

LOCATE

INTRODUCTION

GENERAL INFORMATION

Federal regulation 45CFR 303.3 requires that Child Support Services agencies use all appropriate means to locate noncustodial parents (NCPs) and the sources of their income/assets, when needed to take necessary CSS actions. Resources used by N.C. CSS to accomplish this task are described in this chapter.

This chapter contains information on the following topics:

1. [An overview of the Locate process;](#)
2. [State Parent Locate Service \(SPLS\);](#)
3. [Expanded Federal Parent Locate Service \(EFPLS\);](#)
4. [Federal Case Registry \(FCR\);](#)
5. [North Carolina New Hire Directory \(NHD\);](#)
6. [Other automated Locate sources;](#)
7. [Automated Locate activities;](#)
8. [Manual Locate sources;](#)
9. [Manual Locate activities;](#)
10. [Unsuccessful Locate activities;](#)
11. [Quick Locate activities.](#)

LOCATE OVERVIEW

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [Criteria for Locate;](#)
2. [Initial Locate sources;](#)
3. [Successful Locate;](#)
4. [Obtaining a Social Security number from N.C. Vital Records;](#)
5. [Requirements for Requests to N.C. Vital Records;](#)
6. [Automated SSN verification;](#)
7. [Locate Only Services;](#)
8. [DSS Requests for Locate Only Services.](#)

LOCATE CRITERIA

When a CSS case is created and NO current mailing, residential, or potential address information AND No current employment information exists for the NCP, ACTS places the case in the Locate Processing Status.

When the current address for an NCP is changed to an "OLD" address and no current employer is present or new address entered in the system, ACTS moves the case to the Locate Processing Status, unless the case is already in the Delinquency Processing Status.

The Locate functions of ACTS allow it to exchange identifying NCP information through automated interfaces with other federal and state systems. When ACTS submits an NCP to these automated interfaces, it records these Locate attempts.

CSS caseworkers can use ACTS to generate Locate letters to postmasters, employers, and the military. These documents can help to locate NCPs and verify information that is obtained about the NCPs. When certain criteria are met, ACTS automatically generates the Postmaster Verification Request (DSS-4466) and Employer Verification Letter (DSS-4685).

NOTE: Information that is obtained through Locate sources can also be used to determine an NCP's financial assets when applying Enforcement remedies.

INITIAL LOCATE SOURCES

The client should be considered the primary source of information for locating the NCP; therefore, CSS caseworkers should interview the client thoroughly for all information that could aid in identifying and locating the NCP. If necessary, this can be accomplished by telephone. Caseworkers should emphasize the importance of the client's cooperation and assistance.

If the client is unable to furnish basic information (such as the NCP's Social Security number), caseworkers should attempt to obtain it from other sources. Social Security numbers are essential to the location of NCPs and can also be provided by employers or N.C. Vital Records.

Within seventy-five (75) calendar days of determining that the NCP in a CSS case must be located, CSS must access all the appropriate location sources, including the Federal Parent Locator Service, if necessary.

SUCCESSFUL LOCATE

Locate activity is declared "successful" when a new mailing, potential, or residential address OR when new current employment information is found for the noncustodial parent (NCP), even if it has not been verified.

LOCATE SUCCESSFUL DUE TO AN ADDRESS FROM AN AUTOMATED SOURCE

If an address is found for the NCP from an automated source, ACTS updates the NCP's address history with a "potential" address record, refers the case to the next appropriate processing status, and notifies the responsible caseworker, who then evaluates the address and takes the appropriate action. ACTS also updates the Locate submittal event that was created when the NCP was automatically submitted with a disposition code to record that an address was returned by the interface.

LOCATE SUCCESSFUL DUE TO EMPLOYER DATA FROM AN AUTOMATED SOURCE

If an employer is found for the NCP through an automated source, ACTS updates the NCP's employment history, creates an Employer Verification Letter (DSS-4685) that is mailed from the State Print Shop in Raleigh, and refers the case to the next appropriate processing status. ACTS also updates the Locate submittal event that was created when the NCP

was automatically submitted with a disposition code to record that an address was returned by the interface.

LOCATE SUCCESSFUL DUE TO A MANUAL SOURCE

If an NCP is located through a manual source, the responsible caseworker enters a successful Locate disposition. Caseworkers can choose to close Locate activity immediately by manually referring the case to the next processing status. However, once a successful Locate disposition has been entered, ACTS refers the case to the next appropriate processing status during overnight processing, even if caseworkers do not manually refer the case.

OBTAINING A SOCIAL SECURITY NUMBER FROM N.C. VITAL RECORDS

If an NCP's Social Security number (SSN) is not known, caseworkers might be able to obtain it from the N.C. Vital Records. Since January 1, 1991, both parents' SSNs are required to be recorded on the Certificate of Live Birth when a child is born.

REQUIREMENTS FOR REQUESTS FROM N.C. VITAL RECORDS

When requesting birth record information, CSS caseworkers must provide the mother's maiden name, the father's name, the child's full name, the child's date of birth, and the child's county of birth. A \$24.00 fee is charged for the search for this information, whether or not a record exists or a Social Security number is found. The fee is paid by the state and charged to the county making the request through the CARS (County Administration Reimbursement System) process. This resource is available only for children born in North Carolina.

AUTOMATED SOCIAL SECURITY NUMBER VERIFICATION

When a new case, a new participant, or a new or updated Social Security number is added to ACTS, the [Federal Case Registry \(FCR\)](#) interfaces with the Social Security Administration (SSA) to verify the Social Security number.

To facilitate location, the National Directory of New Hires (NDNH) and the FCR perform proactive matching, which is an automated and continuous check of their databases to compare participants using Social Security numbers. Proactive matching does not occur unless the FCR reports that the participant's Social Security number is verified by the Social Security Administration.

Each time the NDNH receives W-4, quarterly wage, or Unemployment Insurance Benefits (UIB) information on a person, the NDNH searches its database and the FCR for matches. Proactive matching occurs without worker intervention. For more information, see [Federal Case Registry](#).

LOCATE ONLY SERVICES

In certain circumstances, CSS provides "Locate Only" services. When the noncustodial parent (NCP) is located, CSS gives the address and/or employment information to the requestor, and the CSS case is closed.

When clients or legal guardians in CSS cases apply for "Locate Only" services and evidence of domestic violence or child abuse exists, CSS should not reveal address information to the requesting party. In these situations, a judge should determine whether it is safe for the requesting party to have that information.

If the only service requested is the location of the NCP, the CSS case should be designated as a "Locate Only" case. Completion of the Application For Child Support Services (DSS-4451) and payment of the application fee are required in the same manner as other Non-TANF applications. Also, CSS should provide applicants with an Application Supplemental Data Sheet (DSS-4688) to complete.

The [State Parent Locator Service \(SPLS\)](#) and [Federal Parent Locator Service \(FPLS\)](#) can be used to locate a parent or putative father to facilitate adoptions or to promote a family unit by placing the child with either parent or a relative. No additional fees are charged to the client for the submittal of a "Locate Only" CSS case to FPLS.

CSS receives "Locate Only" requests from the following sources:

1. Referral from the Department of Social Services (DSS) - DSS can make requests for cases in which children are receiving child welfare or foster care services. (No application fee is charged.);
2. Referral from a judge or designated agent of the courts; or
3. Application for "Locate Only" services from the client or legal guardian of the child. (An application fee is charged.)

When the NCP is located, his/her address and/or employment information is given to the "Locate Only" requestor, and the CSS case is closed. For CSS cases in which the clients or legal guardians apply for "Locate Only" services and evidence of domestic violence or child abuse exists, CSS should not be reveal information to the requesting party. In these instances, a judge should determine whether it is safe for the requesting party to have that information.

DSS REQUESTS FOR LOCATE ONLY SERVICES

County Department of Social Services (DSS) representatives can request "Locate Only" services for cases with children who are receiving Title IV-B (Child Welfare Protective Services) or Title IV-E (Foster Care Services). DSS can make these requests regardless of whether children are in the custody of DSS or living inside or outside their own home. DSS can request "Locate Only" services to obtain information about the location of a parent or putative father in its efforts to keep a child within the family unit or to terminate parental rights in order to facilitate the adoption of the child. CSS provides DSS with address and/or employment information for the noncustodial parent (NCP) from the [Federal Parent Locator Service \(FPLS\)](#) through the [State Parent Locator Service \(SPLS\)](#) Unit at the CSS Central Office.

When CSS caseworkers receive a request for "Locate Only" services from a DSS representative/social worker, they must search ACTS for an open "full services" CSS case with the same participants.

If an open "full services" case exists, CSS caseworkers should provide the DSS social worker with this information and determine if full services should continue or "Locate Only" services should be provided. If the DSS social worker requests "Locate Only" services, CSS caseworkers should close the "full services" case.

CSS caseworkers should provide the DSS social worker with an Application For Child Support Services (DSS-4451) and an Application Supplemental Data Sheet (DSS-4688) to complete. No application fee is charged. Upon receipt of these completed documents, CSS caseworkers must mail them to the SPLS Unit at the CSS Central Office.

Upon receipt of these documents, SPLS Unit workers initiate a case and provide "Locate Only" services. The SPLS Unit workers manage the case and provide the DSS social worker with any address and/or employment information that is found through FPLS. Any information that is obtained through FPLS must be treated as confidential.

STATE PARENT LOCATOR SERVICE (SPLS)

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [An overview of the SPLS;](#)
2. [SPLS access to the Federal Parent Locator Service \(FPLS\);](#)
3. [The type of information that is required by SPLS;](#)
4. [How SPLS processes information;](#)
5. [Services for parental kidnapping/child custody cases.](#)

STATE PARENT LOCATOR SERVICE (SPLS) OVERVIEW

Once an NCP has been in Locate for sixty (60) days, ACTS notifies the responsible SPLS worker, so that worker can check Locate sources that are not readily available to the local CSS caseworker (such as credit bureaus or the IRS 1099 Project.) Local caseworkers can also contact SPLS workers when they require Locate or asset resource information for other NCPs.

If not enough information is available for the SPLS worker to perform Locate activities for an NCP, the SPLS worker advises the responsible local caseworker(s) that SPLS could not perform any further Locate activities for the NCP in their case(s).

ACCESS TO FPLS

SPLS has access to the [Federal Parent Locator Service \(FPLS\)](#), which is located in the Department of Health and Human Services (DHHS). SPLS can accept requests from the following sources to use FPLS for the location of NCPs:

1. Any state or local agency or official seeking to collect child and spousal support, or medical support obligations, under the State Plan;
2. A court that has authority to issue an order against an NCP for the support and maintenance of a child, OR any agency of such court;
3. The resident parent, legal guardian, attorney, or agent of a child who is not receiving Public Assistance; or
4. Persons authorized to use FPLS in parental kidnapping and child custody cases (see "[Services for Parental Kidnapping/Child Custody Cases](#)", which appears below.)

NOTE: The access fee charged by FPLS in NPA cases is paid by the state and is not charged to the client.

If the local CSS agency receives a request to utilize FPLS by a Non-IV-D entity (such as those listed above), CSS should refer the request to the SPLS supervisor and note that the NCP's SSN is required by the FPLS in order to access its sources. (This DOES NOT include requests for Non-TANF Locate Only Services.)

INFORMATION REQUIRED BY SPLS

SPLS cannot research information for any NCPs that do not have at least one of the following data elements in addition to their name and race:

- Date of birth;
- Age;
- Social Security Number; or
- Last known address.

PROCESSING INFORMATION RECEIVED BY SPLS

SPLS workers enter any useful information that they find on the appropriate screens in ACTS and notify the responsible CSS caseworker of the new information.

If caseworkers have already made a referral to SPLS and later obtain additional information that might help in the search, they should advise the appropriate SPLS worker of the new information. Also, if the NCP is found by the caseworker or through an automated interface after a referral is made to SPLS, the responsible caseworker should advise the SPLS worker of that fact.

SERVICES FOR PARENTAL KIDNAPPING/CHILD CUSTODY CASES

G.S. 110-139.1(a) provides that requests for location assistance in parental kidnapping and child custody cases shall be accepted by the State Parent Locator Service (SPLS) for referral to the Federal Parent Locator Service (FPLS). Judges, Clerks of Superior Court, District Attorneys, or United States Attorneys can make requests for location assistance when a request is made to locate a parent or child for the purpose of enforcing state or federal law with respect to:

1. The unlawful taking or restraint of a child;
2. Making or enforcing a child custody determination, including visitation orders;
3. Establishing paternity; or
4. Establishing, setting (or modifying) the amount of, or enforcing child support obligations.

Services cannot be provided in cases involving international child abduction.

Requests to locate parents for any other purpose cannot be accepted. The Department shall not disclose any information from or through the parent locator service if there is reasonable evidence of domestic violence or child abuse and the disclosure of the information could be harmful to the custodial parent or child.

When a request is made by an authorized individual, a Request For Access To The Federal Parent Locator Service form is required. It must be completed by the authorized individual only and forwarded to the SPLS Unit at the CSS Central Office. The form can be obtained from the local Clerk of Court.

Upon receipt of the request, SPLS transmits identifying information about the parent to the FPLS. When all responses are received from sources accessed by FPLS, the information obtained is forwarded to the requesting individual without verification of the information. As with other referrals to FPLS, no fee is collected from the requesting individual.

EXPANDED FEDERAL PARENT LOCATOR SERVICE (EFPLS)

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [An overview of EFPLS](#);
2. [The Federal Parent Locator Service \(FPLS\)](#);
3. [The interfaces that FPLS has with other agencies](#);
4. [The return of information from FPLS](#);
5. [Requesting FPLS manual Locate data](#).

EXPANDED FEDERAL PARENT LOCATOR SERVICE (EFPLS) OVERVIEW

EFPLS provides CSS agencies with locate, income, asset and employment information on noncustodial parents (NCPs). It facilitates the sharing of this information among states. EFPLS consists of:

- National Directory of New Hire (NDNH) - Provides new hire, quarterly wage, and unemployment insurance from state new hire directories and federal employers' data.
- Federal Case Registry (FCR) - Provides case and participant data from the various state case registries.
- Federal Parent Locator Service (FPLS) - Provides data from the Federal Bureau of Investigation, Department of Defense, Social

Security Administration, Internal Revenue Service, Veterans Affairs, Federal Agencies, and SSA/Master Beneficiary Records. FPLS is the national child support data system, operated by OCSE. Its purpose is to collect and share information with state child support agencies to help them in quickly locating individuals and expediting case processing.

FEDERAL PARENT LOCATOR SERVICE (FPLS)

When a case has been in the Locate Processing Status for seventy-four (74) days, ACTS submits the NCP to the interface with FPLS. As long as the case remains in Locate, it is not automatically submitted again. However, when the case moves to another processing status, then re-enters Locate later, and remains there for seventy-four (74) days, ACTS re-submits the NCP to FPLS. Each time that an NCP is submitted to the ACTS/FPLS interface is recorded in the system.

CSS caseworkers can submit manual requests to all or selected FPLS sources at any time after the initial submission. ACTS records each manual request in the case history.

FPLS INTERFACES

FPLS has interfaces with the following agencies:

- Federal Bureau of Investigation;
- Department of Defense;
- Internal Revenue Service;
- Social Security Administration;
- Veterans Affairs;
- Federal Agencies;
- SSA/Master Beneficiary Records (SSA/MBR).

When the FPLS interface returns information, ACTS notifies the responsible caseworker. ACTS also notifies caseworkers when it cannot return information from any of these sources, including the reason why data could not be returned.

RETURN OF INFORMATION FROM FPLS

When a data match is found, the FPLS sends the results to the applicable state(s) if family violence has NOT been indicated and the Social Security number of the individual(s) is verified. Persons in N.C. NIVD cases do not have information returned. Information on other states' NIVD cases is returned through FRC proactive matching.

FPLS can return the following types of information:

- Participant home or employment address data;
- Participant employer data;
- Participant income or asset data;
- Participant CSS case data (for cases in other states).

REQUESTING FEDERAL PARENT LOCATOR SERVICE (FPLS) MANUAL LOCATE DATA

Because the FCR and the NDNH perform proactive searches, caseworkers rarely need to send manual FPLS Locate requests. However, ACTS enables caseworkers to send manual requests to specific (or all) FPLS sources. In order for CSS caseworkers to send a manual FPLS Locate request, the selected ACTS participant must be registered with the FCR.

If caseworkers have exhausted all other location efforts when searching for a client, they can transmit a manual request to FPLS for data from the National Directory of New Hires (NDNH) and other external location sources. The resulting response can provide the most recent employment and address data that is available in FPLS.

FEDERAL CASE REGISTRY (FCR)

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [An overview of FCR;](#)
2. [The data elements that are required by FCR;](#)
3. [FCR Social Security number verification;](#)
4. [The Family Violence indicator;](#)
5. [Proactive matching;](#)
6. [IRS 1099 information for income and assets;](#)
7. [NDNH response data;](#)
8. [CSENet requests for case information when FCR matching indicates a case in another state;](#)
9. [State Verification and Exchange System \(SVES\).](#)

FEDERAL CASE REGISTRY (FCR) OVERVIEW

Federal regulations established a Federal Case Registry (FCR) effective October 1, 1998. Information from all state case registries (SCRs) is submitted to the FCR, which is housed within FPLS (Federal Parent Locator Service).

The FCR serves as a way to identify individuals located or working in other states and as a "pointer" system that directs an agency requesting information to sources for more detailed information. Once a participant is entered in the FCR, data received by the FCR about that individual is sent to all states having an interest in the participant. Data is not returned, however, if a state has included a family violence indicator on any case involving the participant.

ACTS processes information from the FCR and updates case records or notifies responsible caseworkers that data is available. ACTS automatically updates address and employment data, when possible. ACTS notifies the responsible caseworkers if it is unable to update the information on the appropriate screen.

The FCR is a component of the Expanded Federal Parent Locator Service (EFPLS). Data from each state case registry is entered in the FCR. As new data is received, it is automatically matched to existing FCR data and to the National Directory of New Hires (NDNH). The FCR

matching process also includes identification, verification, and correction of Social Security numbers. Matched New Hire, quarterly wage and UIB (Unemployment Insurance Benefit) data is automatically sent to states where the individual is a case participant.

REQUIRED DATA ELEMENTS (FCR)

The required data elements for the FCR include:

- Case ID #
- Case type (IV-D or Non-IV-D)
- Order indicator
- Names of participants
- Social Security numbers of all individuals
- Participant types (client, noncustodial parent, putative father, child)
- Date of birth
- Sex
- Family Violence Indicator
- Member # (MPI number)

FCR SOCIAL SECURITY NUMBER VERIFICATION

Social Security numbers sent from state case registries are verified prior to data being posted to the FCR. This assures that data going to the FCR is "clean" data. Verification simply indicates that the name and Social Security number on an incoming record matches the record at the Social Security Administration. Information is returned indicating a match, a reason if there is not a match, or a corrected number or "new" Social Security number based on information from the Social Security Administration.

FAMILY VIOLENCE INDICATOR

State case registries are required to report family violence to the Federal Case Registry. ACTS contains a PROTECT indicator that notifies caseworkers when reasonable evidence of domestic violence exists or a protective order is in place. While this field is case-specific, all cases with the same participants as a client or a child are reported to the FCR as having the family violence indicator flag set. Once this flag is set, disclosure is prohibited to any other state requesting information about those participants. The domestic violence indicator is not set for NCPs. For more information, see "[CSS Participant Security](#)" in the Child Support Program Basics Chapter.

If family violence has been indicated by another state, a different indicator is set in ACTS and no information is returned from the FCR. ACTS also notifies the responsible CSS caseworkers.

PROACTIVE MATCHING

The National Directory of New Hires (NDNH) and the FCR constantly check each other to see if any information matches whenever new or

updated data enters FPLS. FPLS performs three (3) types of internal matches:

1. **FCR to FCR match** - When a person is added to the FCR, FPLS checks existing FCR data to determine if that person is involved in a case in another state.
2. **FCR to NDNH match** - When a person is added to the FCR, FPLS checks NDNH to see if this person is employed.
3. **NDNH to FCR match** - When New Hire data is added to the NDNH, the FPLS checks the FCR to see if that person is involved in a CSS case in another state.

Other information in the NDNH (W-4, quarterly wage, and unemployment insurance benefits) is also matched with participant data in the FCR.

When data in the NDNH or FCR is added or when certain information is updated by any state, the FPLS automatically runs a proactive matching process for information on participants in CSS cases. It is continuous and does not wait for a state request. The FCR transmits to each SCR the results of proactive matching using an automated link, Connect Direct.

When data is returned from a match, ACTS informs the responsible caseworker about each participant for whom information was found. Other components of FPLS do not perform proactive matching. These sources only return information when a search request is made.

MANUAL QUERY REQUESTS

Manual query requests to FCR can be made at any time after a participant is entered in the FCR. When information is received in response to a manual FCR request, ACTS informs the responsible caseworker.

CASE ACTIONS RESULTING FROM FCR MATCH PROCESS

This expanded service provided by proactive matching benefits case processing by:

- Providing up-to-date employment information;
- Providing overnight turnaround on data matches;
- Providing national registry of all child support cases;
- Coordinating locate processing.

When information is received from a proactive match, the action taken depends on the service category or processing status of the CSS case. For example:

1. If employment information is received and a support order already exists, a direct income withholding could be sent, or the other state could be contacted to request information, to request a particular action, or to determine CEJ on a case,
2. If employment information is received and no support order exists, the address could be used to contact the noncustodial parent (NCP), to request information or action from another state, or to use the income to establish a support obligation.

IRS 1099 INFORMATION FOR INCOME AND ASSETS

The IRS Project 1099 allows CSS agencies to obtain asset and wage information for NCPs. This information is transmitted to the IRS via 1099 forms from financial institutions and state agencies and via W-2 forms that are submitted by employers. ACTS automatically requests 1099 information each October for all NCPs with verified SSNs in active cases that are in the Locate or Delinquency Processing Status.

The 1099 project requires an extreme level of security. Four types of information can be obtained from the IRS Project 1099:

1. The address that the NCP reported to the submitting institution;
2. The address of the submitting institution;
3. Wage and salary payments made to the NCP; and
4. Asset information reported by institutions.

The IRS requires that information obtained from this source not be commingled with other case data and that it not be disclosed to third parties or in child support litigation unless it is verified by an independent source. Therefore, 1099 information is not imported into ACTS.

When the FCR returns 1099 data, ACTS notifies the responsible caseworker. Only responsible caseworkers or supervisors can access 1099 response data, which includes name, address, employer or other source of income, source/amount of assets. To verify income or assets, the 1099 Letter (DSS-4551) must be sent to the entity that provided the information to the IRS.

Once a participant is entered in the FCR, the responsible caseworkers can make a manual request for 1099 data. Manual 1099 requests can be most useful for individuals who are submitted to the FCR after the October automated match process. Resubmittal of individuals who are included in the automated process does not produce additional information.

For information regarding the security of IRS information, see "IRS Information" in the [Child Support Program Basics](#) chapter.

NEW RESPONSES FROM NATIONAL DIRECTORY OF NEW HIRES (NDNH)

State new hire directories send new hire, quarterly wage, and unemployment insurance information to NDNH. As information is received, NDNH matches with the FCR to send this data to states with matching participants.

When ACTS receives information on active participants, it either updates the participant data in the system or notifies the responsible CSS caseworkers to review the data and determine appropriate actions.

CSENET REQUESTS

When an FCR match indicates the existence of a case involving a N.C. CSS participant in another state, ACTS searches for an indicator of an order in the other state. If one is found, an indicator flag notifies the responsible local caseworker.

ACTS then searches the Interstate Reference Table to determine if the other state has CSENet functionality. If so, ACTS automatically sends a CSENet transaction to the state to request case information. If the other state does not have CSENet functionality, ACTS notifies the responsible CSS caseworker, who can then request information from the other state.

RESPONDING TO ANOTHER STATE'S REQUEST

If another state sends a CSENet request to N.C. following an FCR return to that state, ACTS searches for a matching CSS case. If a case is found, ACTS returns the required data to the other state via a CSENet transaction. If no case is found, ACTS sends a transaction to advise the other state that N.C. has no information.

STATE VERIFICATION AND EXCHANGE SYSTEM (SVES)

The Office of Child Support Enforcement (OCSE) has entered into an agreement with the Social Security Administration (SSA) to provide Child Support Services with access to SSA's State Verification and Exchange System (SVES) data. Information concerning Title II and Title XVI benefits is contained within the SVES databases. Information on Title II and Title XVI benefits is available through X/PTR reports.

Title II benefits are available to people who have worked and contributed to Social Security for retirement and disability. The monthly amount depends on the beneficiary's lifetime earnings and can be used in as a source of income to be considered in calculating a child support obligation and can be withheld to meet an existing child support obligation.

Title XVI benefits (also know as Supplemental Security Income or SSI) are provided to aged, blind, or disabled persons who have limited ability to work. SSI is considered a means-tested public assistance program and as such cannot be considered as a source of income for child support establishment and enforcement purposes. Verification of an NCP's SSI benefits can assist workers in determining how to proceed with a case.

N.C. NEW HIRE DIRECTORY (NHD)

GENERAL INFORMATION

The North Carolina New Hire Directory (NHD) is a central repository for employment information created to aid in the establishment and enforcement of child support orders. Information reported to the NHD is available for use in locating individuals and their sources of income. This topic contains information on the following subjects:

1. [New Hire Reporting policy;](#)
2. [New Hire Reporting process;](#)

3. [Recording New Hire inquiry results;](#)
4. [New Hire data from FPLS and manually searching the New Hire Directory database.](#)

NEW HIRE REPORTING POLICY

Federal welfare reform legislation requires that every state maintain a New Hire Directory and that information from these state directories be transmitted to a National Directory of New Hires (NDNH). The North Carolina New Hire Directory (NHD) was established in accordance with G.S. 110-129.2. Information contained in the NHD is confidential and can be used by the CSS program only in administration of its duties.

Federal legislation also requires that employers of a newly hired employee be notified with an obligation to withhold within two (2) business days of the date when the information was entered into the directory, unless the employee's income is not subject to income withholding. ACTS matches twice a week with the NHD and produces appropriate income withholding documents automatically in order to comply with this time frame.

The benefits of this process include quickly identifying new employer and initiating income withholding soon after an NCP is hired. The potential for the accrual of arrearages while income withholding is transferred from a previous employer to a new employer should also decrease.

Other DSS programs, such as WFFA, Medicaid, and FNS/Food Stamps, can access NHD information to determine eligibility of applicants. The Division of Employment Security and the North Carolina Industrial Commission are allowed to access the information for use in employment security and Workers' Compensation programs.

To contact the N.C. New Hire Directory:

Mail:	North Carolina State Directory of New Hires Post Office Box 90369 East Point, GA 30364
Telephone:	1-888-514-4568
FAX:	1-866-257-7005
Internet:	http://www.ncnewhires.com

DEFINITIONS OF TERMS RELATED TO NEW HIRE REPORTING

"Business Day" -

A day when state government offices are open for business.

"Employer" -

Individual/entity that controls the activities or payment of wages of another (includes placement agencies and temporary employment agencies.)

"New Hire" -

Any person, who at initial employment or returning to employment with a former employer, is required to complete a new W-4 form.

EMPLOYER REPORTING PROCEDURES

Required employer reporting became effective in North Carolina on October 1, 1997. Any person hired on or after that date, for whom a W-4 form is required, must be reported to the New Hire Directory. New hires must be reported within twenty (20) calendar days of hiring. Reports can be made by mailing or faxing a copy of the completed W-4 form or an equivalent form of the employer's choice. Employers can also elect to send reports magnetically or electronically. With use of the later methods, reporting can be by two (2) monthly transmissions, not less than twelve (12) nor more than sixteen (16) days apart.

Employers doing business in two (2) or more states can elect to report all hiring to one (1) state by making a written request to the U.S. Department of Health and Human Services.

For additional information regarding submission of reports, employers should be directed to contact the New Hire Directory Operations Center.

Each report must include the following information:

1. Employer - Name, address, federal employer identification number (FEIN), state employer identification number (SEIN);
2. Employee - Name, address, SSN.

EMPLOYER NONCOMPLIANCE

Employers who fail to report as directed can be penalized for noncompliance. If an employer is believed to be in violation of the reporting requirement, attempt to assist the employer to resolve the problem. If these efforts are unsuccessful, the employer can be cited to court by being joined as a third party defendant to the support order. If the court finds an employer in contempt, a civil penalty of \$25.00 for each failure to report can be assessed. If the failure is deemed to be a result of conspiracy between the employer and employee, a penalty of up to \$500.00 can be imposed on the employer.

POLICY ON ACCESSING THE NEW HIRE DATABASE

Employment information is entered into the New Hire Directory within five (5) business days of receipt from the employer. An interface between ACTS and the New Hire database runs twice per week and produces income withholding documents automatically upon a successful match between the two systems. However, instances can occur when the address, Social Security number, or employment of an NCP is needed outside of the automated match process. The database should be checked for potential information. All reported information is accessible through ACTS.

If new employment information is found manually (it was not identified through the income withholding match process), caseworkers must obtain verification of continued employment and income by sending an Employer Letter (DSS-4685). Income withholding or other enforcement actions should be taken as appropriate at that time.

REPORTING TO NATIONAL DIRECTORY OF NEW HIRES

Within three (3) business days after entering employment information into their state New Hire Directory, states must transmit the employment information to the National Directory of New Hires (NDNH). Effective January 1, 1998, state wage and unemployment insurance benefit data must be sent to the NDNH on a weekly basis. Federal employers, both civilian and military, report hiring and quarterly data directly to the NDNH.

DUTIES OF THE NATIONAL DIRECTORY OF NEW HIRES

The [Expanded Federal Parent Locate Service \(EFPLS\)](#) operates the National Directory of New Hires (NDNH). New Hire information is entered into the NDNH within two (2) days of its receipt from the states. Through an interface with Social Security Administration (SSA), the new employee's name, SSN, date of birth, and FEIN are verified. When a Locate request is received from the [State Parent Locator Service \(SPLS\)](#), EFPLS includes the NDNH as it searches its data sources. EFPLS includes the available New Hire data in any subsequent reports to the states.

NEW HIRE REPORTING PROCESS

Employers must report employment information for newly hired employees to the N.C. New Hire Directory (NHD) within twenty (20) days of their employment. This information is entered into the NHD within five (5) business days of its receipt from the employer.

Noncustodial parents (NCPs) are submitted to the NHD twice a week (on Wednesday and Friday nights). The interface between ACTS and the NHD matches on the NCPs' Social Security numbers that are stored in ACTS with a verification source.

HOW ACTS PROCESSES NEW HIRE DATA

When a match is found, ACTS compares the employer data, the NCP's address data, and the NCP's employment data from the NHD to the corresponding employer, address, and employment data in ACTS. Depending on the existing information in ACTS, the system might build a new data record and notify the responsible CSS caseworkers of the data that was obtained from the NHD.

OTHER WORKER ACTIVITIES RELATED TO NEW HIRES

In addition to the ACTS/NHD interface, caseworkers can receive New Hire information from the [FPLS \(Federal Parent Locator Service\)](#) interface. Caseworkers can create employment records using this information and generate the appropriate I/W notices

CSS caseworkers can also manually check the NHD database for employment, address, and SSN information that they need. Caseworkers must record in ACTS any information that they discover manually (outside the automated match process.) Income withholding and other Enforcement activities that are appropriate should be performed at that time.

RECORDING NEW HIRE INQUIRY RESULTS

When CSS caseworkers obtain information from the New Hire (NHD) database, they can use it to update employment, address, and other participant information in ACTS. If the information results in the location of an NCP, caseworkers should manually close Locate activity.

NEW HIRE DATA FROM FPLS/MANUAL SEARCH OF NEW HIRE DATABASE

In addition to the automated interface with the N.C. New Hire Directory (NHD), caseworkers can receive New Hire employment information from the FPLS (Federal Parent Locator Service) interface. ACTS notifies the responsible caseworker when this occurs.

Also, caseworkers can manually access the NHD database in order to review/obtain employer information. This can be especially useful when caseworkers want to access New Hire information that was entered prior to May 6, 1998 (the effective date of the first automated match between ACTS and NHD) or to review New Hire information when ACTS notifies them of a New Hire employer mismatch.

OTHER AUTOMATED LOCATE SOURCES

GENERAL INFORMATION

In addition to SPLS, EFPLS (FCR, FPLS, and NDNH), and NHD, ACTS uses the following automated Locate sources:

- [Department of Corrections \(DOC\)](#)
- [Department of Revenue \(DOR\)](#)
- [Division of Motor Vehicles \(DMV\)](#)
- [Interstate Data Exchange Consortium \(IDEC\)](#)
- [Division of Employment Security \(DES\)](#)
- [Food Stamps Information System \(FSIS\)](#)
- [Wildlife Commission \(WC\)](#)

DEPARTMENT OF CORRECTIONS (DOC)

The interface with the Department of Corrections (DOC) matches on NCPs' verified Social Security numbers, names, and dates of birth. NCPs are submitted weekly. If a match is returned, ACTS records whether or not information was found and the type of information that was found. The interface with DOC returns two types of matches:

- **"Exact" Match** - If DOC can match on the NCP's verified SSN and on the NCP's name (last name, first name, middle initial), sex, race, and date of birth (DOB), an "exact" match is returned. If an exact match is returned, ACTS is updated with the data that it receives through the interface.
- **"Possible" Match** - If DOC cannot match on the NCP's verified SSN but can match on his/her name (last name, first name, middle initial), sex, race, and DOB, ACTS notifies the responsible caseworkers of a "possible" match so that they can research and

determine whether the interface has matched on the correct participant.

When a match is found, the DOC interface can return information, such as date of birth, last known address, SSN, prison name/address, incarceration date/release date, probation/parole status, and Work Release status.

DEPARTMENT OF REVENUE (DOR)

The interface with the Department of Revenue (DOR) only matches on NCPs' verified Social Security numbers. NCPs are submitted monthly. When a match is found, the DOR interface can return information, such as alias names and an address.

DIVISION OF MOTOR VEHICLES (DMV)

The interface with the Division of Motor Vehicles (DMV) first attempts to match NCPs by their driver license number. If the interface finds a license number match, it next attempts to match the first four (4) characters of the last name and the first initial. If both the driver license number and name match, the interface returns DMV participant information to ACTS.

If the driver license number and name do not match OR the driver license number matches but the name does not match, the interface attempts to match the SSN in ACTS with SSNs in DMV.

If NCPs DO NOT have a N.C. driver license number recorded in ACTS but they DO have an SSN in ACTS, the interface attempts to match that SSN with an SSN in DMV. If successful, the interface attempts to match the the first four (4) characters of the last name and the first initial. If the name and SSN match, the interface returns DMV participant information to ACTS.

If the SSN and name do not match, the interface attempts to match the name and demographic data in ACTS with the name and demographic data in DMV.

If the interface is able to match the SSN in the DMV database with the SSN in ACTS but it is unable to match the name, the interface returns DMV information to ACTS. When ACTS receives this information, it notifies the responsible CSS caseworker(s).

If NCPs DO NOT have a driver license number or SSN recorded in ACTS, the interface attempts to match the first four (4) characters of the last name and first initial, then the DOB (date of birth), sex, and race. (If the interface is able to find a name match, it also matches on any DOB that occurs within the same month and year.)

NOTE: The interface always attempts to match on the NCP's last name, first initial, and DOB. It only attempts to match on sex and/or race when sex and race data is present in both ACTS and DMV.

ACTS searches the DMV database for matches daily, but it submits a specific participant once every ninety (90) days. Each attempt to submit an NCP to the ACTS/DMV interface is recorded in the case history record.

When a successful match is found, the DMV interface returns the following data to ACTS (if it differs from information that is already in ACTS): N.C. Driver License number, an address, SSN, date of birth, race, sex, hair color, eye color, height, and weight.

INTERSTATE DATA EXCHANGE CONSORTIUM (IDEC)

The Interstate Data Exchange Consortium (IDEC), formerly named the Electronic Parent Locator Network (EPLN), is an association of states that maintains a database of location information which its members can use to locate NCPs. In addition, IDEC serves as the mechanism for financial institution data matching (FIDM) and the submittal of requests to participating FIDM states for the seizure of funds from financial institutions that conduct business in those states (Automated Enforcement in Interstate cases).

Seven (7) member states participate in the locate component of IDEC: Alabama, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, and Virginia. These states share locate and Social Security Number information from agencies/sources such as SNAP/FNS (Food Stamps), new hire, motor vehicles, corrections, quarterly wage and unemployment, etc.

Arkansas, Georgia, New Mexico, Texas, and West Virginia are not members of the locate component, but they provide various locate information from their state databases to the IDEC locate database.

Delaware, the District of Columbia, Florida, Missouri, Mississippi, Ohio, and Oklahoma also are not members and do not supply current locate information. However, old information from their state databases is still in the IDEC locate database and can be accessed in order to get a on an individual's location.

The interface with IDEC only matches on NCPs' verified Social Security numbers. NCPs are submitted to IDEC weekly. When a match is found, IDEC can return alias names, an address, and employment data.

DIVISION OF EMPLOYMENT SECURITY (DES)

Effective November 1, 2011, the Employment Security Commission (ESC) merged with the N.C. Department of Commerce. ESC's new name is the Division of Employment Security (DES).

The DES interface only matches on NCPs' verified Social Security numbers. NCPs are submitted weekly. Each time an NCP is submitted to the ACTS/DES interface, ACTS checks the following databases for information:

1. **Employer File** - This file stores quarterly/yearly income information that is provided by employers.
2. **Unemployment File** - This file stores information about NCPs who have applied for and/or been approved for unemployment benefits.

The DES interface can return alias names, an address, employment data, and wage and benefit data.

FOOD STAMPS INFORMATION SYSTEM (FSIS)

NOTE: The Federal Food Stamp Program has been renamed the "Supplemental Nutrition Assistance Program" (SNAP). North Carolina has elected to call this program "Food & Nutrition Services" (FNS). The name of the Food Stamp Information System remains unchanged.

The interface with the Food Stamps Information System (FSIS) matches on NCPs' Food Stamp Case ID #, verified SSN, or name. NCPs are submitted weekly. The FSIS interface first checks the active files. If no match is found there, it searches the inactive files. If no match is found there, FSIS searches the Disqualified Recipients File, which is a national database of previous Food Stamp participants that were disqualified.

If available, the FSIS interface can return the Food Stamps Case ID number, SSN, DOB, and an address.

WILDLIFE COMMISSION (WC)

NCPs are submitted to the interface with the N.C. Wildlife Resources Commission monthly. ACTS checks the following databases for information:

1. **License file** - This files stores wildlife license information including addresses from hunting and fishing licenses.
2. **Vessel/magazine file** - This files stores boat registration information and includes addresses from "Wildlife in North Carolina" magazine subscriptions.

When information is returned from the WC interface, ACTS notifies the responsible CSS caseworkers. The WC interface can return alias names, an address, SSN, vehicle/boat data, and wildlife license data.

AUTOMATED LOCATE ACTIVITIES

GENERAL INFORMATION

ACTS automatically interfaces with a number of other systems and generates numerous documents to assist in the Locate process. This topic contains information on the following subjects:

1. [The schedule of automated Locate submittals;](#)
2. [Documentation of automated Locate submittals;](#)
3. [Dispositions for automated Locate submittals;](#)
4. [How information returned from automated Locate submittals is processed;](#)
5. [How to process employer data without an EIN # that is returned from automated Locate submittals.](#)

SCHEDULE OF AUTOMATED LOCATE SUBMITTALS

ACTS submits NCPs to each automated source whenever it has the necessary data for the submittal. (EX: In order for ACTS to submit an NCP to the Division of Employment Security interface, that NCP must have a SSN entered in ACTS.) Also, NCPs might need to meet other criteria for submittal.

NCPs are submitted to the automated Locate sources on a regular basis, and they are resubmitted if no response is received within ten (10) days. (EX: A source to which the NCP was submitted returns that NCP's record, even if no new information is found. If the source fails to return that NCP's record, the system interprets this as no response.)

NCPs are also resubmitted every ninety (90) days until they no longer meet the submittal criteria (or the case is closed.) The exception is the [Federal Parent Locator Service \(FPLS\)](#), which is a one-time submittal that occurs each time an NCP's case enters the Locate Processing Status.

The criteria for submitting an NCP to an interface vary depending on the interface.

EX: An NCP is submitted to the Division of Motor Vehicles (DMV) if:

- *The NCP is in the Locate Processing Status; OR*
- *The NCP is delinquent and owes over \$5,000.00; OR*
- *No date of birth for the NCP exists in ACTS; OR*
- *No mailing address for the NCP exists in ACTS.*

An NCP is submitted to the Department of Revenue (DOR) if:

- *The NCP has a verified Social Security number in ACTS; AND*
- *The NCP is in the Locate Processing Status; OR*
- *No mailing address exists in ACTS for the NCP.*

DOCUMENTATION OF AUTOMATED LOCATE SUBMITTALS

Each time an automated submittal is made to one of the interfaces during nightly batch processing, ACTS documents the submittal in the case history record.

DISPOSITION OF AUTOMATED LOCATE SUBMITTALS

When information is discovered through an automated interface, ACTS records that information on the appropriate screens and enters a "disposition". (These dispositions document the result of the submittal.) ACTS notifies the responsible caseworker of the source of the Locate information. Caseworkers can then review the information that was returned by the automated interface.

If an automated submittal returns multiple possible matches (also called "multiple hits"), ACTS notifies all caseworkers whose caseloads contain the NCP who is being located.

When caseworkers are notified of multiple matches, they can access the appropriate on-line Locate source (DMV, DOC, IDEC, or Wildlife Commission) to determine which of the multiple matches contains

correct information. The correct information is then recorded in ACTS.

NOTE: A case is not taken out of the Locate Processing Status until an address or employer is found by the automated submittal and the disposition is entered in ACTS.

PROCESSING INFORMATION FROM AUTOMATED LOCATE SOURCES

When address or employment information is returned from an automated source and ACTS creates a new address or employment record, it also automatically generates verification letters. When multiple CSS caseworkers have the missing NCP as a participant in their cases, ACTS searches its database and selects the first case with that NCP as a participant. The verification letters that ACTS generates specify the responsible caseworker for the selected case as the addressee for any response. The responsible caseworker who receives the response must enter the data from the verification letter(s) into ACTS.

ADDRESSES FROM AUTOMATED SOURCES

When an automated interface returns address information that does not match any of the NCP's existing address records, ACTS creates a new potential address record for the NCP. This address is standardized through a software program used for addresses that are recorded in ACTS. ACTS notifies the responsible caseworker of the address data has been returned, of the source of the address data, and that the address requires verification.

When caseworkers are notified, they verify the address by submitting a Postmaster Verification Request (DSS-4466). When caseworkers receive verification of the address data, they can record it as a current address in ACTS.

When caseworkers discover address data by manually accessing an online Locate source (or through other methods), they can create an address record manually in ACTS and verify the address using the DSS-4466 document.

EMPLOYMENT INFORMATION FROM AUTOMATED SOURCES

When an automated interface (other than IDEC and FPLS) returns employment information that does not match any of the NCP's existing employment records, ACTS creates a new employment record for the NCP. If the employment data that is returned matches a current employment record with no work end date shown, a new record is NOT created. (The system assumes that the NCP has worked for that same employer without interruption.)

If the employment data from the interface matches a current employment record with a work end date shown, ACTS compares the end date of the old record with the start date of the new record (which is the date of the interface match). If the old end date is prior to the new start date, ACTS creates a new employment record. (Even if the NCP is returning to a previous employer, the system considers this to be new employment.)

After creating the new employment record, ACTS generates an Employer Verification Letter (DSS-4685) at the State Print Shop in Raleigh.

The system also reminds the responsible CSS caseworker to verify whether or not the employer has responded to this letter thirty (30) days later.

NOTE: When ACTS receives employment data from IDEC or FPLS, it does not create a new employment record or generate verification letters, but it does notify the responsible CSS caseworker of the data that was received.

When CSS caseworkers discover employment data by manually accessing an automated interface online or when they receive notification from IDEC or FPLS, they must manually create a new employment record.

If the new employment record is confirmed without a verification date and source, ACTS generates an Employment Letter (DSS-4685) at the responsible caseworker's local CSS office. The system also reminds the responsible caseworker to verify whether or not the employer has responded to this letter thirty (30) days later. Caseworkers can also manually generate an Employer Letter (DSS-4685).

NAMES FROM AUTOMATED SOURCES

When an interface matches on a Social Security number but returns a different name than the one currently recorded for a participant in ACTS, the system records the returned name as an "ALIAS". ACTS notifies the responsible caseworker of the alias name and the source of the name. Caseworkers can then determine whether or not the returned name record should remain an alias or be changed to the "primary" name.

If the interface returns name data from FPLS, the system does not create a name record. ACTS notifies the responsible CSS caseworker of the returned name data. If appropriate, caseworkers can then manually create a name record in ACTS.

OTHER INFORMATION FROM AUTOMATED SOURCES

When the interface returns any other type of data from an automated source, the system can record it in ACTS (if no data already is present in the appropriate fields). Existing data in ACTS is NOT changed or updated, but the system might notify the responsible caseworker that other data has been found.

EMPLOYER INFORMATION WITH NO EIN # (RETURNED FROM A SUBMITTAL)

When employer information without an EIN # is returned from an automated interface, ACTS notifies the responsible caseworkers. (Employment data from the automated interfaces with IDEC and FPLS is always sent without an EIN #.)

All employers that do business in N.C. are required to have a State EIN #. (Employers use this number to report wage information to the Division of Employment Security each quarter.) Caseworkers can get this number from the NCP's DES record (if the NCP has worked for the employer long enough to have wages on file with DES) or from the employer.

When contacting employers to obtain information, caseworkers should inform employers that the State EIN # is the identification number

that is used when filing the NCUI 101 (Employers Quarterly Tax and Wage Report).

In order to hasten responses, caseworkers should also try to direct all communications to the employer's payroll department (or to the person/entity that does the company's payroll.)

NOTE: If the employer uses a payroll service and that service's address is the only one available, caseworkers generate a Letter To Payroll Company (DSS-4549) and send it to the payroll service, requesting the employer's address. When caseworkers receive this address data, they can send it to the CSS Central Office so that it can be added to the ACTS Third-Party Table.

Caseworkers should search the ACTS Third-Party Table (TPT) to see if the employer is already there. If caseworkers obtain an EIN # that is not listed in the TPT, they should complete a request that the employer be added to the TPT and send it to the ACTS Help Desk.

MANUAL LOCATE SOURCES

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [An overview of manual Locate sources;](#)
2. [Online query Locate sources;](#)
3. [Other sources that can be used for manual Locate activities;](#)
4. [Use of the Administrative Subpoena in the Locate process.](#)

MANUAL LOCATE SOURCES OVERVIEW

When CSS caseworkers attempt to locate an NCP through means other than the ACTS automated Locate submittals, they must record in ACTS the sources that were checked and the types of information that were found. Caseworkers first record any information that they find on the appropriate screen in ACTS, then they record any manual Locate attempts using online sources (such as DMV, DOC, etc.) in ACTS.

If caseworkers locate an NCP by using a source other than an on-line or automated source, they should record their activity in ACTS.

MANUAL QUERY & ONLINE QUERY LOCATE SOURCES

The following Locate sources are available to caseworkers for online queries; they are also automated Locate sources:

- [Department of Corrections \(DOC\)](#)
- [Division of Motor Vehicles \(DMV\)](#)
- [Interstate Data Exchange Consortium \(IDEC\)](#)
- [Division of Employment Security \(DES\)](#)
- [Federal Case Registry \(FCR\)](#)
- [Federal Parent Locator Service \(FPLS\)](#)
- [Food Stamps Information System \(FSIS\)](#)
- [IRS 1099 \(1099\)](#)

- [New Hire Directory \(NHD\)](#)
- [Wildlife Commission \(WC\)](#)

The following Locate sources are available for manual queries:

- BEER (SSAR)
- BENDEX (SSAD)
- Equifax
- SDX (SSI)
- State Parent Locate Service (SPLS)
- Transunion

In certain situations, it might become necessary to locate a client. *(EX: An outstanding child support check has not been cashed by a client who has moved without notifying CSS.)* The online query location resources are available for use in these types of situations.

OTHER LOCATE SOURCES

Locate sources other than automated or manually-accessed interfaces include:

1. FORMER EMPLOYERS

G.S. 110-139 (c) requires employers doing business or incorporated under the laws of the State of N.C. to provide certain information about NCPs for the purpose of establishing, enforcing, and modifying child support. When a local CSS agency can identify an NCP's former employer, the agency should contact the employer to request the following information about the NCP:

- Full name
- Social Security Number
- Date of birth
- Home address
- Wages
- Number of his/her dependents that are listed for tax purposes
- Medical insurance information

2. LAST KNOWN ADDRESS/NEIGHBORS

3. LOCAL POST OFFICE

4. KNOWN PLACES OF CREDIT

5. INSURANCE AGENCIES

6. MORTGAGE COMPANIES

7. HOSPITALS (if a history of prior treatment exists)

8. CLUBS (where the NCP had membership)

9. HIGH SCHOOL/COLLEGE

10. KNOWN FRIENDS

11. PROBATION/PAROLE OFFICER

12. CLERK OF COURT RECORDS

13. SECRETARY OF STATE

14. REGISTERED AGENTS

15. LIMITED PARTNERSHIPS FILE

16. FINANCIAL INSTITUTIONS and UTILITY COMPANIES

G.S. 110-139(d) specifies that financial institutions and utility companies are required to provide requested information as needed to locate a parent for the purpose of child support. Financial institutions are defined as federal, state, commercial, or savings banks, savings and loan associations or cooperative banks, federal or state chartered credit unions, benefit associations, insurance companies, safe deposit companies, money market mutual funds, and investment companies doing business in this state or incorporated under the laws of North Carolina.

It is important to note that due to certain federal regulations, telecommunication utilities or providers of electronic communication service to the general public (for example, telephone companies and computer bulletin boards) are not bound by 110-139 (d).

While utility company is not specifically defined in statute, such a company includes, but is not limited to, the following: electric service, gas companies (both natural and propane), water works, trash pick-up (*EX: Waste Industries*), and heating oil companies.

Financial institutions, utility companies, and cable television companies are required to provide the following information: full name, Social Security number, address, telephone number, account numbers, and other identifying data for the person who maintains an account at that utility company, cable television company, or financial institution.

USE OF ADMINISTRATIVE SUBPOENA (G.S. 110-129.1.a)

If additional information, correspondence, memoranda agreements, documents, papers, or records relevant to a child support establishment, enforcement, or paternity establishment proceeding is needed, and reasonable attempts have been unsuccessful to receive such information, then the Department of Health and Human Services has the authority to issue an Intrastate Administrative Subpoena (DSS-4709) to employers, financial institutions or companies, etc., for the purpose of determining an individual's assets.

An administrative subpoena for this purpose can only be issued by CSS when a proceeding for either establishment of paternity and/or support is pending with the courts. The subpoena should have the name of the person or entity to which the request is being made and a description of the information needed. The subpoena should be signed by the local CSS supervisor who serves as the Secretary's designated representative.

Subpoenas for the production of documentary evidence can be served through the delivery of a copy to the person named in the subpoena by a sheriff's deputy or by registered or certified mail (return receipt requested).

If the person refuses to comply with the administrative subpoena, local CSS can submit a motion with an affidavit explaining why an

entitlement to an order to show cause is appropriate, which serves as notice to the court that the individual or entity has not complied with the subpoena. The individual or entity then has to show good cause as to why they should not comply with the requirements. If the judge decides the requirements are reasonable and proper, then the refusal to comply with the subpoena or with the order shall be considered contempt of court and penalties can be imposed for failure to comply with the subpoena.

Any information obtained as a result of a subpoena is confidential and can be used only by the CSS program in conjunction with an action to establish paternity or support, to collect, or to enforce an order for child support.

Prior to contacting either financial institutions, utility companies, or cable television companies for information, caseworkers should access other appropriate automated and manual Locate resources, so the providers of this information are not overburdened. These sources should only be contacted when other Locate resources indicate that the NCP does indeed use a particular financial institution or is thought to be using a local utility or cable television company.

A thorough search must be made in the local area (unless reliable information indicates that the NCP is in another state). All local sources of Locate information cannot be listed here; however, suggested sources to check are listed above. Many local CSS agencies develop sources that are especially useful in their particular area. If a Locate search produces information that affects ACTS processing (such as, probation status, verification of address, insurance information changes, etc.), CSS caseworkers should update the appropriate fields in ACTS.

If caseworkers find a current out-of-county or out-of-state address, they can send a registered letter to the non-custodial parent at that address informing the NCP of his/her obligation (if no reason exists to believe he/she might flee). If it is believed that the NCP might flee, civil legal action should be initiated with no prior contact.

MANUAL LOCATE ACTIVITIES

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [An overview of manual Locate activities;](#)
2. [Closing Locate activity.](#)

MANUAL LOCATE ACTIVITIES OVERVIEW

When the responsible CSS caseworkers manually use an online interface as a Locate source, they must record their effort in ACTS, whether the Locate attempt was successful or not. If caseworkers locate an NCP through means OTHER THAN an online Locate source or an automated interface, they must record the successful Locate attempt in ACTS.

Once the NCP has been successfully located, the NCP's current address and/or employment data must be recorded in ACTS before a case can

change processing status. A case changes processing status during overnight processing or when caseworkers manually refer the case in ACTS.

Caseworkers can manually generate the Postmaster Verification Request (DSS-4466) and the Employer Letter (DSS-4685) to verify the data that they obtain through online and other locate sources.

CLOSING LOCATE ACTIVITY

When caseworkers obtain new address or employment data, they must enter it in ACTS before the system can refer the case to the next processing status. If this locate information is obtained from a source other than an automated or online interface, caseworkers must record that source and the type of information that was obtained. These sources can include former employers, friends, etc. ACTS then changes the case's processing status to the next appropriate status during overnight processing.

UNSUCCESSFUL LOCATE ACTIVITIES

GENERAL INFORMATION

This topic contains information on the following subjects:

1. [Unsuccessful Locate attempts](#);
2. [Unworkable cases in Locate](#);

UNSUCCESSFUL LOCATE ATTEMPTS

For cases in which previous Locate attempts have been unsuccessful, CSS must repeat location attempts immediately upon receiving new information which could aid in location. If no new information is found, location attempts must be made at least quarterly. These quarterly attempts can be limited to automated sources, but they must include accessing [Division of Employment Security \(DES\)](#) records if a Social Security number is available. ACTS makes these attempts automatically; it submits all NCPs to DES quarterly.

UNWORKABLE CASES IN LOCATE

If an NCP cannot be located and no new information is available with which to continue the location effort, the case can be labeled "unworkable" in ACTS. Unworkable cases are periodically reviewed and continuously submitted to automated sources until they can be closed.

If the case is still in an unworkable status after three (3) years, ACTS notifies the responsible worker's supervisor that the case might be eligible for closure.

QUICK LOCATE ACTIVITIES

QUICK LOCATE OVERVIEW

"Quick Locate" services are appropriate to use for in-state cases and Interstate Initiating cases when requesting locate information from another state (such as employment, address, or asset data) for NCPs. These requests can also be used when it is suspected the NCP might be in one of several states but the caseworker is unsure of which state.

Quick Locate can be used to locate clients/custodial parents for the purpose of disbursing support collections for interstate initiating cases.

Requests are forwarded to the other state's Central Registry/State Parent Locate Unit for processing. Quick Locate requests do not require the responding state to initiate a case, send an acknowledgment, verify information, or respond to requests. No federal time frames exist for Quick Locate.

Quick Locate requests can be sent to other states by the CSENet interface.