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| ADMINISTRATIVE DIRECTIVE |
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TO: Commissioners of
Social Services

TRANSMITTAL: 98 ADM-14

DIVISION: Child Support
Enforcement

DATE: December 24, 1998

SUBJECT: Procedures for Cost of Living Adjustments (COLA) and One-Time
Review and Adjustments of Child Support Orders

SUGGESTED
DISTRIBUTION: | Child Support Enforcement Coordinators
| Support Collection Unit Supervisors
| Accounting Supervisors
| Public Assistance Directors
| Medicaid Directors

CONTACT
PERSON: | OCSE - County Representative (800) 343-8859
| Legal - Eileen Stack (518) 473-1949

ATTACHMENTS: | SEE ATTACHMENTS (attachments not available online)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		347.26	SSL 111-b, h & n; FCA 413&413- a&440; DRL 240& 240-c; 42USC666(a) (10)		

I. PURPOSE

This directive provides social services districts with procedures and forms for conducting the review and adjustment of child support orders by applying a cost of living adjustment (COLA). The directive also discusses application of existing procedures for one-time review and adjustment of child support orders which were issued prior to September 15, 1989, the date of the enactment of the Child Support Standards Act (CSSA).

II. BACKGROUND

With the enactment of the CSSA in 1989, the State established a guideline for determining support amounts. As a rebuttable presumption, the guideline created equity for all parties in support proceedings. However, the use of the guidelines did not ensure that orders would remain equitable over time.

The review and adjustment legislation enacted by the State in 1994 and the procedures which followed attempted to address the equity over time issue by creating a process for periodically reviewing and adjusting orders. The procedure however, has proven to be cumbersome and has resulted in a small percentage of eligible cases actually being reviewed.

The complex nature of New York's review and adjustment process mirrored other states' processes and experience. As a result, The Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (PRWORA) amended federal law to allow for a simplified process for review and adjustment. The federal law (42 U.S.C. 666(a)(10)), as amended by PRWORA, provides states with options as to how and when to conduct review and adjustment, including applying a COLA. The corresponding State law changes contained in Chapter 398 of the Laws of 1997, amended and added laws (See legal references above) to provide the child support program with authority to apply a COLA to support orders. Also, the amendments provide for a one-time review and adjustment, in accordance with the CSSA, of support orders which pre-dated the CSSA and have not yet been reviewed.

III. PROGRAM IMPLICATIONS

The authority to apply a COLA to support orders should provide a much more efficient and effective means for keeping support orders consistent with the CSSA and adjusted for inflation and should reduce the number of requests for modification hearings. This should also enable districts to make available more district and court time for paternity and support establishments.

IV. REQUIRED ACTION

A. Orders subject/not subject to review and adjustment by SCU by either COLA or one-time review.

1. Orders subject to review and adjustment.

a. Except as otherwise noted, the COLA is applicable to all orders being enforced pursuant to Title 6-A of the Social Services Law on behalf of persons in receipt of public assistance (PA) which include family assistance and safety net assistance and which meet the eligibility criteria listed below. The COLA is applicable to all other orders receiving services under Title 6-A including orders for Title IV-E foster care and Medicaid-only cases and orders enforced on behalf of persons not in receipt of public assistance (NPA) under section 111-g of the Social Services Law, upon request. For purposes of Title IV-E Foster Care cases where there is an assignment of support rights, each social services district shall be deemed to have requested the COLA review unless the Department is notified otherwise. The additional criteria are:

- i. the order is at least two (2) years old; and
- ii. the sum of the average annual percentage change in the Consumer Price Index for Urban Consumers (CPI-U) annually reported by the U.S. Department of Labor is equal to or greater than ten (10) percent.

b. Orders which pre-date the enactment of CSSA (i.e. September 15, 1989) are subject to one-time review and adjustment using existing procedures (review the March 31, 1995 Coordinator Letter) with minor amendments as noted in this directive. PA orders and Title IV-E Foster Care cases are being processed manually without COLA option for one-time review and adjustment. Districts were notified of this in the April 29, 1998 Coordinator Letter. NPA orders will be systematically processed and given the option to request COLA or one-time review and adjustment. However, if either NPA party requests review and adjustment the order will need to be manually processed for review and adjustment as explained in these procedures. As required by Section 111-b (17) of the Social Services Law, districts are required to review and adjust if appropriate all orders being enforced pursuant to Title 6-A of the Social Services Law which were entered prior to September 15, 1989 by no later than December 31, 2000.

2. Orders not subject to review and adjustment.

- a. Neither the COLA (for PA or NPA cases) nor the one-time review and adjustment (for NPA cases) is applicable if the noncustodial parent is in receipt of public assistance at the time of case selection for the year's review and adjustment cycle.
- b. Neither the COLA nor the one-time review and adjustment is applicable to orders issued by another state which are being enforced pursuant to Title 6-A of the Social Services Law in this state (e.g. the order has been registered in this State only for the purpose of enforcement).
- c. Neither the COLA nor the one-time review and adjustment is applicable to orders if: the order is a two state order in which New York is the initiating state or either party obtains a controlling order determination by a tribunal where the New York order has been determined not to be the controlling order by the tribunal.
- d. Orders covered by the Velasquez ruling are not subject to COLA or one-time review and adjustment.
- e. One-time review and adjustment is not applicable to orders which pre-date CSSA if the child is in receipt of public assistance and the district determines that the review is not in the best interest of the child or the custodial parent.
- f. Neither COLA nor one-time review and adjustment is applicable to orders which have been suspended by the court (current ledgers with Status 02 on CSMS) or administratively closed (current ledgers with Status 05 on CSMS).

B. Procedures.

1. CSMS identifies eligible cases. The Child Support Management System (CSMS) will identify cases with orders which meet the eligibility criteria set forth in A above.
2. CSMS calculates COLA adjustment to the order. CSMS will calculate a new order amount by multiplying the current obligation amount by the sum of the percentage changes of the annual CPI-U beginning with the later of 1994 or the year the most recent order was issued to the year of the review and then add that amount to the current obligation amount. Note: the CPI-U average annual percentage change will be calculated starting from 1994 for orders dated 1989-1993 as provided by law.

Example of COLA applied:

1994 support order current amount is \$166.66 per month
Sum of CPI-U's from 1994 (year of order) to 1997 = 10.7%
10.7% X 166.66 = \$17.80
\$17.80 + 166.66 = \$184.46 per month
Adjusted order is \$184 per month. Note: the adjusted order amount is rounded to the nearest dollar as required by law.

3. CSMS Sends Notices. Depending on the age of the order and case type, different notices must be used. The notices and orders of adjustment will be system generated and sent by first class mail to the parties last known address on CSMS (hierarchy for selection is if the indicator is verified, unverified, and then blank addresses on IVDJRA and then verified only employer addresses on IVDJRE). Note: if there is no address on CSMS for either party no notice/order will be issued. If there is no respondent address a location status will be opened on CSMS.

a. COLA notice (NPA orders post 9/15/89).

NPA orders which meet the criteria in A.1.a. and which were issued after 9/15/89 are eligible upon request by either party for COLA. CSMS will send by first class mail, the "Notice of Your Right To Request a Cost of Living Adjustment to Your Child Support Order" (Attachment 1), the NPA mailer "Request for a Cost of Living Adjustment (COLA)" (Attachment 2), and a pre-addressed postage paid envelope to both parties. The "Notice of Your Right To Request a Cost of Living Adjustment to Your Child Support Order" provides information regarding:

- i. actions to take to request application of COLA and issuance of an adjusted order;
- ii. explanation of COLA;
- iii. the current support amount, sum of average annual CPI-U percent changes, calculation of new order amount;
- iv. rights to object and potential outcomes;
- v. directions to complete the mailer to request the SCU to apply COLA; and
- vi. the name, address, and phone number of the CSEU to contact for questions. Note: the CSEU address will be what is designated by the district on IVDADR CSEU Address #15 or default to CSEU Address #01 if #15 is not data filled.

b. COLA mailer (NPA orders post 9/15/89).

The NPA mailer "Request for a Cost of Living Adjustment (COLA)" is a reply form which provides information to both parties regarding:

- i. purpose of mailer;
- ii. direction to sign, detach and return request in enclosed pre-addressed, postage paid envelope; and
- iii. notice that if the form is not returned by either party no action will be taken.

c. COLA notice and adjusted order of support (PA orders post 9/15/89).

PA orders which meet the criteria in A.1.a. and which were issued after 9/15/89 will have COLA applied. CSMS will send by first class mail, the "Notice of a Cost of Living Adjustment to Your Child Support Order" (Attachment 3.a.) and the "Adjusted Order of Support" (Attachment 4 Family Court and 5 Supreme Court) to both parties. Copies of the order will be sent by first class mail to the appropriate court including the "Cover Letter to Court" (Attachment 3.b.), and to the CSEU.

This notice will include the same language as provided in the NPA notice in 3.a. above (i.e., items (ii), (iii), (iv), and (vi) and will advise parties of the adjusted order of child support enclosed with the notice.

d. COLA or One-time Review notice (NPA orders pre 9/15/89).

NPA orders which meet the criteria in A.1.a. which were last issued prior to 9/15/89 are subject to either COLA or one-time review and adjustment upon request by either party. CSMS will send by first class mail, the "Notice of Your Right to Request A Cost of Living Adjustment to Your Child Support Order or A One-Time Review and Adjustment of Your Child Support Order" (Attachment 6) and the reply mailer "Request for a Cost of Living Adjustment (COLA) or One-Time Review and Adjustment" (Attachments 7.a. petitioners version and 7.b. respondents version) to both parties. As required by law, the custodial parent will be provided a pre-addressed, postage paid envelope. The noncustodial parent will be given instructions on the mailer as to where to send the request for review.

The "Notice of Your Right to Request A Cost of Living Adjustment to Your Child Support Order or A One-Time Review and Adjustment of Your Child Support Order" provides the same information as noted in 3.a. above regarding the COLA but also includes information which describes the one-time review and adjustment option and the consequences of requesting that option. The notice advises the parties that the mailer must be returned to the SCU by the date indicated on the mailer if the party wishes to request one-time review and adjustment. The notice also advises that if either party requests one-time review and adjustment by the return date indicated on the mailer the SCU will commence the one-time review and adjustment process even if the other party has requested COLA.

- e. COLA or One-time Review mailer (NPA orders pre 9/15/89).

The NPA mailer "Request for a Cost of Living Adjustment (COLA) or One-Time Review and Adjustment" (Attachments 7 a and b) is a reply form which provides information to both parties regarding:

- i. purpose of mailer;
 - ii. direction to sign, detach and return request in enclosed pre-addressed, postage paid envelope for custodial parents or, for noncustodial parents, direction to sign, detach and return request to the CSEU at the address provided;
 - iii. notice that one-time review and adjustment must be received by a specified date; and
 - iv. notice that if the form is not returned by either party no action will be taken.
- f. One-time Review and Adjustment notice (PA orders pre 9/15/89).

PA orders which meet the criteria in A.1.b. which were last issued prior to 9/15/89 are subject to a one-time review and adjustment process which is similar to the existing process for review and adjustment. As such, districts should open a "Pre 9/15/89 Review" on CSMS which initiates the review and adjustment process and then follow existing procedures.

Note: changes have been made to the existing review and adjustment documents available through CSMS Document Generation to reflect the change in law which amended the time frame for filing objections from 30 days to 35 days from the date of mailing of the proposed adjusted order and which amended the timeframe for the next review to be two years instead of three and a COLA review instead of review and adjustment.

4. CSMS generates COLA Adjusted Order of Support. When an "Adjusted Order of Support" is issued to the parties CSMS will also send the order by regular mail to the CSEU at the address noted in 3.a.(vi) above and to the family court address indicated on IVDADR CRT #01. If the order is a supreme court order, the district should data fill the supreme court indicator on IVDADJ with an "S". Then the order will be sent to the supreme court address indicated on IVDADR CRT #15. If the New York order, either family or supreme, is from other than a local court (i.e. the account was created based on a change of payee) the IVDADJ Supreme Court Indicator should be filled in with an "S" (for supreme court) or an "F" (for family court) and the Court County # should be filled for the county of the order's origin on IVDADJ. This will ensure that the appropriate court gets the order. The "Adjusted Order of Support" provides direction to the parties including:
 - a. the caption and date of the order subject to the review, and the court in which it was entered;
 - b. the identification, telephone number, and address of the support collection unit which conducted the review;
 - c. the COLA and the adjusted order amount as calculated during the review and a statement that such amount shall be due and owing on the date the first payment is due under the order occurring on or after the effective date of the adjusted order;
 - d. the definition of COLA;
 - e. a statement that the child support amount as increased by COLA has been rounded to the nearest dollar;
 - f. a statement that all other provisions of the order which was reviewed remain in full force and effect;
 - g. a statement that application of the COLA in no way limits, restricts, expands, or impairs the rights of any party to file for modification of an order;

- h. a statement about rights of parties to object, timeframes for objecting and provisions for notice to parties, court, and the SCU; and
- i. a statement that where any party fails to provide and update the SCU with a current address to which an adjusted order may be sent the support obligation amount in any adjusted order shall become due and owing on or after the effective date of the order regardless of whether or not the party has received a copy of the order.

5. Responding to requests.

- a. Request for COLA (NPA orders only post 9/15/89).

If a request mailer is returned by either or both parties central processing will cause the value of the COLA-REQ-IND on IVDADJ (See Attachment 8) to be changed from a "b", which is system set, to the appropriate value depending on who is requesting the review (See Attachment 9 Data Element Definitions). If both parties send in the mailer the value will be set based on the first request received. Such action will cause the system to generate an "Adjusted Order of Support". The adjusted order will be sent to the parties, the CSEU and to the court by first class mail to the addresses as discussed above.

- b. Request for COLA or One-time Review and Adjustment (NPA orders only prior to 9/15/89).

If a request mailer is returned by either or both the custodial and or noncustodial parent to central processing indicating that a COLA be applied central processing will take action as defined in 5.a. above. If either the custodial or noncustodial parent returns a mailer requesting one-time review and adjustment within the timeframe indicated on the mailer, regardless of whether the other party has requested COLA, central processing will change the value of the COLA-REQ-IND on CSMS IVDADJ screen from its present value to the appropriate value. Such action will cause the system to open the "J Status Group" and generate a "Notice of Intent to Review" to both parties, initiating the one-time review and adjustment process.

- c. One-time review and adjustment (PA orders prior to 9/15/89).

As discussed in A.1.b. above, PA orders which were last issued prior to 9/15/89 must be initiated by the local district. The district should change the value of the COLA-REQ-IND on the CSMS IVDADJ screen from a "b", which is system set, to a "7". Such action will cause the system to open a "J Status Group" and generate a "Notice of Intent to Review" to both parties, initiating the one-time review and adjustment process.

6. Objections. As noted in the "Adjusted Order of Support", either party or the SCU has 35 days from the date of mailing of the adjusted order to file a written objection with the court and to serve a copy upon the other party and the SCU. If a party timely objects, the COLA will not take effect and a hearing at which the court will apply the CSSA will be scheduled by the court.
 - a. IMPORTANT: an objection will cause the court to conduct a CSSA hearing on the order without the requirement for proof or showing of a change in circumstances. It is, therefore, equivalent to an original petition for current support. As such, when districts receive the "Adjusted Order of Support" in PA and Title IV-E foster care cases for which support rights have been assigned, districts should review CSMS and other documentation and assess whether or not the COLA order would bring the current support amount to a CSSA level. If it does not, the district should complete and file an objection and affidavit of service (Attachment 10). This document must be generated from CSMS IVDMM.
 - b. The district must take the following action upon filing an objection or receiving an objection or notice of the objection from the court within the allowable time permitted for filing an objection:
 - i. Update the ADJ-ORD-OBJ-DT field on IVDADJ screen with the date of the objection (Note: this is critical because it stops CSMS from making the ledger adjustments on the account);
 - ii. Conduct financial investigation as would otherwise be undertaken in a case to establish an original order and provide the court with such financial information as is available on CSMS;
 - iii. Appear in court on behalf of the SCU record;

- iv. Take other appropriate child support actions, e.g., file a violation petition if delinquency exists on the case and if support payments are not being paid by income execution;
 - v. The court upon hearing the objections may issue an order which increases or decreases the order or is an order of no adjustment based on the CSSA. Such order will be effective the earlier of the date of the adjusted order or the date the court makes the determination on the objection. The district must enter the COURT-ORD-DT on the appropriate ledger(s). The COURT-ORD-DT is the earlier of the date of the court determination or the ADJ-ORD-EFF-DT on IVDADJ (i.e., 60 days from the date the adjusted order was mailed); and
 - vi. If appropriate, prepare an "Order (Determination of Objections to Adjusted Order-COLA Attachment 11a Family Court; 11b Supreme Court). This document must be generated from CSMS IVDDMM.
7. No objections to adjusted order of support. If no objection is timely submitted to the court, the adjusted order will become final without any further review by the court. CSMS will automatically adjust account ledgers 60 days from the date the adjusted order is issued and take such other action as is necessary on the case as a result of changing the current order amount such as issuing an amended income execution.
8. Undeliverable mail.
- a. If notices/orders for custodial parents are returned to central processing and a new address has been provided by the U.S. Postal Service, the document will be remailed to the new address. The CSMS account number will be noted on the returned envelope and the envelope will be mailed to the SCU. If no new address has been provided by the U.S. Postal Service, the document and envelope will be mailed to the SCU.

b. If notices/orders for non-custodial parents are returned to central processing and a new address has been provided by the U.S. Postal Service the document will be remailed to the new address. The new address will be provided to CSMS on a weekly file. The address will be added to CSMS as a verified mailing address unless there is another verified mailing address which has been updated subsequent to the COLA-NOTICE-DATE. If the new address is stored on CSMS any previously stored verified mailing address will be systematically unverified. If no new address is provided by the U.S. Postal Service the document and envelope will be returned to the SCU. By way of the weekly file from central processing, any verified mailing address on CSMS will be systematically unverified unless it was updated subsequent to the COLA-NOTICE-DATE. Location status will be opened on CSMS, if appropriate.

9. Withdrawal of notice of right to request review and withdrawal of adjusted orders.

a. Withdrawal of notice of right to request review.

If, after notices of right to request COLA or one-time review and adjustment in 3. above have been issued, the SCU discovers that the notice is not based on the most recent court order or that the order being reviewed is not correctly presented on CSMS based on incontrovertible evidence or upon a stipulation by the parties, a "Notice Regarding Right to Request Review and Adjustment of Your Support Order" (Attachment 12) must be sent to both parties.

If specific changes are made to the account on CSMS after the notice of right to request COLA or one-time review and adjustment has been issued, the system will set the COLA-REQ-IND on IVDADJ to a "W" (COLA Notice Withdrawn). The COLA-REQ-IND may also be set to a "W" manually by typing over the existing value and transmitting. This value will cause CSMS to generate the notice to both parties. The notice will inform the parties that if and when the current order is eligible for a COLA or a one-time review and adjustment a new notice will be sent to the parties. CSMS will then change the value to an "N" (Notice Requested) which will cause a new appropriate notice to be sent to the parties when the case becomes eligible for COLA or one time review.

i. The changes which will cause the COLA-REQ-IND to be systematically set to "W" are:

24 RVAJ Updating the REV/ADJ-IND to an "R" (Other State's Order Registered for Enforcement Only) or "D" (Respondent Deceased);

06 LDTP Updating an active ledger from an eligible ledger type (21A_, 21BC, 21BE, 21BF, 21BK, 21BP, 21BR, 21BT, 24CZ, and 11B_, except 11BM), to an ineligible ledger type or an ineligible ledger type to an eligible ledger type;

14 EDCO Updating the court order date on an active review eligible ledger; or

20 FIPS Updating the FIPS Code from 136 own county code to some other value (i.e. indicating that the district does not have jurisdiction over the order).

b. Withdrawal of adjusted order of support.

If an adjusted order of support has been issued and the SCU discovers that the adjusted order is not based on the most recent court order or that the order reviewed was not correctly represented on CSMS based on incontrovertible evidence or upon a stipulation by the parties the "Notice to Withdraw Adjusted Order of Support" (Attachment 13) must be issued to the parties, the court, and CSEU to vacate the order.

- i. If one of the changes listed above in 9.a. is made to the account on CSMS after the adjusted order has been issued but before the order is effective and no objection has been filed, the COLA-REQ-IND on IVDADJ will be systematically updated to an "R" (Rescind Adjusted Order) and the notice will be system generated. The COLA-REQ-IND may also be set to an "R" manually by typing over the previous value and transmitting. This value will cause CSMS to send the notice to both parties, the court, and the SCU.
- ii. If an objection has been filed prior to the discovery that the adjusted order should be withdrawn the district should notify the court at the hearing as to the nature of the inaccuracy and of the intention to withdraw the order.
- iii. If, after the adjusted order has become effective, it is discovered that the adjusted order was not based on the most recently issued order or that the order which was reviewed was not correctly represented on CSMS the district should make the appropriate changes to the account on CSMS and generate the "Notice to Withdraw Adjusted Order of Support" from CSMS IVDMM. Detailed instructions regarding document generation of this notice will be issued under separate cover.

10. Applications/motions/orders of child support.

- a. As required by law, districts must ensure that all applications (petitions) or motions by the SCU or by persons seeking child support enforcement services through the SCU for the establishment, modification, enforcement, violation or adjustment include the statement (Attachment 14) advising the parties of the COLA to any order. The petitions available on CSMS IVDDMM include the statement.
- b. Districts must also ensure that all court orders of support payable through the SCU include the statement (Attachment 15) advising parties of the COLA to any order. The orders available on CSMS IVDDMM include the statement.

C. Timeframes.

The following timeframes are provided as to when eligible orders will be processed for COLA and/or one-time review and adjustment. No orders will be processed in the month of January each year as the CPI-U average annual percentage change is not available until February of each year.

1. For NPA orders post 9/15/89. Commencing in February 1999, eligible NPA orders post 9/15/89 statewide will be processed between the months of February - July 1999 (one sixth per month) and each year during these months thereafter.
2. For PA orders post 9/15/89. Commencing December 1998, eligible PA orders post 9/15/89 statewide will be processed between the months of February and December (one-twelfth per month with two twelfths in February of each year) and each year during these months thereafter.
3. For NPA orders pre 9/15/89. Same as C.1.
4. For PA orders pre 9/15/98. As noted in A.1.b.

Note: for 1 and 2 above some districts may not have any eligible orders during certain months.

D. Interstate procedures. Because of the flexibility in federal law regarding review and adjustment state laws and procedures will vary as to how and when review and adjustment will be applied.

1. Initiating state actions. As noted in A.2.b. and c. above, orders issued outside of New York are not subject to review and adjustment by a New York SCU unless they become a New York order. For such cases, districts may process interstate requests for reviews on behalf of PA cases and, upon request, in NPA cases to the appropriate state. Districts may do the following:

- a. Respond to requests from other states with regard to inquiries about review and adjustment. If the other state is inquiring about whether or not review and adjustment is requested to be undertaken by that state, promptly respond in PA cases and forward such inquiries to NPA clients and coordinate responses in NPA cases back to the responding state.
 - b. Where the district determines it appropriate to request another state to conduct review and adjustment, complete and send to the state which has continuing, exclusive jurisdiction Interstate Action Transmittal #1. Under Section 1, Action Requested, check the box for item 10 and in the blank write "review and adjustment of responding tribunal order". For such orders in which the FIPS Code is equal to 1 not 36 and the REV/ADJ/IND is not equal to "U", districts may enter the appropriate value in the COLA-REQUEST-IND field on IVDADJ screen. This will automatically open a "J" Group on CSMS and a completed transmittal will be systematically generated and sent.
 - c. In situations where the district determines there are multiple orders where more than one state may claim continuing, exclusive jurisdiction the district first needs to take steps necessary to determine which, if any, order is the controlling order. Please refer to the Interstate Information and Procedures Manual for procedures as to obtaining/determining controlling orders.
2. Responding state actions. As noted in A.1. above, orders issued by a New York court are subject to COLA and one-time review and adjustment as discussed in these procedures. Inquiries from other states should be responded to in a timely manner.

E. Modifications.

Actions taken for COLA or one-time review and adjustment do not limit, restrict, expand or impair the rights of any party to file a modification of a child support order as otherwise provided by law. As such, districts may identify circumstances which require that an order be modified. For example, the district may determine that an order which is being processed for a COLA does not have a provision for health care coverage for the child subject of the order and it has been determined that such coverage is available through a new employer. The district would seek to modify the order to add such a provision.

F. Records.

Each SCU must keep a record through CSMS of activities taken with respect to the COLA process and the one-time review and adjustment process. A bi-weekly fiche record of all variable data used on the various system generated documents will be mailed to each district.

V. SYSTEMS IMPLICATIONS

- A. A new screen IVDADJ has been added to CSMS to store the values with respect to the COLA and one-time review and adjustment procedures. Note: the values on IVDENF pertaining to review and adjustment have been moved to IVDADJ (See Attachment 8 for screen and Attachment 9 for Data Element Definitions).
- B. A new page 4 of the IVDINC screen on CSMS is the COLA Adjustment Table which provides annual percentage change in the CPI-U across years (See Attachment 16).
- C. All systems changes not otherwise identified in this ADM will be published under separate cover.

VI. EFFECTIVE DATE

This ADM is effective December 18, 1998.

Robert Doar
Director
Office of Child Support Enforcement

LIST OF ATTACHMENTS COLA ADM

ATTACHMENTS:

1. "Notice of Your Right To Request a Cost of Living Adjustment to Your Child Support Order" (for NPA orders post 9/15/89 both parties)
2. "Request for a Cost of Living Adjustment (COLA)" (mailer for NPA orders both parties)
- 3a. "Notice of a Cost of Living Adjustment to Your Child Support Order" (for PA orders post 9/15/89 to both parties)
- 3b. "Cover letter to Court" (for PA orders post 9/15/89 to family or supreme court)
4. "Adjusted Order of Support" (Family Court version to both parties, court, and SCU)
5. "Adjusted Order of Support" (Supreme Court version to both parties, court, and SCU)
6. "Notice of Your Right To Request a Cost of Living Adjustment to Your Child Support Order or A One-Time Review and Adjustment of Your Child Support Order" (for NPA orders pre 9/15/89 to both parties)
- 7a. "Request for a Cost of Living Adjustment (COLA) or One-Time Review and Adjustment" (mailer for NPA orders pre 9/15/89 petitioner's version which will include self addressed prepaid envelope)
- 7b. "Request for a Cost of Living Adjustment (COLA) or One-Time Review and Adjustment" (mailer for NPA orders pre 9/15/89 respondent's version does not include self addressed prepaid envelope)
8. CSMS IVDADJ R&A Adjustment Screen
9. Data Elements for IVDADJ
10. "Objection to an Adjusted Order issued by the Support Collection Unit" (for PA and NPA adjusted orders to both parties and court)
- 11a. "Order (Determination of Objections to Adjusted Order-COLA)" (for PA and NPA orders to both parties and court)
- 11b. "Order (Determination of Objections to Adjusted Order-COLA)" (for PA and NPA orders to both parties and court)

12. "Important Notice Regarding Right to Request Review and Adjustment of Your Support Order" (for NPA orders to both parties)
13. "Notice to Withdraw Adjusted Order of Support" (for PA or NPA orders to both parties, the court and SCU)
14. Language to be included on applications or motions for child support.
15. Language to be included on orders regarding COLA.
16. IVDINC CSMS screen