

## SUBCHAPTER 71T – CHILD SUPPORT ENFORCEMENT

### 10A NCAC 71T .0101 SERVICES

The services provided to non-AFDC clients shall be as follows:

- (1) the location of absent parents;
- (2) the establishment of paternity and support obligations;
- (3) assistance in the preparation and execution of actions pursuant to G.S. 52A;
- (4) the enforcement of support obligations;
- (5) the collection and disbursement of support payments;
- (6) legal services necessary to provide services.

*History Note:* Authority G.S. 110-130.1(a),(b); 143B-153;  
Eff. February 1, 1976;  
Amended Eff. April 29, 1977; May 1, 1976;  
Readopted Eff. October 31, 1977;  
Amended Eff. March 1, 1990; February 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

### 10A NCAC 71T .0102 ELIGIBILITY

Child support enforcement services are mandatory for all AFDC recipients whose eligibility for public assistance has been established due to the absence from the home of at least one of the parents. In addition, any person who is not a recipient of AFDC may apply for services.

*History Note:* Authority G.S. 110, Article 9; 143B-10;  
Eff. April 29, 1977;  
Readopted Eff. October 31, 1977;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

### 10A NCAC 71T .0103 LEGAL SERVICES

All local IV-D agencies are required to arrange for the services of an attorney by one of the following methods:

- (1) contract with a private attorney, or
- (2) use of a county or state employed attorney.

This requirement is necessary due to the fact that certain program functions must be handled by an attorney, according to state law.

*History Note:* Authority G.S. 110, Article 9; 143B-153; P.L. 93-647;  
Eff. October 1, 1977;  
Readopted Eff. October 31, 1977;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.

### 10A NCAC 71T .0104 HEARINGS AS MANDATED BY THE SET-OFF DEBT COLLECTION ACT

Counties shall adhere to the following procedures:

- (1) Within 30 days of the date of the mailing of the notice of proposed set-off action, an absent parent may request a hearing; This request shall be in writing and mailed or delivered to the address set forth in the notice;
- (2) If the county which is responsible for management of the absent parent's case has a county-operated IV-D program, then the hearing shall be conducted by a hearing officer designated by the Director of the Division of Social Services;
- (3) If the county which is responsible for management of the absent parent's case has a state-operated IV-D program, the Office of Administrative Hearings shall conduct the hearing and the hearing procedures specified in Ch. 150B, Article 3 and 26 NCAC Chapter 3 shall apply;
- (4) The hearing shall be conducted at the local IV-D agency in the county which is responsible for management of the case whenever feasible or other suitable location as designated by the hearing officer;

- (5) All hearings under this Rule and under G.S. 105A-8, the Set-Off Debt Collection Act, shall be conducted in accordance with G.S. 150B, Article 3, the Administrative Procedure Act, and 10 NCAC 1B .0200, or 26 NCAC Ch. 3 as appropriate.

*History Note:* Authority G.S. 105A-8; 110-128; 143B-153;  
Eff. February 1, 1980;  
Amended Eff. March 1, 1990; May 1, 1989; January 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 20, 2017.