

CHILD SUPPORT ASSIGNMENT AND DISTRIBUTION DEFINITIONS

The following is a list of definitions which are used in the discussion of assignment and distribution:

ARREARS. The term *arrear*s, or past-due support, means the amount of support determined under a court order or an order of an administrative process established under State law for support and maintenance of a child or of a child and the parent with whom the child is living, or an amount due to the Support Collection Unit, which has not been paid.

ASSIGNMENT OF SUPPORT RIGHTS. The term *assignment of support rights* means a member of a family must assign to the State any rights the family member has or may have (on their own behalf or on behalf of any other person for whom the family member has applied for or is receiving such assistance) to support from any other person which accrues or accrued before the date the family leaves the assistance program:

- For an assignment entered into prior to October 1, 2009, the applicant assigns to the State all rights to support which have previously accrued and which will accrue prior to the family leaving assistance; and
- For an assignment entered into on or after October 1, 2009, the applicant assigns to the State all rights to support which accrue while the family is receiving assistance.

CONDITIONALLY-ASSIGNED ARREARS. The term *conditionally-assigned arrears* means those arrears that do not exceed the cumulative amount of unreimbursed assistance (URA) paid to the family as of the date the family leaves assistance and which are owed to the family unless they are collected through Federal income tax refund offset. They are arrears which were temporarily-assigned to the State under an assignment executed before October 1, 2009, and became conditionally-assigned to the State when the family left assistance. If a conditionally-assigned arrearage is collected through a Federal income tax refund offset, the collection is retained by the State to reimburse the State up to the cumulative amount of URA. Collections of conditionally-assigned arrears by any other enforcement mechanism are paid to the family. On or after October 1, 2009, there will be no new assignments in this category.

CURRENT-ASSISTANCE CASE. The term *current-assistance case* means any Title IV-D case which is currently receiving temporary assistance or Title IV-E foster care services.

CURRENT SUPPORT. The term *current support* means, with respect to amounts collected as support on behalf of a family, the amount designated monthly as the recurring support obligation of the noncustodial parent in the order requiring the support or calculated by the State based on the order.

DISBURSEMENT. The term *disbursement* means the actual dispensing or paying out of the support collection.

DISTRIBUTION. The term *distribution* means the allocation or apportionment of a support collection.

FAMILY ARREARS. The term *family arrears* means those arrears that are owed to the family, and can include (1) never-assigned arrears; (2) unassigned pre-assistance arrears; and (3) unassigned during-assistance arrears.

FORMER-ASSISTANCE CASE. The term *former-assistance case* means any Title IV-D case which formerly received temporary assistance or Title IV-E foster care services.

NEVER-ASSIGNED ARREARS. The term *never-assigned arrears* means (1) all arrears in never-assistance cases; (2) pre-assistance arrears, which are arrears that accrued prior to each period of assistance and that accrued prior to assignments executed on or after October 1, 2009 that were not previously assigned in a current-assistance or former-assistance case; and (3) post-assistance arrears, which are those arrears that accrued after the family's most recent period of assistance.

NEVER-ASSISTANCE CASE. The term *never-assistance case* means any IV-D case which has never received temporary assistance or Title IV-E foster care services.

PERMANENTLY-ASSIGNED ARREARS. The term *permanently-assigned arrears* means those arrears which do not exceed the cumulative amount of URA paid to the family as of the date the family leaves assistance, and include arrears that (1) are or were assigned under an assignment of support rights in effect prior to October 1, 2009, or (2) accrued under an assignment executed on or after October 1, 2009, during the time a family received assistance.

RETROACTIVE SUPPORT. The term *retroactive support* refers to the amount of support established by the court as arrears/past-due support for the period of time from the earlier of the date the petition was filed or, in temporary assistance cases, the date the child(ren) became eligible for temporary assistance.

SUPPORT COLLECTIONS. The term *support collections* refers to a sum paid pursuant to court order or decree or pursuant to a valid agreement for child support or combined child and spousal support which sum may include the requirements set out in the Family Court Act, Section 413.

TEMPORARILY-ASSIGNED ARREARS. The term *temporarily-assigned arrears* means those arrears which do not exceed the cumulative amount of URA paid to the family as of the date the family leaves assistance, which accrued prior to the family receiving assistance (pre-assistance) and which were assigned to the State before October 1, 2009. These arrears are not permanently-assigned and the temporary assignment converts to a conditional assignment when the family leaves assistance. On or after October 1, 2009, there will be no new assignments in this category; only current-assistance cases under assignments executed prior to October 1, 2009 may contain temporarily-assigned arrears.

UNASSIGNED DURING-ASSISTANCE ARREARS. The term *unassigned during-assistance arrears* means all previously-assigned arrears which exceed the cumulative amount of URA paid to the family when the family leaves assistance and which accrued during the receipt of assistance.

UNASSIGNED PRE-ASSISTANCE ARREARS. The term *unassigned pre-assistance arrears* means all previously-assigned arrears which exceed the cumulative amount of URA paid to the family when the family leaves assistance, and which accrued prior to the receipt of assistance. The previously-assigned arrears which may be recategorized as unassigned pre-assistance arrears include temporarily-assigned arrears which were assigned to the State prior to October 1, 2009, became conditionally-assigned arrears when the assignment ended, and were in excess of the URA.

UNREIMBURSED ASSISTANCE (or URA). The term *unreimbursed assistance* means the cumulative amount of assistance paid to a family for all months that has not been repaid by assigned support collections.