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Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Transitional Assistance
600 Washington Street • Boston MA 02111

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Commissioner

Field Operations Memo 99-25
September 1, 1999

TO: Transitional Assistance Office Staff
FROM: Joyce Sampson, Assistant Commissioner for Field Operations
RE: Cooperation with Child Support Enforcement Requirements

Background

A lawsuit, *DeJesus, et. al. v. Department of Revenue, et. al.*, has been filed against the Department of Revenue (DOR) and the Department (DTA) regarding child support sanctions. One of the claims in that lawsuit is that DTA allegedly does not adequately assist custodial parents in communicating with DOR when custodial parents advise DTA that they seek to cooperate with child support enforcement after a sanction for noncooperation has been imposed. Although we dispute this allegation, we do want to improve communications whenever possible to assist all recipients.

Transitional Assistance Worker Responsibilities

Transitional Assistance Workers must facilitate contact between custodial parents and DOR regarding child support enforcement issues. The Transitional Assistance Worker must take an active approach in helping the custodial parent contact DOR to resolve child support issues. A new notice, *Cooperation with DOR* (DOR-CN (7/99)), Attachment A, has been developed to notify DOR immediately that the custodial parent has informed DTA that he or she would like to cooperate with DOR. This notice is signed by the custodial parent. The notice is faxed to the DOR contact person, the original is given to the custodial parent and a copy is filed in the case record. (To identify the DOR contact person for your office, please refer to the list of DOR Regional Counsels, Attachment B.) As appropriate, the Transitional Assistance Worker may also attempt to call the DOR Regional Counsel while the custodial parent is present.

**Transitional
Assistance
Worker
Respon-
sibilities
(continued)**

Example: If the custodial parent tells the Transitional Assistance Worker that he or she would like to cooperate regarding child support enforcement, the Transitional Assistance Worker must fax the completed *Cooperation with DOR* notice to the DOR contact person. DOR will then contact the custodial parent and will inform the custodial parent what steps he or she needs to take to cooperate. DOR makes the determination as to whether the custodial parent has cooperated with child support enforcement. DOR will send written notification to DTA and the custodial parent of its determination.

At any eligibility review, the Transitional Assistance Worker will:

- remind the custodial parent who has been sanctioned for noncooperation that he or she remains under a sanction for noncooperation with DOR;
- ask the custodial parent if he or she has any new information regarding the noncustodial parent(s) and if he or she is now willing to cooperate with DOR's child support enforcement efforts;
- discuss with the custodial parent the steps to take to get the sanction removed, referring to DOR's *Notice of Noncooperation*, Attachment C, as appropriate; and
- provide the custodial parent with another copy of DOR's *Notice of Noncooperation* if needed.

DOR Liaison

As a DOR liaison, the Transitional Assistance Office Director or designee shall take an active approach regarding child support sanction cases. The DOR liaison will monitor these cases for recurring problems, and work with DOR to remedy those problems — particularly those involving communications issues. The DOR liaison must ensure that the appropriate notice is sent and action is taken when:

- a sanctioned custodial parent cooperates with DOR;
- a custodial parent, already sanctioned for noncooperation with DOR, is again noncooperative with DOR regarding another noncustodial parent;
- a sanctioned custodial parent cooperates with DOR regarding one noncustodial parent but continues to be noncooperative regarding a second noncustodial parent.

**Need for
Interpreter**

As appropriate, the Transitional Assistance Worker should inform custodial parents that interpreters are available to them through DOR for court appearances.

**Physical or
Mental
Condition**

If a custodial parent tells the Transitional Assistance Worker, or the Worker becomes aware, that a custodial parent has a physical or mental condition that is preventing him or her from utilizing Department services and/or cooperating with DOR, the Transitional Assistance Worker should contact Judith Subanny, Director of Equal Opportunity at (617) 348-8490. Refer to Field Operations Memo 98-50 for further details.

**DOR Notice
of Non-
Cooperation**

DOR has revised the *Notice of Noncooperation*, Attachment C, that it sends to DTA. The revised notice provides specific information as to how the custodial parent failed to cooperate with DOR's Child Support Enforcement Division and what steps need to be taken to comply with cooperation rules. DOR will also send a copy of this notice to the custodial parent. The changes to the notice clarify for the custodial parent and the Transitional Assistance Worker what the custodial parent must do to cooperate with DOR.

**Multiple
Sanction
Notice**

If a TAFDC custodial parent fails to cooperate with DOR's child support enforcement efforts regarding two or more noncustodial parents of his or her children, DTA must issue a multiple sanction notice(s). Refer to *The TAFDC Procedural Guide Chapter 18, Special Situations*, when the grantee/custodial parent must be sanctioned for more than one program violation.

Example: A TAFDC custodial parent received notice from DOR to attend a court hearing regarding child support but failed to attend. DOR notified DTA of the failure to cooperate. A PACES sanction notice was sent. Meanwhile, the custodial parent received another notice from DOR to attend appointments regarding child support for another child who has a different father. Again the custodial parent failed to cooperate. DOR notified DTA of the second failure to cooperate. PACES cannot send a notice informing a grantee/custodial parent of multiple sanctions. **Therefore, the Transitional Assistance Worker must send a manual notice to the grantee/custodial parent.** This notice, *The Notice of Multiple Reasons for Ineligibility (NMRI)*, instructs the custodial parent that although currently under a child support sanction, the custodial parent also failed to cooperate with DOR on another matter. The

**Multiple
Sanction
Notice
(continued)**

NMRI also reminds the grantee/custodial parent that the child support sanctions cannot be removed until the custodial parent cooperates with DOR regarding the noncustodial parent of each child.

If the Transitional Assistance Worker receives notice from DOR that the custodial parent cooperated regarding the first noncustodial parent, the Transitional Assistance Worker must complete and send the grantee/custodial parent the *Status Update Regarding Ineligibility* (SURI) notice. This notice advises the grantee/custodial parent that while one child support sanction has been removed, another child support sanction still remains. Only after the Transitional Assistance Worker receives notice from DOR that the custodial parent is cooperating with child support enforcement efforts regarding both noncustodial parents can the child support sanction be removed.

The Transitional Assistance Worker must ensure that the appropriate actions are taken and notices are sent when the custodial parent cooperates with DOR, paying particular attention when he or she has been sanctioned for noncooperation with more than one noncustodial parent.

The DOR liaison also monitors that the appropriate notices are sent and actions are taken when notification is received from DOR that the sanctioned custodial parent is now cooperating.

**Eligibility
Reviews**

At all eligibility reviews, Transitional Assistance Workers must ask the custodial parents whether they have any new information regarding the noncustodial parents, and whether, for those who are sanctioned, they would like to cooperate with DOR's Child Support Enforcement efforts.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478.



Commonwealth of Massachusetts
Department of Transitional Assistance

Office _____

Address _____

Tel# _____

Fax# _____

TO: **DOR CHILD SUPPORT ENFORCEMENT**

Regional Counsel Name

DATE: _____

FAX #: _____
Regional Counsel's Fax Number

FROM: _____
DTA Staff Member's Name

RE: **COOPERATION WITH DOR**

This notice serves to inform you that the custodial parent indicated below has told us that he/she would like to cooperate with DOR's Child Support Enforcement Division.

Please contact this custodial parent as soon as possible.

Custodial Parent Name _____

SSN _____

Address _____

Telephone Number _____

Absent Parent Name _____

If this custodial parent complies with DOR's child support enforcement requirements, please immediately notify us in writing so that we can adjust his/her benefits accordingly. If you have any questions about this matter, please call me at the telephone number indicated above. Thank you.

Custodial Parent's Signature _____ Date _____

****CONFIDENTIALITY NOTE****

The facsimile transmission contains information from the Department of Transitional Assistance which is CONFIDENTIAL AND/OR PRIVILEGED. The information is intended to be for the use of the individual or entity named on this transmittal sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited. If you have received this facsimile in error, please notify us by telephone and return the original message to us at the address above by First Class Mail via the US Postal Service. Thank you.

**DEPARTMENT OF REVENUE
CHILD SUPPORT ENFORCEMENT
REGIONAL COUNSELS**

CENTRAL REGION

(DTA offices in Worcester County)

Cathleen May

40 Southbridge Street
Worcester, MA 01605

Tel # (508) 792-7300 ext. 22701
or 22744

Fax # (508) 421-2330

SOUTHERN REGION

(DTA offices in Barnstable, Bristol, Norfolk and
Plymouth Counties including Cape and Islands)

Patrick Finn - 2 Locations

110 Mulberry Street
Brockton, MA 02403

Tel # (508) 586-7581 ext. 36111
Fax# (508) 427-9591 *and*

1019 Iyanough Road

Hyannis, MA 02601

Tel # (508) 771-2414 ext. 38613

Fax # (508) 771-0979

METRO REGION

(DTA offices in Suffolk county including Revere
and a portion of Davis Square (Charlestown))

Valinda Corbin

239-245 Causeway Street
Boston, MA 02114

Tel # (617) 619-0800 ext. 32603

Fax # (617) 619-0899

WESTERN REGION

(DTA offices in Hampden, Hampshire, Berkshire
and Franklin Counties)

Sara McCollum

115 State Street
Springfield, MA 01103

Tel # (413) 784-1025 ext.21001

Fax # (413) 785-4801

NORTHERN REGION

(DTA offices in Essex and Middlesex Counties including Davis Square)

Mary Lou Fraser-Gargas

27 Water Street
Wakefield, MA 01880

Tel # (781) 213-1000 ext. 31302

Fax # (781) 213-1050



Massachusetts Department of Revenue
Child Support Enforcement Division

NOTICE OF NONCOOPERATION

DTA/DMA Office Director at: _____	Date: <<Date>>
Recipient Name: <<CP Name>>	SSN: <<CP SSN>>
Noncustodial Parent's Name: <<NCP Name>>	SSN: <<NCP SSN>>
Dependent Name: <<DEP Name>>	SSN: <<DEP SSN>>

The recipient identified above failed to cooperate with the Child Support Enforcement Division of the Massachusetts Department of Revenue (DOR). Below please find the reason for DOR's determination of noncooperation, the steps the recipient must take to cooperate with DOR and the person to contact:

- The recipient failed to provide all documentation or information that the recipient has or can reasonably obtain that DOR needs to proceed with child support enforcement efforts. To comply with the cooperation rules, the recipient must provide the documentation requested.
- The recipient failed to appear in court on _____ after DOR provided prior notice of the date, time, and place of the scheduled court proceedings, thereby preventing DOR from obtaining:
 - An order for genetic marker/paternity testing
 - A final judgment
 - An adjudication of paternity
 To comply with the cooperation rules, the recipient must contact DOR to reschedule an appointment and appear for the next scheduled appointment.
- The recipient failed to appear for appointments on _____ and _____ after DOR provided prior notice of the date, time, and place of the appointments. To comply with the cooperation rules, the recipient must contact DOR to reschedule an appointment and appear for the next scheduled appointment.
- The recipient failed to appear for scheduled paternity testing appointments on _____ and _____ after DOR provided prior notice of the date, time, and place of the appointments. To comply with the cooperation rules, the recipient must contact DOR to reschedule an appointment and appear for the next scheduled appointment.
- The recipient failed to authorize DOR to obtain information needed to process the case after DOR requested the recipient provide authorization. To comply with the cooperation rules, the recipient must provide the authorization requested.

Comments: _____

DOR Staff Name: <<Your Name>>

DOR Staff Signature: _____

Date: _____

Regional Counsel Signature: _____

Date: _____

Office Address: <<Address>>

Telephone Number: <<Telephone #>>

CC: <<Custodial Parent Name and Address>>
Enc. DOR Notice to Custodial Parent (Coop 4)