

CHAPTER 7-000 SUPPORT ORDER ESTABLISHMENT

This chapter outlines the role of the Department or County/Authorized Attorney in establishing a support order.

7-001 PROCESSING STANDARDS: The Department or County/Authorized Attorney must:

1. Establish paternity when necessary, pursuant to 466 NAC 6-000;
2. Utilize appropriate State statutes and legal processes in establishing the support obligation;
3. Periodically review and modify child support orders as appropriate pursuant to 466 NAC 8-000;
4. Seek a support order based on a voluntary acknowledgement of paternity;
5. Require that all support orders in the IV-D program address medical support; and
6. In any case in which a child support order and/or medical support order does not exist, within no more than 90 calendar days of locating the alleged father or non-custodial party:
 - a. Establish an order for support, or complete service of process necessary to commence proceedings to establish a support order and, if necessary, paternity; or
 - b. Document unsuccessful attempts to serve process, in accordance with state guidelines defining diligent efforts.

Attempts to serve process must include, initially, service of process through the county sheriff's office or other representative recognized by the court. If service of process through the county sheriff or that office's representative is not successful, the Department or County/Authorized Attorney must explore other options for service of process. These include using other contractors for service of process and service through certified mail.

When service of process has failed, but adequate identifying and other information exists for service of process, repeated attempts must be made.

7-002 DISMISSED PETITIONS: If the court or administrative authority dismisses a petition for a support order without prejudice, the Department or County/Authorized Attorney must, at the time of dismissal, examine the reasons for dismissal. The Department or County/Authorized Attorney must determine when it would be appropriate to seek an order in the future and must seek a support order at that time.