

TABLE OF CONTENTS

Title IV-D Child Support Enforcement Program

Definitions	17b-179b-1
Parenthood program requirements	17b-179b-2
Arrearage adjustment program for Parenthood Program participants	17b-179b-3
Arrearage liquidation	17b-179b-4

Title IV-D Child Support Enforcement Program

Sec. 17b-179b-1. Definitions

As used in sections 17b-179b-1 through 17b-179b-4, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Arrearage” means either one or a combination of (A) court ordered current support payments which have become due and payable and remain unpaid; and (B) support due for past periods that has been found owing by a court of competent jurisdiction, whether or not presently payable;

(2) “Arrearage adjustment” means a reduction, by the Department of Social Services or any bureau, division, or agency of the department, or agency under cooperative or purchase of service agreement therewith, of the total arrearage owed as of the first day of the qualifying year by a noncustodial parent to the State in a child support case in accordance with sections 17b-179b-1 to 17b-179b-4, inclusive, of the Regulations of Connecticut State Agencies, and includes an equivalent reduction of the amount of unreimbursed assistance;

(3) “Arrearage adjustment program” means the system of scheduled arrearage adjustments prescribed by sections 17b-179b-1 to 17b-179b-4, inclusive, of the Regulations of Connecticut State Agencies for the purpose of encouraging the positive involvement of noncustodial parents in the lives of their children and encouraging noncustodial parents to make regular support payments;

(4) “Child support case” means one in which the Department of Social Services or any bureau, division, or agency of the department, or agency under cooperative or purchase of service agreement therewith, is providing child support enforcement services under Title IV-D of the federal Social Security Act;

(5) “Current child support obligation” means a court ordered amount for the ongoing support of a child, and does not include payments on an arrearage;

(6) “Custodial party” means the individual who has primary physical custody of a child, or, in foster care cases, the Commissioner of the Department of Children and Families;

(7) “Domestic violence” means (A) physical acts that result in or are threatened to result in physical or bodily injury; (B) sexual abuse; (C) sexual activity involving a child in the home; (D) forced participation in nonconsensual sexual acts or activities; (E) threats of or attempts at physical or sexual abuse; (F) mental abuse; or (G) neglect or deprivation of medical care;

(8) “Parenthood Program” means any project, site or program that meets the requirements of section 17b-179b-2 of the Regulations of Connecticut State Agencies, and shall include the research and demonstration projects established under subsection (d) of section 1 of Public Act 99-193;

(9) “Noncustodial parent” means the parent who does not have primary physical custody of a child;

(10) “Obligor” means the individual required to make payments under a current child support or arrearage obligation;

(11) “Qualifying year” means the twelve-month period beginning with the date a noncustodial parent enters into a voluntary agreement to participate in the arrearage adjustment program;

(12) “Starting arrearage” means the total arrearage owed, as of the first day of the qualifying year, to the State of Connecticut by a noncustodial parent or obligor in a child support case; and

(13) “Unreimbursed assistance” means the portion that has not been repaid to the State of Connecticut of the total assistance provided under the aid to families

with dependent children, state-administered general assistance or temporary family assistance programs to or in behalf of either parent, such parent's spouse, or such parent's child; such portion being the subject of the State's claim under section 17b-93 of the Connecticut General Statutes.

(Adopted effective May 24, 2004)

Sec. 17b-179b-2. Parenthood Program requirements

(a) In general

(1) Certification

Participants in a Parenthood Program shall be eligible for an arrearage adjustment under section 17b-179b-3 of the Regulations of Connecticut State Agencies only if such program is designated initially and certified annually by the Commissioner of Social Services as a participating program that provides services that promote the positive involvement and interaction of noncustodial parents with their children.

(2) Exception

Notwithstanding subdivision (1) of this subsection, the research and demonstration projects established under subsection (d) of section 1 of Public Act 99-193 shall not require certification to participate in the arrearage adjustment program.

(b) Program components

A Parenthood Program seeking designation or certification as a participating program under subsection (a) of this section shall demonstrate to the satisfaction of the Commissioner of Social Services that such program provides a minimum curriculum of at least twenty-four hours of programming over an eight week period, and a plan of service to assist male or female noncustodial parents to identify and resolve problems, build healthy relationships with their children, and establish or strengthen collaborative co-parenting alliances with the custodial party. To meet these requirements, a participating program shall provide services directly and by referral in at least the following areas:

- (1) education, training and employment placement;
- (2) parenting education and services to strengthen the parent-child relationship;
- (3) counseling, support and self-help;
- (4) legal assistance and court advocacy;
- (5) mental health and substance abuse services;
- (6) housing;
- (7) transportation;
- (8) domestic violence services;
- (9) conflict resolution and anger management;
- (10) mentoring;
- (11) relationship and co-parenting mediation; and
- (12) pregnancy prevention.

(c) Administrative requirements

(1) In general

A Parenthood Program seeking designation or certification as a participating program under subsection (a) of this section shall demonstrate to the satisfaction of the Commissioner of Social Services that such program has and will use the forms and procedures prescribed by such commissioner to administer the provisions of sections 17b-179b-1 to 17b-179b-4, inclusive, of the Regulations of Connecticut State Agencies.

(2) Voluntary agreement

The voluntary agreement required under subdivision (4) of subsection (a) of section 17b-179b-3 of the Regulations of Connecticut State Agencies shall, at a minimum:

(A) state the rights and responsibilities of the noncustodial parent or obligor under the arrearage adjustment program;

(B) clearly define the activities required for participation in the arrearage adjustment program;

(C) specify the outcomes expected from successful participation in the arrearage adjustment program; and

(D) state the total arrearage amount that may be subject to adjustment.

(Adopted effective May 24, 2004)

Sec. 17b-179b-3. Arrearage adjustment program for Parenthood Program participants

(a) Eligibility for program

A noncustodial parent or obligor shall be eligible for the arrearage adjustment program for Parenthood Program participants if the Department of Social Services determines, based on information provided by a participating program or otherwise available to the department, that the requirements of this subsection are met. The requirements of this subsection may be met retroactively in the case of participants in programs that were established under subsection (d) of section 1 of Public Act 99-193 as research and demonstration projects or funded under the federal Temporary Assistance for Needy Families block grant.

(1) The noncustodial parent begins and continues to make regular current support payments after non-payment of support for a year or more. For the purpose of this subdivision, such support payments shall not include recoveries of past-due or overdue support pursuant to child support enforcement actions taken by the State of Connecticut under sections 52-362d-2, 52-362d-4, 52-362d-5, 52-362e-2, or 52-362e-3 of the Regulations of Connecticut State Agencies;

(2) The noncustodial parent or obligor is participating and making satisfactory progress in a Parenthood Program, as demonstrated by quantifiable achievements that facilitate positive involvement with the child or the participant's ability to provide support, such as (A) signing a paternity acknowledgment, (B) signing a voluntary support agreement, (C) signing a co-parenting or mediation agreement, (D) attending one or more child development classes or (E) registering with the Department of Labor for skills training;

(3) The noncustodial parent meets program goals for appropriate involvement and interaction with the child or children and (A) has an active child support case where an arrearage is owed to the State of Connecticut and there is a current payment due to the custodial party or (B) is an obligor who now resides with the child or children to whom support is owed;

(4) The noncustodial parent or obligor applies for an arrearage adjustment and enters annually into a voluntary agreement with the Commissioner of Social Services or such commissioner's designee that complies with subdivision (2) of subsection (c) of section 17b-179b-2 of the Regulations of Connecticut State Agencies; and

(5) The noncustodial parent or obligor has no felony convictions, as known or reported to the Department of Social Services or attested by such parent or obligor, during the year for which an adjustment is requested.

(b) Adjustment amounts

(1) Qualifying Year

(A) Completes Parenthood Program

A noncustodial parent or obligor who successfully completes a Parenthood Program shall receive a one-time arrearage adjustment in the qualifying year of five percent of the starting arrearage.

(B) Pays support or lives with child

(i) A noncustodial parent or obligor who, during the qualifying year, receives an adjustment under subparagraph (A) of this subdivision shall be eligible to claim an arrearage adjustment in accordance with the following “Arrearage Adjustment Table – Qualifying Year” if such parent or obligor:

(I) pays the full amount of the current child support obligation due to the custodial party,

(II) resides with the child and documents substantial contributions for support of the child or is the primary caregiver for the child, provided the custodial party acknowledges or consents in writing to such arrangement and there is no evidence of domestic violence for the qualifying year, or

(III) becomes the custodial party and resides with the child, in which case the acknowledgment or consent of the other parent shall not be required.

ARREARAGE ADJUSTMENT TABLE - QUALIFYING YEAR	
<i>If the obligor meets the criteria under paragraphs (I), (II), or (III) for the following number of months during the qualifying year:</i>	<i>the arrearage adjustment shall be in the following percentage of the starting arrearage:</i>
12	20%
11	15%
10	10%

(ii) The arrearage adjustment specified under subclause (i) of this subparagraph may be granted on the basis of criterion (I) of said subclause exclusively, criterion (II) of said subclause exclusively, criterion (III) of said subclause exclusively, or on the basis of any combination of such criteria, provided at least one criterion is satisfied during the period specified in the “Arrearage Adjustment Table”.

(iii) A noncustodial parent or obligor who is denied an arrearage adjustment on the basis of only an allegation of domestic violence shall be entitled to a desk review of the denial by the Commissioner of Social Services or such commissioner’s designee.

(C) Maintains steady employment

A noncustodial parent or obligor who receives an adjustment under subparagraph (B) of this subdivision and maintains employment for an average of at least one hundred twenty hours per month during the qualifying year shall receive an additional arrearage adjustment of five percent of the starting arrearage to be added to the percentages specified in subparagraph (B) of this subdivision.

(2) Subsequent years

(A) Pays support or lives with child

(i) A noncustodial parent or obligor who received an adjustment for the immediately preceding year shall be eligible to claim an additional arrearage adjustment in accordance with the following “Arrearage Adjustment Table – Subsequent Years” if, during a subsequent year, such parent or obligor:

(I) pays the full amount of the current child support obligation due to the custodial party,

(II) resides with the child and documents substantial contributions for support of the child or is primary caregiver for the child, provided the custodial party acknowledges or consents in writing to such arrangement and there is no evidence of domestic violence for the qualifying year, or

(III) becomes the custodial party and resides with the child, in which case the acknowledgment or consent of the other parent shall not be required.

ARREARAGE ADJUSTMENT TABLE - SUBSEQUENT YEARS				
<i>If the obligor meets the criteria under paragraphs (I), (II), or (III) for the following number of months during the subsequent year:</i>	<i>the arrearage adjustment shall be in the following percentages of the starting arrearage in the indicated subsequent years:</i>			
	<i>first . . .</i>	<i>second . . .</i>	<i>third . . .</i>	<i>all additional . . .</i>
12	15%	10%	10%	10%
11	10%	5%	5%	0%
10	5%	0%	0%	0%

(ii) The arrearage adjustment specified under subclause (i) of this subparagraph may be granted on the basis of criterion (I) of said subclause exclusively, criterion (II) of said subclause exclusively, criterion (III) of said subclause exclusively, or on the basis of any combination of such criteria, provided at least one criterion is satisfied during the period specified in the “Arrearage Adjustment Table”.

(iii) A noncustodial parent or obligor who is denied an arrearage adjustment on the basis of only an allegation of domestic violence shall be entitled to a desk review of the denial by the Commissioner of Social Services or such commissioner’s designee.

(iv) A noncustodial parent or obligor who signs a voluntary agreement to participate in the arrearage adjustment program and who fails to qualify for a scheduled adjustment without good cause shall be eligible to receive a future adjustment only if such parent or obligor signs a new voluntary agreement. In such cases, any future adjustments shall be in the amounts prescribed in this subdivision for subsequent years, and not in the amounts prescribed in subdivision (1) of this subsection for the qualifying year.

(B) Maintains steady employment

A noncustodial parent or obligor who receives an adjustment under subparagraph (A) of this subdivision and, during the subsequent year, as compared to the preceding year:

- (i) maintains employment for a greater average number of hours per month,
- (ii) increases earnings, or
- (iii) enhances employability through education or training

shall receive an additional arrearage adjustment of five percent of the starting arrearage to be added to the percentages specified in subparagraph (A) of this subdivision.

(Adopted effective May 24, 2004)

Sec. 17b-179b-4. Arrearage liquidation

(a) Definitions

As used in this section:

(1) “Arrearage liquidation” means an arrearage adjustment, as defined in section 17b-179b-1 of the Regulations of Connecticut State Agencies, of one hundred percent in accordance with this section based on a lump sum payment by the noncustodial parent of a specified percentage of the existing arrearage;

(2) ‘‘Liquidation percentage’’ means the portion of a noncustodial parent’s total arrearage that may be accepted by the Commissioner of Social Services in full satisfaction of the support arrearage owed to the State of Connecticut.

(b) Eligibility

A noncustodial parent or obligor shall be eligible for arrearage liquidation of state-owed arrearages if the requirements of this subsection are met.

(1) State-owed arrearage

There is an arrearage owed to the State in a child support case that would take the obligor at least five years to pay in full at the rate of payment calculated in accordance with the Arrearage Guidelines established in section 46b-215a-4a of the Regulations of Connecticut State Agencies.

(2) Obligations to custodial party

(A) Current support

If there is a current child support obligation payable to the custodial party:

(i) payments shall be current, or

(ii) any payments owed to the custodial party shall be paid prior to or at the time of the arrearage liquidation.

(B) Arrearage

Any arrearage payable to the custodial party shall be paid in full prior to or at the time of the arrearage liquidation.

(c) Liquidation percentage

The liquidation percentage for State-owed arrearages shall be determined with reference to the following ‘‘Arrearage Liquidation Table’’, to be used in conjunction with the liquidation percentage factors set forth in subsection (d) of this section:

ARREARAGE LIQUIDATION TABLE		
<i>If it would take the obligor the following number of years to pay the arrearage in full:</i>	<i>the liquidation percentage shall be . . .</i>	
	<i>at least . . .</i>	<i>but no more than . . .</i>
5	70%	85%
6	68%	83%
7	66%	81%
8	64%	79%
9	62%	77%
10	60%	75%
11	58%	73%
12	56%	71%
13	54%	69%
14	52%	67%
15	50%	65%
16	48%	63%
17	46%	61%
18	44%	59%
19	42%	57%
20 or more	40%	55%

(d) Liquidation percentage factors**(1) Specific**

The applicable liquidation percentage shall be reduced by three percent from the higher percentage listed in the table set forth in subsection (c) of this section for each of the following factors:

(A) The obligor is presently living with the child or has made regular support payments for the past three months.

(B) The obligor has paid at least twenty-five percent of the child's college or private secondary school tuition for one semester.

(C) The obligor has satisfactorily completed a Parenthood Program, as defined in section 17b-179b-1 of the Regulations of Connecticut State Agencies.

(D) The obligor was not present at a court hearing held to determine the obligor's initial arrearage, and the court used a standard other than the obligor's actual past ability to pay to determine at least six months of such arrearage.

(E) At least six months of the obligor's arrearage accrued while the obligor was incarcerated or unemployed.

(F) The obligor has received a disability determination from the federal Social Security Administration.

(2) Non-specific

If full payment of the arrearage would take twenty years or more, the applicable liquidation percentage shall be reduced by the following percentages from the higher percentage listed in the table set forth in subsection (c) of this section:

(A) Three percent if full payment of the arrearage at the guidelines rate would take twenty-five years or more.

(B) Six percent if full payment of the arrearage at the guidelines rate would take thirty years or more.

(C) Nine percent if full payment of the arrearage at the guidelines rate would take thirty-five years or more.

(D) Twelve percent if full payment of the arrearage at the guidelines rate would take forty years or more.

(3) Limitation

The combined percentage reductions applied pursuant to subdivisions (1) and (2) of this subsection shall not reduce the applicable liquidation percentage below the lower percentage listed in the table set forth in subsection (c) of this section.

(Adopted effective May 24, 2004)