

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

P.O. Box 419064, Rancho Cordova, CA 95741-9064



March 2, 2010

EBLAST

TO: IV-D DIRECTORS

SUBJECT: WISCONSIN INTERSTATE LIENS

Recently, local child support agencies (LCSAs) have attempted to file interstate liens in specific counties within the state of Wisconsin and have had them returned unfiled.

Title 42 United States Code § 666 (a)(4)(B) provides that each state give full faith and credit to another states' lien when the entity seeking to enforce the lien complies with the procedural requirements of the state in which the asset is located. Wisconsin state law will allow the direct recording of a lien on property only for specific and identified real property in the county in which the property is located. A legal description of the property is required on the lien.

A general lien is a lien that does not identify or specify the description of the real or personal property on the lien. The process for filing a general lien on real and personal property within the state of Wisconsin requires an initiating interstate referral for enforcement, i.e., UIFSA initiating CSNET transaction, through the Wisconsin Central Registry. After Wisconsin processes the CSNET referral, the case will be registered for enforcement. Once the case reaches the state prescribed lien threshold amount, the noncustodial parent's name and the interstate debt will automatically be placed on the child support lien docket.

Due to differences in states' recording laws, it is highly recommended that LCSAs review the lien filing requirements for that state prior to issuing an interstate lien. This information is available within Intergovernmental Referral Guide (IRG) located on the Office of Child Support Enforcement's website. The IRG guide provides information about each states laws and requirements as they apply to various areas of child support. The guide can be accessed at the following website: <https://extranet.acf.hhs.gov/irgps/stateMap.do>. To gain access to the site, click on public user.

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If you have any questions or concerns regarding this matter, please contact Stacey Bixby at (916) 464-5883.

Sincerely,

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BILL OTTERBECK
Deputy Director