

**CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES**

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

Reason for this Transmittal

- State Law or Regulation Change
- Federal Law or Regulation Change
- Court Order or Settlement Change
- Clarification requested by One or More Counties
- Initiated by DCSS

December 23, 2002

CSS LETTER: 02-27

ALL IV-D DIRECTORS  
 ALL COUNTY ADMINISTRATIVE OFFICERS  
 ALL BOARDS OF SUPERVISORS

SUBJECT: SUPPLEMENTAL SECURITY INCOME/STATE SUPPLEMENTARY  
 PROGRAM (SSI/SSP) AS THE ONLY INCOME

REFERENCE: CSS LETTER 02-15

This letter is to provide additional information to CSS Letter 02-15, dated August 6, 2002, which provides policy guidance concerning the enforcement of SSI/SSP benefits and case closure requirements.

CSS Letter 02-15 states that if an obligor is receiving SSI/SSP benefits and has no other attachable income and/or assets, the local child support agency (LCSA) must modify the order (current support) to zero and then close the case.

The Department of Child Support Services (DCSS) has been receiving clarification requests from LCSAs regarding circumstances where the guideline calculation indicates an amount other than zero. This arises in circumstances where the non-custodial parent (NCP) has no income for purposes of the guideline calculation and visitation time with the child(ren) and the custodial party (CP) has earnings. When an NCP on SSI/SSP has visitation and no income or assets and the CP has earnings, the guideline calculation will indicate that the CP owes support to the NCP.

If the guideline calculation indicates that the CP must pay support to the NCP, LCSAs are still required to close the case based on the fact that the NCP is receiving SSI/SSP and has no other attachable income. LCSAs must modify the current support order to indicate that the NCP owes zero support to the CP. When the LCSA closes the case based on the NCP receiving SSI/SSP benefits, there is no longer a IV-D case. Therefore, if the guideline calculation indicates that the CP must pay support to the

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NCP and the NCP wishes to enforce the order, the NCP must apply for IV-D services and open a new case against the CP.

Section 17210, Family Code, specifies in relevant part that DCSS shall ensure that LCSAs establish systems for informing the public, including CPs and NCPs, of the LCSAs services and operations. Therefore, when the guideline calculation indicates that the CP could be liable to pay support to the NCP, LCSAs shall inform the NCP that he/she may be entitled to receive child support and inform him/her of their right to apply for IV-D services. LCSAs shall be responsible for informing the NCP either at the time of modification or by a notice in the mail, of the right of the NCP to apply for Title IV-D services.

If you have any questions or concerns regarding this matter, please contact the Policy Branch at (916) 464-5055 or by email at [policy.branch@dcss.ca.gov](mailto:policy.branch@dcss.ca.gov).

Sincerely,

PATRIC B. ASHBY  
Deputy Director  
Child Support Services Division