

CHAPTER 110
CHILD SUPPORT PROGRAM

Authority

N.J.S.A. 44:10-3, Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); Public Law 105-34, the Taxpayer Relief Act 1997; Public Law 105-149, the Balanced Budget Act of 1997; the Work First New Jersey Act, Public Law 1997, c.13, c.14, c.37 and c.38; and the New Jersey Child Support Program Improvement Act (NJCSPIA), P.L. 1998, c.1; and the Uniform Interstate Family Support Act (UIFSA), P.L. 1998, c.2.

Source and Effective Date

R.1998 d.506, effective September 22, 1998.
See: 30 N.J.R. 1956(a), 30 N.J.R. 3822(a).

Executive Order No. 66(1978) Expiration Date

Chapter 110, Child Support Program, expires on September 22, 2003.

Chapter Historical Note

Chapter 110, Child Support Program, was adopted as R.1998 d.189, effective April 20, 1998 (to expire September 23, 1998). See: 30 N.J.R. 1404(a).

Chapter 110, Child Support Program, was readopted as R.1998 d.506, effective September 22, 1998. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS OF THE CHILD SUPPORT PROGRAM**10:110-1.1 Purpose and scope of the Child Support Program**

Title IV-D of the Social Security Act, known as the Program for Child Support Enforcement and Establishment of Paternity, was established by Part B of P.L. 93-647 in 1975. Title IV-D charges the Child Support Program with locating alleged fathers and non-custodial parents, establishing paternity, and obtaining, enforcing and modifying support obligations (both monetary and health care coverage) owed by non-custodial parents to their children in both intrastate and interstate cases. As used herein, the terms "child support" and "Title IV-D" are interchangeable.

Amended by R.1998 d.506, effective October 19, 1998.
See: 30 N.J.R. 1956(a), 30 N.J.R. 3822(a).

Inserted a reference to modifying support obligations, and added "in both intrastate and interstate cases" at the end of the second sentence.

10:110-1.2 Child Support Program administration

(a) Title IV-D of the Social Security Act delegates responsibility for the operation of the Child Support Program to state IV-D agencies. In New Jersey, the state IV-D agency is the Department of Human Services, Division of Family Development, Office of Child Support and Paternity Programs (OCSPP).

(b) The OCSPP shall be the single organizational unit responsible for the supervision of the Child Support Program.

(c) The OCSPP shall coordinate child support services involving:

1. County welfare agencies (CWA);
2. County child support units (CWA/CSP units);
3. The Administrative Office of the Courts;
4. County prosecutor's offices;
5. County sheriff's offices; and
6. The State Attorney General's Office.

(d) The OCSPP shall supervise and monitor the child support program.

Amended by R.1998 d.506, effective October 19, 1998.

See: 30 N.J.R. 1956(a), 30 N.J.R. 3822(a).

In (b), deleted "located in the Division of Family Development (Division)," following "OCSPP".

10:110-1.3 Child support services

(a) Child support services shall be provided to the populations described in this chapter.

(b) Child support services shall include, but not be limited to, the following services:

1. Location of non-custodial parents or alleged fathers, their employers, or their sources of income;
2. Establishment of paternity or filiation proceedings;
3. Establishment or modification of child support obligations, including health care coverage support;
4. Enforcement of child support and health care coverage support obligations; and
5. Collection and disbursement of child support payments.

10:110-1.4 Eligibility for services

(a) Individuals residing in New Jersey who receive WFNJ/TANF, WFNJ/GA, Title XIX Medicaid assistance or who are referred as Title IV-E foster care cases are eligible for child support services.

1. WFNJ/TANF and WFNJ/GA applicants and recipients, Title XIX Medicaid applicants and recipients, and Title IV-E DYFS referrals shall accept child support services, including health care coverage support, as a condition of eligibility for public assistance, unless good cause is found in accordance with N.J.A.C. 10:90-16.2 through 16.5 for not providing these services.
2. WFNJ/TANF, WFNJ/GA, or Medicaid assistance shall be denied or terminated for noncooperation with child support, unless good cause is found in accordance with N.J.A.C. 10:90-16.2 through 16.5.

3. Child support services shall continue to be provided to a custodial parent when the WFNJ/TANF, Title IV-E foster care, or Title XIX Medicaid case closes, unless the closure is due to noncooperation with child support service requirements.

4. Child support services shall be provided without requiring a formal application for services.