



DEPARTMENT OF JUSTICE

March 14, 2019

The Honorable Senator Jackie Winters, Co-Chair
The Honorable Representative Carla Piluso, Co-Chair
Ways and Means Public Safety Subcommittee
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

**Re: Response to questions raised during March 12, 2019, presentation by
DOJ Division of Child Support**

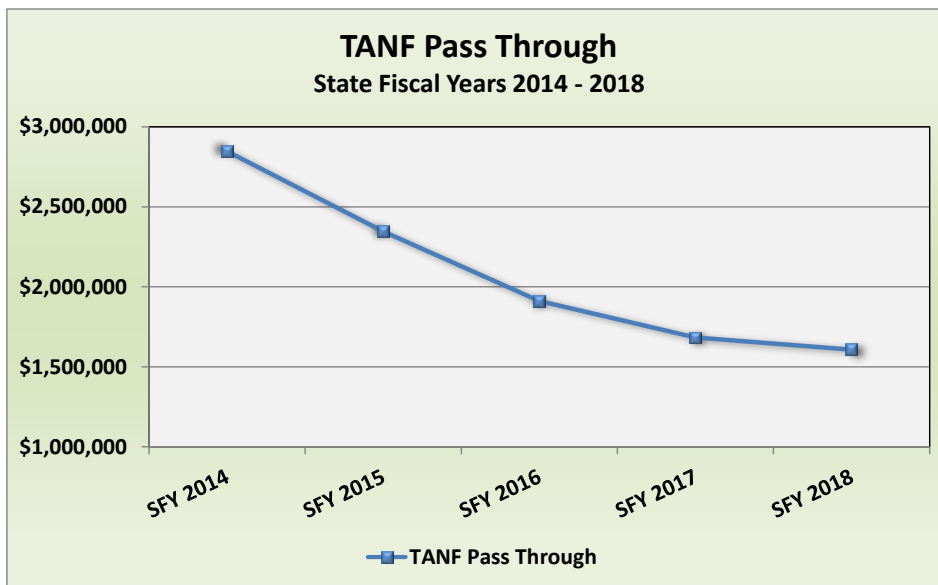
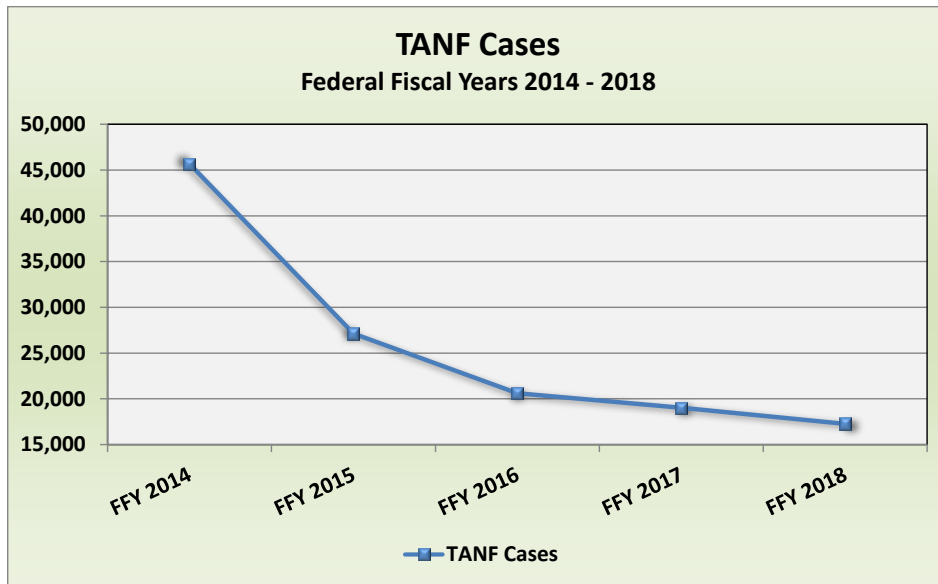
Dear Co-Chairpersons and Members of the Subcommittee:

Following is information to follow up on inquires made by Representative Tawna Sanchez related to TANF and child support. Representative Sanchez had asked for additional information about public assistance cases—specifically TANF cases—in the caseload of the Oregon Child Support Program. We have pulled together some figures and also a narrative description of how these cases are handled in the program.

TANF CASELOAD	
Current TANF Cases	17,280
Former TANF Cases	92,971

AVERAGE MONTHLY CHILD SUPPORT ORDER	
Current TANF Cases	\$190
Former TANF Cases	\$195
Never Assistance Cases	\$346

Collections	SFY 2013	SFY 2014	SFY 2015	SFY 2016	SFY 2017	SFY 2018
Pass Through	\$2,805,679	\$2,846,827	\$2,345,567	\$1,910,693	\$1,681,969	\$1,607,231
TANF Collections Retained						
Federal portion	\$14,368,134	\$15,506,880	\$12,532,835	\$14,216,914	\$13,166,072	\$12,512,664
State portion (Other Funds, DOJ-DCS)	\$8,611,663	\$9,097,376	\$7,079,088	\$7,888,978	\$7,219,175	\$7,102,076



Child Support Process for TANF Cases

When TANF is provided through the Department of Human Services (DHS) and one of the parents is not living in the household, a case is referred from DHS to the DOJ Division of Child Support/Oregon Child Support Program to create a child support case. As an eligibility requirement, TANF applicants must agree to assign any rights to child support and spousal support for all of the persons in the filing group. Any child support that accrues while the TANF grant is open is assigned to the state, limited to the amount the family receives in TANF.

When medical assistance is being provided, cash medical support also may be assigned to the state. If a TANF grant opens after a child support order is established, any arrears owed to the

parent who receives support for the time *prior* to the grant opening remain assigned to the parent who receives support, but any support that accrues *while* the grant is open is assigned to the state.

After a referral is received from DHS, the Oregon Child Support Program processes the referral through an automatic batch process that looks for the same participants in the child support system (known as Origin). If there is an existing case, current support that is accruing will assign to the state. If the child support case is closed, the case is reopened, and current support is activated and assigned to the state. If there is no matching case, a new child support case is created.

Once the TANF grant participants have a child support case, the Oregon Child Support Program assesses whether there is a current child support order. If there is no child support order, the Program will begin the process to establish paternity, if needed, and to establish an order for child support and medical support. The Program will establish past support from the date that the legal action begins through the date the order becomes final.

Once there is an order for current child support, the case moves into enforcement status where tools such as income withholding, tax offsets, garnishment, and other enforcement remedies, as appropriate, are used to collect the support amount.

Distributions When Family Currently Receiving TANF

When support is collected for a family currently receiving TANF, the current monthly child support collected (if any) is paid to the state, with a pass-through to the family of \$50 per child up to \$200 per month. *The pass-through is paid to the family from child support collections for current support owed to the state.* The pass-through cannot be paid from collections for cash medical support or past support. After the current monthly support amount is paid, any additional collections are applied first to arrears assigned to the state and then to any arrears owed to the family. If more money is collected than the state paid to the family in TANF, the Program sends that money to the family.

Distributions When Family Formerly Received TANF

When support is collected for a family formerly receiving TANF, the current monthly child support collected (if any) is paid to the family first. Once current support and all family-owned arrears are paid, the Program will continue to collect support to pay any state-assigned arrears. However, by federal law, if a federal tax offset is collected, state-assigned arrears are always paid first, even if the family is no longer receiving TANF. This exception is only for federal tax offsets; state tax offsets are treated like any other payments. If the family no longer receives TANF, the family is paid first.

Sincerely,



Kate Cooper Richardson
Director, Division of Child Support &
Oregon Child Support Program