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**DCSE Policy & Procedures Unit**  
**Policy Update**  
**PPU 05-07-008**  
**July 28, 2005**

**SUBJECT: Important Notice Regarding Administrative Enforcement Cases  
(HAYDEN Cases)**  
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Please contact the Policy Unit if you have any questions regarding these or any other changes at  
\*DCSE-POLICYQUESTIONS, CSE.POLICY or (602) 274-7951.

*The IV-D PARTNERS should send POLICY inquiries directly to PGriffin@azdes.gov*  
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Administrative Enforcement Cases are cases in which the youngest child who is the subject of an Arizona child support order has emancipated more than three years ago and a final judgment and order for all of the child support arrears was not obtained by either the CP or DCSE. Since 1998, DCSE has been using administrative enforcement actions to collect all unpaid support, including arrears not reduced to a judgment. The State's authority for these actions was confirmed by a number of decisions in trial court and the Court of Appeals. Non-custodial parent, Jack Hayden, appealed this decision and the Arizona Supreme Court issued its decision against the State. Administrative enforcement actions cannot be used to collect unpaid support after the statute of limitations has expired.

DCSE Management team continues to meet and is working to dissect the multiple layers of issues on these cases. They will keep staff informed as decisions are made about these cases. At this time we have found that there is much confusion on how staff are to handle these cases. In general, staff should not take any immediate actions on these cases. No actions of any kind should be taken on these cases at this time, because Systems and Automation is diligently working to complete the most difficult changes to these cases by using the automation of ATLAS. Currently, SAA has stopped all enforcement actions on the original 13,901 cases by globally stopping all automated enforcement on all the Hayden universe of cases, actions such as DOR, ACT, CRB, lottery and FIDM. Therefore, do not attempt to remove the cases from ACT, CRB or stop existing IWOs as this is all being done by SAA. SAA will continue to streamline the cases into smaller and smaller subsets that will eventually become workable ad-hocs for staff.

**It is the directive of DCSE Management that all IV-D staff will NOT take ANY administrative enforcement actions on these cases where the youngest child subject to an Arizona child support order has emancipated more than three years ago or is age 22 or older. Staff attempting to process these cases should just STOP working on them until further notice.**

Staff should also keep in mind that even though we cannot get a final judgment it does not mean that we will not be able to work these cases. There are many, many layers to these cases and each case will need to be carefully reviewed before a final decision is made to work or close them. Many cases may have some intermediate judgment that remains unpaid that DCSE can still collect. In these cases, the case will continue to remain open, but the debts will have to be adjusted to remove those arrears which accrued after the last judgment was obtained i.e. CCH arrears. This will be done in most cases through automation via ATLAS.

For the staff taking walk-ins and/or phone calls, when assisting customers who may be in the Hayden Universe or cases close to the statute of limitations running or having run, please ask the customer when the youngest child graduated high school and document this on the CHIC screen and on a CAAL narrative such as M3918 "Comments to DCSE Staff", as we may be able to work some of the universe that we thought we may not be able to do so. If the youngest child is 22 or older please refrain from asking any questions pertaining to graduation/emancipation.

We would again like to stress that it extremely important for staff to continue reviewing and working those cases where the statute of limitations has not yet or will be running out. Staff should prepare these cases for referral immediately using the FAST TRACK JOA process and then HAND CARRY them to your Regional Office Managing Attorney for immediate attention. Do not just leave the FAST TRACK JOA referrals in the AG baskets for regular processing. Please do not hesitate to work with your supervisors and office attorneys if you have questions or concerns about any of these types of cases.

Please also ask any questions that you may have about this PPU, by contacting the Policy Unit at \*DCSE-POLICYQUESTIONS or (602) 274-7951.