support Services worker shall follow section 6.805	Correction of numbering error	
6.906	Amended	6.906 Reports	6.909.6 Reports	Correction of	

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	title only	A monthly report is generated that identifies all Obligor in the Colorado Department of Corrections. The County Child Support Services Unit shall confirm the length of sentence and follow 6.261(k) within 14 days if the obligor is sentenced for 180 days or greater. All actions must be documented in the Automated Child Support Enforcement System.	A monthly report is generated that identifies all Obligor in the Colorado Department of Corrections. The County Child Support Services Unit shall confirm the length of sentence and follow 6.261(k) within 14 days if the obligor is sentenced for 180 days or greater. All actions must be documented in the Automated Child Support Enforcement System.	numbering error	
6.907	Amended title only	6.907 Point of Contact The Colorado Department of Human Services, Division of Child Support Services, is the single point of contact between Child Support Services and the Colorado Department of Corrections Inmate Banking. County child support services workers shall contact the State Division of Child Support Services for assistance with questions or concerns with administrative lien and attachment of inmate bank accounts through the automated child support system.	6.909.7 Point of Contact The Colorado Department of Human Services, Division of Child Support Services, is the single point of contact between Child Support Services and the Colorado Department of Corrections Inmate Banking. County child support services workers shall contact the State Division of Child Support Services for assistance with questions or concerns with administrative lien and attachment of inmate bank accounts through the automated child support system.	Correction of numbering error	

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STAKEHOLDER COMMENT SUMMARY

Development

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

This Rule-Making Package

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

The State of Colorado, Division of Child Support Services
The State of Colorado, Office of Information and Technology - ACSES
County Human Services Directors and Designees
County Child Support Services IV-D Administrators
The Office of Child Support Enforcement - Region 8 Representative
IV-D Attorneys
Colorado Judicial Department
Center on Fathering
Colorado Center on Law and Policy
One Colorado

Other State Agencies

Are other State Agencies (such as HCPF or CDPHE) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes No

If yes, who was contacted and what was their input?

Sub-PAC

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes No

Name of Sub-PAC	Economic Security		
Date presented	12/8/2022, 1/5/2023		
What issues were raised?	None		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	12	0	0
If not presented, explain why.			

PAC

Have these rules been approved by PAC?

Yes No

Date presented	2/2/2023		
What issues were raised?	None		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	15	0	0
If not presented, explain why.			

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Other Comments

Comments were received from stakeholders on the proposed rules:

Yes No

If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

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2023 Child Support Services Rule Change Stakeholder Comment/Response

#1 Elise Topliss, Denver County

Thank you for the opportunity to review and provide comment. The only official comment we have is below. I have attached some minor questions/notes that are not apart of our official comment.

6.002

“Foster Care Fee Order” - a monthly amount assessed by application of the Colorado Child Support guidelines, which are found under 14-10-115(7), C.R.S., to the legally responsible person(s) whose child(ren) are receiving substitute care through a foster care placement as ordered by a court or through administrative process by a county Child Support Services Unit. THESE ORDERS MAY BE REINSTATED WITHOUT FURTHER ACTION OF THE COURT, UPON THE CHILD RETURNING TO PLACEMENT FOR A NEW DECREE.

We would recommend moving the addition out of the definitions and adding to another place (to be determined by the State). We would also like to see language similar to the following:

Foster Care Fee orders may be reinstated without further action of the court. If the reinstatement occurs more than six (6) months after the termination of a child’s placement, a review of the monthly support obligation must occur and adjusted if appropriate.

6.702.3(B) and (C)

These sections do not align with the 19-4-116, C.R.S.

State Response

Thank you for your comments. Your county voice is an important piece of the rulemaking process. The Division of Child Support Services has considered your recommendations and has removed 6.702.3 (C) and revised 6.261.2 to require the county to notify the obligor of their right to request a review if a foster care fee order is being reinstated after 6 months. Please see the attached revised proposed rules.

#2 Meredith Gleitz, One Colorado

Happy Friday! Thank you again for the opportunity to review and provide comments on these updates, as well as for y’all’s important work to support LGBTQ+ Coloradans by removing gendered language from these regulations.

Please see below for my comments highlighting additional opportunities to remove gendered language, and don’t hesitate to reach out if we can support with anything else.

6.001.1 PURPOSE

"establishing the paternity of children"

Suggestion: Consider replacing "paternity" with gender neutral language

6.261.8, A1 & B1

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"the Child Support Services worker shall provide to the obligor and obligee or his/her attorney of record"
Suggestion: Consider replacing "his/her" with gender neutral language

6.230.4 Notification

"The county CSS Unit will not attempt to establish paternity"

Suggestion: Consider replacing "paternity" with gender neutral language

6.230.11, B1:

"If PARENTAGE has not been established, provide a sworn statement of sexual intercourse between the OTHER alleged PARENT(S) and the custodial parent of the child during probable period of conception;"

Suggestion: Consider inclusivity of parents who conceive in manners outside of sexual intercourse (for example, sworn statement or documentation of assisted reproduction).

6.603.1, B4

"The notification shall be either a certified copy of the court order or a modified report of paternity determination"

Suggestion: Consider replacing "paternity" with gender neutral language

6.702.1

"If not already established, paternity shall be..."

Suggestion: Consider replacing "paternity" with gender neutral language

6.704 ADMINISTRATIVE PROCEDURES TO ESTABLISH CHILD SUPPORT AND PATERNITY

Suggestion: Consider replacing "paternity" with gender neutral language

6.709.1, E:

"If the mother"

Suggestion: Consider replacing "mother" with gender neutral language.

6.709.3, A1 & A7

"Notice or amended Notice of Financial Responsibility (Paternity Action);" and "prior to the entry of the order establishing paternity;"

Suggestion: Consider replacing "Paternity" with gender neutral language

State Response

Thank you for your comments. Your voice is an important piece of the rulemaking process. The Division of Child Support Services has ensured that Revised Rules Only and the Overview of Proposed Rule documents remove the gendered language contained in 6.001.1, 6.261.8, 6.230.4, 6.230.11, 6.702.1, 6.704, 6.709.1, 6.709.3. The Division is unable to change the language in 6.603.1 as it refers to a Colorado Department of Public Health and Environment form that the Division is unable to change the title of. Please see the attached revised proposed rules.

#3 Tracy Rumans, Arapahoe County

6.001.1 Definition of Obligor

The additional language is unclear. A parent would be an obligor if they owe support after the application of the minimum order or low-income order adjustments, so the last sentence serves to confuse the definition.

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6.002 Definition of Past-Due Support

The addition of a definition will be beneficial but would be better if expanded to provide specific exclusions for amounts owed between parents that are often adjudicated in cases the CSS Unit enforces. Please consider including language stating expenses owed between parents such as extracurricular expenses, medical expenses, post-secondary education, and attorney fees do not meet the definition of past-due support and are therefore not enforceable by the CSS Unit. Attorneys and courts characterize these amounts as being "in the nature of child support" in order to argue the CSS Unit is responsible for collection.

6.261.8, 6.708, 6.710.1, 6.711.1, 6.714.1

These sections all remove the requirement to file an affidavit along with the imputation checklist when submitting an order or motion with imputed income for a parent. The requirement of an affidavit is important to ensure a caseworker is appropriately considering the imputation factors specific to each parent's circumstance. As it stands, additional training is needed to prevent workers from merely entering "N/A" for factors instead of finding available information. The notes section in the guideline worksheet is informal and does not provide adequate space to incorporate a thoughtful review. As a result, caseworkers default to 40 hours per week of minimum wage because it's easier, even when a parent's work history and ability may not have ever reached that amount.

6.701 Establishing Support Obligations

The proposed change in subsection F is problematic for judicial establishment cases. In judicial actions, an order may be submitted to the court at various times that are not the same time as when the court enters an order. For instance, a hearing may be held on January 1st, but the proposed order submitted to the court on January 16th. The Court will order a commencement date at the time of hearing which would then not comply with the regulation. The regulation suggests the form of the order is prioritized over the substance of the order issued by the court. For judicial cases, the term established should remain instead of submitted to the court.

6.702.3 Calculating Retroactive Support and Child Support Debt

Subsection A deals with calculating debt in a public assistance case. Pursuant to C.R.S. 14-14-104, the court must calculate the debt amount based on the number of months times the presumptive monthly support amount under the child support guidelines. The court does not have the authority to consider additional factors as to what amounts may have been in effect during the prior time period. This is further interpreted by Montezuma Dept. of Soc. Servs. v. Laner, 937 P.2d 903 (Colo.App. 1997), which found the court must consider the current incomes of the parents rather than the income at the time the debt arose, for the purpose of determining the parent's current ability to repay the debt. Paragraph C should be amended to remove the reference to paragraph A, and should only apply to retroactive support judgments established at the discretion of the court under paragraph B.

State Response

Thank you for your comments. Your county voice is an important piece of the rulemaking process. The Division of Child Support Services has considered your comments and has revised Sections 6.002, 6.701, and 6.702.3.

The Division agrees with the importance of training county CSS staff on the need to thoroughly consider the 15 factors prior to imputing income on guideline calculations. This is stressed in the Guidelines training offered quarterly and was the topic of a Colorado Family Support Council session during the

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2022 annual conference. The Division has updated the notes section on the Imputation of Income Checklist on the CSS website to a fillable Word document so that county CSS workers have adequate space to document their thoughtful review. As the county CSS worker confirms that they have considered the required factors when signing the guideline worksheet, the Division feels that the affidavit is unnecessary.

Please see the attached revised proposed rules.

#4 Nance Kelly, Larimer County

I highlighted some areas where I noticed inconsistencies in the wording used or where there were some questions. I'm attaching a word version with my highlights/edits.

I'm questioning the use of "noncustodial parent" throughout the document since that may not reflect the residential or custodial status of the parent ordered to pay support. I don't know if it's appropriate to use Obligor in many of these areas, or whether we should refer to them as the "parent(s) from whom support is sought" or "other parent", so this might need to be done based on context rather than across the board.

As for the imputing income checklist, since there is an affidavit on the guideline worksheet which states that all relevant factors were considered, I'm not fully understanding the need to file the imputing income checklist with the court. This is not required in non-IVD cases, and in APA cases, the court lacks the authority to recalculate the amount of the child support obligation unless the matter is set for hearing, so there is no real purpose for this document.

State Response

Thank you for your comments. Your county voice is an important piece of the rulemaking process. The Division of Child Support Services (DCSS) revised the proposed rules to adopt many of your grammatical suggestions. DCSS agrees with the need for a comprehensive review of language used to refer to parties throughout Volume 6. We plan to address this in a future rulemaking package. The Imputation of Income Checklist should be filed because it is supporting information for the guidelines worksheet, and as such, should be part of the court record. Please see the attached revised proposed rules.

(9 CCR 2504-1)

6.001.1 PURPOSE [Rev. eff. 4/1/12]

The Colorado Child Support Services (CSS) Program is established to collect support, to reimburse, in part or whole, Title IV-A grants paid to families, help remove IV-A recipients from the IV-A program by assuring continuing support payments, and assist persons who do not receive IV-A or IV-E foster care to remain financially independent. Such purpose is achieved by: locating noncustodial parents, establishing the ~~paternity~~PARENTAGE of children born out of wedlock, establishing child support obligations and health insurance, reviewing the order for a possible adjustment, and enforcing and collecting support. Although this program must be closely coordinated with the IV-A, Medicaid, ~~Low Income Child Care Assistance~~, and foster care programs, it is a separate and distinct program with defined functions, which must be performed by a distinct administrative unit.

This manual sets forth the policies and rules by which the Colorado Child Support Services (CSS) program must be administered and describes the coordination that must take place with the IV-A and foster care programs. IV-A and IV-E foster care cases in these rules are also referred to as public assistance (PA) cases. Cases that do not contain IV-A or IV-E recipients and cases receiving continued services are referred to as non-public assistance (Non-PA; NPA) cases. Non-IV-E foster care, ~~AND Medicaid, and Low Income Child Care Assistance~~ cases are also included in NPA cases. The policies and rules for the IV-A, Medicaid, ~~Low Income Child Care Assistance~~, and foster care programs are set forth in the respective staff manuals.

6.002 DEFINITIONS

“Administrative Process Action (APA)” - determination of ~~paternity~~PARENTAGE and/or support obligations through a non-judicial process.

“Assignment of Support Rights” - the determination that a family is eligible for IV-A benefits automatically invokes a state law (Section 26-2-111(3), C.R.S., as amended) that assigns to the State Department all rights that the applicant may have to support from any other person on ~~his/her~~THEIR own behalf or on behalf of any other family member for whom application is made. The assignment is effective for both current support and support that accrues as arrears during the period that the family receives assistance. The assignment is limited by the total amount of IV-A assistance received. When a child is placed in foster care, all rights to current and accrued child support for the benefit of the child are assigned to the State Department pursuant to Section 26-13-113, C.R.S.

~~“COLORADO CENTRAL REGISTRY” - THE UNIT WITHIN THE COLORADO DIVISION OF CHILD SUPPORT SERVICES WHICH RECEIVES AND DISTRIBUTES RESPONDING CASES AND HAS OVERSIGHT RESPONSIBILITY FOR INTERGOVERNMENTAL IV-D CASES.~~

~~“COMMENCEMENT DATE” – A DAY WITHIN THE MONTH IN WHICH A NEW OR MODIFIED MONTHLY SUPPORT OBLIGATION BEGINS.~~

~~“Electronic Benefits Transfer (EBT) Notice” – the notice that is sent to the IV-A recipient at the beginning of each month informing him/her of how much public assistance money was deposited into his/her account. The notice also contains information about how much child support was paid by the noncustodial parent during that month.~~

“Foster Care Fee Order” - a monthly amount assessed by application of the Colorado Child Support guidelines, which are found under 14-10-115(7), C.R.S., to the legally responsible person(s) whose child(ren) are receiving substitute care through a foster care placement as ordered by a court or through administrative process by a county Child Support Services Unit. ~~THESE ORDERS MAY BE REINSTATED WITHOUT FURTHER ACTION OF THE COURT, UPON THE CHILD RETURNING TO PLACEMENT FOR A NEW DECREE.~~

“Genetic Testing” - a scientific test that shows the probability of biological parentage of a child which can lead to the establishment of ~~paternity~~PARENTAGE.

"Income Assignment" - the process whereby ~~a noncustodial parent's~~AN OBLIGOR'S child support payments are taken directly from ~~his/her~~THE OBLIGOR'S income and forwarded to the FSR through a notice to the employer, trustee, or other payor of funds.

~~"Interstate Central Registry" - the Interstate Network unit within the Colorado Division of Child Support Services (CSS) which receives and distributes responding cases and has oversight responsibility for intergovernmental IV-D cases.~~

~~"Interstate Network" - the unit in the Colorado Division of Child Support Services which has responsibility for interstate central registry functions.~~

"IV-E Payment" - payment made on behalf of a child for ~~his/her~~THE CHILD'S foster care maintenance in accordance with Title IV-E of the Social Security Act.

"Legal ~~Father~~PARENT" - see "~~Paternity~~PARENTAGE".

"Monthly Support Obligation (MSO)" - the monthly obligation amount ordered by a court or through administrative process by a ~~county Child Support Services Unit~~IV-D AGENCY to be paid on behalf of (a) child(ren) or (b) child(ren) and former spouse, if established in the same court order and if the former spouse is living with the child(ren).

"Obligor" - the party bound by a court or administrative order to provide support. **THIS MAY OR MAY NOT BE THE PARTY WITH THE LEAST NUMBER OF OVERNIGHTS WITH THE CHILD FOR THE PURPOSES OF CALCULATING CHILD SUPPORT GUIDELINES.**

"~~Paternity~~PARENTAGE" - is the legal establishment of ~~parentage~~, maternity or paternity, for a child, either by court determination, administrative process, or voluntary acknowledgment.

"PAST-DUE SUPPORT" - THE AMOUNT OF A DELINQUENCY, DETERMINED AND/OR ACCRUED UNDER A COURT ORDER, OR AN ORDER OF AN ADMINISTRATIVE PROCESS ESTABLISHED UNDER STATE LAW, FOR SUPPORT AND MAINTENANCE OF A CHILD (WHETHER OR NOT A MINOR), OR OF A CHILD (WHETHER OR NOT A MINOR) AND THE PARENT WITH WHOM THE CHILD IS LIVING. EXPENSES OWED BETWEEN THE PARTIES, SUCH AS EXTRACURRICULAR EXPENSES, POST-SECONDARY EDUCATION, AND ATTORNEY FEES DO NOT MEET THE DEFINITION OF PAST-DUE SUPPORT.

Presumed ~~Father~~PARENT" - a ~~man~~PERSON who is more likely than not to be the legal ~~father~~PARENT of a child because certain facts exist.

"Retroactive Support Due" - the amount of support due for a time period prior to the entry of an order establishing ~~paternity~~PARENTAGE and/or support.

"Unsworn Declaration" - A statement or document that is not notarized but is made under the penalty of perjury under the law of Colorado that it is true and correct. An unsworn declaration may be used in lieu of an affidavit. ~~4.609.1 GENERAL ELIGIBILITY GUIDELINES [Rev. eff. 2/5/16]~~

6.101 STATE DEPARTMENT OF HUMAN SERVICES [Rev. eff. 3/1/12]

6.102.21 ——— [Rev. eff. 4/1/13]

The duties of the county department or its delegate shall include the following:

- A. Establishing, maintaining, and implementing specific written procedures for the operation of the Child Support Services Program in accordance with these rules;
- B. Maintaining the Child Support Services staff manual, required state forms, and copies of county letters;

- C. Establishing and monitoring agreements with local law enforcement officials, legal services providers and other organizations for the provision of services in support of the Colorado Child Support Services Program;
- D. Securing compliance with the requirements of the Colorado Child Support Services Program in operations delegated under any agreement;
- E. Implementing and utilizing a statewide, comprehensive automated child support system, as prescribed by the state department;
- F. Certifying delinquent cases to the state department for the interception of Internal Revenue Service refunds and for interception of state income tax refunds;
- G. Ensure the accuracy and integrity of the automated child support system;
- H. Conduct an administrative review at the request of the ~~custodial party~~ OBLIGEE as a result of the ~~quarterly~~ notice of ~~COLLECTIONS~~ ~~current support and arrearage payment~~ MAILED TO THE OBLIGEE OR posted to the CSS website by the State Department. The county will review its files prior to or at the administrative review as provided for in state regulations at Section ~~6.220~~ 6.805.41. The ~~quarterly~~ notice will be ~~posted~~ GENERATED for current and former IV--A recipients with support obligations who have assigned their rights to support and shall contain:
 - 1. Explanation of the assignment of support rights,
 - 2. Name of the noncustodial parent from whom the support is collected,
 - 3. The starting date of the period reported,
 - 4. The ending date of the period reported,
 - 5. A separate listing of payments collected from each noncustodial parent when more than one noncustodial parent owes support,
 - 6. Amount collected from each noncustodial parent which was retained to reimburse public assistance,
 - 7. Amount collected from each noncustodial parent which was paid to the family in the form of excess collections,
- I. Periodically, not less than annually, publicizing the availability of Child Support Services, including address and telephone number of the county Child Support Services Unit;
- J. Establishing an order for either party to provide medical support in new or modified court or administrative orders for child support, and enforcing the medical support provision when health insurance is accessible and available at reasonable cost to the obligor;
- K. Obtaining information regarding the health insurance available through the custodial party and/or noncustodial parent when a change in circumstance occurs that would warrant a change in the health insurance status and reporting such information on the automated child support system. The automated child support system will generate a report to the state Medicaid Third Party Resource Section;
- L. Conducting administrative reviews of contested arrears;
- ~~M. If the county director or the delegate exercises the option of referring Low Income Child Care Assistance recipients to the Child Support Services Unit, the county must comply with all provisions found in these rules and in Section 3.900, in the "Income Maintenance" rule manual (9 CCR 2503-9) relating to the referral of Low Income Child Care Assistance recipients to the Child Support Services Unit;~~
- NM. Using diligent efforts to complete all actions appropriately and within the time frames required by the applicable federal regulations, statute or rule. Diligent efforts shall include the following:
 - 1. Initiating a task within the required time period;
 - 2. Completion of the task, including any follow up activities within the required time period;
 - 3. Taking the necessary actions in response to receipt of information that indicates that the task may not be on track to be completed within the required time frame.

6.102.3 Establishment of the County Department Child Support Services Unit [Rev. eff. 3/1/12]

6.104 - 6.1096.110 (None)

6.110 None [Rev. eff. 3/2/10]

6.130 STATE DEPARTMENT TO SUPERVISE CSS PROGRAM [Rev. eff. 3/1/12]

6.140 PENALTY FOR FAILURE TO COMPLY WITH STATE AND FEDERAL REGULATIONS [Rev. eff. 3/1/12]

6.201.2 NON-PUBLIC ASSISTANCE (NPA) CASES ~~[Rev. eff. 4/1/12]~~

A. Continued Services Cases

1. The Child Support Services Unit shall provide to the person whose IV-A grant or IV-E foster care eligibility is discontinued, continued CSS services, without a formal application unless the CSS agency is notified to the contrary by the person whose IV-A grant or IV-E foster care eligibility is discontinued.
2. The Notice of Action and the CSE 34 Notice are notices that inform the recipient of public assistance, when they have discontinued temporary aid to needy families (TANF) that their child support case will remain open unless they request that the county close their case. These notices will be generated and mailed to the recipient ten (10) days prior to the effective date of the discontinuation.
3. Form SS-4, Notice of Social Service Action, will be completed by the county services worker and mailed to recipients when a person(s) is discontinued from IV-E foster care. The form will be sent to the recipient five (5) days prior to the effective date of the discontinuation.

The Notice Of Action, the CSE 34 Notice, and the Notice of Social Service Action (SS-4) shall:

- a. Notify the person whose IV-A grant or IV-E foster care has been discontinued, that the CSS Unit shall continue to provide CSS services unless the CSS Unit is notified by the former IV-A or IV-E foster care recipient to the contrary;
 - b. Specify the CSS services that are available;
 - c. Inform the person that the quality of information provided will affect the category of the case;
 - d. Specify the name of the person whose IV-A grant and/or IV-E foster care has been discontinued; and,
 - e. Specify the household number;
 - f. Specify the unique case identifiers;
 - g. Require the signature of the person discontinued who wishes to terminate CSS services;
 - h. Specify the CSS unit will collect overdue support to repay past IV-A or IV-E foster care maintenance.
 - i. Contain any other information deemed appropriate by the State Department.
- ~~4. The county Low Income Child Care Assistance unit must provide written notice to the person who's IV-A grant or IV-E foster care eligibility is discontinued, if continued cooperation with the CSS Unit will be required due to the receipt of Low Income Child Care Assistance within five days of referral from any of these referenced programs. The county Low Income Child Care Assistance Program must also notify the county Child Support Services Unit within the same time frame.~~

B. Application Cases

1. Persons who do not receive public assistance or continued CSS services may apply for full CSS services by completing the Application for Child Support Services, as prescribed by the State Department. Applications for child support services shall be readily accessible to the public. ~~If the county department has elected to require Low Income Child Care Assistance recipients to cooperate with the CSS Unit, the recipients must complete the State prescribed application for Child Support Services.~~ Applications will not be accepted if all of the children associated with a specific obligee and obligor are emancipated, as defined in the existing child support order and the laws of the state where the child support order was entered. This same requirement applies to new interstate referrals sent to Colorado from another initiating state or jurisdiction. In a responding intergovernmental case, if the case was opened in the other state prior to emancipation and/or has state debt due, the application shall be accepted.
2. Upon application, the services established for IV-A recipients to locate, establish ~~paternity~~PARENTAGE of a child (or children), establish court orders for child support, review and modify orders for child support, and secure support from noncustodial and/or alleged parents shall also be made available on behalf of children who are or were deprived of parental support due to the absence of a parent or parents, but, for other

- reasons, are not recipients of IV-A, including those children who are receiving foster care services from funds other than Title IV-E of the Social Security Act.
3. The application on behalf of the child for child support services may be made by either of the child's parents (custodial or noncustodial), an alleged ~~father~~PARENT, legal guardian, or other person or agency.
 4. When the applicant is not a parent of the child, an application for child support services must be obtained for each noncustodial parent.
 5. Requests for Application
 - a. When an individual requests an application or CSS services in person, the CSS Unit shall provide an application on the day requested.
 - b. When an individual requests an application by phone or in writing, the application shall be sent by the county CSS Unit within no more than five (5) business days from the date of request.
 - c. The application shall include the following information:
 - 1) available services;
 - 2) the individual's rights and responsibilities;
 - 3) fees, cost recovery and distribution policies;
 - 4) case categorization and the information necessary to change the category; and
 - 5) the lack of an attorney-client relationship.
 - d. ~~The CSS Unit must maintain a log of requests for services which includes the following information:~~
 - 1) ~~name of person requesting an application;~~
 - 2) ~~type of request (in person, phone, mail);~~
 - 3) ~~date of request;~~
 - 4) ~~date the application was mailed or provided;~~
 - 5) ~~date the application is accepted.~~
 6. The application for non-PA CSS services shall be made on the Application for Child Support Services, as prescribed by the state department. The standard Application for Child Support Services shall include the following elements:
 - a. The full name of the noncustodial parent;
 - b. The full name, date of birth, place of birth, sex and social security number of each child for whom support is sought;
 - c. The signature, address, telephone number, date of birth and social security number of the applicant and date of application.
 7. Acceptance of Applications
 - a. An application may be filed in any CSS office. If there is an existing case in another county, then the application shall be forwarded to the appropriate enforcing county within two (2) working days of receipt in the original county.
 - b. An application shall be accepted as filed on the date it is received in the CSS office, if one or more of the children associated with a specific obligee and obligor are not emancipated as defined in the child support order and the laws of the state where the child support order was entered, and it includes the following information:
 - 1) applicant's name, address and social security number;
 - 2) the name of the noncustodial parent(s), if known;
 - 3) name, birth date, sex, place of birth and social security number, if available, for each child;
 - 4) applicant's signature, either handwritten or electronic.
 - c. Acceptance of an application involves recording the date of receipt on the application. The application must be entered into the ACSES for the application fee to be assessed..
 8. County CSS Units may collect costs incurred in excess of fees. These costs shall be determined on a case by case basis and shall be used to reduce CSS program expenditures.
 9. Non-PA obligees shall be charged an annual twenty-five dollar (\$25) certification fee for collection of IRS tax refunds only if an actual intercept occurs. The fee shall be deducted

from the tax refund intercept. The certification fee must be used to reduce CSS program expenditures.

If there is more than one tax refund intercept for a case, the twenty-five dollar (\$25) certification fee will be charged only once, regardless of the number of obligors, and will be deducted from the first intercept(s) that occurs. If the total amount of all tax refunds for a case is less than twenty-five dollars (\$25), the amount of refunds will satisfy the certification fee.

10. Non-PA obligees shall be charged an annual thirty-five dollar (\$35) service fee once five hundred and fifty dollars (\$550) has been disbursed to the family.

The service fee will be reported to the federal government as program income, and will be shared between the federal, state, and county governments.

The service fee will be collected for each case set in all intrastate in-state and initiating intergovernmental cases on the ACSES if the \$550 disbursement threshold is reached.

C. Locate Only Cases

Persons who request only noncustodial parent locator service may complete the Request for Parent Locator Service. The Colorado State Parent Locator Service shall provide such caretaker with instructions for completing the form and fees to be paid by the caretaker. A non-PA application form is not required.

6.201.3 FOSTER CARE CASES [Rev. eff. 4/1/12]

6.201.4 LOW-INCOME CHILD CARE ASSISTANCE RECIPIENTS [Rev. eff. 10/01/2009]

~~A.—Appropriately referred Low-Income Child Care Assistance cases, pursuant to Section 3.905.1 of the CDHS “Income Maintenance” rule manual (9-CCR-2503-1) shall be provided the full range of services as required by the Child Support Services program upon referral and completion of the State prescribed application form. Referral is defined as receipt of the referral packet from the county Low-Income Child Care Assistance program.~~

~~B.—The CSS Unit must document the case record with the date of referral, which is the date the CSS Unit received the packet. The CSS Unit must also have a process in place to notify the Child Care Assistance program within five business days after the recipient provides the completed application to the CSS Unit.~~

6.201.54 MEDICAID REFERRAL CASES [Rev. eff. 10/1/09]

6.205 ENFORCING COUNTY [Rev. eff. 11/1/13]

Designation of the county responsible for accepting the Child Support Services application or processing the case, or both, provides for centralized legal and financial activities and prevents duplication of effort and establishment of unnecessary orders for support when an order exists.

Provisions pertaining to enforcing county designation and responsibilities shall apply to all new Child Support Services cases and for existing cases where there is a dispute regarding an enforcing county issue.

- A. The enforcing county is the county responsible for processing a case for Child Support Services, including locating the noncustodial parent, establishment of ~~paternity~~PARENTAGE, establishment and modification of a support order and enforcement of a support order. Enforcing county means the enforcing county on the automated child support system. The enforcing county is responsible for financial management of the case.

The enforcing county is also the county responsible for the case for audit purposes. When the noncustodial parent resides outside of Colorado, the enforcing county is the county responsible for initiating an intergovernmental action or appropriate instate action for CSS services. If the noncustodial parent is the only party in the case residing in Colorado and there is no existing court order and no public assistance has been paid in Colorado, the enforcing county will be considered the county where the noncustodial parent resides.

- B. For all cases, the enforcing county for a Colorado Child Support Services case is the first county where a Child Support Services application or referral was made. ~~The enforcing county shall provide the full range of services to the Low-Income Child Care Assistance referral case from another county, even if the enforcing county elected not to require the Low-Income Child Care Assistance recipients in its county to cooperate with the Child Support Services Unit.~~
- C. When there is a new application or referral in a county other than the enforcing county, the county of the new application or referral shall assist in the completion of the application and any intergovernmental or other necessary documents. The county of the new application or referral shall forward the application and documents to the enforcing county, as appropriate, utilizing the form as prescribed by the State Department. ~~For a Low-Income Child Care Assistance referral case, the Low-Income Child Care Assistance Program unit shall deal directly with the Child Support Services (CSS) Unit located in its county. The CSS Unit will then communicate with the enforcing county.~~
- D. Unless the CSS Units in the interested counties agree or there is enforcing county resolution to change enforcing county designation, the enforcing county remains the enforcing county until the case is closed in accordance with this manual. The enforcing county does not change when the parties in the case relocate.
- E. When a IV-D unit requests enforcing county designation and the interested CSS Units cannot agree, within five (5) calendar days, upon which county should be the enforcing county, the county directors, or their designees, in the counties will resolve the issue. If agreement cannot be reached, the CSS office shall refer the matter to the State Division of Child Support Services for resolution in accordance with the state procedure and prescribed form. The state decision is final and binding on the interested counties.

6.205.1 ENFORCEMENT OF ORDER AND FINANCIAL MANAGEMENT ~~[Rev. eff. 11/1/13]~~

- A. The enforcing county shall enforce the original order and any subsequent modifications, and modify, as appropriate. Copies of all legal actions, such as modifications, and judgments shall be filed into the original order.
- B. When IV-A or foster care placement costs (maintenance and services) have been expended in another Colorado county or counties, the enforcing county must contact all such counties and, within ten (10) working days, such counties shall provide the amount of unreimbursed public assistance or the costs for foster care placement to be included in the establishment of an order or to modify an order for UPA or foster care costs reimbursement. The enforcing county is responsible for coordinating arrearage balances of all interested counties.
- C. The enforcing county shall enforce the existing order to the extent possible even if the order was issued by another county. If a court hearing is necessary, the enforcing county may request the IV-D unit in the county of the existing order to have its CSS attorney appear on behalf of the enforcing county. When requested, the CSS attorney in the order-issuing county shall appear on behalf of the enforcing county and represent the case as if it were ~~his/her~~THEIR own county's case.
- D. In cases in which the obligor has now become the obligee, known as role reversal, the county enforcing the existing order shall initiate the role reversal case and modify the existing court order to reflect the new change in circumstance, or initiate a reciprocal action to another jurisdiction, if appropriate, whether the role reversal occurred prior to or after the IV-D referral or application.

6.205.11 Change of Venue ~~[Rev. eff. 4/1/12]~~

6.205.12 Controlling Order ~~[Rev. eff. 4/1/12]~~

6.205.13 Registration Of Order ~~[Rev. eff. 11/1/13]~~

6.205.2 INTERGOVERNMENTAL ENFORCING COUNTY ~~[Rev. eff. 11/1/13]~~

6.210.12 ~~[Rev. eff. 11/1/13]~~

Child Support Services workers shall release the name, mailing and/or residential address, Social Security Number, place of employment, day care amount, income, health insurance information, and date of birth of custodial parties, noncustodial parents or children, and establishment or enforcement information concerning the legal obligation for support only in the following circumstances:

- A. When clarification of information is required to provide the next appropriate Child Support Services Unit service authorized in Colorado law and described in the Child Support Services state plan. For example, if a worker from a clerk and recorder's office calls to clarify information contained in a Child Support Services Unit's request for a lien to be placed on real property, the child support worker may confirm what action is being requested of the clerk and recorder.
- B. In the administration of the plan or any program approved under Part A (Temporary Assistance to Needy Families), Part B (Child Welfare), Part D (Child Support Enforcement), Part E (Foster Care) or Part F (Child Care Services) or Titles XIX (Medicaid) or XXI (State Children's Health Insurance Program) of the Social Security Act, and the Supplemental Nutrition Assistance Program, including data which is necessary for fraud investigation or audit.
 - 1. To assist any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any such state plans or programs.
 - 2. To report to the appropriate state or county department staff information that has been reported, to a Child Support Services worker, of suspected mental or physical injury, sexual abuse or exploitation, or negligent treatment or maltreatment of a child who is the subject of a child support services activity under circumstances which indicate that the child's health or welfare is threatened.
- C. In response to a request received from a party to the action or ~~his/her~~THE PARTY'S attorney of record, the requester can receive information specific to ~~himself/herself~~THEMSELF only, and not the other party. Each party may verify the accuracy of the information related to ~~him/her~~THEMSELF only that is in the possession of the Child Support Services Unit. If the requestor is shown as a child on the case action, even if the child has since reached the age of emancipation, that requestor is not a party to the action and the information shall not be released except upon issuance of a court order.
- D. To provide statutorily required information to the court on child support orders and other documents that are completed by the CSS Unit and then filed with the court, unless there has been a court order of non-disclosure entered to suppress such information on that particular party.
- E. To inform the parties of information regarding the amount of public assistance benefits paid to the family which could be used in an administrative or court proceeding to establish or enforce an order for the past assistance.

6.210.13 Disclosure [Rev. eff. 11/1/13]

Disclosure of any Child Support Services case information is prohibited in the following circumstances:

- A. At the request of all private collection agencies, unless the requesting agency is a state or county contractor and bonded as required by state or federal statute.
- B. In response to a written complaint from the party (constituent) received by a legislator. Child Support Services Units may provide only information which indicates what progress is being made on the case or what action has or will be taken to move the case forward.
- C. At the request of any attorney who is not the attorney of record as reflected on the automated child support system or in the court files.
- D. At the request of a current spouse or other individual even if that person has a notarized statement from the noncustodial parent.
- E. Any information received from the Internal Revenue Service that has not been verified by an independent source. Such information can only be released to the taxpayer.
- F. Information obtained through the State Income and Eligibility Verification System (IEVS) shall not be disclosed to anyone. The information shall be used exclusively by the Child Support Services program.
- G. Disclosure to any committee or legislative body (federal, state, or local) of any information that identifies any party to the action by name or address.
- H. Genetic test results can only be released to the parties of the action. Pursuant to Sections 19-1-308 and 25-1-122.5, Colorado Revised Statutes, the parties are prohibited from disclosing the information to anyone else.
- I. The information obtained from the access of records using the Social Security Number, pursuant to Section 14-14-113, C.R.S., shall only be used for the purposes of establishing ~~paternity~~PARENTAGE or child support ordered, modifying or enforcing child support orders.
- J. Upon receipt of a non-disclosure affidavit and required documentation from either party, the county child support services worker shall create the affidavit of non-disclosure and the affidavit

shall be forwarded to the court of jurisdiction. In this instance an individual's identity or location can be released only upon receipt of a court order requiring the override of the non-disclosure. The county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the affidavit. Interjurisdictional cases will be handled as follows:

1. Initiating Interjurisdictional Cases: Treated the same as an in-state case with the exception that the affidavit will be sent to the responding jurisdiction along with the other required intergovernmental forms.
 2. Responding Interjurisdictional Cases: If the initiating jurisdiction indicates that there is a nondisclosure granted in that jurisdiction, the county child support worker shall update the non-disclosure indicator on the automated child support system within five working days of the date of receipt of the intergovernmental request.
- K. No Financial Institution Data Match information or Federal Tax information from the Internal Revenue Service may be disclosed outside of the administration of the Title IV-D program.
- L. No information from the National Directory of New Hires or the Federal Case Registry may be disclosed outside of the administration of the Title IV-D program except:
1. In the administration of the plan or any program approved under Part B and Part E of the Social Security Act to locate parents and putative ~~fathers~~PARENTS for the purpose of establishing parentage or establishing parental rights with respect to a child.
 2. In the administration of the plan or any program approved under Part A, Part B, Part D, and Part E of the Social Security Act, which is incorporated by reference; no amendments or editions are included. They may be examined during regular business hours by contacting the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any State Publications Depository Library. The Social Security Act is also available on-line at: http://www.ssa.gov/op_home/ssact/ssact.htm.

6.210.2 PAYMENT RECORDS ~~[Rev. eff. 11/1/13]~~

6.210.3 CONFLICT OF INTEREST ~~[Rev. eff. 11/1/13]~~

Child Support Services Units shall establish processes in which certain case files are worked only by a supervisor or in a manner that provides limited access to case information. An example of these files: employee files or court ordered "sealed" files. Any employee with a personal interest in a case, including but not limited to ~~his/her~~THE EMPLOYEE'S own case or a case of a relative or friend, shall not engage in any Child Support Services activity related to that case and may not view any case information maintained on the automated child support system for that case.

6.210.42 Financial Records ~~[Rev. eff. 11/1/13]~~

6.210.5 ADOPTION INFORMATION ~~[Rev. eff. 11/1/13]~~

6.210.6 ACCESS TO INFORMATION ~~[Rev. eff. 11/1/13]~~

6.220 FEDERAL TAX INFORMATION ~~[Eff. 11/1/13]~~

6.230.1 Good Cause ~~[Rev. eff. 4/1/12]~~

Good cause is defined as circumstances under which cooperation with the Child Support Services Unit may not be "in the best interests of the child." In the case of a IV-A referral, the county director or the designate IV-A staff shall make the determination of good cause exemption from referral of a custodial party to the Child Support Services Unit. ~~In the case of a Low-Income Child Care Assistance referral, the county director or designee shall make the determination of good cause exemption from referral to the CSS Unit.~~ The Child Support Services Unit may provide information or participate with the county director or designate IV-A ~~or Low-Income Child Care Assistance~~ staff, as appropriate, to make the determination of good cause exemption.

6.230.11 Cooperation Requirements ~~[Rev. eff. 4/1/12]~~

The custodial party is required to cooperate with the county Child Support Services Unit in:

- A. Providing sufficient, verifiable information about the identity and location of the noncustodial parent(s) of the child(ren). Information is sufficient if it includes:
 1. Noncustodial parent's full name and Social Security Number; or,
 2. Noncustodial parent's full name and at least two of the following items:
 - a. Noncustodial parent's date of birth;
 - b. Noncustodial parent's address;
 - c. Noncustodial parent's telephone number;
 - d. Noncustodial parent's employer's name and address;
 - e. The names of the parents of the noncustodial parent;
 - f. Noncustodial parent's vehicle information (manufacturer, model and license);
 - g. Noncustodial parent's prison record;
 - h. Noncustodial parent's military record; or,
 3. Noncustodial parent's full name and additional information which leads to the location of the noncustodial parent, or if unable to comply with any of the above.
- B. Provide all of the following that the custodial party has or can reasonably obtain that may lead to the identity of noncustodial parent:
 1. If ~~paternity~~PARENTAGE has not been established, provide a sworn statement of ~~sexual intercourse between the alleged father(s) and the custodial parent of the child during probable period of~~ conception;
 2. Statements as to the identity or location of noncustodial parent from other individuals;
 3. Records or information as to the whereabouts of records, from specific agencies;
 4. Utility bills, parking tickets, credit card receipts, etc., that contain information about noncustodial parent;
 5. Telephone numbers or addresses of others who knew the noncustodial parent;
 6. Sworn statement documenting efforts taken by custodial party and obstacles encountered by custodial party in pursuit of information about the noncustodial parent;
 7. Any other information that may assist the CSS Unit in identifying or locating the noncustodial parent.
- C. Establishing parentage of children for whom parentage has not been legally established or is in dispute and for whom assistance or foster care services is requested or provided.
- D. Establishing orders for financial and medical support and obtaining medical support for each child, when available to either party, as ordered by the court.
- E. Obtaining support payments for the recipient/applicant and for each child for whom assistance or foster care services is requested or provided, and to which the department is entitled to collect pursuant to the assignment of support rights.
- F. Obtaining any other payments or property to which the custodial party and/or each child for whom assistance is provided may be entitled, and to which the department is entitled to collect, pursuant to the assignment of support rights.

6.230.13 Cooperation in Foster Care Cases ~~[Eff. 4/1/12]~~

6.230.2 Cooperation Defined ~~[Rev. eff. 4/1/12]~~

6.230.3 Cooperation Determination ~~[Rev. eff. 4/1/12]~~

The county IV-D administrator, or a designee, is responsible for making the determination of whether a ~~PUBLIC ASSISTANCE, OR~~ foster care, ~~or Low Income Child Care Assistance~~ recipient has cooperated with the CSS Unit for the purposes of establishing and enforcing child or medical support.

6.230.4 Notification ~~[Rev. eff. 4/1/12]~~

The county CSS Unit shall notify immediately the IV-A unit, foster care unit, ~~Low Income Child Care Assistance unit,~~ or Medicaid unit of any IV-A recipient, foster care placing parent, ~~Low Income Child Care Assistance recipient,~~ or Medicaid referral case recipient who fails to fulfill the cooperation requirements of this section. The notification shall describe the circumstances of the non-cooperation and the date(s) upon which it occurred. ~~For Low Income Child Care Assistance recipients, the notice will be the sixty (60) day advance notice of case closure for non-cooperation described in Section 6.260.52, B.~~

The county CSS Unit will not attempt to establish ~~paternity~~PARENTAGE and support or collect support or third party information for medical support in those cases where the custodial party is determined to have good cause for refusing to cooperate.

6.230.5 Custodial Party Cooperates ~~[Rev. eff. 4/1/12]~~

After the CSS Unit has notified the IV-A, ~~OR foster care, or Low Income Child Care Assistance~~ units of the custodial party's failure to cooperate, the custodial party may decide to cooperate rather than face penalties with the assistance grant, ~~Low Income Child Care Assistance~~ or foster care treatment plan. Should this occur, the CSS Unit shall provide notification to the IV-A, ~~OR foster care, or Low Income Child Care Assistance~~ units that the custodial party is now cooperating. The CSS Unit shall provide the notification to the IV-A, ~~OR foster care, or Low Income Child Care Assistance~~ units within two (2) working days from the date the custodial party cooperated with the CSS Unit.

6.230.6 Request for Review Through Title IV-A

When the custodial party requests a review through IV-A of the determination that ~~he/she~~THEY ~~has~~HAVE failed to cooperate with the CSS Unit, the county IV-D administrator, or a designee, shall appear at the IV-A dispute resolution conference and/or state level hearings to provide information concerning the basis for the determination that the custodial party has failed to cooperate with the CSS Unit.

~~**6.230.7 Request for Review Through Child Care Assistance Program**~~

~~If a Low Income Child Care Assistance recipient requests a review through the Child Care Assistance Program to determine whether or not she should be granted a good cause exemption from cooperation with the Child Support Services Unit, the county CSS administrator shall provide to the Low Income Child Care Assistance Program any information in the possession of the CSS Unit which may support a good cause exemption.~~

6.240 MEDICAL SUPPORT ESTABLISHMENT AND ENFORCEMENT ~~[Eff. 4/1/13]~~

6.240.1 MEDICAL SUPPORT ESTABLISHMENT ~~[Rev. eff. 4/1/13]~~

For all cases in which current child support is being sought (including zero dollar orders), the Child Support Services Unit shall include a provision for either ~~party~~PARENT to provide health care coverage for ~~his/her~~THE child(ren).

6.240.2 MEDICAL SUPPORT ENFORCEMENT

Unless the child(ren) are receiving public health care coverage, the National Medical Support Notice (NMSN) must be sent to the obligor's employer if the obligor is ordered to provide health insurance, the obligor is eligible for health insurance, the health insurance is accessible to the child(ren), and the monthly premiums are reasonable in cost.

- A. A notice must be sent to the obligor, informing ~~him/her~~THE OBLIGOR that the NMSN was sent to ~~his/her~~THEIR employer and describing the rights and conditions regarding the issuance of the NMSN. The obligor has ten (10) calendar days from the date of the mailing to object with the Child Support Services Unit if the obligor believes there is a mistake in identity and ~~he/she~~THEY ~~is~~ARE not the obligor, there is no order for the obligor to provide health insurance, the health insurance is not accessible to the children, or the monthly premiums are not reasonable in cost.
 - 1. Health insurance is considered not accessible to the child(ren) if the child(ren) resides outside the geographic area of coverage.
 - 2. A premium amount is considered reasonable in cost if the premium payments (child(ren)'s portion) are less than five percent (5%) of the paying parent's gross income or application of the premium payment (child(ren)'s portion) on the guidelines does not result in a Monthly Support Obligation of fifty dollars(\$50) or less.
- B. The Child Support Services Unit will have ten (10) calendar days from the date the objection is mailed to determine if the objection is valid. If the obligor objects to the enforcement of the NMSN claiming it exceeds the reasonable cost standard, the Child Support Services Unit must determine if the premium amount is five percent (5%) or more of the obligor's gross monthly income.
- C. If the obligor's objection is valid, the Child Support Services Unit must send a notice of termination to the obligor's employer with a copy to the obligor. If the obligor's objection is not

valid, the Child Support Services Unit must notify the obligor that the NMSN will remain in effect and that the obligor has the right to object with the court.

- D. In subsidized adoption cases, CSS units have the option of enforcing medical support through a NMSN. Verification of the subsidized adoption is required if the Child Support Services Unit chooses not to enforce.

6.250 PROVISION OF SERVICES IN INTERGOVERNMENTAL IV-D CASES BY CHILD SUPPORT SERVICES (CSS) UNITS ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

6.250.1 INITIATING STATE/JURISDICTION RESPONSIBILITIES ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

County CSS Units shall ensure management of the initiating intergovernmental CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.

- A. When applicable, use long arm statutes to establish ~~paternity~~PARENTAGE or support. Also, determine if enforcement action can be completed through an in-state action such as direct income withholding to the noncustodial parent's out of state source of income.
- B. Within twenty (20) calendar days of locating the noncustodial parent in another state, Tribe or country, determine if the filing of an intergovernmental action is appropriate and refer the intergovernmental filing to the Interstate Central Registry of the appropriate state, to the Tribal IV-D program, or to the central authority of the foreign country, or take the next appropriate action.
- C. Ask the appropriate intrastate tribunal or refer the case to the appropriate responding state IV-D agency for a determination of the controlling order and a reconciliation of arrearages, if such a determination is necessary.
- D. The twenty (20) day time frame begins on the date the obligor's location is verified and/or necessary documentation to process the case is received, whichever date is later. UIFSA petitions are to be sent directly to the Interstate Central Registry of the appropriate state, to the Tribal IV-D program, or to the central authority of the foreign country.
- E. Provide sufficient and accurate information on appropriate standardized interstate forms with each action referred to enable the responding agency to take action. The Intergovernmental Child Support Enforcement Transmittal form and other standardized interstate forms, as prescribed by the state, shall be used for each intergovernmental action request.
- F. Request that the responding state include health insurance in all new and modified orders for support.
- G. Within thirty (30) calendar days of request, provide additional information and any order and payment record information requested by a state IV-D agency for a controlling order determination and reconciliation of arrearages, or notify the requesting office when information will be provided.
- H. Within ten (10) working days of receipt of new case information, submit information to the CSS office in the responding agency. New information includes case status change or any new information that could assist the other agency in processing the case.
- I. Instruct the responding agency to close its intergovernmental case and to stop any withholding order or withholding notice that the responding agency has sent to an employer, before transmitting a withholding order or withholding notice, with respect to the same case, to the same or another employer, unless an alternative agreement is reached with the responding agency regarding how to proceed.
- J. Notify the responding agency within ten (10) working days when a case is closed and the reason for closure.
- K. The CSS Unit may provide any documentation, notification, or information through any electronic means, as long as the electronic transaction is appropriately documented in the case record.
- L. If the initiating agency has closed its case pursuant to Section 6.260.5 and has not notified the responding agency to close its corresponding case, the initiating agency must make a diligent effort to locate the obligee, including use of the Federal Parent Locator Service and the State Parent Locator Service, and accept, distribute, and disburse any payment received from a responding agency.

6.250.2 RESPONDING STATE/JURISDICTION RESPONSIBILITIES ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

County CSS Units shall ensure management of the interstate CSS caseload to ensure provision of necessary services, including maintenance of case records and periodic review of program performance on interstate cases.

- A. Ensure that organizational structure and staff are adequate to provide services in intergovernmental CSS cases.
- B. County CSS Units must initiate any electronic or manual referral from the ~~interstate network~~ **COLORADO CENTRAL REGISTRY** within twenty (20) calendar days of the date of referral as found on the ACSES responding interstate recently referred list.
- C. If the noncustodial parent is located in another county within ten (10) working days of receipt of the intergovernmental case, the case shall be moved to the county of the noncustodial parent's residence unless:
 7. The county was the open enforcing county prior to the intergovernmental referral; or,
 8. The county has registered a foreign order; or,
 9. The county is the county of the original order.If the case does need to be moved, the county shall contact the ~~Interstate Network~~ **COLORADO CENTRAL REGISTRY** to move the case to the county of the noncustodial parent's residence.
- E. Within ten (10) working days of locating the noncustodial parent in another state or country, the CSS Unit will notify the initiating state of the new address. At the direction of the initiating agency, the case may be closed or the case may be forwarded to the appropriate Central Registry, to the Tribal IV-D program, or to the central authority of the foreign country in which the noncustodial parent now resides.

6.250.21 Provide Necessary CSS Services as In state Title IV-D Cases ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

Provide all necessary CSS services as would be provided in instate IV-D cases by:

- A. Establishing ~~paternity~~ **PARENTAGE** and attempting to obtain a judgment for costs if ~~paternity~~ **PARENTAGE** is established; if ~~paternity~~ **PARENTAGE** has been determined by another state, whether it was established through voluntary acknowledgment, administrative process or judicial process, it shall be enforced and otherwise treated in the same manner as an order of this state;
- B. Establishing child support obligations;
- C. Establishing an order for either party to provide medical support in all new or modified orders for child support, if not addressed in the original order;
- D. Processing and enforcing orders referred by another agency, pursuant to the UIFSA or other legal processes;
- E. Enforcing medical support if there is evidence that health insurance is accessible and available to the obligor at a reasonable cost;
- F. Collecting and monitoring support payments for the initiating agency and forwarding payments to the location specified by the initiating CSS office within two business days of the Colorado date of receipt;
- G. If a determination of controlling order has been requested, file the request as defined by Section 14-5-207, C.R.S., with the appropriate tribunal within thirty (30) calendar days of receipt of the request or location of the noncustodial parent, whichever occurs later. Notify the initiating agency, the controlling order state, and any state, country, or Tribe where a support order in the case was issued or registered of the controlling order determination and any reconciled arrearages within thirty (30) calendar days of receipt of the determination from the tribunal.
- H. Provide timely notice to the CSS office in the initiating agency of any formal hearing regarding establishment or modification of an order. Respond to inquiries regarding intergovernmental case activity within five (5) working days.
- I. Respond to inquiries regarding intergovernmental case activity within five (5) working days.
- J. Within ten working days of receipt of new information on a case, submit information to the initiating agency. New information includes case status change or any new information that could assist the other agency in processing the case.
- K. Notify the initiating state within ten (10) working days of the case closure when a case is closed.

6.250.3 PAYMENT AND RECOVERY OF COSTS IN INTERSTATE IV-D CASES ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

The responding agency is responsible for payment of genetic tests for establishing ~~paternity~~PARENTAGE. The responding agency is responsible for attempting to obtain judgment for genetic test costs.

The responding agency is responsible for payment of all costs it incurs in the processing of an interstate case.

The responding agency may not recover costs from a Foreign Reciprocating Country (FRC) or from a foreign obligee in that FRC, when providing services under Sections 454(32) and 459A of the Social Security Act. The documents are incorporated by reference; no amendments or editions are included. They may be examined during regular business hours at the Colorado Department of Human Services, Director of the Division of Child Support Services, 1575 Sherman Street, Denver, Colorado 80203; or at any state publications depository library. The Social Security Act is also available on-line at: http://www.ssa.gov/OP_Home/ssact/ssact.htm.

6.260.21 Case Record Procedures

County CSS Units shall establish procedures to ensure that all appropriate functions and activities related to opening a case record are undertaken and completed within the time frames specified. The time frames begin on the date of referral or acceptance of an application and end when the case is ready for the next appropriate activity, e.g. locate, establishment of ~~paternity~~PARENTAGE, establishment of a support order, or enforcement. All activities must be documented on ACSES within five working days.

6.260.22 Opening a Case ~~[Rev. eff. 9/15/12]~~

6.260.23 Maintenance of Records ~~[Rev. eff. 11/1/13]~~

- A. For all cases, the Child Support Services Unit shall maintain a ~~N~~ ELECTRONIC OR PHYSICAL case record for each noncustodial or alleged parent which contains all information collected pertaining to the case. Such information shall include, but is not limited to the following:
 1. A chronological listing of information maintained on the State approved automated child support system. Such information shall include:
 - a. Any contacts with the recipient of IV-A, ~~or a Low-Income Child Care Assistance recipient~~, or foster care placing parent who is required to cooperate with the Child Support Services Unit, the date and reason, and the results of such contact;
 - b. Any contacts with the non-PA ~~or Low-Income Child Care Assistance~~ custodial party for Child Support Services, the date and reason, and the results of such contact;
 - c. Any contacts with the noncustodial parent, the date and reason therefore, and the results of such contact;
 - d. Any contact with any other agency involved in the case.
 - e. Actions taken to establish or modify a support obligation, establish child support debt, establish parentage, or enforce a support obligation, the dates and results;
 - f. Identification of the reason for and date of case closure; and
 - g. Any other significant actions taken regarding the case as deemed necessary for caseload documentation and management.
 2. The referral document received from the IV-A or foster care units, or the Application for Child Support Enforcement Services form;
 3. The written request from the recipient/applicant or the initiating jurisdiction in a responding intergovernmental case to terminate Child Support Services;
 4. Information Concerning Noncustodial Parent form, as prescribed by the State Department or similar county created form;
 5. A record of efforts to utilize local locate resources and the dates and results of these efforts;
 6. A copy of the court or administrative order;
 7. A copy of communications to and from the IV-A or the foster care program;
 8. A copy of communications to and from the State Department;
 9. A copy of communications to and from other Child Support Services Units or agencies;

10. A record of case categories and priorities assigned and reassigned to the case, the date of such determination, and identification of the individual who made the determination;
 11. A copy of notices to the noncustodial parent and decisions concerning contested arrears.
 12. An accurate and updated automated system ledger, including posting the court ordered Monthly Support Obligation and an accurate arrears balance
- B. Child Support Services staff shall change case categories as prescribed by the state immediately on the automated child support system when the case is ready for the next activity in order to provide documentation that the time frames have been met.

6.260.31 ~~[Rev. eff. 11/1/13]~~

6.260.32 **The CSS Unit may utilize a case assessment and category system. Such system shall:**

- A. Include all cases in the system.
- B. Ensure that no service including location, establishment of ~~paternity~~PARENTAGE, establishment and enforcement of support obligation is systematically excluded by the system.
- C. Provide for notice to the custodial party that the information provided to the CSS Unit, either initially or subsequently, may affect the relative category of the case.
- D. Provide that case assessment and category setting shall occur only after the intake information has been reviewed for accuracy and completeness and an attempt has been made to obtain the missing information.
- E. Provide for periodic review of cases and notification to the custodial party in those cases that new information may result in a category change for the case.

6.260.51 Notice and Reasons for Closure ~~[Rev. emergency eff. 4/5/13; permanent eff. 7/1/13]~~

Unless otherwise noted, case closure requires a sixty (60) day advance notice of closure to the custodial party. For closure reasons that require notice, the Child Support Services Unit must notify the custodial party of the unit's intent to close the case by sending a notice of closure on the form prescribed by the State Department either by paper or electronic notification sixty (60) calendar days prior to closing a public assistance or non-public assistance case. The case must be left open if the custodial party or initiating agency supplies information in response to the notice which could lead to the establishment of ~~paternity~~PARENTAGE or a support order or enforcement of an order. If the case is a responding interstate case, the notice shall be sent to the initiating agency. Responding intergovernmental cases can only be closed using closure reasons ~~"G" or "H"~~ OR "I" of this section. If the case is a foster care case, the notice of closure is not required because the custodial party (county department) initiated the request for closure based on the child(ren)'s termination from foster care placement. All records of closed cases must be retained for a minimum of three years. All documentation concerning the closure must remain in the case file.

Public assistance and non-public assistance, ~~including Low Income Child Care Assistance~~, cases may be closed for one or more of the reasons listed below or in Section 6.260.52 or 6.260.53. ~~If the Low Income Child Care Assistance case is closed, the county CSS Unit must notify the appropriate county Low Income Child Care Assistance Program.~~

- A. There is no longer a current support order and,
 1. All arrearages in the case are assigned to the state or;
 2. The arrearages are under \$500.
- B. The noncustodial parent or putative ~~father~~PARENT is deceased and the death has been verified through sources such as:
 1. A newspaper obituary;
 2. A death certificate;
 3. Contact with the funeral home;
 4. The custodial party's statement has been recorded in the case record; or,
 5. The Social Security Death Index, and no further action, including a levy against the estate, can be taken.
- C. The Child Support Services Unit determines that parentage cannot be established because:
 1. The child is at least 18 years old and the action is barred by a statute of limitations;
 2. The results of genetic testing have excluded the alleged parent as the ~~father~~PARENT of the child;

3. A court or administrative process has excluded the alleged ~~father~~PARENT;
 4. The Child Support Services Unit determines it is not in the best interest of the child to establish ~~paternity~~PARENTAGE in a case involving incest, rape, or in any case where legal proceedings for adoption are pending;
 5. The identity of the biological, alleged, putative, or presumed ~~father~~PARENT is unknown and cannot be identified after diligent efforts, including at least one interview by the Child Support Services Unit with the custodial party; or,
 6. The child(ren) in the case has had ~~his/her~~THEIR adoption(S) finalized.
- D. The noncustodial parent's location is unknown and the Child Support Services Unit has made diligent efforts using multiple sources, pursuant to Section 6.500, all of which have been unsuccessful in locating the noncustodial parent:
1. Over a two-year period when there is sufficient information to initiate an automated locate effort; or,
 2. Over a one-year period when there is not sufficient information to initiate an automated locate effort. Sufficient information is defined as a name and Social Security Number and/or Individual Tax Identification Number (ITIN).
 3. After a one-year period when there is sufficient information to initiate an automated locate effort, but locate interfaces are unable to verify a Social Security Number.
- All cases in the Child Support Services caseload will be transmitted from the state case registry to the federal case registry. One step in the transmission will be to submit the case to the Enumeration Verification System (EVS) which will assist in identifying and verifying a Social Security Number.
- E. The noncustodial parent cannot pay support for the duration of the child's minority (or the child has reached the age of majority), because the parent has been institutionalized in a psychiatric facility, is incarcerated with no chance for parole, or has a medically verified total and permanent disability with no evidence of support potential above the subsistence level, which is defined as the federal poverty level. The Child Support Services Unit must determine that no income or assets are available to the noncustodial parent which could be levied or attached for support.
- F. The noncustodial parent's sole income is from Supplemental Security Income (SSI) payments, or both SSI payments and Social Security Disability Insurance (SSDI). This closure criterion does not apply when the parent is receiving only SSDI benefits. ~~Paternity~~PARENTAGE and support must be established in order to use this closure criterion.
- G. The noncustodial parent is a citizen of, and lives in, a foreign country, and does not work for the United States government or a company which has its headquarters or offices in the United States and the noncustodial parent has no reachable domestic income or assets and the federal office and the state have been unable to establish reciprocity with the foreign country.
- H. The initiating jurisdiction has requested in writing that the interstate case be closed. The sixty (60) day advance notice of closure is not required for these cases. Any income withholding order must be terminated and the responding case closed within ten (10) working days of the request from the initiating agency unless an alternative agreement is reached with that agency.
- I. The Child Support Services Unit documents failure by the initiating agency to take action which is essential for the next step in providing services.
- J. If a case was closed and then subsequently reopened to process child support payments received after case closure, the case should be closed once payment processing is completed. The sixty (60) day advance notice of closure is not required for these cases.
- K. There has been a change in legal custody in the case.
- L. The custodial parent is deceased.
- M. The responding jurisdiction does not have statutory authority to take the next appropriate action in the case.
- N. Unenforceable as defined in section 6.002.

6.260.52 Closure of Non-Public Assistance Cases

Non-public assistance, ~~including Low Income Child Care Assistance~~, cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60-day advance notice of closure to the custodial party. ~~If a Low Income Child Care Assistance case is closed the county CSS Unit must notify the appropriate county Low Income Child Care Assistance Program.~~

- A. The Child Support Services Unit is unable to contact the custodial party within a 60 calendar day period despite a good faith effort to contact the recipient through at least two different methods: mail, electronic, or telephone. If contact is reestablished with the custodial party in response to the notice which could lead to the establishment of ~~paternity~~PARENTAGE or support, or enforcement of an order, the case must be kept open. After a notice of case closure has been sent, if the custodial party reports a change in circumstances within the 60 days contained in the advance notice of closure, the case shall remain open.
- B. The Child Support Services Unit documents non-cooperation of the custodial party and that cooperation of the custodial party is essential for the next step in providing support enforcement services. ~~If a Low-Income Child Care Assistance recipient fails to cooperate, then the county CSS Unit shall send the advance notice of closure to the recipient and to the appropriate county Child Care Assistance Program.~~ The notice shall include the basis of the recipient's failure to cooperate and the dates on which it occurred. The applicant requests closure of the case in writing and there are no arrears owed to the State. The 60 day advance notice of closure is not required for these cases.
- C. The Child Support Services Unit has provided location only services as requested. The 60 day advance notice of closure is not required for these cases.
- D. The status of the case has changed from non-public assistance to public assistance. The 60 day advance notice is not required for these cases.
- E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.
- F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.

6.260.53 Closure of Public Assistance Cases

Public assistance cases may be closed for one of the following reasons or the closure reasons in Section 6.260.51. Unless otherwise noted, case closure requires a 60 day advance of closure to the custodial party.

- A. The 60 day advance notice of closure is not required for these cases. There has been a finding by the county director or designated IV-A staff of good cause or other exceptions to cooperation with the Child Support Services Unit and the county has determined that support enforcement may not proceed without risk of harm to the child or caretaker relative.
- B. The public assistance case has been closed and all possible assigned arrearages have been collected. The Child Support Services Unit is no longer providing services for the current monthly support obligation. The 60 day advance notice of closure is not required for these cases.
- C. The public assistance case has been closed, the obligor owes no public assistance arrearages, and a case has been subsequently opened as a Child Support Services non-public assistance case. The 60 day advance notice of closure is not required for these cases.
- D. The public assistance case has been closed, there is no order for child support, child support debt, medical coverage, foster care fees, and where, pre 1984, the custodial parent did not request continued child support services (by signing the CSE-34), or post-1984, the obligee requested closure of ~~his/her~~THEIR child support case in writing. The 60 day advance notice of closure is not required.
- E. The children have reached the age of majority, the noncustodial parent is entering or has entered long-term care arrangements (such as a residential care facility or home health care), and the noncustodial parent has no income or assets available above the subsistence level that could be levied or attached for support.
- F. The noncustodial parent is living with the minor child (as the primary caregiver or in an intact two parent household), and the IV-D agency has determined that services are not appropriate or are no longer appropriate.

6.260.54 Closure of Foster Care Cases [Rev. eff. 10/1/09]

6.260.6 IMAGING [Rev. eff. 4/1/12]

6.260.7 EXPEDITED PROCESSES FOR CHILD SUPPORT ESTABLISHMENT AND ENFORCEMENT ACTIONS [Rev. eff. 4/1/12]

County child support units must develop, have in effect, and use procedures for all cases which ensure compliance with expedited process requirements. The procedures must include meeting the expedited process time frames for processing CSS actions based upon the following criteria:

- A. Actions to establish an order for support (and ~~paternity~~PARENTAGE, if not previously established) must be completed from the date of service of process to the time of disposition within the following time frames:
 1. Seventy five percent (75%) in six (6) months; and,
 2. Ninety percent (90%) in twelve (12) months.
- B. When an order is established using long arm jurisdiction and disposition occurs within twelve (12) months of service of process on the alleged ~~father~~PARENT or noncustodial parent, the case may be counted as a success within the six-month tier of the expedited process time frame, regardless of when disposition actually occurs within those twelve (12) months.

6.261 REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS [Rev. eff. 4/1/13]

6.261.1 (NONE) [Rev. eff. 4/1/13]

6.261.2 NOTICE OF RIGHT TO REQUEST REVIEW

Both parties or their attorney(s) of record, if any, subject to an order must be notified of their right to request a review.

- A. The obligee shall receive notification of ~~his/her~~THE right to request a review on the Social Services Single Purpose Application (SSSPA), the Child Support Services application for services, and/or on the Administrative Process Orders or Judicial Order forms for cases having a support order established or modified by the Child Support Services Unit. At least every thirty-six (36) months, the obligee or ~~his/her~~THE OBLIGEE'S attorney of record shall receive notification of ~~his/her~~THE right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligee's personal record and the order date or the notice date is thirty-six (36) months or older.
- B. The obligor or ~~his/her~~THE OBLIGOR'S attorney of record shall receive notification of ~~his/her~~THE right to request a review via the right to request notice which is automatically generated when a residence or mailing address exists on the obligor's personal record and the order date or the notice date is thirty-six (36) months or older, whichever is later. The right to request notice generated by the Automated Child Support Enforcement System document generation will automatically be documented in chronology. The obligor or ~~his/her~~THE OBLIGOR'S attorney of record shall also receive notification on the administrative process orders or judicial order forms for cases having a support order established or modified by the Child Support Services Unit.
- C. The enforcing county delegate Child Support Services Unit must respond to the Automated Child Support Enforcement System's calendar review message indicating the automatic generation of the right to request review notice of each party or ~~his/her~~THEIR attorney of record. The calendar review alerts the worker when a child(ren) has reached the age of emancipation. Within five (5) business days of receiving the calendar review message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the last or only child on the order, the worker shall mail a right to request review notice to each party or ~~his/her~~THEIR attorney of record.
- D. The obligee or ~~his/her~~THE OBLIGEE'S attorney of record and the obligor or ~~his/her~~THE OBLIGOR'S attorney of record shall receive notification of ~~his/her~~THE right to request a review via the right to request notice which is automatically generated within FIFTEEN (15) business days of when incarceration information is populated as verified indicating incarceration for more than ONE HUNDRED AND EIGHTY (180) days on the obligor's personal record. The right to request notice generated by the Automated Child Support Enforcement System document generation program will automatically be documented in chronology.
- E. UPON REINSTATEMENT OF A FOSTER CARE FEE ORDER, IF IT HAS BEEN GREATER THAN SIX (6) MONTHS SINCE ENFORCING THE MONTHLY SUPPORT OBLIGATION, THE COUNTY CHILD SUPPORT SERVICES UNIT SHALL NOTIFY THE OBLIGOR OR THE OBLIGOR'S ATTORNEY OF RECORD OF THE RIGHT TO REQUEST A REVIEW BY

GENERATING AND MAILING THE RIGHT TO REQUEST NOTICE WITHIN FIVE (5) BUSINESS DAYS OF REINSTATEMENT.

6.261.3 CASES SUBJECT TO REVIEW AND ADJUSTMENT [Rev. eff. 4/1/13]

6.261.4 CONDUCTING THE REVIEW [Rev. eff. 4/1/13]

- A. The Child Support Services worker shall send the following documents to the requesting party or ~~his/her~~THEIR attorney of record, except in foster care cases where the requesting party is the county department, at least thirty (30) calendar days prior to commencement of the review:
 1. The Review Notice; and,
 2. At county option, the county may choose to send the Administrative Subpoena to obtain additional income/financial information.
The forms generated from the automated child support system document generation will automatically be documented in chronology.
- B. The Child Support Services worker shall send the following documents to the non-requesting party or ~~his/her~~THEIR attorney of record, except in foster care cases where the non-requesting party is the county department, thirty (30) calendar days prior to commencement of the review. In interjurisdictional cases, a copy shall also be sent to the other agency involved in the case:
 1. The Review Notice; and,
 2. The Income and Expense Affidavit.
The forms generated from the automated child support system document generation will automatically be documented in chronology.
- C. The Child Support Services worker shall conduct the review on or before the thirtieth calendar day following the date the Review Notice is sent to the parties using income information from each party's Income and Expense Affidavit and/or the Department of Labor and Employment records and/or other reliable financial/wage information. The review may be conducted in person at the Child Support Services office, via United States mail, or via an electronic communication method.
- D. The delegate Child Support Services Unit may grant a continuance of the review for good cause. The continuance shall be for a reasonable period of time and shall not exceed thirty (30) calendar days.
- E. When conducting the review, the Child Support Services worker shall apply the child support guidelines to determine any inconsistencies between the existing child support award amount and the amount resulting from application of the child support guidelines.
- F. If the non-requesting party or ~~his/her~~THEIR attorney of record fails to provide financial or wage information, the Child Support Services worker shall use income information which is available to the Child Support Services Unit through Colorado Department of Labor and Employment records and/or other verified sources such as the State Parent Locator Service, the Expanded Federal Parent Locator Service, and the State Employment Security Administration. Information from the other party/parent or from a prior review or establishment action may also be used.
- G. If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following when said information is available: the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.
- H. In conducting the review, the Child Support Services worker shall examine the existing order to determine if a medical support provision needs to be added or modified.

6.261.5 TERMINATION OF REVIEW [Rev. eff. 4/1/13]

6.261.7 REVIEW RESULTS, NO ADJUSTMENT REQUIRED [Rev. eff. 4/1/13]

Judicial and Administrative Process Orders: After completion of the review, the child support services worker may determine that there is no adjustment required in the ordered child support amount because

the guideline calculation does not indicate at least a ten percent change in the ordered child support amount and/or the provision for medical support is already a part of the order.

Within five (5) business days of completing the review, the Child Support Services worker shall provide to each party or ~~his/her~~THEIR attorney of record, including the foster care agency and other child support agencies:

- A. The Post Review Notice stating that a “substantial and continuing change of circumstances” has not been shown but that a party may file his or her own motion to modify with the court.
- B. The Guideline Calculation Worksheets.
- C. The forms generated by the automated child support system document generation will automatically be documented in chronology.

6.261.8 REVIEW RESULTS, ADJUSTMENT REQUIRED [Rev. eff. 4/1/13]

- A. Judicial Orders: After completion of the review, the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change in or addition of medical support provision is needed.
 1. Within five (5) business days of completing the review and determining that an adjustment is required, the Child Support Services worker shall provide to the obligor and obligee or ~~his/her~~THEIR attorney of record and to the other agency involved in interjurisdictional cases:
 - a. The Post Review notice;
 - b. The guideline calculation worksheets;
 - c. All supporting financial documentation used to calculate the monthly support obligation; and,
 - d. The order/stipulation.
 2. Either party may file a challenge to the review results based on the post review notice or the proposed order:
 - a. The challenge must be received no later than the fifteenth day following the Post Review Notice date.
 - b. The challenge must be in writing.
 - c. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.
 - d. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.
 - e. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipt of the challenge to respond to the challenge.
 - f. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall provide an amended notice of review and a new order/stipulation to the parties.
 - g. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review.
 3. Within five (5) business days of determining that a review indicates that a change to the monthly support obligation is appropriate, and the review is not challenged or all challenges have been addressed, the delegate Child Support Services Unit shall file with the court:
 - a. A Motion to Modify; and,
 - b. The order/stipulation.
 4. Upon receipt of the order/stipulation from the court, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases. The Child Support Services worker shall document the automated child support system chronology with this activity.
 5. Within five (5) business days of determining that a challenge cannot be resolved, the Child Support Services worker shall file with the court:
 - a. A Motion to Modify;
 - b. The order/stipulation;
 - c. The Guideline Calculation Worksheets; and,

D. THE IMPUTING POTENTIAL INCOME CHECKLIST, WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, IF APPLICABLE,

~~E.~~ E. Income and Expense Affidavits of the parties.

6. Within eighteen (18) days of determining that a challenge cannot be resolved, the Child Support Services worker shall check for the court's signature on the order; if the court has not signed the order, set a hearing pursuant to local court rules.
 7. After a hearing has been set, the Child Support Services worker shall send copies of the notice of hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases and document the automated child support system's chronology with this activity.
 8. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(II)(A), C.R.S.:
 - a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered;
 - b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires;
 - c. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.
- B. Administrative Process Orders: After completion of the review the Child Support Services worker may determine an adjustment is necessary because the guideline calculation indicates at least a ten percent change in the ordered child support amount and/or a change to or an addition of a medical support provision is needed.
1. Within five (5) business days of completing the review and determining that a modification is required, the Child Support Services worker shall provide to the obligor and obligee or ~~his/her~~THEIR attorney of record and to the other agency involved in interjurisdictional cases:
 - a. The Administrative Process Notice of Financial Responsibility for Modification form, which schedules a negotiation conference fifteen (15) days from the review date,
 - b. The Guideline Calculation Worksheets,
 - c. All supporting financial documentation used to calculate the monthly support obligation; and,
 - d. The Administrative Process Modified Order of Financial Responsibility.
 2. Either party may file a challenge to the review results based on the Administrative Process Notice of Financial Responsibility for Modification or the Administrative Process Modified Order of Financial Responsibility:
 - a. The challenge must be received no later than the fifteenth (15th) day following the date of the review results or date of the negotiation conference.
 - b. The challenge must be based on alleged mathematical or factual error in the calculation of the monthly support obligation.
 - c. The delegate Child Support Services Unit may grant an extension of up to fifteen (15) calendar days to challenge the review results based upon a showing of good cause.
 - d. The delegate Child Support Services Unit shall have fifteen (15) calendar days from the date of receipt of the challenge to respond to the challenge.
 - e. If a challenge results in a change in the monthly support obligation, the delegate Child Support Services Unit shall deliver, as defined in 6.002 -definitions, an amended notice of review and a new Notice Of Financial Responsibility For Modification to the parties or their attorney of record and to the other agency involved in interjurisdictional cases. The notice must include a date and time for the negotiation conference.

- f. Both parties are then given fifteen (15) calendar days from the date of the amended notice of review to challenge the results of any subsequent review.
3. If the APA-Petitioner and APA-Respondent sign the Administrative Process Modified Order of Financial Responsibility at the negotiation conference or returns it in the mail prior to the negotiation conference date, then the county director or APA certified county CSS staff member signs the Administrative Process Modified Order of Financial Responsibility. The Child Support Services worker shall, within five (5) business days, file with the court:
 - a. The Administrative Process Notice of Financial Responsibility for Modification;
 - b. Income and Expense Affidavits of the parties;
 - c. The Guideline Calculation Worksheets; and,
 - d. The Imputing Potential Income Checklist, ~~and affidavit~~ **WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET**, If ~~any~~ **APPLICABLE**, and,
 - e. The Administrative Process Modified Order of Financial Responsibility.
4. The Administrative Process Modified Order of Financial Responsibility shall also be provided to the parties and to the other agency involved in interjurisdictional cases on the same date it is filed with the court.
5. If the APA-Petitioner and APA-Respondent does not sign and return the Administrative Process Modified Order of Financial Responsibility, but:
 - a. A party appears at the negotiation conference and does not agree, the Child Support Services worker within five (5) business days shall file with the court:
 - 1) The Administrative Process Notice of Financial Responsibility for Modification;
 - 2) The Guideline Calculation Worksheet;
 - 3) The Imputing Potential Income Checklist and affidavit, if any;
 - 4) The delegate Child Support Services Unit's request for court hearing; and,
 - 5) Income and Expense Affidavits of the parties.

After a hearing is set, the Child Support Services worker shall file a Notice of Hearing with the court and send copies of the Notice of Hearing to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.
 - b. If the APA-Petitioner and the APA-Respondent does not appear at the negotiation conference, the Child Support Services worker, within five (5) business days shall file with the court:
 - 1) The Administrative Process Notice of Financial Responsibility for Modification;
 - 2) Income and Expense Affidavits of the parties;
 - 3) The Guideline Calculation Worksheets;
 - 4) The Affidavit of Non-Appearance for modification; and,
 - 5) The Administrative Process Default Order of Financial Responsibility (modified).
 - c. Upon receipt of a copy of the default order with signed approval by the judge or magistrate, the Child Support Services worker shall send copies to the parties or their attorneys of record and to the other agency involved in interjurisdictional cases.
 - d. The Child Support Services worker shall document this activity on the automated child support system.
6. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless another agency is enforcing an interjurisdictional case or the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(II)(A), C.R.S.:
 - a. Send a notice to withhold income for support within fifteen (15) calendar days of the date the modified order is entered;
 - b. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires,
 - c. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the modified order is entered or

within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.

6.270 CHILD SUPPORT SERVICES PROGRAM PLAN ~~[Rev. eff. 3/1/12]~~

6.270.3 ~~[Rev. eff. 3/1/12]~~

6.280 REPORTING ~~[Rev. eff. 3/1/12]~~

6.300 (None) ~~[Rev. eff. 3/1/12]~~

6.400 INTAKE ~~[Rev. eff. 11/1/13]~~

County Child Support Services Units shall establish procedures to ensure that all activities regarding intake are undertaken and completed within the time frames, along with appropriate and specified functions pursuant to Section 6.260.22. The time frames begin when the application or referral is received and end when the case is ready for the next appropriate activity, e.g., locate, ~~paternity~~PARENTAGE establishment, establishment of a support order, or enforcement. All activities must be documented on the automated child support system.

6.400.1 INTAKE FUNCTIONS ~~[Rev. eff. 11/1/13]~~

6.500 LOCATE ~~[Rev. eff. 11/1/13]~~

Attempts to determine the physical whereabouts of noncustodial parents, placing parents, or the noncustodial or placing parents' employer(s), other sources of income or assets, as appropriate, for ~~paternity~~PARENTAGE establishment, establishment or modification of a child support order or enforcement of an order are a required service of the Child Support Services program. Locate activity is provided for all cases.

6.501 LOCATE PROCEDURES ~~[Rev. eff. 11/1/13]~~

County Child Support Services Units shall establish procedures to ensure that all appropriate locate activities are undertaken and completed within the time frames specified. The time frames begin when it is determined that location of the noncustodial or placing parent is necessary and end when the noncustodial or placing parent is located and the case is ready for the next appropriate activity, e.g. establishment of ~~paternity~~PARENTAGE, establishment or modification of a support order or foster care fee order, or enforcement. All locate activities must be documented by source (Division of Motor Vehicles, Department of Labor and Employment, no hit, etc.) on the automated child support system.

6.502 LOCATE FUNCTIONS ~~[Rev. eff. 11/1/13]~~

6.502.1 ~~[Rev. eff. 11/1/13]~~

6.502.2 ~~[Rev. eff. 11/1/13]~~

6.503 LOCATION IN INTERGOVERNMENTAL CASES ~~[Rev. eff. 11/1/13]~~

6.504 REPEATED LOCATION ATTEMPTS ~~[Rev. eff. 3/1/12]~~

6.600 ESTABLISHMENT OF ~~PATERNITY~~ ~~[Rev. eff. 4/1/13]~~PARENTAGE

6.600.1 STATUTE OF LIMITATIONS ~~[Rev. eff. 4/1/13]~~

In a IV-D case involving a child for whom parentage has not been legally established, the Child Support Services Unit shall attempt to establish the ~~paternity~~PARENTAGE of such child if the action can be brought prior to the child's eighteenth birthday:

- A. Unless a good cause exemption on a mandatory referral to the Child Support Services Unit has been determined by the county director or designated staff.

- B. If the statute of limitations in effect at the time of the child's birth was less than eighteen years, the county Child Support Services Unit may bring an action on behalf of the child at any time prior to the child's twenty-first birthday.
- C. An action brought solely to establish **paternityPARENTAGE** is not a CSS function.

6.601 PATERNITYPARENTAGE ESTABLISHMENT TIME FRAMES [Rev. eff. 4/1/13]

County Child Support Services Units shall establish procedures to ensure that all appropriate **paternityPARENTAGE** establishment activities are undertaken and completed within the timeframes specified. In judicial cases the timeframes begin when the alleged or presumed **fatherPARENT** is located. For APA cases, it begins when the APA-Respondent is located and ends when **paternityPARENTAGE** and a support obligation are established or the alleged or presumed **fatherPARENT** is excluded. All **paternityPARENTAGE** establishment activities must be documented on the automated child support system.

- A. Within ninety (90) calendar days of locating the alleged **fatherPARENT** or when the APA-Respondent is located, the Child Support Services Unit must:
 - 1. Document unsuccessful attempts to serve process, or,
 - 2. Complete service of process, establish **paternityPARENTAGE**, and establish an order for support.
- B. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.

6.601.1 GOOD CAUSE [Rev. eff. 4/1/13]

6.602 DETERMINATION OF PATERNITYPARENTAGE STATUS [REV. EFF. 4/1/13]

- A. Before initiating a judicial or APA case, the CSS shall conduct **paternityPARENTAGE** and order research to determine if **paternityPARENTAGE** of the child has been established by a judicial or APA order or determined pursuant to the laws of **COLORADO OR** another state.
- B. For all Colorado births, the CSS **UNIT** shall research the Colorado Vital Information System (COVIS) to determine if **THEa father'sPARENTS'** name**S isARE** listed on the child's birth certificate and the method/grounds used to list a **fatherNON-BIRTHING PARENT**, if any. The CSS shall determine if, for any listed **fatherNON-BIRTHING PARENT**:
 - 1. A presumption of **paternityPARENTAGE** based on marriage or a civil union exists,
 - 2. A court or APA order establishing **paternityPARENTAGE** exists, or
 - 3. A voluntary acknowledgment of **paternityPARENTAGE** has been filed.
- C. The CSS **UNIT** shall examine the child's birth certificate, if obtained and the COVIS record for the parents and child to determine if the parents' names are listed on the certificate according to law. If not, the CSS shall notify Colorado vital records of any inconsistency or error and take other appropriate actions to correct the error or omission.

6.602.1 ESTABLISHMENT OF PATERNITYPARENTAGE

- A. If **paternityPARENTAGE** has not been established or determined for the child, the CSS **UNIT** shall pursue the establishment of **paternityPARENTAGE**.
- B. If **paternityPARENTAGE** has been established or determined for the child, the CSS **UNIT** shall not pursue the establishment of **paternityPARENTAGE** but shall pursue the establishment of child support actions as appropriate.

6.602.2 PRESUMPTION OF PATERNITYPARENTAGE

- A. The CSS **UNIT** shall determine if a presumption of **paternityPARENTAGE** exists pursuant to **§ SECTION 19-4-105, C.R.S. or 14- 15-101, et seq., C.R.S.** as to one or more alleged or presumed **fathersPARENTS** of the child.
- B. The CSS **UNIT** shall **ONLY** use the judicial process **only** to establish **paternityPARENTAGE** if multiple alleged/presumed **fathersBIRTHING PARENTS OR MULTIPLE ALLEGED/PRESUMED NON-BIRTHING PARENTS** of a child exist.

6.603 VOLUNTARY ACKNOWLEDGEMENT OF PATERNITYPARENTAGE [Rev. eff. 4/1/13]

County Child Support Services Units shall provide all parents who are applying for services with or are referred to the Child Support Services Unit with the opportunity to voluntarily acknowledge

~~paternity~~PARENTAGE at the Child Support Services office. The Child Support Services Unit shall provide to parents the voluntary acknowledgment form prescribed and furnished by the state registrar and oral and written state prescribed standardized notices stating the alternatives to, the legal consequences of, and the rights and responsibilities that arise from signing the acknowledgment. Either the Child Support Services Unit or a party of the case shall forward the completed acknowledgement of ~~paternity~~PARENTAGE form to the Department of Public Health and Environment, the Division of Health Statistics and Vital Records, according to the instructions provided on the form.

6.603.1 RESCISSION AND CONTEST OF A VOLUNTARY ACKNOWLEDGEMENT OF ~~PATERNITY~~PARENTAGE [Rev. eff. 4/1/13]

- A. A signed voluntary ~~paternity~~PARENTAGE acknowledgment is considered a legal finding of ~~paternity~~PARENTAGE, subject to the right of either party who signed the acknowledgment to rescind the acknowledgment within the earlier of:
 1. Sixty (60) calendar days from the date signed; or,
 2. The date of a prior administrative or judicial proceeding relating to the child in which the person who signed the ~~paternity~~PARENTAGE acknowledgment is a party.
- B. When a party in a IV-D case notifies the Child Support Services Unit of ~~his/her~~THEIR desire to rescind ~~his/her~~THEIR signature on a voluntary acknowledgement of ~~paternity~~PARENTAGE or to contest ~~paternity~~PARENTAGE based on a voluntary acknowledgement of ~~paternity~~PARENTAGE and the voluntary acknowledgement of ~~paternity~~PARENTAGE was filed with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, and ~~paternity~~PARENTAGE has not been established by or pursuant to the laws of COLORADO OR another state, the Child Support Services Unit shall, through administrative process, if appropriate, pursue the establishment of ~~paternity~~PARENTAGE and support and order genetic testing.
 1. If the results of the genetic testing establish a threshold of probability of ~~paternity~~PARENTAGE of ninety-seven percent (97%) or higher and the party continues to contest ~~paternity~~PARENTAGE, the Child Support Services Unit shall proceed with administrative process procedures to establish a temporary support order and request a court hearing to obtain a court finding and order.
 2. If the results of the genetic testing establish a threshold of probability of ~~paternity~~PARENTAGE of ninety-seven percent (97%) or higher and the party does not continue to contest ~~paternity~~PARENTAGE, the Child Support Services Unit shall proceed with administrative process procedures to establish an appropriate administrative process ~~paternity~~PARENTAGE and support order.
 3. If the results of the genetic testing do not establish a threshold of probability of ~~paternity~~PARENTAGE of at least ninety-seven percent (97%), the Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law, including filing a request for court hearing.
 4. If the court finds that the parent who signed the voluntary acknowledgment of ~~paternity~~PARENTAGE is not the legal ~~father~~ PARENT of the child and orders that such parent's name be removed from that child's birth certificate, the Child Support Services Unit shall notify the Department of Public Health and Environment, Division of Health Statistics and Vital Records, and request that they remove the party's name from the child's birth certificate. The notification shall be either a certified copy of the court order or a modified report of paternity determination, as prescribed by the Division of Health Statistics and Vital Records.

6.603.2 CONTESTING ~~PATERNITY~~PARENTAGE ESTABLISHED BY A VOLUNTARY ACKNOWLEDGEMENT OF ~~PATERNITY~~PARENTAGE [Rev. eff. 4/1/13]

- A. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind ~~his/her~~THEIR signature on or contests ~~paternity~~PARENTAGE established by a voluntary acknowledgement of ~~paternity~~PARENTAGE and there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, the party shall be advised to contact the court for resolution.
- B. When a party in a IV-D case notifies the county Child Support Services Unit of the desire to rescind ~~his/her~~THEIR signature on or contests ~~paternity~~PARENTAGE established by a voluntary

acknowledgement of **paternityPARENTAGE** and there has been no prior administrative process or judicial proceeding involving the party concerning the **paternityPARENTAGE** or support of the child, and the current proceeding is being conducted through an administrative process action and it has been sixty or more calendar days since the acknowledgment was signed and the **father'sPARENT'S** name is on the child(ren)'s birth certificate, and **paternityPARENTAGE** has not been established by or pursuant to the laws of **COLORADO OR** another state, the Child Support Services Unit shall:

1. Enter an administrative process order for genetic testing, then
 2. Establish an administrative process temporary order of financial responsibility and request a court hearing to obtain a permanent court finding and order if the genetic testing results show a ninety seven percent (97%) or greater probability of parentage and the party continues to contest **paternityPARENTAGE**, or
 3. If the genetic testing results show a less than ninety-seven percent (97%) probability of parentage, the county Child Support Services Unit may dismiss the action or take such other appropriate action as allowed by law.
- C. If the party withdraws **his/herTHEIR** contest of **paternityPARENTAGE** at any time, even after genetic testing has been done and the **father'sPARENT'S** name is on the child's birth certificate, the delegate Child Support Services Unit shall enter the appropriate administrative process order if the genetic testing results do show a ninety-seven percent (97%) or greater probability of **paternityPARENTAGE**.

6.604 CONTESTING PATERNITYPARENTAGE BASED ON OTHER PRESUMPTIONS OF PATERNITYPARENTAGE [Rev. eff. 4/1/13]

Whether or not a **father'sPARENT'S** name is listed on a child's birth certificate, if one or more presumptions of **paternityPARENTAGE** of a child exist pursuant to Section 19-4-105, C.R.S., including the execution of a voluntary acknowledgment of **paternityPARENTAGE** for one or more possible **fathersBIRTHING PARENTS OR ONE OR MORE POSSIBLE NON-BIRTHING PARENTS**, the delegate Child Support Services Unit shall pursue the establishment of **paternityPARENTAGE** and support for that child judicially and all alleged and/or presumed **fathersPARENTS** shall be joined as parties in the case, if possible, pursuant to Section 19-4-110, C.R.S.

However, if child support or **paternityPARENTAGE** has already been established against a **fatherPARENT** by an administrative or judicial order or **paternityPARENTAGE** has been established pursuant to the laws of another state, a support only order shall be pursued against such **fatherPARENT**.

6.604.1 CONTESTING PATERNITYPARENTAGE – NON IV-D CASE [Rev. eff. 4/1/13]

Parties who do not have a IV-D case and request the Child Support Services Unit to assist them in rescinding a voluntary acknowledgment of **paternityPARENTAGE**, and it has been less than sixty (60) days since the voluntary acknowledgment of **paternityPARENTAGE** was signed, and there has been no prior administrative process or judicial proceeding involving the party concerning the support of the child, shall be advised that **he or sheTHEY** may apply for full child support services, or **he or she** may contact the court for assistance. If it has been more than sixty (60) days since the voluntary acknowledgment of **paternityPARENTAGE** was signed, or there has been a prior administrative process or judicial proceeding involving the party concerning the support of the child, or **he or sheTHE PARTY** wants to disestablish **paternityPARENTAGE**, **he or sheTHE PARTY** shall be referred to the court.

6.605 GENETIC TESTING [Rev. eff. 4/1/13]

- A. County Child Support Services Units shall require that the child and all other parties in a contested **paternityPARENTAGE** case submit to genetic testing, upon the request of any party, except in cases:
1. Where good cause has been determined; or,
 2. Where **paternityPARENTAGE** has been determined by or pursuant to the laws of another state; or,
 3. Where **paternityPARENTAGE** has been established by a Colorado administrative process or judicial order.
- B. The parties are required to use the genetic testing laboratory designated by the Child Support Services Unit.

- C. Counties, or the state Division of Child Support Services on behalf of counties, shall competitively procure, according to county or state procedures, services from genetic testing laboratories which have been accredited. The state Division of Child Support Services shall provide a list of genetic testing laboratories which have been accredited to the county Child Support Services Units. Genetic testing laboratories procured by the counties must perform, at reasonable cost, legally and medically acceptable genetic tests to identify the ~~father~~PARENT or exclude the alleged ~~father~~PARENT. Proof of competitive procurement may be requested by the Colorado Department of Human Services at any time.
- D. County Child Support Services Units shall pay the costs of the genetic testing for all parties for in-state cases, including long-arm ~~paternity~~ establishment OF PARENTAGE. For interstate cases, the responding state is responsible for the genetic testing costs, as stated in Section 6.605.2.
- E. Genetic testing services may only be provided on open IV-D cases.
- F. If genetic testing results excluding the alleged ~~father~~PARENT are obtained in an APA case, the results, ~~notice of filing and genetic testing sample collection forms~~ shall be filed:
 1. In the county and in the court case where an action relating to support is pending,
 2. In the court where an order has been entered but is silent as to child support, or
 3. In the county where the APA case was conducted.

6.605.1 OBJECTION TO GENETIC TESTING RESULTS [Rev. eff. 4/1/13]

Any objection to the genetic testing results shall be made in writing at least fifteen (15) days before the hearing where the results may be introduced, or fifteen (15) days after the Motion for Summary Judgment is served. If, however, the results were not received at least fifteen days before the hearing, the objection to the genetic testing results shall be made at least twenty-four (24) hours prior to the hearing. In APA cases, the objection must be made at or before the currently scheduled negotiation conference. If no objection is made, the test results shall be entered as evidence of ~~paternity~~PARENTAGE in a ~~paternity~~PARENTAGE action without the need for proof of authenticity or accuracy.

Upon receipt of an objection to the genetic testing results, the delegate Child Support Services Unit will take the following action:

- A. If the case is an Administrative Process case, establish a temporary order if appropriate, and file a Child Support Services Unit Request for Court Hearing as required in Section 6.713.
- B. If the case has been filed through the Judicial process, request the court to set a hearing to resolve the objection and decide the issue of ~~paternity~~PARENTAGE and child support.
- C. The Notice of Hearing must be sent to the parties by the delegate Child Support Services Unit.

6.605.2 GENETIC TESTING COSTS [Rev. eff. 4/1/13]

In all cases, when ~~paternity~~PARENTAGE is adjudicated, the county Child Support Services Units ~~shall~~MAY attempt to enter a judgment for the costs of genetic testing for full payment or prorated payment with a specified monthly amount due to liquidate those costs. In intergovernmental cases, the responding jurisdiction is responsible for the cost of initial genetic testing.

6.606 REPORTING THE DETERMINATION OF ~~PATERNITY~~PARENTAGE TO THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, DIVISION OF HEALTH STATISTICS AND VITAL RECORDS [Rev. eff. 4/1/13]

- A. After a child's ~~paternity~~PARENTAGE has been established, either judicially or administratively, the Child Support Services Unit shall complete and file the State prescribed forms with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, to ensure that the parent's name is added to the child's birth record. These documents shall be filed with the Division of Health Statistics and Vital Records within ten (10) days of the judicial or administrative order establishing ~~paternity~~PARENTAGE.
- B. The Child Support Services Unit shall document in the Automated Child Support Enforcement System the date on which the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with comparable respective agencies in other jurisdictions
- C. Within forty-five (45) days after the State prescribed forms are sent to the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records, or with comparable respective agencies in other jurisdictions, the Child Support Services Unit shall

attempt to determine whether or not the parent's name has been added to the child's birth record. If the Child Support Services Unit determines that the parent's name has not been added to the child's birth certificate, they shall attempt to determine why the name has not been added and take all reasonable steps to correct the situation including requesting assistance from the State Division of Child Support Services where appropriate.

- D. If the Child Support Services Unit has contact with the Colorado Department of Public Health and Environment, Division of Health Statistics and Vital Records or with comparable respective agencies in other jurisdictions, about corrections needed to the State prescribed forms, the worker shall take all steps reasonably necessary and within ~~his/her~~THEIR ability to resolve the issue so that the parent's name can be added to the child's birth record. This may include requesting assistance from the State Division of Child Support Services where appropriate.
- E. The Child Support Services Unit shall document in the automated child support system the date on which the parent's name has been verified to be on the child's birth record.

6.700 ESTABLISHMENT OF SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]

6.700.1 EXPEDITED PROCESS [Rev. eff. 4/1/13]

- A. County Child Support Services Units shall establish procedures to ensure that all appropriate functions and activities to establish support obligations are undertaken and completed within the time frames specified. The time frames begin when the APA-Respondent is located and end when a temporary or permanent order is established or service of process is unsuccessful. All support activities must be documented on the automated child support system.
- B. Within ninety (90) calendar days of locating the alleged ~~father~~PARENT or noncustodial parent in judicial cases or the APA-Respondent ~~IN~~IN APA cases, the Child Support Services Unit must check to ensure that the child(ren) has not reached the age of emancipation; and,
 - 1. Document unsuccessful attempts to serve process, or
 - 2. Complete service of process (or obtain a waiver of service) and establish an order for support (and ~~paternity~~PARENTAGE, if not already established or determined).
- C. Actions subject to expedited process must be completed from the time of successful service of process (or obtaining a waiver of service) to the time of disposition within the required time frames.
- D. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.

6.701 ESTABLISHING SUPPORT OBLIGATIONS [Rev. eff. 4/1/13]

- A. All child support obligations must be established using the Colorado child support guidelines as found in Section 14-10-115, C.R.S., to determine the amount to be ordered. Child Support Services staff shall not deviate from the guidelines. Child Support Services Units shall refer to Section 6.707 for rules on how to determine income to use in the guideline calculation.
- B. In the instance of an adoption subsidy paid for a child, the case shall be handled judicially and when establishing an order against the adoptive parents, the amount of the monthly support order **ESTABLISHED AGAINST THE ADOPTIVE PARENT(S) RECEIVING THE MONTHLY ADOPTION ASSISTANCE PAYMENTS** cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount for the monthly support order exceeds the amount of the monthly adoption assistance payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.
- C. In all cases, the Child Support Services Unit shall attempt to establish child support obligations and medical support from any person who is legally liable for support of a child.
 - 1. In a foster care referral case, the county Child Support Services Unit shall attempt to establish a foster care fee obligation.
 - 2. In public assistance, ~~AND foster care,~~ ~~and low-income child care assistance~~ referral cases, the Child Support Services Unit shall not pursue the establishment of a child support obligation, child support debt, retroactive support or medical support if good cause exemption has been determined by the county director or designee.

- D. Establishing the legal obligation to provide child support includes activities related to establishing the amount of retroactive support due, determining the ability of both parents to provide support, and determining the amount of the support obligation.
- E. If the applicant for services or continued services party requests case closure after process has issued in an APA case or a petition has been filed with the court on a judicial case, the county CSS shall complete the establishment case and establish an order (if appropriate) before the IV-D case is closed.
- F. In ~~both APA and judicial~~ establishment cases, including add-a-child actions, the CSS unit shall establish a commencement date of the monthly support obligation as follows:
 - 1. If the order was ~~established~~SUBMITTED TO THE COURT between the ~~first~~1ST and the 15th of the month, the 5th1ST of the next month,
 - 2. If the order was ~~established~~SUBMITTED TO THE COURT between the 16th and the last day of the month, the 5th1ST of the month two months in the future, and
 - 3. If a default order is ~~established~~SUBMITTED TO THE COURT, the 5th1ST of the month two months in the future.
- G. IN JUDICIAL ESTABLISHMENT CASES, INCLUDING ADD-A-CHILD ACTIONS, THE CSS UNIT SHALL ESTABLISH A COMMENCEMENT DATE OF THE MONTHLY SUPPORT OBLIGATION AS FOLLOWS:
 - 1. IF THE ORDER WAS ESTABLISHED BETWEEN THE 1ST AND THE 15TH OF THE MONTH, THE 1ST OF THE NEXT MONTH,
 - 2. IF THE ORDER WAS ESTABLISHED BETWEEN THE 16TH AND THE LAST DAY OF THE MONTH, THE 1ST OF THE MONTH TWO MONTHS IN THE FUTURE, AND
 - 3. IF A DEFAULT ORDER IS ESTABLISHED, THE 1ST OF THE MONTH TWO MONTHS IN THE FUTURE.

6.701.1 HEALTH INSURANCE [Rev. eff. 4/1/13]

For all cases in which current child support is being sought, including zero dollar MSO orders, the Child Support Services Unit shall include a provision for either ~~party~~PARENT to provide health insurance for ~~his/her~~THEIR children.

6.702 ESTABLISHING DEBT OR RETROACTIVE SUPPORT [Rev. eff. 4/1/13]

6.702.1 DEBT [Rev. eff. 4/1/13]

Action taken to establish debt must be pursued in accordance with Section 14-14-104, C.R.S. Debt may be established on public assistance and foster care referral cases.

- A. A CSS may establish a debt-only order in APA or judicial cases if public assistance paid for the child(ren) terminates before an order is established and the person who received the public assistance does not want continued services.
- B. ~~IF~~ additional child support obligations need to be established subsequent to the establishment of a debt only order, the CSS shall use the establishment process, referenced in 6.701(c), including new service of process.
- C. ~~IF~~ not already established, ~~paternity~~PARENTAGE shall be established in a debt only action and a judgment for costs may also be established.
- D. DEBT SHALL NOT BE ESTABLISHED FOR MONTHS IN WHICH A GOOD CAUSE EXEMPTION FROM REFERRAL WAS IN PLACE OR MONTHS IN WHICH THE COUNTY CHILD WELFARE DEPARTMENT DETERMINED THAT A REFERRAL IS NOT APPROPRIATE.

6.702.2 RETROACTIVE SUPPORT [Rev. eff. 4/1/13]

- A. An order for a reasonable amount of retroactive support due may be included in any action, except a debt-only action, if requested by a custodial party, if there is a time period which occurred prior to or after the receipt of public assistance benefits for which such support can be established.
- B. The custodial party shall be required to complete an "Affidavit of Retroactive Support" and return it to the Child Support Services Unit before the initiation of any judicial or administrative action to establish retroactive support. A Child Support Services Unit shall not establish an order for retroactive support unless an "Affidavit for Retroactive Support" has been received from the custodial party. The county Child Support Services Unit shall use the State prescribed "Affidavit of Retroactive Support".

- C. If the custodial party is waiving the right to retroactive support, this shall be reflected in the support order. If the Child Support Services Unit does not establish retroactive support on behalf of custodial parties, the order shall contain a statement to this effect and also an advisement to the noncustodial parent that the custodial party may pursue the establishment of retroactive support separately.
- D. Retroactive support ~~will~~**SHALL** not be established for:
1. Any months for which the custodial party received public assistance.
 2. ANY MONTHS IN WHICH A GOOD CAUSE EXEMPTION FROM REFERRAL WAS IN PLACE.
 3. ANY MONTHS IN WHICH THE COUNTY CHILD WELFARE DEPARTMENT DETERMINED THAT A REFERRAL IS NOT APPROPRIATE.
 - 2.4. Any months for which the children did not reside with the custodial party, including months in which the child(ren) were in out of home placement.
 - 3.5. Any months when the custodial party, noncustodial parent, and the child(ren) lived in the same household.
 - 4.6. If the retroactive support is being established in a divorce or legal separation action, the amount of retroactive support will be based upon the number of months after the date of physical separation of the parents, the filing date of the action, or the date of service upon the respondent, whichever date is latest.

6.702.3 CALCULATING RETROACTIVE SUPPORT AND CHILD SUPPORT DEBT [Rev. eff. 4/1/13]

- A. If action is taken to establish debt in a public assistance case, including Title IV-A, Title IV-E foster care, and non-IV-E foster care referral cases, because no order for a monthly support obligation existed at the time public assistance was paid, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado Child Support Guidelines times the number of months that the custodial party received public assistance or the total amount of public assistance paid, whichever amount is lower as the initial basis for the amount of child support debt owed by the noncustodial parent.
1. In a IV-E foster care case, the amount of the foster care fee debt is limited by the total of the unreimbursed maintenance payments for that child(ren).
 2. In a non-IV-E foster care case, the amount of the foster care fee debt is limited by the total cost of placement for that child(ren).
- B. If action is taken to establish retroactive support, the Child Support Services Unit shall use the current monthly support order amount determined by using the Colorado child support guidelines times the number of months that the children lived in the custodial party's home without the presence of the noncustodial parent as the initial basis for the amount of retroactive support owed by the noncustodial parent.
- ~~C. The Child Support Services Unit may take the following factors into consideration in determining whether the initial amount of retroactive support calculated pursuant to paragraphs A and B, above, is appropriate and reasonable. Once the factors have been considered the CSS unit may adjust the amount as appropriate:~~
- ~~1. An increase in the parent's income since the date of child's birth that may result in the current monthly child support order being higher than it would have been at the time of the child's birth.~~
 - ~~2. The length of time that a custodial party waited before requesting the services for the establishment of retroactive support, including whether the noncustodial parent knew or should have known about the existence of the children.~~
 - ~~3. Special circumstances that may have inhibited the custodial party from requesting assistance from Child Support Services at an earlier date.~~
 - ~~4. Direct cash or in-kind support provided by the noncustodial parent to custodial party for the children for periods prior to the entry of the support order.~~
 - ~~5. Any circumstances beyond the control of the custodial or noncustodial parent which might have lengthened the time periods for which child support debt or retroactive support are being established including, but not limited to, non-cooperation by the custodial party.~~
- ~~D.C.~~ If either the custodial or noncustodial parent does not agree to the proposed amount of retroactive support, a temporary order, according to Section 6.712, must be established and the

case referred for a court hearing. The temporary order may not include any amount for child support debt or retroactive support.

6.703 DISMISSAL ~~[Rev. eff. 4/1/13]~~

6.704 ADMINISTRATIVE PROCEDURES TO ESTABLISH CHILD SUPPORT AND PATERNITY PARENAGE ~~[Rev. eff. 4/1/13]~~

Pursuant to Article 13.5 of Title 26, C.R.S., the delegate Child Support Services Unit is authorized to establish certain ~~paternity~~PARENAGE and child support obligations through administrative procedures.

6.704.1 CASES SUBJECT TO ADMINISTRATIVE PROCESS ~~[Rev. eff. 4/1/13]~~

- A. Administrative procedures to establish a monthly support obligation, foster care fee order, child support debt, foster care debt, medical support and/or retroactive support, or to modify an order established by administrative process shall be used by the delegate Child Support Services Unit in all cases to establish these obligations as appropriate, unless:
1. A court order exists that was issued in this or any other state, tribe, or reciprocating country, which establishes any child support obligation; or,
 2. An order for the obligation already exists but excluding appropriate administrative process, add-a-child actions; or,
 3. The case requires ~~paternity~~PARENAGE establishment and the case involves multiple presumed and/or alleged ~~father(s)~~PARENT(S); or,
 4. One or both of the parents in the case is under age eighteen (18); or,
 5. A hearing has been scheduled by the court or a request for hearing has been filed with the court by any party on the issue of child support; or,
 6. Another state's order was entered judicially and a modification must be conducted.
 7. The court has exercised jurisdiction over a child support issue; or,
 8. A court's ~~paternity~~PARENAGE only order is not silent as to a child support obligation. If the judicial ~~paternity~~PARENAGE only order is silent as to child support APA may be used.
 - ~~9. There has been a pre-order change of physical care arrangement in that APA case.~~
- B. Administrative process shall be utilized in cases in which a divorce decree is silent on the issue of child support and service in the divorce was by publication. In these cases, the administrative process action (APA) will be filed under a new court number.
- C. In cases in which there is a pending court action relating to child support, the Child Support Services Unit shall proceed to utilize administrative process as set forth in these rules. Copies of all documents, including the APA order, shall be filed by the Child Support Services Unit in the existing court case, utilizing the case number of the existing court case.

6.704.2 ESTABLISHING AN ORDER FOR WORK ACTIVITIES ~~[Rev. eff. 4/1/13]~~

6.704.3 ENFORCING COUNTY APPLICATION TO ADMINISTRATIVE PROCESS ~~[Rev. eff. 4/1/13]~~

6.705 NOTICE OF FINANCIAL RESPONSIBILITY, NOTICE OF FINANCIAL RESPONSIBILITY-PATERNITY PARENAGE ACTION OR AMENDED NOTICE OF FINANCIAL RESPONSIBILITY ~~[Rev. eff. 4/1/13]~~

6.705.1 SUBPOENA TO PRODUCE ~~[Rev. eff. 4/1/13]~~

6.705.2 INCOME AND EXPENSE AFFIDAVIT ~~[Rev. eff. 4/1/13]~~

6.705.3 SERVICE OF THE NOTICE OF FINANCIAL RESPONSIBILITY ~~[Rev. eff. 4/1/13]~~

- A. The delegate Child Support Services Unit shall serve the Notice or amended Notice of Financial Responsibility on the APA-Respondent at least fifteen (15) calendar days prior to the date stated in the Notice or amended Notice for the negotiation conference.
- B. The following forms shall be included in the packet served on the APA-Respondent.
1. Notice or amended Notice of Financial Responsibility,
 2. Subpoena to Produce, and
 3. Income and Expense Affidavit.

- C. Either a Return of Service or a Waiver of Service must be obtained in all cases. Within five (5) working days of receipt of a Return of Service or a Waiver of Service, the delegate Child Support Services Unit shall data enter the date of service or the waiver on the automated child support system and send notice of the negotiation conference to all parties or ~~his/her~~THEIR attorney of record and the other state, if appropriate.
- D. If service was by certified mail restricted delivery, the return receipt shall be attached to the return of service. If service was effected by the county director or delegate Child Support Services Unit employee designated in writing by the county director, ~~he/she~~THE DIRECTOR OR DESIGNATED EMPLOYEE shall complete the return of service within five (5) working days of effecting service of process and attach the "green card".
- E. The notice shall be delivered, as defined in section 6.002 – definitions, to the APA-Petitioner at least fifteen (15) calendar days prior to the date stated in the notice or amended notice for the negotiation conference.

6.706.1 STANDARD CONTINUANCES [Rev. eff. 4/1/13]

6.706.2 CONTINUANCES FOR GOOD CAUSE [Rev. eff. 4/1/13]

- A. More than one continuance and for any number of days may be granted only for good cause as defined in Section ~~6.7086.706.2(E)~~.
- B. Continuances for good cause may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.
- C. If a continuance for good cause is granted, the delegate Child Support Services Unit shall issue a Notice of Continuance of Negotiation Conference to the noncustodial parent, the custodial party, or their attorney of record and the other state if appropriate. The notice shall contain the rescheduled date and will be provided by first class mail or hand delivery.
- D. If a continuance for good cause is granted, the delegate Child Support Services Unit shall data enter the type and reason for the continuance and the date for the rescheduled negotiation conference on the automated child support system.
- E. A finding of good cause may be made for the following reasons:
 - 1. The case involves a ~~paternity~~PARENTAGE determination and genetic tests results are needed to proceed; or,
 - 2. A valid contest of ~~paternity~~PARENTAGE is made and ~~paternity~~PARENTAGE has not been established pursuant to the laws of another state; or,
 - 3. Additional time is needed to verify income or other information necessary to calculate a child support order pursuant to the Colorado Child Support Guidelines, Section 14 10 115, C.R.S. as amended; or,
 - 4. An allegation of fraud and referral for investigation; or,
 - 5. A party or ~~his/her~~THEIR attorney, is unable to appear at the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents a party or ~~his/her~~THEIR attorney's appearance at the negotiation conference, the burden of proof to show cause of this type shall be upon the party; or,
 - 6. No Child Support Services Unit employee authorized to conduct negotiation conferences is able to attend the negotiation conference due to a sudden severe illness, an accident, or other particular occurrence which, by is emergency nature and drastic effect, prevents an authorized Child Support Services Unit employee from attending the negotiation conference.

6.707 CALCULATING THE MONTHLY CHILD SUPPORT OBLIGATION [Rev. eff. 4/1/13]

- A. In any order for financial responsibility, the delegate Child Support Services Unit shall calculate the monthly child support obligation pursuant to the Colorado Child Support Guidelines, Section 14-10-115, C.R.S. The delegate Child Support Services Unit shall not deviate from the amount calculated pursuant to Section 14-10-115, C.R.S.
- B. In the instance of adoption assistance services, when establishing an order against the adoptive parents, the amount of the monthly support order **ESTABLISHED AGAINST THE ADOPTIVE PARENT(S) RECEIVING THE MONTHLY ADOPTION ASSISTANCE PAYMENTS** cannot exceed the amount of the monthly adoption assistance payment. If the calculated guideline amount for the monthly support order exceeds the amount of the monthly adoption assistance

payment, the Child Support Services Unit must treat this as a deviation and request a court hearing pursuant to Section 6.713 to request the court to accept the adoption assistance payment amount as the order.

6.707.1 DETERMINING INCOME [Rev. eff. 4/1/13]

- A. The delegate Child Support Services Unit shall calculate the monthly support obligation using reliable information concerning the parents' actual and/or potential income, as appropriate, which may include, but is not limited to, the following:
1. Wage statements; ~~or,~~
 2. Wage information obtained from the Department of Labor and Employment; ~~or,~~
 3. Tax records; ~~or,~~
 4. Verified statement by the obligee, as prescribed by the State Department; ~~or,~~
 5. Income and Expense Affidavit, as prescribed by the State Department; ~~OR~~
 6. INFORMATION FROM A CONSUMER CREDIT REPORTING AGENCY.

~~B. The delegate Child Support Services Unit may obtain credit reports for purposes of establishing a child support order. Prior to obtaining a credit report for the noncustodial parent the Child Support Services Unit must verify that paternity has been established or acknowledged. If paternity is not an issue, the Child Support Services Unit must:~~

- ~~1. Send a ten-day notice to the noncustodial parent or attorney of record by certified mail or registered mail that a full credit report will be obtained, or~~
- ~~2. Obtain a waiver from the noncustodial parent or attorney of record to obtain a full credit report.~~

~~C.B.~~ If the Child Support Services Unit determines that a parent is voluntarily unemployed or underemployed or in the absence of reliable information, the Child Support Services Unit shall then determine, and document for the record, the parent's potential income. In determining potential income, the Child Support Services Unit shall consider the specific circumstances of the parent to the extent known, including consideration of the following when said information is available: the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. All steps taken to obtain financial information must be documented.

6.707.2 NEGOTIATE DEBT AMOUNT [Rev. eff. 4/1/13]

The delegate CSS Unit shall not negotiate the amount of child support or foster care debt unless:

- A. No other county or state has unreimbursed public assistance or unreimbursed maintenance payments or unreimbursed costs of foster care placement ~~(for non-IV-E cases)~~; or,
- B. All other counties and states with UPA or UMP or unreimbursed costs of foster care placement ~~(for non-IV-E cases)~~ have agreed to the negotiated amount in writing; and,
- C. Automated child support system chronology is updated by the enforcing county delegate Child Support Services Unit to document the agreed upon negotiation.

6.708 ISSUANCE OF APA ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]

- A. If a stipulation is agreed upon at the negotiation conference, the delegate Child Support Services Unit shall prepare and issue an Order of Financial Responsibility, as prescribed by the State Department.
- B. The order shall be signed by the APA-Respondent and the APA Petitioner, if appropriate and by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.
- C. The order shall specify that the noncustodial parent send all payments to the Family Support Registry.
- D. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the noncustodial parent that the unpaid child support balance is entered as judgment.
- E. The original order and one copy shall be filed with the clerk of the district court in the county which issued the notice of financial responsibility or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) business days of the negotiation conference.

- F. The following documents shall be filed with the order:
1. Notice or amended Notice of Financial Responsibility;
 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service;
 3. Guidelines worksheets;
 4. Income and Expense Affidavit for noncustodial parent and custodial party;
 5. Imputing Potential Income Checklist ~~and affidavit~~ **WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET**, if ~~any~~ **APPLICABLE**;
 6. Subpoena to Produce; **AND**
 7. Retroactive support affidavit, if the action is for support of the child(ren) prior to entry of the support order; ~~and,~~
 8. ~~Adoption Assistance Agreement, if applicable.~~
- G. Upon receipt of a copy of the order with a docket number assigned by the court **OR UPON CONFIRMATION OF RECEIPT FROM THE COURT CLERK THROUGH DISH PURSUANT TO SECTION 6.715**, the delegate Child Support Services Unit shall within five (5) working days:
1. Update automated child support system with court order and initiate a ledger; and,
 2. Send a copy of the order to the noncustodial parent, or ~~his/her~~ **THEIR** attorney of record, and to the custodial party of the child by first class mail.
 3. For intergovernmental cases, send a copy to the initiating agency.

6.708.1 NOTICE TO WITHHOLD INCOME [Rev. eff. 4/1/13]

6.709 ISSUANCE OF ORDER ESTABLISHING ~~PATERNITY~~PARENTAGE AND FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]

- A. The delegate Child Support Services Unit shall issue an order establishing ~~paternity~~PARENTAGE and financial responsibility after a negotiation conference if:
1. Neither the custodial party nor the noncustodial parent is contesting the issue of ~~paternity~~PARENTAGE, and
 2. A ~~Father's~~PARENT'S ~~Paternity~~PARENTAGE Advisement and Admission ~~and a Mother's Parentage Advisement and Admission~~, as prescribed by the State Department, is provided to and signed by the **CUSTODIAL AND** noncustodial parent ~~and the mother~~.
- B. The order shall be signed, **ELECTRONICALLY OR BY HAND**, by APA-Respondent and APA-Petitioner, if appropriate and by the county director or the employee of the delegate Child Support Services Unit designated in writing by the county director.
- C. The order shall be prepared and signed at the conclusion of the negotiation conference. The order shall advise the obligor that the unpaid child support balance is entered as judgment.

6.709.1 CONTESTING ~~PATERNITY~~PARENTAGE [Rev. eff. 4/1/13]

- A. If any party contests ~~paternity~~PARENTAGE, the delegate Child Support Services Unit shall issue an Order for Genetic Testing unless ~~paternity~~PARENTAGE has already been established or determined pursuant to the laws of another state. The negotiation conference may be continued in accordance with the provision of Section 6.706.2.
- B. A finding of good cause to reschedule genetic testing may be made for the following reasons:
1. A parent is unable to appear at the appointed time or place for genetic testing due to a sudden severe illness, an accident, or other particular occurrence which, by its emergency nature and drastic effect, prevents their appearance at the time or place for genetic testing.
The burden of proof to show good cause of this type shall be upon the parent.
 2. Any other reason beyond a party's control (i.e., if the person authorized to collect the genetic testing sample is unable to appear or fails to appear at the time and place for genetic testing).
- C. Rescheduling of the time and place for genetic testing may be granted only by the county director or delegate Child Support Services employee designated in writing by the county director.
- D. If rescheduling for good cause is granted, the delegate Child Support Services Unit shall issue an Order for Genetic Testing to the parties with the new date for the genetic testing which shall be delivered to the parties.
- E. If the ~~mother~~**BIRTHING PARENT OR CARETAKER**, and child(ren) fail to appear for or submit to genetic testing, the case shall be set for hearing pursuant to Section 6.713. Upon receipt of the

test results, if a stipulation is not reached, the case shall be set for hearing pursuant to Section 6.713.

6.709.2 REQUEST FOR COURT HEARING WHEN ~~PATERNITY~~PARENTAGE IS AT ISSUE [Rev. eff. 4/1/13]

If no stipulation is agreed upon at the negotiation conference because a party contests the issue of ~~paternity~~PARENTAGE, the delegate Child Support Services Unit shall file the Notice or amended ~~a~~Notice of Financial Responsibility, genetic testing results, if any, the appropriate APA order, if any and proof of service with the clerk of the court, and shall request the court set a hearing in accordance with Section 6.713.

6.709.3 FILING THE ORDER [Rev. eff. 4/1/13]

The original order and one copy shall be filed with the clerk of the district court in the county which issued the notice of financial responsibility or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support within five (5) working days of the negotiation conference.

- A. The following documents shall be filed with the order:
 1. Notice or amended Notice of Financial Responsibility (~~Paternity~~PARENTAGE Action);
 2. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service.
 3. ~~Father's Paternity~~PARENTAGE Advisement and Admission;
 4. ~~Mother's Parentage Advisement and Admission;~~
 - 5.4. Guideline Worksheets;
 - 6.5. Income and Expense Affidavits;
 - 7.6. Subpoena to Produce;
 - 8.7. Retroactive support affidavit, if the action is for support of the child(ren) prior to the entry of the order establishing ~~paternity~~PARENTAGE;
 9. ~~Adoption Assistance Agreement, if applicable.~~
 - 10.8. Imputing Potential Income Checklist ~~and affidavit~~WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if ~~any~~APPLICABLE; and
 - 11.9. Genetic testing results, if any.
- B. Upon receipt of a copy of the order with a docket number assigned by the court, the delegate Child Support Services Unit shall within five (5) working days:
 1. Update automated child support system with ~~paternity~~PARENTAGE, court order and initiate a ledger, and
 2. Send a copy of the order to the noncustodial parent, the custodial party, or ~~his/her~~THEIR attorney, and the initiating agency, if appropriate, by first class mail.
- C. If the obligor's employer's address is known, the delegate child support Services unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(a), C.R.S.:
 1. Send a notice to withhold income for support within fifteen (15) calendar days of the date the order is entered;
 2. Send a notice to withhold income for support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires.
- D. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.
- E. The order shall specify that the noncustodial parent send all payments to the Family Support Registry.

6.710 ISSUANCE OF DEFAULT ORDER OF FINANCIAL RESPONSIBILITY [Rev. eff. 4/1/13]

6.710.1 FILING THE ORDER OF DEFAULT [Rev. eff. 4/1/13]

- A. The following documents shall be filed with the Order of Default:

1. Return of Service or Waiver of Service and, if service was by certified mail, the return receipt must be attached to the Return of Service;
 2. Affidavit of Non-Appearance as prescribed by the State Department; ~~and,~~
 3. Notice or amended Notice of Financial Responsibility; ~~and,~~
 4. Verified Statement of Obligee, as prescribed by the State Department, used to set the monthly support obligation, or other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment; ~~and,~~
 5. Affidavit and Certification of Official Record or Foster Care Arrearage/Unreimbursed Maintenance Payment Calculation as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate; ~~and,~~
 6. Guidelines worksheets; ~~and,~~
 7. Subpoena to Produce; ~~and,~~
 8. Income and Expense Affidavit for each parent, if available; ~~and,~~
 9. Imputing Potential Income Checklist ~~and affidavit~~ **WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET**, if ~~any~~ **APPLICABLE**; **AND**
 10. Retroactive Support Affidavit, if any; ~~and,~~
 - ~~11. Adoption Assistance Agreement, if applicable.~~
- B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.
- C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. The reviewer shall sign the order confirming that the review has been conducted.
- D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.
- E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate Child Support Services Unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.
- F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:
1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered;
 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires;
 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.
- G. The order shall specify that the ~~noncustodial parent~~ **OBLIGOR** send all payments through the Family Support Registry.
- H. The effective date of the default order shall be the date signed by the court approving the default order.
- I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.

6.710.2 RECEIPT OF THE ORDER OF DEFAULT [Rev. eff. 4/1/13]

Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days:

- A. Update automated child support system with court order and initiate a ledger, and
- B. Send a copy of the order to the noncustodial parent, the custodial party, or ~~his/her~~ **THEIR** attorney, and to the initiating agency, if appropriate, by first class mail.

6.711 ISSUANCE OF DEFAULT ORDER ESTABLISHING ~~PATERNITY~~PARENTAGE AND FINANCIAL RESPONSIBILITY ~~[Rev. eff. 4/1/13]~~

- A. A default order may be issued in cases where ~~paternity~~PARENTAGE is at issue if, after service pursuant to Section 6.705.2:
1. The alleged ~~father~~PARENT fails to appear for the initial negotiation conference as scheduled in the Notice of Financial Responsibility and fails to reschedule a negotiation conference prior to the date and time stated in the Notice of Financial Responsibility or fails to appear for a rescheduled negotiation conference;
 2. The alleged ~~father~~PARENT fails to take or appear for a genetic test and a finding of good cause as described in Section 6.709.1 has not been made; or,
 3. The genetic test results, if any, show a ninety-seven percent (97%) or greater probability that the alleged ~~father~~PARENT is the ~~father~~PARENT of the child(ren), and ~~he~~ THE PARENT fails to appear at the negotiation conference and fails to reschedule the negotiation conference.
- B. The delegate Child Support Services Unit shall within five (5) working days of the date of the negotiation conference, or the date of the scheduled genetic test, or within fifteen (15) calendar days of the negotiation conference if the delegate Child Support Services Unit has mailed the noncustodial parent a stipulated order and it has not been signed and returned by the noncustodial parent or a rescheduled negotiation conference has not been conducted within the fifteen (15) days, file an original Order of Default, as prescribed by the State Department, and one copy with the clerk of the District Court in the county in which the Notice or amended Notice of Financial Responsibility-~~Paternity~~PARENTAGE Action was issued, or in the District Court where an action relating to ~~paternity~~PARENTAGE and child support is pending.
- C. A Default Order Establishing ~~Paternity~~PARENTAGE and Financial Responsibility will not be issued when the noncustodial parent is incarcerated and fails to appear for the negotiation conference or the rescheduled negotiation conference. In these circumstances, the delegate Child Support Services Unit's worker shall close the administrative process action for the reason that a hearing has been requested. The delegate Child Support Services Unit's worker shall follow the process for requesting a court hearing pursuant to Section 6.713.

6.711.1 FILING THE ORDER OF DEFAULT ~~[Rev. eff. 4/1/13]~~

- A. The following documents shall be filed with the Order of Default:
1. Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service;
 2. Affidavit of Non-Appearance as prescribed by the State Department;
 3. Notice or amended Notice of Financial Responsibility (~~Paternity~~PARENTAGE Action);
 4. Verified Affidavit of Obligee as prescribed by the State Department, regarding ~~paternity~~PARENTAGE and genetic tests, if any;
 5. Other documentation supporting the guideline calculation of the monthly support obligation such as wage information obtained from the Department of Labor and Employment;
 6. Affidavit and Certification of Official Record or foster care arrearage/unreimbursed maintenance payment calculation, as prescribed by the State Department, or documentation supporting the calculation of child support debt such as public assistance payment records, foster care payment records, or arrears calculation information, if appropriate;
 7. Guidelines worksheets;
 8. Subpoena to Produce;
 9. Income and Expense Affidavit for each parent if available;
 10. Retroactive Support Affidavit, if any; and,
 11. Genetic testing results, if any;
 12. Imputing Potential Income Checklist ~~and affidavit~~ WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if ~~any~~ APPLICABLE;
 13. Statement Of ~~Paternity~~PARENTAGE; and,
 - ~~14. Adoption Assistance Agreement, if applicable.~~
- B. The default order shall be signed by the county director or employee of the delegate Child Support Services Unit designated in writing by the county director.

- C. The order and accompanying documents shall be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. the reviewer shall sign the order confirming that the review has been conducted.
- D. The delegate Child Support Services Unit shall not take any action to enforce the default order until a copy signed by the court approving the default order is received.
- E. If the court has not approved or denied approval of the default order within thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven days (7) on the forty-second (42nd) day.
- F. If the obligor's employer's address is known, the delegate Child Support Services Unit shall, unless the case meets one of the good cause criteria specified in Section 14-14-111.5(3)(a)(ii)(A), C.R.S.:
 - 1. Send a Notice to Withhold Income for Support within fifteen (15) calendar days of the date the order is entered;
 - 2. Send a Notice to Withhold Income for Support to the obligor's employer within two (2) business days from the report of the obligor's employment through the state directory of new hires;
 - 3. Send a National Medical Support Notice to initiate health insurance coverage within fifteen (15) calendar days of the date the order is entered or within two (2) business days from the report of the obligor's employment through the state directory of new hires, if the obligor is the party ordered to provide health insurance and the employer has health insurance available at reasonable cost, as defined in Section 6.240.2, A, 2.
- G. The court shall specify that the noncustodial parent send all payments through the Family Support Registry.
- H. The effective date of the default order shall be the date signed by the court approving the default order.
- I. If the default order is returned to the Child Support Services Unit by the court as not approved, the delegate Child Support Services Unit shall take appropriate action to cure the defect stated by the court as grounds for disapproval.
- J. Upon receipt of a copy of the default order approved by the court, the delegate Child Support Services Unit shall within five (5) working days:
 - 1. Update automated child support system with court order, ~~paternity~~PARENTAGE information and initiate a ledger, and
 - 2. Send a copy of the order to the noncustodial parent or his attorney of record to the custodial party and the initiating agency, if appropriate, by first class mail.

6.712 ISSUANCE OF A TEMPORARY ORDER IF NO STIPULATION IS REACHED ~~[Rev. eff. 4/1/13]~~

If no stipulation is agreed upon at the negotiation conference and ~~paternity~~PARENTAGE is not an issue, or if any party contests ~~paternity~~PARENTAGE and the genetic test results are ninety-seven percent (97%) or higher probability of ~~paternity or~~ parentage has previously been determined by another state, the delegate Child Support Services Unit shall issue temporary orders for current child support, arrears, foster care, maintenance, medical support and reasonable support for a time period prior to the entry of the order for support. The Notice or amended Notice of Financial Responsibility and proof of service shall be filed with the clerk of the court. The Child Support Services Unit shall file a request for hearing in accordance with Section 6.713.

6.713 REQUEST FOR COURT HEARING ~~[Rev. eff. 4/1/13]~~

- A. A request for a court hearing is made when:
 - 1. No stipulation is agreed upon at a negotiation conference and a temporary order is completed; or,
 - 2. the APA-Respondent is incarcerated and does not participate in a negotiation conference or sign a stipulated order, or
 - 3. An alleged or presumed parent is excluded by genetic testing results but facts exist that the person may be a psychological parent, or
 - 4. The APA-Respondent, after valid service of process or execution of a waiver of service, "opts-out" of APA by delivering a written request for court hearing prior to the commencement of the negotiation conference, or

5. A case is referred to court without entry of an administrative order because adoption subsidy payments are being made for a child; or,
 6. An order needs to be established but for other reasons cannot be established at the negotiation conference.
- B. No judicial complaint or new service of process is necessary for the transfer of subject matter jurisdiction to the court in these situations, however, the CSS shall issue and file with the court and deliver to all parties a notice of hearing. In these instances, a hearing shall be held and appropriate permanent orders shall be entered without the necessity of a complaint being issued or served on the parties. The delegate Child Support Services Unit shall request the court to set a hearing in the matter by:
- ~~C-1.~~ Filing a Child Support Services Unit Request for Court Hearing, as prescribed by the State Department, with the clerk of the district court in the county in which the Notice of Financial Responsibility was issued or in the district court where an action relating to child support is pending or an order exists but is silent on the issue of child support.
- ~~D-2.~~ Attaching to the Child Support Services Unit Request for Court Hearing the following:
- ~~1-a.~~ Notice of Hearing, as prescribed by the State Department;
 - ~~2-b.~~ Notice of Financial Responsibility;
 - ~~3-c.~~ Return of Service or Waiver of Service: if service was by certified mail, the return receipt must be attached to the Return of Service;
 - ~~4-d.~~ Income and Expense Affidavits of each parent, if available;
 - ~~5-e.~~ Temporary Order of Financial Responsibility;
 - ~~6-f.~~ Adoption Assistance Agreement, if applicable.
- ~~E-C.~~ The delegate Child Support Services Unit shall file a request for hearing within ninety (90) days of service of the Notice of Financial Responsibility or Notice of Financial Responsibility-~~Paternity~~PARENTAGE Action on the APA-Respondent or within five (5) of determining that APA is no longer appropriate and that the case must be referred to court, whichever date is earlier.
- ~~F-D.~~ The Notice of Hearing must be sent to the noncustodial parent or the noncustodial parent's attorney and the custodial party and other agency, if appropriate, by the delegate Child Support Services Unit if delegated and authorized by the court in writing.
- ~~G-E.~~ The delegate Child Support Services Unit is responsible for notifying the court of the last day for a hearing to be held in order to decide the issue of child support within ninety days after receipt of notice, commencing on the date the service of the Notice or amended Notice of Financial Responsibility is accomplished. This is the date on the return receipt if service is by certified mail or the date on the return of service, if through personal services.

6.714 MODIFICATION OF ADMINISTRATIVE ORDERS [Rev. eff. 4/1/13]

- A. If the current order was established or modified using administrative process and APA is still appropriate, the CSS **UNIT** shall use APA to modify the order.
- B. The CSS **UNIT** shall follow the provisions of **SECTIONS §26-13-121, C.R.S., 26-13.5-112, AND §14-10-122, C.R.S. and sSections 6.261.4 through 6.261.8** and this section of these rules in conducting the review and any modification of the current APA order.
- C. At the negotiation conference, the CSS **UNIT** shall enter an order as follows:
 1. If both parties appear and agree to the terms of the proposed order, enter a stipulated order of modification,
 2. If neither party appears for the negotiation conference, enter a default order of modification,
 3. If one or both parties appear and one or both do not agree to the terms of the proposed order, the CSS **UNIT** shall not enter an APA order of modification but shall request a court hearing on the modification and continue to enforce the current order until modified by the court.

6.714.1 DEFAULT ORDER OF MODIFICATION

If a default order of modification is entered:

- A. The order and accompanying documents shall be signed by the APA certified employee of the county CSS or county director and be reviewed by the county director, IV-D administrator, IV-D attorney or supervisor of the APA certified employee of the delegate Child Support Services Unit designated entering the order before the order is filed with the court. The reviewer shall sign the order confirming that the review has been conducted.

- B. The following documents shall be filed with the court:
1. Affidavit of Non-Appearance;
 2. Default Order of Modification;
 3. Notice of Financial Responsibility – Modification
 4. Guidelines Worksheet(s);
 5. Imputing Potential Income Checklist ~~and affidavit~~ WITH COMMENTS MADE IN THE GUIDELINE WORKSHEET, if ~~any~~ APPLICABLE;
 6. Subpoena to Produce;
 7. Income and Expense Affidavit, if any; AND
 8. Documentation supporting the guidelines calculation, if any, ~~and~~.
 - ~~9. Adoption subsidy, if any.~~
- C. If the court has not approve or denied approval of the default order within the thirty-six (36) days after filing with the court, the delegate child support services unit must notify the court that the deadline for approval or denial is in seven (7) days on the forty-second (42nd) day.
- D. The effective date of the order shall be the date the order is approved by the court.

6.801 PROCESSING COLLECTIONS [Rev. eff. 9/15/12]

6.801.1 Family Support Registry [Rev. eff. 9/15/12]

6.801.2 Colorado Date of Receipt [Rev. eff. 9/15/12]

6.801.3 County Processes [Rev. eff. 9/15/12]

6.801.4 Information on Automated Systems [Rev. eff. 9/15/12]

6.802 ALLOCATION [Rev. eff. 9/15/12]

6.802.1 Voluntary Collections on Cases With No Support Orders [Rev. eff. 9/15/12]

6.802.2 Collections on Cases With Support Orders [Rev. eff. 9/15/12]

6.802.3 IRS Collections [Rev. eff. 9/15/12]

6.802.4 Judgment Collections [Rev. eff. 9/15/12]

6.803.2 Distribution From a Title IV-E Allocation [Rev. eff. 9/15/12]

6.803.3 Distribution From a Non-IV-A Allocation [Rev. eff. 9/15/12]

6.803.4 Distribution From a Non-IV-E Allocation [Rev. eff. 9/15/12]

6.804.2 Disbursement From a Title IV-E Allocation [Rev. eff. 9/15/12]

6.804.3 Disbursement from a Non-IV-A Allocation [Rev. eff. 9/15/12]

6.804.4 DISBURSEMENT FROM A NON-IV-E ALLOCATION [Rev. eff. 4/1/13]

6.804.5 Disbursement in Intergovernmental Cases [Rev. eff. 9/15/12]

6.804.6 Disbursements From Federal Income Tax Return Allocations [Rev. eff. 9/15/12]

6.804.7 Erroneous Intercept Collection [Rev. eff. 9/15/12]

6.804.8 Erroneous Collection From an Enforcement Remedy [Rev. eff. 9/15/12]

6.805.1 COUNTY LEVEL REVIEW

- A. The county department shall establish procedures for reviewing arrearage amounts that are to be reported to a consumer credit reporting agency or have been certified for the administrative offset program, administrative lien and levy, tax offset, lottery intercept, workers' compensation attachment, state vendor offset program, gambling intercept, license suspension, or administrative lien and attachment of insurance claim payments, awards, and settlements.
- B. Upon written request for an administrative review, within the time frame specified on the advance notice for reporting arrears to a consumer credit reporting agency, the pre offset notice for tax purposes, the notice of intercept of lottery winnings, the Administrative Lien and Attachment for workers' compensation benefits, the notice for license suspension, **THE NOTICE OF LICENSE DENIAL**, the notice of administrative lien and levy, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for federal administrative offset program, or the notice of administrative lien and attachment of insurance claim payments, awards, and settlements, the county Child Support Services Unit shall:
 - 1. Schedule and advise the obligor, and the obligee in a non-public assistance case, of the date, time and place of the review and initiate administrative review information on the administrative review tracking system screen in the automated child support system.
 - 2. Request from the obligor copies of any modifications of the support order.
 - 3. Request from the obligor records of payments made by the obligor.
 - 4. Advise the obligor this review is a review of the records only and not a judicial determination.
 - 5. Request proof from the obligor if ~~he/she~~**THEY hasHAVE** contested being the obligor.
 - 6. Advise the obligor that a decision will be rendered within thirty (30) days of the request for a review.
- C. The county department shall notify the obligor that an administrative review will only be held if the request for an administrative review concerns an issue of mistaken identity of the obligor or the amount of arrearages specified on the advance notice for reporting to a consumer credit reporting agency, the pre-offset notice for tax offset, the notice for lottery intercept, administrative lien and attachment for workers' compensation benefits, the notice of license suspension, the notice for federal administrative offset program, the notice for state vendor offset program, the notice of intercept of gambling winnings, the notice for administrative lien and levy, or the notice of administrative lien and attachment of insurance claim payments, awards, and settlements.
- D. On the date established, the county department shall review the child support case record and the documents submitted by the obligor and determine the arrears.
- E. Within ten (10) calendar days of the decision rendered, the county department shall update the automated child support system, take any additional action appropriate to reflect the decision, notify the obligor, and the obligee in a non-public assistance case, of the decision rendered. The written decision shall include the time frames reviewed, balance due for that time frame, court orders reviewed including the child support terms of those orders, payment records reviewed, and amounts credited based on those records.
- F. The county department shall notify the obligor of ~~his/her~~**THE** right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.

6.805.2 STATE LEVEL REVIEW

Upon written request from the obligor to the State Department for review of arrearage amounts, that are to be reported to a consumer credit reporting agency, or have been certified for tax offset, for lottery intercept, for workers' compensation benefits attachment, license suspension, **LICENSE DENIAL**, federal administrative offset program, state vendor offset program, gambling intercept, administrative lien and levy, and administrative lien and attachment of insurance claim payments, awards, and settlements, the State Department shall

- A. Determine if a county level administrative review occurred.
 - 1. If not and the obligor is within the time frame specified on the notice, forward the request to the appropriate county and ensure that the county conducts an administrative review within thirty (30) calendar days of receiving the request from the State Department.
 - 2. If not and the obligor is outside of the time frame specified on the notice, the obligor has lost the right to contest the arrears through the administrative review process.

3. If yes, set a date, time, and place for the review, which shall be within thirty (30) calendar days from the date the written request for review was received by the State Department.
- B. Provide a written notice to the obligor, and the obligee in a non-public assistance case, of the date, time, and place of the review. This notice shall contain a statement which advises the parties:
 1. The only issues to be reviewed are a mistake in the identity of the obligor or a disagreement of the amount of arrearages.
 2. The review is a review of the records only and not a judicial determination.
 3. The obligor must provide all records of ~~his or her~~ support payments **MADE**.
 4. That a decision will be rendered within thirty (30) days of the review.
 - C. Request that the county provide:
 1. The records that established the arrearages; and,
 2. A copy of its decision if not previously provided by the noncustodial parent.
 - D. On the date established for the review, the State Department shall review the records and determine the arrearages. If more time is required to review the records or render a decision, the State Department may extend the time for rendering a decision by an additional thirty (30) days.
 - E. Within ten (10) calendar days of the decision rendered, the State Department shall notify, in writing, the obligor, the obligee in a non-public assistance case, and the county Child Support Services Unit of the decision rendered. Any party shall have the right to appeal the decision. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amount credited based on those records.
 - F. Update the Automated Child Support Enforcement system to reflect the administrative review.
 - G. A decision will be rendered within thirty (30) calendar days of the receipt of the written request for review unless the parties fail to provide the required information.
 - H. **ADVISE THE PARTIES OF THEIR RIGHT TO APPEAL THE STATE DECISION BY FILING AN ACTION FOR JUDICIAL REVIEW WITH THE STATE DISTRICT COURT WITHIN THIRTY-FIVE (35) CALENDAR DAYS OF THE EFFECTIVE DATE OF THE STATE DECISION. THE STATE DECISION IS EFFECTIVE ON THE DATE OF THE DECISION.**

6.805.21 Reflect Decision Rendered ~~[Rev. eff. 9/15/12]~~

6.805.3 Intergovernmental Review ~~[Rev. eff. 9/15/12]~~

Procedure for Reviewing arrearage amounts that have been certified and submitted for a federal income tax refund offset on an intergovernmental case.

- A. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the submitting state and the requester has requested that the order-issuing state conduct the review or Colorado, as the submitting state, cannot resolve the matter, the county CSS Unit shall notify the order-issuing state and send all necessary information which was considered in the decision of an arrearage amount. Colorado, as the submitting state, shall be bound by the decision of the order-issuing state.
- B. Within ten (10) calendar days of the receipt of a written request for an administrative review where Colorado is the order-issuing state and the requester has requested that the order-issuing state conduct the review or the submitting state cannot resolve the matter, the county Child Support Services Unit shall:
 1. Schedule and advise the obligor, and the obligee in a non-public assistance case, and the other state, of the date, time, and place of the administrative review.
 2. Advise the obligor, and the obligee in a non-public assistance case and the other state that a decision will be rendered within forty five (45) calendar days of the receipt of the submitting state's request and information.
 3. On the date established, the order-issuing state shall review the child support case record, and the documents submitted by the requester and forwarded by the submitting state, and determine the arrearages.
 4. Within ten (10) calendar days of the decision rendered, the order-issuing state shall notify in writing, the obligor, the obligee, and the submitting state of the decision rendered. The written decision shall include the time frames reviewed, balance due for those time frames, court orders reviewed including the child support terms of those orders, payment records reviewed, and amounts credited based on those records.

5. The county department shall notify the obligor of ~~his/her~~THE right to request a further review by the State Department. The obligor must be advised that the request must be made in writing and be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligor.
6. The county department, upon receiving the decisions rendered by the other state shall, within ten (10) calendar days, adjust the Automated Child Support Enforcement System records to reflect the decision rendered and take any additional appropriate action.

6.805.41 County Responsibility ~~[Rev. eff. 9/15/12]~~

- A. Following verbal or written contact from an obligee regarding questions or disagreement about distribution of amounts collected, the CSS unit shall review the distribution and respond verbally or in writing. The obligee must be advised that if there is still disagreement, ~~he/she~~THE OBLIGEE must submit a written request for an administrative review by the Child Support Services Unit.
- B. Within ten (10) calendar days of the receipt of a written request for an administrative review, the Child Support Services unit shall:
 1. Schedule and advise the obligee of the date, time and place of the review;
 2. Request from the obligee copies of any modification of the support order that have not been previously provided to the Child Support Services Unit;
 3. Request from the obligee records of any payments made directly to the family from the obligor;
 4. Advise the obligee that a written decision will be rendered within thirty (30) days of the date of the review;
 5. Request from the obligee any other information to support ~~his/her~~THE contention that the collections were distributed in error.
- C. If the request for an administrative review concerns an issue other than the distribution of current support and/or arrearage payments, the Child Support Services unit shall notify the obligee that a review will not be held.
- D. On the date established for the administrative review, the Child Support Services unit shall review the child support case record and any information submitted by the obligee and determine if the distribution of the amounts collected was correct.
- E. The Child Support Services unit shall promptly notify the obligee in writing of the decision rendered and will provide a copy of the decision to the State Department within five (5) days of the date the decision is rendered.
- F. The Child Support Services Unit shall notify the obligee in writing of ~~his/her~~THE right to request a further review by the State Department. The obligee will be advised that the written request must be received by the state office within thirty (30) calendar days of the mailing of the county decision to the obligee.
- G. The Child Support Services Unit, upon receiving the decision rendered by the State Department after a state level review shall, within ten (10) calendar days, adjust the automated child support enforcement system records to reflect the decision rendered and take any additional action as appropriate.

6.805.42 State Responsibilities ~~[Rev. eff. 9/15/12]~~

Upon written request for further administrative review, the State Department shall:

- A. Provide notice to the obligee, which shall contain:
 1. A statement that the only issue to be reviewed is the distribution of current support and/or arrearage payments collected;
 2. A statement that the review is a review of the records only and not a judicial determination and that the review will be limited to the documentation in the CSS file and any written material the obligee wishes to present.
- B. Request from the CSS Unit or obtain from the automated child support system, the records used for the distribution;
- C. Request from the CSS Unit a copy of its decision;
- D. Request from the county records of support payment paid directly to the family which were provided by the obligee during the administrative review;
- E. Advise the obligee that a written decision will be made within thirty (30) calendar days of the receipt of the request;

- F. Advise the obligee of ~~his/her~~THE right to appeal the state ~~determination~~DECISION BY FILING AN ACTION FOR JUDICIAL REVIEW ~~to~~WITH THE State District Court ~~on Judicial Review within thirty calendar days of the mailing of the decision~~ WITHIN THIRTY-FIVE (35) CALENDAR DAYS OF THE EFFECTIVE DATE OF THE STATE DECISION. THE STATE DECISION IS EFFECTIVE ON THE DATE OF THE DECISION.

6.805.43 Notify of Decision Rendered [Rev. eff. 9/15/12]

6.805.5 Appeal of Joint Account Collection From FIDM [Rev. eff. 9/15/12]

6.806 INTEREST [Rev. emergency eff. 4/5/13; permanent 7/1/13]

Collection of interest is optional for county Child Support Services Units. If a county chooses to collect interest, the following rules shall apply.

- A. Interest on support collections that are deposited in a financial institution in interest bearing accounts shall be used to reduce administrative costs as prescribed by the State Department.
- B. Interest collected through support arrears/debt shall be considered a support collection and shall be used to reduce the UPA/UMP balances or, for non IV-A cases, paid to the family.
 1. In order to collect interest on a Colorado order, the interest rate will be calculated as prescribed by the State Department on the balance past due at the current interest rate in effect as set forth in Sections 5-12-101 and 14-14-106, C.R.S.
 2. Interest on arrears balances will be calculated for a specific amount of arrearages/debt covering a specific period of time. The amount of interest will be listed separately from the amount listed for child support arrears/debt and shall be added to the IV-D ledger on the automated child support enforcement system using the appropriate interest adjustment reason codes. The two figures will be added together to show the total amount of judgment or non-judgment balances.
 3. A county may charge interest on a Colorado child support order according to statute. If a county intends to calculate interest, it must:
 - a. Send a written notice to the obligor or ~~his/her~~THE OBLIGOR'S attorney of record, if one exists, that interest will be assessed on the order.
 - b. Only assess interest beginning with the date of the notice referenced in paragraph a, of this section.
 - c. Complete an updated interest calculation every six (6) months for all cases where notice, in paragraph "a" of this section, was provided and shall provide written notification of the amount of interest assessed to the obligor or ~~his/her~~THE OBLIGOR'S attorney of record, if one exists.
 - d. Notify the responding agency in an initiating reciprocal action, at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support.
 4. The county Child Support Services Unit may waive the collection of interest if it wishes to use interest as a negotiating tool to reach a payment settlement on both public assistance and non-public assistance cases.
 5. Counties must collect interest on interjurisdictional cases if they are enforcing another jurisdiction's order and the jurisdiction requests collection of interest.

6.807 DISBURSEMENTS ON HOLD [Rev. eff. 9/15/12]

- A. If a disbursement returns as undeliverable mail, if there is no existing address on the automated child support system, or if a disbursement has been reported as lost or stolen, the user shall put all disbursements for that ledger on hold until the issue is resolved.
- B. Child Support Services Units shall ensure that procedures are established in the county to work the scheduled disbursements daily.
- C. The county Child Support Services Unit shall utilize all appropriate local, state, and federal sources to determine the location of the payee.
- D. If the obligee cannot be located within ninety (90) calendar days of the original warrant issue date ~~OF THE DISBURSEMENT TO THE OBLIGEE~~, the Child Support Services worker shall allocate the payment(s) first to any obligor erroneous disbursement balance and second to any assigned arrears balance.

- E. If there are no obligor erroneous disbursement or assigned arrears balances, the Child Support Services worker shall allocate the payment to obligor over collect and disburse to the obligor.
- F. If the obligor cannot be located within ~~one hundred eighty (180)~~**NINETY (90)** calendar days of the original warrant issue date **OF THE DISBURSEMENT TO THE OBLIGOR**, the Child Support Services worker shall, by the ~~one hundred eighty-first (181st)~~**NINETY-FIRST (91ST)** calendar day, mark the collection to transfer to the abandoned collections account on the disbursement record on the automated child support enforcement system.
The automated child support enforcement system will automatically reimburse any obligee unfunded disbursement balance on the ledger before the payment is transferred to the abandoned collections account.
- G. If the payee requests payment of the disbursement once it has been transferred to the abandoned collections account, the transfer will be reversed through a problem log to the state office, and the disbursement will be scheduled.

6.808 UNFUNDED DISBURSEMENTS [~~Rev. eff. 9/15/12~~]

6.808.1 Notification [~~Rev. eff. 9/15/12~~]

6.808.2 Recovery [~~Rev. eff. 9/15/12~~]

6.808.3 Balance Statement [~~Rev. eff. 9/15/12~~]

6.808.4 Balance Write-Off [~~Rev. eff. 9/15/12~~]

6.809 CHILD SUPPORT INCENTIVE PAYMENTS [~~Rev. eff. 9/15/12~~]

6.809.1 Incentive Formula [~~Rev. eff. 9/15/12~~]

6.809.2 Performance Measures [~~Rev. eff. 9/15/12~~]

6.809.3 “Statewide Incentive Amount” for Each Performance Measure [~~Rev. eff. 9/15/12~~]

6.809.4 Conversion Tables [~~Rev. eff. 9/15/12~~]

6.809.5 Adjustment [~~Rev. eff. 9/15/12~~]

6.809.6 Reinvestment [~~Rev. eff. 9/15/12~~]

6.901 ENFORCEMENT PROCEDURES [~~Rev. eff. 5/1/07~~]

6.902.1 [~~Rev. eff. 4/1/13~~]

6.902.11 County Procedures [~~Rev. Eff. 4/1/13~~]

Within thirty (30) calendar days of identifying a delinquency or other non-compliance with the order, or location of the obligor, whichever occurs later, the Child Support Services Unit must take appropriate enforcement action. The Child Support Services Unit must assess each enforcement case to determine appropriate enforcement actions pursuant to Section 6.903.11.

- A. When an obligor fails to make full payment in the month the payment is due, appropriate enforcement action shall be taken.
- B. Income Assignment
 - 1. For support orders ~~entered on or after January first, nineteen ninety (1990)~~**SUBJECT TO THE IMMEDIATE ACTIVATION OF AN INCOME ASSIGNMENT**, the Notice to Withhold Income for Support must be sent within two (2) business days after receipt of an income source.
 - 2. For support orders ~~entered before January first, nineteen ninety (1990), if income assignment is not included in the court order, the Notice of Pending Income Assignment~~**NOT SUBJECT TO THE IMMEDIATE ACTIVATION OF AN INCOME**

~~ASSIGNMENT~~, the Advance Notice ~~to Activate an~~ OF ACTIVATION OF Income Assignment ~~and the Objection to Activate an Income Assignment~~ must be ~~sent~~ FILED WITH THE COURT AND MAILED TO THE OBLIGOR within two (2) business days after receipt of an income source. If the obligor does not file an objection to the activation of the income assignment, the Notice to Withhold Income for Support must be sent within two (2) business days of the end of the fourteen (14) day objection period.

3. A copy of the Notice to Withhold Income for Support shall be provided to the obligor by the employer.
4. ~~Exception to automated income assignments.~~ If an automated income assignment cannot be issued due to an exception, the automated child support system will electronically generate a message to the enforcing county and the county child support services worker shall complete the following within two (2) working days of the date of the receipt of the message:
 - a. Research the case to determine whether the exception is valid and correct the exception data if possible;
 - b. Document the findings and the actions taken to correct the exception in the automated child support system;
 - c. Issue the income assignment to the employer, if appropriate.

C. Service of Process

1. If service of process is necessary, service must be completed and enforcement action taken within SIXTY (60) calendar days of identifying a delinquency or of locating the obligor, whichever occurs later.
2. Repeated unsuccessful service of process attempts are not a valid reason for not meeting the time frames. If service of process is unsuccessful because of a poor address, the case shall be referred back to the locate function.

6.902.12 Public Assistance Cases [Rev. eff. 10/1/09]

In public assistance and foster care cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied, including assigned arrearages, unless good cause exemption from referral to the Child Support Services Unit has been determined to exist by the county director or designee. Spousal maintenance must also be enforced if established in the same court action and if the ~~former spouse has physical custody of the children~~ CHILD(REN) IS LIVING WITH THE OBLIGEE OF CHILD SUPPORT AND SPOUSAL MAINTENANCE.

6.902.13 Non-Public Assistance Cases [Rev. eff. 6/1/04]

In non-public assistance cases, the Child Support Services Unit shall enforce court-ordered child support obligations from any person who is legally liable for such support until such obligations are satisfied or services are no longer requested. Spousal maintenance must also be enforced if established in the same court action and if the ~~former spouse has physical custody of the children~~ CHILD(REN) IS LIVING WITH THE OBLIGEE OF CHILD SUPPORT AND SPOUSAL MAINTENANCE. When the current support order and/or the child support arrears are no longer being enforced, the Child Support Services Unit shall cease enforcement of spousal maintenance.

6.902.14 Arrears Calculation [Rev. eff. 4/1/13]

For ~~all~~ cases WHERE THE DATE OF THE ORDER IS PRIOR TO THE DATE OF REFERRAL, APPLICATION, OR REQUEST FROM AN INITIATING STATE/JURISDICTION, the Child Support Services Unit ~~is required to~~ SHALL calculate arrearages from the date the child support order is entered, ~~including those cases where the date of the order is prior to the date of referral or application~~ TO DETERMINE THE BEGINNING ARREARS BALANCE.

- A. THE Child Support Services Unit ~~must~~ SHALL provide notice of the arrears by providing the arrears calculation AND ANY SUPPORTING DOCUMENTATION to the ~~non-custodial~~ OBLIGOR and ~~custodial parent~~ OBLIGEE OR INITIATING STATE/JURISDICTION. Notice is only required when an arrears balance has been determined and there was no existing arrears balance on the ledger. ~~Notice is also required when the arrears balance has changed and the change is not solely due to payments made through the Family Support Registry.~~

1. Parties are allowed fourteen (14) days to respond to the calculation.

2. Any determined arrearages may not be added to the case ledger until the fifteenth (15th) day.
3. ~~Should~~IF the parties disagree with the arrears calculation, the county ~~must~~SHALL refer the case to the court WITH JURISDICTION for an arrears determination.
 - a. ~~Current support must be collected during the period in which the arrears are being determined.~~ THE COUNTY SHALL COLLECT CURRENT SUPPORT WHILE THE COURT DETERMINES THE ARREARS.
 - b. ~~Should it be determined~~IF THE COURT DETERMINES THAT arrears are owed, the county must amend the income withholding order to include all monthly payments due.

6.902.15 National Medical Support Notice ~~[Rev. eff. 4/1/13]~~

6.902.16 Notice of Emancipation of a Child ~~[Rev. eff. 4/1/13]~~

The enforcing Child Support Services Unit must respond to the automated child support system's electronic message indicating the automatic generation of the right to request review notice for each party or ~~his/her~~THEIR attorney of record. The electronic message alerts the worker when a child(ren) has reached the age of emancipation. Within five working days of receiving the electronic message and the generation of the right to request review notices, the worker must read the active order and determine if the child(ren) included in the order is emancipated pursuant to Section 14-10-115, Colorado Revised Statutes. If the child(ren) is emancipated and is not the youngest child on the order, the worker shall mail a right to request review notice to each party or ~~his/her~~THEIR attorney of record.

6.902.17 Credit Reporting (CRA) ~~[Rev. eff. 4/1/13]~~

6.902.171 Selection ~~[Rev. eff. 4/1/13]~~

6.902.172 Notice ~~[Rev. eff. 4/1/13]~~

6.902.173 Disputes ~~[Rev. eff. 4/1/13]~~

If, during the monthly referral to the credit reporting agencies, the obligor contacts the county child support enforcement worker to dispute the information contained in ~~his/her~~THEIR credit report, the county child support enforcement worker shall:

- A. Enter the dispute code in the automated child support system within one working day of contact.
- B. Research the case to determine if the information is correct or incorrect. If incorrect, the necessary changes must be made to the child support case. The changes will be reflected in the next monthly update to the credit reporting agencies.
- C. Document in the automated child support system all changes or other actions taken.

The county Child Support Services Units shall respond to requests from the Division of Child Support Services within two working days for payoff amounts and status information and within six working days for information needed to complete the investigation of a consumer credit dispute. If the Child Support Services Unit receives a request for information from a lender, credit reporting agency or obligor, it shall follow Section 6.902.174.

6.902.174 Limited Point of Contact ~~[Rev. eff. 4/1/13]~~

6.902.175 Arrears or Payoff Requests ~~[Rev. eff. 4/1/13]~~

6.902.2 SELECTION FOR DRIVER'S LICENSE SUSPENSION PROCESS ~~[Rev. Eff. 5/1/07]~~

6.902.21 Reports ~~[Rev. Eff. 5/1/07]~~

6.902.22 Notices ~~[Rev. Eff. 5/1/07]~~

6.902.23 Rescission ~~[Rev. eff. 4/1/13]~~

6.902.3 PAYMENT PLAN ~~[Rev. eff. 4/1/13]~~

The payment plan displays the monthly payment due. The monthly payment due consists of the ~~m~~Monthly ~~s~~Support ~~e~~Obligation (MSO) and Monthly Amount Due (MAD) on the arrears. ~~The total monthly payment due shall not exceed the maximum amount of disposable income that is eligible to be withheld pursuant to Section 13-54-104(3)(b)(I & II), C.R.S.~~

- A. If the obligor has a court ordered MAD on the arrears balance, the county child support worker must enter this amount and the correct code on the court ordered screen in the automated child support system. The code and amount must be removed when the court ordered MAD is no longer valid.
- B. If the obligor has a MAD PREVIOUSLY set by ~~the~~A county child support worker, ~~THE OBLIGOR MAY REQUEST THE WORKER REDUCE THE MAD. UPON A REQUEST FOR A REDUCTION BY THE OBLIGOR, THE COUNTY CHILD SUPPORT WORKER MUST CONSIDER INFORMATION RELEVANT TO THE DETERMINATION OF THE MAD, INCLUDING BUT NOT LIMITED TO, the following must be done when an obligor contacts the county to request a reduction of the MAD: THE ARREARS BALANCE, OBLIGOR'S CURRENT INCOME, AND OTHER CHILD SUPPORT OBLIGATIONS. THE COUNTY CHILD SUPPORT WORKER SHALL DOCUMENT ANY CHANGES TO THE MAD IN CHRONOLOGY.~~
 - ~~1. The county child support worker shall inform the obligor that documentation of their current income must be provided to adjust the MAD. The obligor must provide one of the following types of documentation:
 - a. Pay check stubs for the last three months;
 - b. Business bank statements for the last year;
 - c. Federal/State tax return for the last three years;
 - d. Documentation of disability; or,
 - e. Letter from parole/probation officer of current financial circumstances.~~
 - ~~2. The county child support worker shall enter the monthly gross income amount for the obligor, as determined by the documentation provided, into the income data screens on the automated child support system.~~
 - ~~3. If the obligor has more than one child support services case, all counties must honor the income data entered on the income data screens by changing the MAD for their case to between the automated child support system calculated fair share MAD and the minimum MAD.~~
 - ~~4. Income documentation from the obligor shall be required in order for the county child support worker to update the income data screens. The income data can only be changed upon receipt of updated income documentation as outlined above in Number 1.~~
 - ~~5. Income documentation shall be retained in the county case file.~~
 - ~~6. When the pay plan amounts change, the county child support worker shall issue an amended order/notice to withhold income for support to reflect the new pay plan amount.~~
- C. If the obligor has a MAD set by the child support system that is not a previously technician set MAD, the county shall review the case and ensure the default MAD amount is appropriate and document findings in chronology.

6.902.4 UNEMPLOYMENT COMPENSATION BENEFITS (UCB) [Rev. eff. 4/1/13]

6.903.11 Enforcement Remedies [Rev. eff. 4/1/13]

The following enforcement remedies shall be utilized as appropriate:

- A. One of two processes of assignment from any type of income through a Notice to Withhold Income for Support:
 1. Immediate income assignment - the process whereby the income assignment is ordered in the original or modified court or administrative order or where the original or modified support order was issued after a certain date and takes effect immediately without any further notice to the obligor;
 2. Other income assignment - the process whereby the order for income assignment is not part of the original order or the original order was issued before a certain date and the obligor is afforded due process through advance notification.
- B. Immediate health insurance premium withholding through a National Medical Support Notice (NMSN) - notice of health insurance premium withholding shall be included in the original or modified court or administrative order and take effect immediately without any further notice to the parties. The NMSN shall be issued in accordance with Section 6.240.

- C. Judgment for arrearages - the process of filing with the court of record a verified entry of judgment or motion and order for judgment for the amount of arrearages owed by the noncustodial parent. All Verified Entries of Judgement must be provided to all parties in a case.
- D. Post Judgment remedies - the execution of legal remedies that are available in state law and procedure that are used to satisfy judgment. Such remedies include, but are not limited to:
 - 1. Garnishment of earnings;
 - 2. Garnishment of assets;
 - 3. Liens upon real property;
 - 4. Liens upon personal property;
 - 5. Forced sale of real or personal property;
 - 6. Liens upon motor vehicles.
- E. Intercept Program Participation - the participation in state and federal intercept programs which includes:
 - IRS income tax refunds,
 - State lottery winnings,
 - Unemployment Compensation Benefits,
 - State income tax refunds,
 - Gambling intercepts;
 - Federal administrative offset, and
 - State vendor offset.
- F. Billings and delinquency notices - the process of billing noncustodial parents or noticing delinquent noncustodial parents as a reminder of support obligations due and past due.
- G. Contempt Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent has failed to comply with a court order and therefore should be held in contempt of court;
- H. Criminal Non-Support Actions - the process of demonstrating to the court of record at a court hearing that the noncustodial parent should be held criminally liable for the failure to support ~~his/her~~THEIR family;
- I. Payment Guarantee Action - request to the court to order the obligor to post security, bond, or other form of guarantee to secure payment of the child support order;
- J. Contact with the noncustodial parent - the process of obtaining a support collection by contacting the noncustodial parent by telephone or in writing;
- K. Internal Revenue Service full collection service - levy by Internal Revenue Service against noncustodial parent's income or assets;
- L. Denial, Revocation, or Limitation of Passports - certifying to the United States Secretary of Health and Human Services the names of noncustodial parents that have failed to comply with a court order to pay child support and who owe the amount of federally mandated arrears for the purpose of denying, revoking, or limiting their passports;
- M. Fraudulent Transfers - a petition to the court to void transfers of property by an noncustodial parent to another party;
- N. Refer case for prosecution under the Federal Child Support Recovery Act;
- O. Administrative Lien and Attachment - form used to attach noncustodial parent's Department of Corrections inmate accounts.

6.905 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REGULATORY AGENCIES [Rev. eff. 2/1/08]

6.905.1 SELECTION [Rev. eff. 2/1/08]

6.905.12 REPORTS [Rev. eff. 3/2/10]

6.905.13 NOTICES [Rev. eff. 5/1/07]

6.905.14 POINT OF CONTACT [Rev. eff. 2/1/08]

6.905.2 PROFESSIONAL OCCUPATIONAL LICENSE SUSPENSION PROCESS – DEPARTMENT OF REVENUE [Rev. eff. 2/1/08]

6.905.21 SELECTION ~~[Rev. eff. 2/1/08]~~

6.905.22 NOTICE ~~[REV. EFF. 5/1/07]~~

6.905.23 POINT OF CONTACT ~~[Rev. eff. 2/1/08]~~

6.906 SELECTION FOR FINANCIAL INSTITUTION DATA MATCH (FIDM) ~~[Rev. eff. 4/1/13]~~

6.906.1 REVIEW OF SELECTED CASES ~~[Rev. eff. 3/2/10]~~

6.906.21 Temporary Suppression ~~[Rev. eff. 4/1/13]~~

6.906.22 Indefinite Suppression ~~[Rev. eff. 3/2/10]~~

6.906.3 CREATION OF THE LIEN AND LEVY ~~[Rev. eff. 5/1/07]~~

6.906.4 EXCEPTION OR EXEMPTION CLAIM ~~[Rev. eff. 3/2/10]~~

- A. Within twenty (20) calendar days from the date of the lien, the obligor may request an exception claim per State policy from the Colorado Department of Human Services, Division of Child Support Services, if there is terminal illness of the obligor or the obligor's biological or adopted child.
- B. Within 20 calendar days from the date of the lien, the obligor may request an exemption claim per State statute from the Colorado Department of Human Services, Division of Child Support Services, if there is:
 1. Misidentification; or,
 2. A custodial account created pursuant to the "Colorado Uniform Transfers to Minors Act", Article 50 of Title 11, C.R.S., or a trust account of moneys held in trust for a third party; or,
 3. An account held with a corporate tax identification number; or,
 4. An account used to receive deposits of Supplemental Security Income benefits, Social Security survivors benefits, or any combination of these funds, Veterans Administration disability benefits, child support payments, ~~or~~ public assistance benefits, **OR FEDERAL OR STATE INCOME TAX REFUNDS ATTRIBUTED TO AN EARNED INCOME OR CHILD TAX CREDIT AS A REFUNDABLE TAX CREDIT OR AS A NONREFUNDABLE REDUCTION IN TAX**; or,
 5. An account used to receive "earnings" as defined in Section 13-54-104, C.R.S. The maximum percentage amount of the account balance that can be seized will be determined based upon the documentation provided by the obligor. Documentation requirements are specified on the notice that the obligor receives.

The obligor is responsible for providing the Colorado Department of Human Services, Division of Child Support Services, documentation in support of the above situations.

The Colorado Department of Human Services, Division of Child Support Services, shall review the claim and document its decision whether to approve or deny the claim. The claim shall be reviewed within three business days of receipt based upon the documentation outlined in the lien and levy exception/exemption policy that is included with the Notice of Lien and Levy. If the claim is approved, the Colorado Department of Human Services, Division of Child Support Services, will issue a release of lien and levy to the financial institution. If the claim is denied, the lien and levy will remain in effect. The Colorado Department of Human Services, Division of Child Support Services, shall notify the obligor and the county child support services worker of the claim decision.

6.906.5 APPEAL PROCESS FOR JOINT ACCOUNTS ~~[Rev. eff. 5/1/07]~~

6.906.6 ALLOCATION OF FUNDS ~~[Rev. eff. 3/2/10]~~

6.907 VENDOR OFFSET ~~[Rev. eff. 5/1/07]~~

6.907.1 SELECTION AND REFERRAL TO VENDOR OFFSET [Rev. eff. 3/2/10]

6.907.2 REVIEW OF SELECTED CASES [Rev. eff. 3/2/10]

When the county child support services worker is notified that the case has been selected for vendor offset, ~~he/she~~THE WORKER shall review the case to ensure that the ledger balances are correct. If the county child support services worker determines that vendor offset is not appropriate for the case, an electronic message must be sent through the automated child support system to the "SEU VO" mailbox to request suppression. The case will remain suppressed until the county child support services worker electronically requests the Colorado Department of Human Services, Division of Child Support Services, lift the suppression.

6.907.3 NOTICE ~~[Rev. eff. 5/1/07]~~

6.908 RECREATIONAL LICENSE SUSPENSION [Rev. eff. 5/1/07]

6.908.1 SELECTION [Eff. 2/1/04]

6.908.2 NOTICES [Rev. eff. 5/1/07]

6.908.3 REPORT [Rev. eff. 3/2/10]

6.908.4 POINT OF CONTACT [Rev. eff. 3/2/10]

6.908.5 MISTAKEN IDENTITY [Rev. eff. 5/1/07]

6.908.6 POINT OF CONTACT [Rev. eff. 5/1/07]

~~The Colorado Department of Human Services, Division of Child Support Services, is the only point of contact with the Department of Natural Resources, Parks and Wildlife. County child support Services workers shall electronically contact the Colorado Department of Human Services, Division of Child Support Services, with any questions or concerns through the automated child support system. The Colorado Department of Human Services, Division of Child Support Services, shall resolve child support enforcement issues with the Department of Natural Resources, Parks and Wildlife and electronically communicate the resolution to the county child support Services worker through the automated child support system.~~

6.909.5 Notices

- A. The delegate County Child Support Services Unit shall generate a right to request notice through the automated system for Obligor who have been sentenced to one hundred-eighty (180) days or greater in a Federal, State, or County Corrections Facility. The confirmation of the sentencing may be through a manual or automated match.
- B. This notice sets forth the Obligor's right to request an administrative review. The Obligor has thirty (30) calendar days from the date on the notice to request, in writing, an administrative review. When a written request is timely received, the delegate County Child Support Services worker shall follow section 6.805

6.909.6 Reports

A monthly report is generated that identifies all Obligor in the Colorado Department of Corrections. The County Child Support Services Unit shall confirm the length of sentence and follow 6.261(k) within 14 days if the obligor is sentenced for 180 days or greater. All actions must be documented in the Automated Child Support Enforcement System.

6.909.7 Point of Contact

The Colorado Department of Human Services, Division of Child Support Services, is the single point of contact between Child Support Services and the Colorado Department of Corrections Inmate Banking. County child support services workers shall contact the State Division of Child Support Services for assistance with questions or concerns with administrative lien and attachment of inmate bank accounts through the automated child support system.

