

Jackson County
Prosecutor's Office
Level B
095-34 and 095-36



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Office Location

Our office is part of the Jackson County Prosecutor's Office, but we are housed in separate office space at:


324 E 11th Street, 11th Floor
Kansas City, MO 64106

We house two office ID's on-site:


095-34 Administrative Establishment office and Administrative Enforcement office

095-06 Judicial Office

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CASSD



Important note: office **095-01** is NOT part of the prosecutor's office.

This is the Jackson Co **Court Administrator** - cases show up on CASSD in this office with the ORDE function.

Do not refer people to JCPA. This is court staff entering the order into MACSS.

095-34 and **095-06:** Refer to PA Office

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Provided below is information from prosecutors describing what they require in a legal referral packet and what FSD staff can expect as they work through various legal actions. [Return](#)

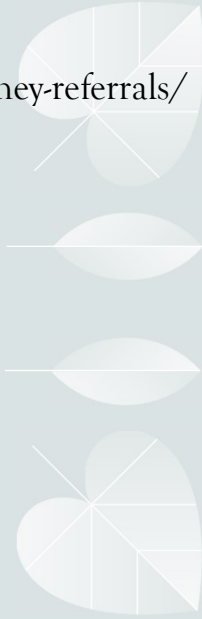
Regional PA Offices	Single County PA Offices
Aurora Regional PA Project 12/12/2024	Boone County 01/19/2024
Bolivar Regional PA Project 01/17/24	Buchanan County 02/9/2024
Boonville Regional PA Project 01/11/2024	Butler County 01/12/2024
Camdenton Regional PA Project 01/17/2024	Cass County 10/31/2022
Carthage Regional PA Project 03/08/2024	Clay County 02/22/2024
**Carthage PA Probable Cause Statement	Douglas County 02/09/2024
Clinton Regional PA Project 04/10/2024	Jackson County 03/22/2024
Farmington Regional PA Project 01/11/2024	Jefferson County 01/24/2024
Hamilton Regional PA Project 02/16/2024	Johanson County 01/11/2014
Ironton Regional PA Project 02/16/2024	Lafayette County 01/12/2024
Jefferson City Regional PA Project 05/07/2024	Mississippi County 03/11/2024
Kennett Regional PA Project 01/11/2024	New Madrid County 01/10/2024
Mexico Regional PA Project 02/07/2024	Newton County 10/31/2022
Milan Regional PA Project 05/22/2024	Ozark County 02/08/2024
Savannah Regional PA Project 7/16/2021	Pemiscot County 01/12/2024
Springfield Regional PA Project 06/21/2024	Polk County 03/05/2024
Steelville Regional PA Project 01/11/2024	Pplatte County 10/31/2022
West Plains PA Project 06/18/2024	Polasko County 01/23/2024
Union Regional PA Project 12/05/2023	Ripley County 01/10/2024
1st & 2nd Judicial Circuits PA Office 01/11/2024	Scott County 01/19/2024
8th Judicial Circuit PA Office 01/08/2024	St. Charles County 03/15/2024
32nd Judicial Circuit PA Office 12/11/2023	St. Louis County 01/17/2024
	St. Louis Circuit Attorney Office 02/09/2024
	Stoddard County 11/06/2023
	Texas County 10/31/2022
	Vernon County 03/07/2024
	Warren County 02/29/2024
	Webster County 02/29/2024

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Prosecuting Attorney Referrals

<https://dssintranet.mo.gov/dss-fsd-training-site/prosecuting-attorney-referrals/>

- From the DSS intranet, you can find each PA office's referral requirements
- Why are prosecutors so particular?
 - *We need information to determine jurisdiction, necessary parties, available remedies, whether we will proceed and how we will proceed*
- Why is every county/region different?
 - *Each PA office must proceed in the manner that best fits the jurisdiction they are in. This is based upon the judges and their preferences/beliefs, the elected prosecutor and their policies, available jail space, community action groups, jury pools, etc., etc.*
- Current/Statewide caseload means the worker must be able to cater to 50 different offices.



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Member Demographics

COMPLETE AND ACCURATE INFORMATION



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Current Location of All Parties

*Part of the legal process, whether administrative or judicial, is due process. A party must have knowledge of the legal action before the court or administrative agency has jurisdiction to enter an order.

*Because service by sheriff or process server can be completed upon any member of the household over the age of 18, we must have evidence that the address we are using is in fact the party's address.

*Notice or knowledge of the proceeding occurs through service of process. For an administrative order, that may mean signing for certified mail. For both judicial and administrative process, that could mean service of documents on the party by a sheriff or special process server.

*If we personally serve an individual through sheriff or process server, we can do it anywhere. At home, at work, at a baseball game, etc. Unfortunately, personal service is hard to obtain and a large percentage of cases are served by substitute service on a family member.

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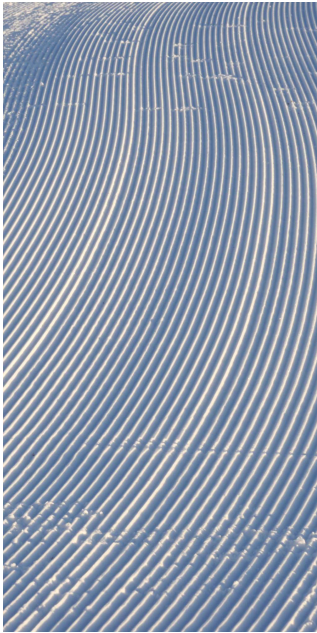


How can addresses be verified?

- Party can provide their own address to the state.
- Party can report the address to a government agency (DMV, Probation & Parole, Court)
- Party can report to employer (W-4)

While a party can verify their own address, they cannot verify the other party's address. They can be a source for the address, but you will then need to independently verify through one of the other methods (DMV, tax records, W-4, 403, etc.)

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A note about 403s

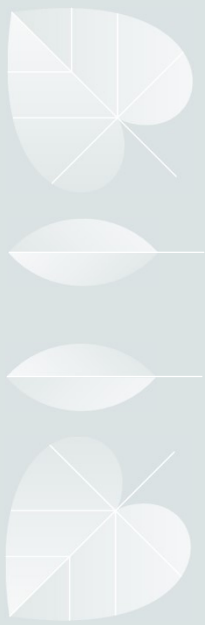
A 403 is evidence that can be used to verify an address. However, a 403 is not necessary for a legal referral to our office when we have one of the other verification methods. A 403 is not a reliable source, since the post office does not return them timely and does not seem to accurately complete them. It is one of the weaker pieces of evidence if we need to defend service in court.

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OnBase Envelopes

- All necessary documents should be included in the OnBase envelope, unless it is in a backfile. In that case, your diary note should include the backfile number and the specific pages of the necessary document.
- There should be a diary note that indicates who the envelope was sent to, what was included, reason for referral, etc.
- MACSS will assign to the correct worker in our office based on the function. Please do not override CASSD with a different worker.
- Do not email referrals, send through OnBase. (Look at referral instructions for each office.)
- Make sure that you assign full rights on the envelope when you send it. If you do not, we cannot delete the envelope when we accept the referral.

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When in Doubt, Ask

If you have a question about our referral requirements, feel free to reach out and ask.

We are all part of the same team and it is inefficient to sent work back and forth. I would rather answer questions on the front end and have cases come to us ready to work. However, this is not an invitation to ask us to review every case before it is sent.

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DEPARTMENT OF SOCIAL SERVICES
FAMILY SUPPORT DIVISION
CHILD SUPPORT ENFORCEMENT Accepts OnBase Referral Packets

REQUIRED DOCUMENTATION FOR LEGAL REFERRALS

Office Name: Jackson County Prosecuting Attorney Date: 02/09/2024
 Name of Person Completing Form: Rebecca Lambert Title: Director

ENFORCEMENT REFERRALS
Click on the box to indicate documents that are required by your office

The application for services (CSE-201 or CSE-300)
 A Support Calculation Summary (CSE-509 and CSE-509C)
 A copy of the support order, please specify the number of copies required **One**
 A certified copy of the support order, please specify the number of copies required **One, only needed if not a Missouri order**

ADDITIONAL DOCUMENTATION REQUIRED:
Tab to the shaded area to enter data.

General criteria:

- 506 with action requested
- Must have three consecutive months of zero payments prior to the referral (may be exceptions—contact supervisor Lara Fors @lara.w.fors@dss.mo.gov to inquire if we will accept)
- Copies of recent 403s sent/returned recently; addresses must be verified within the last 90 days
- All administrative remedies are exhausted (none pending)
- Send all orders on the case (e.g., original, mods, change of payee, COLA orders (OOS))
- Send all appropriate cases for the same NCP at the same time
- IM confirmation whether mother, children, and/or AFs receive TANF and/or Medicaid
- Documents showing domestic violence between mother/children and any AF/PF/LF
- If the order had a commencement date prior to August 1998, then need a hand calculated 509
- Copies of any completed 509As and CS 100 Affidavits of Credit
- If there are minor children on the case and there are non-IV-D arrears, an explanation of 1) why they are there and 2) for what time period they accrued
- If the 509 shows adjustments, then an explanation of the adjustment (e.g., SOL reduction, order state arrears reconciliation, etc.)
- Note on the referral any unusual circumstances FSD found when reviewing

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- Do not override the CASSD screen when creating the referral in MACSS. On the REFER screen, select the 095-06 office, and MACSS will automatically direct it to the correct worker. CC the OnBase envelope to Bridget Commack.
- No redacted documents.
- Indicate in DIARY note the pages of documents in referral of part of a backfile. We should not need to dig to find documents you were asked to identify and include.

WHAT ORIGINAL DOCUMENTS ARE REQUIRED?

Certified 509/509C

WHAT ARE THE MINIMUM REQUIREMENTS FOR AN ENFORCEMENT REFERRAL?

- three consecutive months of non-payment
- Active address in MADDR for the NCP
- For registration of foreign judgments, verify FIPS county code of parent's address; Kansas City MO has spans multiple counties—we should register only those cases when the parent lives in Jackson County

Criminal Non-Support:
 Will you file CNS felony charges?
 Yes
 No

We will update here when the policy changes. Currently, we do not have permission to file, but we are working toward developing a process for a diversion court for criminal non-support cases.

If yes, under what circumstances?

What do you look for when considering CNS felony charges?

What is your courts usual action following a felony conviction?
 (i.e. supervised/unsupervised probation, etc.)

Will you file CNS misdemeanor charges?
 Yes
 No

If yes, under what circumstances?

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What do you look for when considering CNS misdemeanor charges?

 What is your courts usual action following a misdemeanor conviction?

Civil Contempt
 Will you file contempt motions?
 Yes
 No

If yes, under what circumstances?
Civil Contempt is the preferred judicial enforcement remedy. We will file a contempt if:

- NCP is not paying and current and/or arrears are due
- NCP is not participating with Connections to Success
- If the order is from Jackson County
- If the NCP lives in the metro area, even if in KS
- If an out-of-metro area NCP has no previous referrals or a history of cooperating
- If NCP does not live out of state
- If the NCP does not have pending criminal charges that in the opinion of the prosecutor will thwart a contempt action
- If the parties do not have a pending modification of child support action pending
- This office determines this approach to be appropriate, necessary, and likely to be effective.

What criteria do you require when considering whether to file a motion for contempt?
see above

What is your courts usual action following a finding of contempt?
Stay the execution of a warrant and order a purge payback plan.

After a conviction or finding of contempt, when do you close a referral?
 After three months consecutive payments per the probation agreement or finding of contempt.
 Explain:
 Six months after conviction or finding of contempt regardless of payments.
 Explain:
 Leave referral open and monitor for compliance with the probation or contempt agreement.

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Explain: **Monitor the purge payment plan through court appearances and if the NCP pays per the order for six consecutive months, then set aside the Judgment of Contempt and dismiss the action.**

Are there any local requirements for getting probation revoked (no payments at all or some payments missed after how many months?). In other words, if you've closed a referral because the NCP is on probation now, when do you want it referred back to you if the NCP is not complying?
We are not using criminal now.

How do you approach judicial enforcement on an arrears only case?
We will file a motion for contempt if it meets criteria.

Please provide additional discussion on issues affecting prosecution of enforcement referrals in your county.
We have two venues in KC, and sometimes they can differ. The downtown court is very adverse to incarceration. The Jackson County Jail is adverse to housing contemnors.
If we find during the pending of our case that the NCP is on TANF or receiving both Medicaid and Food Stamps for him/herself, then we would consider dismissing the case and returning the referral.
Our general philosophy is to first try to get the NCP back on track to making payments instead of having a singular punitive policy.

Under what circumstances do you require a Child Support Specialist (CSS) to appear in court?
We have no standing requirements. We mostly rely on \$454.539 and/or business records affidavits for evidence. We will try to use PA staff before asking FSD. It would be very rare to need FSD to defend an administrative action.

PATERNITY / ESTABLISHMENT REFERRALS

Click on the box to indicate documents that are required by your office

The application for services (CSE-201 or CSE-300)

Income verification

State Debt Calculation (CSE-509SD) and Form 14 when state debt is requested

Form 14 when child support is requested

Genetic test results if testing has already been completed

Birth certificate or paternity affidavit if available

ADDITIONAL DOCUMENTATION REQUIRED:
Tab to the shaded area to enter data.

- **506 with action requested; 506 should show the full name for all the parties**
- **Any 465s for any child on the referral**
- **Out-of-state birth certificates for any child on the referral**
- **Marriage certificates/divorce decrees of mother**
- **Any genetic testing done on any child on the referral, also exclusions**

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- **DMV printouts or other information used to identify and locate the adult parties**
- **Copies of recent 403s sent/returned recently; addresses must be verified within the last 90 days**
- **The 201 application filled out by the mother on every presumed or alleged father**
- **The state of conception**
- **All administrative remedies are exhausted (none pending)**
- **Send all orders involving the adult parties (together or separately) that pay or receive child support or maintenance (or QUICK references to other cases OOS)**
- **All orders for a child(ren) on this case**
- **Send all appropriate cases for the same AF at the same time**
- **In NPCR/foster care referrals, all identifiers for the biological mother (necessary party to the case)**
- **On foster care cases**
 - **copies of all juvenile orders (and ongoing)**
 - **recent verification that the child is still in state custody**
 - **verification whether there is a reunification plan in place and for which parent**
- **No redacted documents.**
- **We need to know:**
 - **Whether mother was married at the time of a child's birth**
 - **Whether a child was born within 300 days of mother's divorce**
 - **The state where conception occurred for each child**
 - **Whether/who is another possible father of each child**
 - **This information comes from 201, applications, 511 for each child**
- **If the parties have other children, send referrals for modification on those orders, so that we can get all children on same order**
- **Ill confirmation whether mother, children, and/or AFs receive TANF and/or Medicaid**
- **Documents showing domestic violence between mother/children and any AF/PF/LF**

WHAT ORIGINAL DOCUMENTS ARE REQUIRED?

Genetic testing reports

Please provide additional discussion on issues affecting paternity and establishment referrals in your county.

- **We do pursue orders by default without genetic testing against a father that does not appear at trial as long as we have testimony that he is the only man who could be the father.**

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- We will also pursue an order even if the CP does not appear at trial if we have genetic testing.
- Currently we use actual wages for the parties, but if there is no information on employment and also no evidence of a disability, we will impute wages to the PPS.
- We do not impute wages to PPSs that are incarcerated.

INCOMING INTERSTATE REFERRALS
 Click on the box to indicate documents that are required by your office

Three copies of incoming UIFSA—**we only need one copy**

Support Calculation Worksheet (CSE-509/509C)—**only if it is a MO order**

CSE-1004

ADDITIONAL DOCUMENTATION REQUIRED:
 Tab to the shaded area to enter data.

For paternity:

- Birth certificate of each child
- Any voluntary acknowledgment of paternity signed in another state (akin to our 465)
- Any orders of paternity or non-paternity entered in another state
- Any genetic testing results for a child on the referral
- Income and expense information from the mother

For registrations of foreign judgment:

- Make sure the 506 indicates whether it is to be registered for enforcement or modification
- Verify PPS county code of parent's address; Kansas City MO has spans multiple counties—we should register only those cases when the parent lives in Jackson County
- For referrals to register a foreign order
 - need a certified copy of all foreign orders in the case
 - need a certified copy of the arrearage statement from the order state
 - need the Letter of Transmittal and the certified arrearage statement from the order state to match on the amount of arrears and on the "as of" date
 - need the date ("as of" date on the Letter of Transmittal and on the certified arrearage statement from the order state) to be less than three months old

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WHAT ORIGINAL DOCUMENTS ARE REQUIRED?

For paternity:

- One set of the appropriate UIFSA forms
- Genetic testing reports, if available

For registrations of foreign judgment:

- None of the above required documents need to be hard copies

OTHER INCOMING INTERSTATE INFORMATION:
 Tab to the shaded area to enter data.

For registrations, if the order state's SDU is not maintaining the accounting of the case, please contact the supervisor, Lara Fors @lara.w.fors@dss.mo.gov to discuss for next steps.

No redacted documents.

On incoming interstate referrals requesting you to register a foreign order, do you need a Registration Statement notarized by the other state? If the other state hasn't provided one would one notarized by the Child Support Specialist be sufficient?
Yes, we need it; No, FSD would not be appropriate unless its not an UIFSA action

OUTGOING INTERSTATE REFERRALS
 Click on the box to indicate documents that are required by your office

PATERNITY and/or ESTABLISHMENT

The application for services (CSE-201 or CSE-300)

Income verification

State Debt calculation (CSE-509SD) and Form 14 when state debt is requested

Genetic test results if testing has already been completed

Order of Non-Disclosure (CSE-311) if family violence is an issue

MODIFICATION

The application for services (CSE-201 or CSE-300)

Income verification

Order of Non-Disclosure (CSE-311) if family violence is an issue

One certified copy of the out of state order (when asking the responding state to modify its own Order)

Three certified copies of the out of state order (when asking the responding state to register and modify another states order)—**only if the responding state is not on EDE**

ADDITIONAL DOCUMENTATION REQUIRED:
 Tab to the shaded area to enter data.

The same as a local case's referral.

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Recent verification of all parties' contact information; copies of recent 403s sent/returned recently; addresses must be verified within the last 90 days

For Modifications, need a certified copy of the order to be modified (and any earlier orders) and a recent certified arrearage statement from the order state

WHAT ORIGINAL DOCUMENTS ARE REQUIRED?

*The same as a local case's referral.
For Modifications, need a certified copy of the order to be modified (and any earlier orders) and a recent certified arrearage statement from the order state if the responding state is not on EDE*

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Thank you

Rebecca Lambert
Director

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