

## CHILDREN & FAMILIES

370 L'Enfant Promenade SW, 4<sup>th</sup> Floor, Washington DC 20447 www.acf.hhs.gov/programs/cse

APR 2 2 2015

Richard Armstrong Director Idaho Department of Health and Welfare 450 West State St. 10th Floor Boise, ID 83720-0036

Dear Director Armstrong:

Thank you for your interest in learning more about how the federal Office of Child Support Enforcement (OCSE) processes locate requests from foreign countries.

42 U.S.C. § 659A(c)(2) provides that the United States Central Authority will "facilitate support (maintenance) enforcement in cases involving residents of the United States and residents of foreign reciprocating countries" by notifying "foreign reciprocating countries of the State of residence of individuals sought for support enforcement purposes, on the basis of information provided by the Federal Parent Locator Service."

As discussed during the telephone call yesterday, there is a protocol that OCSE follows in responding to international locate requests. That protocol is outlined below.

<u>Current Procedures for Responding to Locate Requests from a Foreign Reciprocating Country</u> (FRC)

- 1. Foreign country submits locate request to OCSE.
  - OCSE maintains a designated e-mail address for receipt of international locate requests: <a href="mailto:ocseinternational@acf.hhs.gov">ocseinternational@acf.hhs.gov</a>
  - OCSE has provided this e-mail address to the designated Central Authority of each FRC.
- 2. OCSE verifies that the locate request has been made by a foreign reciprocating country as defined by 42 U.S.C. § 659A.
  - There are currently federal bi-lateral agreements with
    - o Australia
    - Canadian Provinces/Territories Alberta, British Columbia, Manitoba, New Brunswick, Northwest Territories, Nunavut, Newfoundland/Labrador, Nova Scotia, Ontario, Prince Edward Island, Saskatchewan, Yukon
    - o Czech Republic

- El Salvador
- o Finland
- o Hungary
- o Ireland
- o Israel
- Netherlands
- o Norway
- o Poland
- o Portugal
- o Slovak Republic
- o Switzerland
- o The United Kingdom of Great Britain and Northern Ireland
- 3. OCSE verifies that the locate request comes from the designated Central Authority as determined by the negotiated agreement or declaration between the U.S. Department of State and the FRC.
- 4. OCSE verifies that the information is requested for the purpose of establishing, enforcing, or modifying a support obligation.
- 5. Once verified, OCSE submits the locate request electronically to the Federal Parent Locator Service (FPLS).
  - The request is subject to current federal privacy and security requirements.
  - The request is subject to current protections that prevent the disclosure of any information where there is a domestic violence indicator.
- 6. If the FPLS locates the noncustodial parent, OCSE will return only the **state** of residence to the Central Authority of the requesting FRC. No other personal identifying information will be provided.

## Future Procedures for Responding to Locate Requests from a Treaty Country

- 1. Treaty country submits locate request to OCSE.
  - OCSE maintains a designated e-mail address for receipt of international locate requests: ocseinternational@acf.hhs.gov
  - OCSE will provide this e-mail address to the Hague Conference on Private International Law, and list the e-mail address in its Country Profile.
- 2. OCSE verifies that the locate request has been made by a Treaty country by checking the current list of Treaty countries (countries that have *ratified or acceded to the Treaty* in accordance with Article 58 of the Treaty, and in which the Treaty has entered into force) that the Hague Conference on Private International Law maintains. <a href="http://www.hcch.net/index\_en.php?act=conventions.status2&cid=131">http://www.hcch.net/index\_en.php?act=conventions.status2&cid=131</a>
- 3. OCSE verifies that locate request comes from the country's designated Central Authority as maintained by the Hague Conference on Private International Law. See attached sample.

  http://www.hcch.net/index\_en.php?act=conventions.authorities&cid=131

- 4. OCSE verifies that the information is requested for the purpose of establishing, enforcing, or modifying a support obligation.
- 5. Once verified, OCSE submits the locate request electronically to the Federal Parent Locator Service (FPLS).
  - The request is subject to current federal privacy and security requirements.
  - The request is subject to current protections that prevent the disclosure of any information where there is a domestic violence indicator.
- 6. If the FPLS locates the noncustodial parent, OCSE will return only the **state** of residence to the Central Authority of the requesting Treaty country. No other personal identifying information will be provided.

Sincerely,

Vicki Turetsky

Commissioner

Office of Child Support Enforcement

ce: Yvette Riddick, Director of Policy & Training Office of Child Support Enforcement

Kandace Yearly, IV-D Director Administration for Child Support

## Authorities

	Finland - Central Authority (Art. 4)
	Ministry of Justice POB 25 00023 Government FINLAND Tel.: +358 9 1606 7628 Fax: +358 9 1606 7524 Email: central.authority/@om.fi Website: http://www.om.fi
Address	Contact Persons:  • Tanja Niemi Tel.: +358 2951 50464 Email: tanja.niemi@om.fi Languages of communication: English, Finnish, French, Swedish
	• Anna-Lena Halttunen Tel.: +358 2951 50364 Email: <u>anna-lena.halttunen@om.fi</u> Languages of communication: English, Finnish, German, Swedish
Conventions (incl. Protocols and Principles)	• Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance [38]