

**CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES**

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



May 8, 2003

CSS LETTER: 03-07

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

SUBJECT: CORRECTED: 2003 CHILD SUPPORT COMPLIANCE REVIEW GUIDE  
 AND FORMS

REFERENCE: CSS LETTER 03-01

This letter is to provide you with an update to the recently released CSS Letter 03-01 (2003 Child Support Compliance Review Guide and Forms). Changes to the guide were necessitated by the design of the Compliance Review Tool for Child Support (CRTCS), the web-based review tool. Corrections have been made in bold to the following pages of the guide and accompanying forms. The revised documents are enclosed.

- 1) Introduction to the Review Process, page 2 (Question 3 has been revised from AB02 to AB06)
- 2) Establishment Component, page 18 (Language has been added to distinguish the use of question CA03)
- 3) Review and Adjustment, pages 23, 24, 25 and 26 (These pages reflect the change in sequence to questions CB01 through AB06 made to accommodate the new electronic review tool)
- 4) Case Closure Component, pages 69 and 71 (A section of the compliance requirements was inadvertently omitted from the guide)
- 5) Case Review Tabulation Instructions/Sheet, pages 95 and 97 (These pages reflect the change in sequence to questions CB01 through AB06 in the Review and Adjustment Component)
- 6) Shortened Compliance Review Form (This form reflects the change in sequence to questions CB01 through AB06 in the Review and Adjustment Component)

<u>Reason for this Transmittal</u>
<input type="checkbox"/> State Law or Regulation Change
<input type="checkbox"/> Federal Law or Regulation Change
<input type="checkbox"/> Court Order or Settlement Change
<input type="checkbox"/> Clarification requested by One or More Counties
<input checked="" type="checkbox"/> Initiated by DCSS

DCSS-PR-2003-CTY-0015



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Questions related to the compliance review process may be directed to your Quality Assurance Branch analyst by telephone or by electronic mail at [firstname.lastname@dcss.ca.gov](mailto:firstname.lastname@dcss.ca.gov).

Sincerely,

SHAR SCHROEPFER  
Acting Deputy Director  
Child Support Services Division

Enclosures

# 2003 CHILD SUPPORT COMPLIANCE REVIEW GUIDE & FORMS

For the Review Period  
January 1 through December 31, 2002



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California Department of Child Support Services  
Quality Assurance Branch

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*Background:* A Performance Standards Model for the Child Support Program in California was first established by Chapter 1647, Statutes of 1990 (AB 1033). This legislation established a process of annual compliance reviews of the county family support divisions' administration of the Child Support Program and provided for corrective action and program improvement to address findings of non-compliance. The reviews were designed to meet federal audit criteria, as well as applicable state and federal program regulations and requirements. Provisions of the legislation tied county compliance to eligibility for state incentive payments, based on a percentage of distributed collections credited to each county. Initial reviews under this model were conducted in 1991 and have continued each year.

AB 1033 expired June 30, 1998 and was replaced by Chapter 404, Statutes of 1998 (SB 1410), making permanent the requirement for the annual performance reviews and corrective action/program improvement. A new incentive program was established, with eligibility again tied to compliance. Statutory language is contained in Family Code Section 17702.

At the federal level, Public Law 104-93, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) requires states to conduct an annual self-assessment of Title IV-D (Child Support) program operations. This replaces the federal triennial program audits, which have been discontinued. Section 342 of the PRWORA established the self-assessment requirement and mandates a report of the results of the reviews be submitted to the Secretary, Department of Health and Human Services. Guidelines were developed under the authority of the Act and have been issued by Federal Action Transmittal (AT-98-12). The guidelines specify review parameters intended to measure compliance with program requirements contained in 45 CFR 302 & 303. Also, Action Transmittal OCSE-AT-00-09, dated and effective December 12, 2000, transmitted the Final Rule on State Self Assessment. The rule is designated as 45 CFR Part 308 and implements the guidelines into regulation.

A new State initiative, the Quality Assurance and Performance Improvement (QAPI) program has been introduced recently in the child support program. The assessment of program compliance will be incorporated into QAPI and become an integral part of the overall effort to ensure program compliance and improve program performance. Beginning in 2004, our intention is to establish a process in which the compliance review will consist of a self-assessment conducted on an on-going basis, in lieu of the current annual review (for LCSAs in compliance). As part of this change, a statewide random sample of cases will be reviewed annually for federal reporting purposes. This potential change would not affect the 2003 self-assessment process which is conducted for the 2002 review period.

*2003 Review Changes:* The current compliance review process, as outlined in this review guide, is designed to meet both state and federal mandates described above. Counties are reviewed annually to determine compliance with applicable federal and state requirements in effect during the review period. Although there are changes in the review for 2003, the basic methodology remains the same as in previous years. The following is a summary of the changes from the previous review.

## 2

### *Chapter 1: Introduction to the Review Process*

1. The review period is the calendar year, January 1 through December 31, 2002.
2. In the Establishment component, questions CA03 and CA04 have been rewritten to reflect the 60-day service of process requirement after which the CP provides location information on the NCP and 10 business days to interview the CP at case opening. In question CA08, reference to form CS 870 (Attestation Statement) has been added. Question CA09 has been added to address the CP's failure to cooperate. Questions CA10 and CA11 are new and relate to the family violence indicator policy.
3. In the Review and Adjustment component, **question AB06** has been added to address a modification when the NCP is receiving Supplemental Security Income/State Supplementary Payments (SSI/SSP) benefits.
4. In the Enforcement component, Question CC05 has been revised from a 90-day to 60-day Franchise Tax Board referral requirement. Question CC06 is new and refers to the family violence screening and form CSS 2142. Question CC10 has been changed to reflect the two-day time frame for issuing a wage assignment after new employee information is entered into the State Directory of New Hires (NERS). Question CC16 is new and relates to the family violence indicator policy requiring a notification be mailed within five business days after first locating the CP or NCP.
5. In the Collections and Distribution component, the language in question CD05 has been revised. "Pass-on" payments are now limited to Federal Foster Care cases only. Question CD08 has been removed from the component as CS 801 and CS 821 are no longer used by the LCSA.
6. In the Medical Support component question, CF02B has been revised to reflect the requirement to use the National Medical Support Notice (NMSN). Question CF03 has been added to ensure the LCSA notifies the employer when enforcement ceases in a case involving medical support only.
7. In the Case Closure component, question AG03 is now a compliance issue and AG04 has been removed from the review, as it was a one-time only issue.
8. In measuring compliance in Expedited Process, November 2001 will be used as the base month.
9. In Program Administration, the following three new components have been added to the review: Case Transfer (administrative); Declarations of Paternity in Child Support Cases (administrative); and Complaint Resolution Tracking System. In both the Required Notices and Case Application components, a new question has been added relating to required forms.
10. For the case list validation, counties should use the July 2002 welfare payroll listing. (If that month is not available, use the closest month that is available.)

*Review Guide and Process:* This Compliance Review Guide is intended to provide guidance to the California Department of Child Support Services (DCSS) and the LCSA staff regarding the annual compliance reviews. It contains information about the scope of the reviews, definitions, general steps involved in conducting the reviews, and other information pertinent to the review process.

Annual reviews are generally conducted by county LCSA staff and verified by DCSS. In rare cases, DCSS may conduct the review directly.

*Review Period:* The review period for this review is January 1 through December 31, 2002.

*Review Time Frames:* The 2003 compliance review commences January 1, 2003. The LCSA must complete the review and submit a Compliance Review Report of Findings to the Quality Assurance Branch (QAB) no later than April 30, 2003.

*Review Requirement References:* LCSA staff will review to the state and federal requirements, administrative instructions and state policies in effect during the review period. They may include any of the following:



*NOTE: Regulations referenced in the 2003 Compliance Review Guide add some new program requirements and repeal some sections contained in the Manual of Policies and Procedures (MPP).*

- ◆ Code of Federal Regulations (CFR)
- ◆ Manual of Policy and Procedures (MPP)
- ◆ Code of Civil Procedures (CCP)
- ◆ Family Code (FC)
- ◆ Child Support Services Letters (CSS)
- ◆ Child Support Services Informational Letters (CSSIN)
- ◆ Local Child Support Agency Letters (LCSA)
- ◆ Family Support Director Letters (FSD)
- ◆ Family Support Director Informational Notices (FSDIN)



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## ***Chapter 1: Introduction to the Review Process***

Reviewers are required to follow the review procedures and forms as outlined in this Review Guide. The Review Guide, compliance requirements, forms and form instructions will be accessible through an internet-based review tool. Information and instructions relating thereto are forthcoming under separate cover. New requirements from adopted regulations are generally incorporated into the compliance review once they have been in effect for an entire review period. In some cases new requirements are introduced as “administrative” issues (not counted toward compliance).

*Entrance Conference and Exit Conferences:* The LCSA reviewer, as necessary, conducts an entrance conference with the LCSA administrator to discuss the scope and review methodology and to answer any questions concerning the review. At the conclusion of each review, LCSA staff will conduct an informational exit conference to discuss the preliminary findings.

### Part I: Case Review:

The DCSS and LCSA reviewers will review a sample of cases to determine case compliance, confirm and annotate results, and interview county staff as needed. Case Review Forms and Case Compliance Criteria will be used for this portion of the compliance review. During the state review, for each case found out of compliance, a Case Review Finding Verification form is completed by the DCSS reviewer(s) describing the problem. During the self-review monitoring process, for each case where the findings differed from the LCSA reviewer(s), the DCSS reviewer(s) completes a similar feedback form. Either of these feedback forms is submitted, along with the case being reviewed, to the appropriate LCSA staff for comment and/or possible additional clarification. This process allows for immediate resolution of discrepancies as well as a continuous, ongoing status of the review.

#### **SPECIAL PROVISIONS:**

Review Period Crossover: If a required action was or should have been initiated prior to the review period, but the required time frame(s) ended during the review period, the action is applicable and the initial date must be considered in the review. If an action was required prior to the review period and the time frame(s) began and ended before the current review period (but the required action was still not completed as of the beginning of the current review period), the action is applicable for the current review and January 1 is used as the beginning date of the required time frame. Cases with no required activity in any component during the review period are not reviewable and are “no forms” cases.

“Notwithstanding” Provision: Provides that certain accomplishments in case actions essentially “overcome” some errors in preliminary actions or time frames leading to the accomplishment as long as the end result occurs within the review period. Included under this provision are the following actions:

1. The establishment or modification of a support order or the registration of a foreign order. (Does not include establishment of paternity only.)
2. An enforcement action resulting in a payment. (Does not include a tax intercept.)
3. The completion of a review for adjustment process within the required 180 days.

“Latest Required Action” Provision: PRWORA provides that, within a case review component, if the “notwithstanding” provision cannot be applied, case compliance may be measured by whether the county correctly carried out the “latest required action” (LRA) for the case in the review period. Under this provision, if a county exceeds a time limit for a required action, the case could still be found in compliance if a subsequent action is taken timely within the review period. It does not apply to the same action, unless that action is required to be repeated. This provision has been added to the Establishment/Modification, Enforcement, Collections and Distribution, and Interstate review components.

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## Chapter 2: Conducting the Review

Procedures for Reviewing Cases Involved in Intercounty Transfer: A transfer case being reviewed in a sending county will be subject to appropriate review components until the county is allowed to close it. A transfer case in a receiving county must be treated as a referral of a new case and is subject to case review requirements. For purposes of the review, it is evaluated the same as any other case, with appropriate actions determined by the status of the case.

Conflict of Interest – Self-review counties: The LCSA needs to ensure it has a process to avoid possible conflicts of interest, which may arise during the performance review.

What constitutes a conflict of interest case:

- ◆ A case the compliance reviewer had personally worked during the review period.
- ◆ A case in which the compliance reviewer previously had direct involvement as a line supervisor during the review period.
- ◆ A case involving individuals who are relatives or friends of the compliance reviewer.
- ◆ A case for which the compliance reviewer was subject to disciplinary action as a result of case handling and processing.
- ◆ A case where, in the professional judgment of the compliance reviewer, it is in the best interest of all concerned that the case be reassigned.

Once a case has been determined to be a conflict of interest, an alternate staff member who has no conflict should review the case. If this cannot be accomplished at the county level, the case may be reviewed, but must be held for state reviewers to re-review. The county should address whether conflict of interest was an issue and, if so, how it was handled.

### Establishing a Sample Case List

Each year, at the end of the Federal Fiscal Year, each county is required to submit to the department a complete listing of cases, both open and closed, existing on the county's system as of September 30. Counties receive instruction on the submittal of this list by separate letter. This master case listing (MCL) is used to draw review samples both for a federal data reliability audit and for the compliance review process outlined in this guide.

The DCSS will generate sample lists to be used for each county review. Sample lists consist of assistance, non-assistance, medically needy only (MNO), and foster care cases that are randomly selected. The DCSS will make the actual sample case selections and notify each LCSA of the cases subject to review. These lists are automatically loaded into the web-based program.

Validation of Case Listing: The LCSA reviewer will validate the accuracy and acceptability of the case listing before starting the review. Staff will use the procedures explained below for validating the case listing.

The LCSA reviewer will validate the MCL prior to beginning the case review. To complete the validation, the reviewer(s) will require access to the county welfare payroll list (or database) for July 2002. From that list, a validation sample of 30 case numbers will be randomly selected. Those case numbers (and their associated client names) will then be matched against the LCSA's MCL. If the MCL fails to validate, that is if the comparison fails to match at least 75 percent of the cases taken from the welfare listings, the validity of the case listing is in doubt and may require correction before the review can continue. The LCSA reviewer(s) should include the results of the validation in the report of findings to the QAB after completing the case review. If the county reviewer(s) is unable to successfully validate the MCL, the QAB should be notified for direction before proceeding with the compliance review.

### Case Review Face Sheet Instructions

A Case Review Face Sheet must be completed for each case reviewed. Instructions are included below, followed by review forms. The face sheet is designed to capture basic case-related information to avoid duplicate, time-consuming entries on other case review forms.

Case Review #	This number is assigned with the first two digits being the county code, a hyphen, a three-digit consecutive number from the case list sample, a hyphen, and the last two digits of the year in which the review is being conducted. (For example, the first Sacramento case would be 34-001-03.)
Compliance Section	This section is used to determine the number of cases found in or out of compliance by case type (assistance, non-assistance or a combination of the two).
Part A	Enter the last four digits of the LCSA case number. Enter “yes” if the Social Security Number (SSN) is available or “no” if not. For Noncustodial Parent (NCP) and Custodial Parent (CP), enter the first four letters of last names only.
Part B	Check all categories that apply to the case during the review period.
Part C	In the “Review Components” section, check the review forms used during the review of the case. Indicate whether the case was found “in” or “out” of compliance for each of the components checked.
Part D	Use this section to provide a brief overview of the case, making comments on any aspect of the case that may clarify the review findings. If no review forms are appropriate for the case, state the reason why in this section.



*NOTE: For purposes of Assistance/Non-assistance Error Rate Comparison, cases are considered “assistance” if the child or all of the children in the case are on public assistance throughout the review period. They are considered “non-assistance” if the child(ren) were not on public assistance at any time during the review period and there is no assistance arrears balance against which collections could be applied. Otherwise cases are counted as “combination” and are not part of the comparison. Also, for a situation in which the only child in the IV-D case is a “maximum family grant” child in the public assistance unit, the case is considered a “combination” case for purposes of this comparison only.*

# Chapter 2: Conducting the Review

STATE OF CALIFORNIA  
HEALTH AND HUMAN SERVICES AGENCY

DEPARTMENT OF CHILD SUPPORT SERVICES

CASE REVIEW # \_\_\_\_\_ - 03

## CASE REVIEW FACE SHEET Review Period: January 1 through December 31, 2002

Latest support order date: ___/___/___
[current \$            per month]
[arrear \$            per month]
County NCP resided in during review period:
Date locate confirmed: ___/___/___

COMPLIANCE		YES	NO
	ASSISTANCE		
	NON-ASSISTANCE		
	COMBINATION		

### PART A

Reviewer
LCSA Case # (last four digits) _____
NCP Social Security Number _____ yes    _____ no
NCP (first four letters of last name) _____
CP (first four letters of last name) _____

### PART B – Check all that apply during the review period

<input type="checkbox"/>	Assistance	<input type="checkbox"/>	Non-Assistance
<input type="checkbox"/>	Assistance Arrears Only	<input type="checkbox"/>	Non-Assistance Arrears Only
<input type="checkbox"/>	Interstate Initiating	<input type="checkbox"/>	Interstate Responding
<input type="checkbox"/>	Foster Care	<input type="checkbox"/>	MNO

### PART C

REVIEW COMPONENTS	√	COMPLIANCE	
		YES	NO
ESTABLISHMENT/MODIFICATION (A)			
REVIEW AND ADJUSTMENT (B)			
ENFORCEMENT (C)			
COLLECTIONS & DISTRIBUTION (D)			
INTERSTATE (E)			
MEDICAL SUPPORT (F)			
CASE CLOSURE (G)			

### PART D – Provide brief overview of case:

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(Blank Intentionally)

### Case Review Component Form Instructions

Space has been provided for comments for each question. This space is used to record the rationale for the response, which will be yes (“Y”), no (“N”) or non-applicable (“U”). The comment should be as brief as possible, but still convey the reason for the response. It is important for monitoring purposes that notations are made in the comment section to support the responses indicated. Remember to also provide a brief overview of the case in Part D of the Case Review Face Sheet. (Case Review forms begin on the next page with the Establishment/Modification component.)



*NOTE: The web-based program automatically overrides “no” answers when appropriate based on the Notwithstanding Provisions. However, the Latest Required Action Provision is subjective and the reviewer can override “no” answers except in the Enforcement component when “no” answers cannot be overridden for the first five case requirements. Also, when the Notwithstanding provision applies, it is redundant to use Latest Required Action.*

Case Compliance Criteria: Each case review component includes compliance questions followed by case compliance criteria. The compliance criteria contain federal and state requirements and instructions corresponding to each review component, i.e., Establishment/Modification, Review and Adjustment, etc. This material is intended to provide guidance to the reviewer in completing the corresponding review forms. Each section contains the following:

- ◆ A guideline of when the particular review form should be used. Please note that it may not list all possible situations; consequently, reviewer judgment should be exercised.
- ◆ Special Considerations: This section contains information of which the reviewer should be aware in making case determinations. Sometimes, this section is used to merely emphasize a point that can be found in one of the references. At other times, this material is in addition to the references.
- ◆ Compliance Requirements: This section describes the particular requirements that must be met for compliance in that component.
- ◆ References: The Guide includes background references applicable to the component.

(Case Compliance Criteria begins on page 17 in the Establishment/Modification component.)





CA01 [ ] If a support order was established or modified or a foreign order was registered during the review period did it:  
a) contain a provision for a wage assignment and medical support;  
b) follow the statewide formula for determining support; and  
c) include an amended judgment, if applicable?  
(Notwithstanding Provision)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA02 [ ] If a support petition was dismissed by the court (not at the LCSA request), did the LCSA document the reasons and if it was determined that a future petition was needed, was a support order sought at the time? (Notwithstanding Provision)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA03 [ ] A) If a support order was required during the review period and the CP provided the LCSA with locate information, was the service of process completed within 60 days?  
Date locate confirmed:  
Date service of process completed:  
Elapsed days: (60 calendar days)  
Was the CP informed in writing of the results?  
  
B) If a support order was required during the review period and locate information was obtained through a source other than the CP, was service of process completed within 90 days?  
Date locate confirmed:  
Date service of process completed:  
Elapsed days: (90 calendar days)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA04 [ ] If a case requiring establishment of an order was opened or reopened during the review period, or was opened prior to the review period (but required intake actions were never completed), did the LCSA:

A) Conduct an interview with the CP within 10 business days of date case opened or reopened; and

Date case opened or reopened:

Date CP interviewed: (10 business days)

B) establish a case record, solicit necessary information from the CP or other sources (if appropriate) and initiate verification of that information within 20 calendar days?

Date of application or referral:

Date intake completed: (20 calendar days)

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA05 [ ] If location of the NCP/alleged father is necessary, did the LCSA access all appropriate federal, state and local locate sources, and as appropriate, initiate verification of any information received within 75 days?

Date locate became necessary:

Date of locate action:

Elapsed days: (75 calendar days)

Note locate source(s) and date(s):

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA06 [ ] If the NCP/alleged father is not located within the initial 75 days and sufficient identifying information is available, did the county continue to access appropriate locate sources quarterly?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA07 [ ] Was new information which may have assisted in locating the NCP or NCP's assets/earnings, acted upon immediately (in no more than 75 days)?

Date(s) new information received:

Date(s) new information acted upon:

Elapsed days (75 calendar days)

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CA08 [ ] To gather information necessary to pursue paternity and establish an order, did the LCSA:

- ◆ interview the CP; and
- ◆ use Form AG 107 "Paternity Questionnaire", or
- ◆ Form CS 870 "Attestation Statement" (if applicable); or
- ◆ otherwise obtain/receive pertinent documentation.

Comments:

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CA09 [ ] If applicable, did the LCSA prepare and transmit the "Referral to Local Child Support Agency" Form CW 371, to the county welfare department as notice that the CP failed to cooperate?

Comments:

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CA10 [ ] For cases opened during the review period, did the LCSA conduct screening for family violence and provide the CP and/or NCP (in person or by mail) the "Child Support Domestic Violence Questionnaire" Form CSS 2142?

Comments:

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CA11 [ ] If the LCSA mailed the domestic violence cover letter #1 (Form CSS 2140) and "Child Support Domestic Violence Questionnaire" (Form CSS 2142), was it mailed within five business days of first locating a CP or an NCP?

Date CP or NCP located:

Date letter mailed:

Elapsed days (5 business days)

Comments:

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CA12 [ ] LATEST REQUIRED ACTION

Does the "Latest Required Action" provision (pertaining to time frames) apply to this component? (Answer either "yes" or "N/A".)

If yes, explain:

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### Establishment and Modification Compliance Criteria

This review form is to be used if, during the review period, one or more of the following apply:

- ◆ A case requiring establishment or modification of an order is opened or reopened
- ◆ A case requiring establishment or modification of an order was opened prior to the review period, but required intake actions were never completed or initiated
- ◆ An existing order is modified during the review period
- ◆ An order is established during the review period
- ◆ A foreign support order is registered during the review period
- ◆ No order exists, but a (NCP) has been identified
- ◆ A putative father is located or an alleged father is excluded

#### SPECIAL CONSIDERATIONS:

“Notwithstanding” Provision: Consistent with requirements of 45 CFR 308, the county will be considered to have taken appropriate action in this component if an order is established or modified, or if a foreign order is registered during the review period, notwithstanding the failure of the county to meet time frames leading to this result. In order to be considered to meet the notwithstanding criterion, the order must contain required provisions listed below under Compliance Requirements.

“Latest Required Action” Provision: Consistent with federal self-assessment guidelines, if the “notwithstanding” provision cannot be applied, the “latest required action” provision may be considered; that is, if the latest appropriate action for this case in this component was taken correctly, the case is considered in compliance.




*NOTE: If a county's pursuit of an order is dismissed by the court, the county does not lose consideration for the Notwithstanding Provision. It is applied by answering question CA02.*

*NOTE: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.*

**QUESTION CA01** should be completed if one or more of the following actions occurred during the review period:

1. A support order was established or modified; and/or
2. A foreign support order was registered.

COMPLIANCE REQUIREMENTS	
A	The LCSA shall petition the court for a wage assignment provision for any support order entered or adjusted after July 1, 1990. (45 CFR 303.100; FC 5230 [b])
B	For new or modified orders the LCSA shall petition the court or administrative authority to include in the order a provision for health insurance that is or may become available to the NCP at reasonable cost, except when: (45 CFR 303.31; FC 3751) <ol style="list-style-type: none"> <li>1. The CP and child have satisfactory health insurance (other than Medi-Cal); or</li> <li>2. There is an arrears only order or an order reserving judgment.</li> </ol>
C	The LCSA shall use the child support guidelines in effect at the time the order is entered to determine the amount of support sought. (45 CFR 303.4 [d]; MPP 12-106.1) <div style="display: flex; align-items: center; margin-top: 10px;">  <div> <p><i>NOTE: If the court did not order the amount of support requested by the LCSA, the specific reason that rebuts the guideline amount must be documented on the order or attachments.</i></p> </div> </div>
D	The LCSA shall amend a proposed judgment if additional financial information is received within 30 days of service of the complaint and proposed judgment and the additional information would result in a support order that is different from the amount in the proposed judgment. (FC17430[c])

**QUESTION CA02** should be answered if the support petition was dismissed during the review period. If the court dismisses a petition for a support order without prejudice, the LCSA must at the time of dismissal, examine the reasons for dismissal, determine when it would be appropriate to seek an order in the future and seek a support order at that time. (45 CFR 303.4 [e]; MPP 12-106.3)

**QUESTION CA03** should be answered if an order required establishment or modification and the NCP and/or assets were located prior to or during the review period. Within 60 days of receiving information from the CP or 90 days of receiving information through a source other than the CP, the LCSA must either establish an order for support, complete service of process or document unsuccessful attempts to serve process in accordance with the state guidelines defining diligent efforts. **If two such actions occur in the review period, review to the latter.** (45 CFR 303.4 [d]; MPP 12106.1; FC Section 17401, effective 9/28/00)

**SPECIAL CONSIDERATIONS:**

For service of process, “diligent effort” means the LCSA shall attempt all appropriate statutory mechanisms for service of process and shall repeat such attempts as soon as new information becomes available or yearly, whichever occurs first. (MPP 12-101.3 [d][4])

**QUESTION CA04** should be answered if a case requiring establishment of an order is opened or reopened during the review period. This question also applies if required intake actions were never completed on a case opened prior to the review period. This question is to determine if cases requiring establishment/modification of an order are being opened and assessed in the time frames prescribed by state and federal regulations.

Applications are not required of assistance recipients who are discontinued from aid. For those cases, all child support enforcement services must continue to be provided until a request is made to terminate services. A signed application is required for all non-assistance cases and for all non-Federal Foster Care cases because they are considered non-assistance.

COMPLIANCE REQUIREMENTS	
A	The LCSA must conduct an initial interview with the CP, unless the CP is a foster care agency, or a NCP if that individual is the applicant for Title IV-D services, within 10 business days of opening a case, unless an interview was conducted pursuant to CCR Section 112100(e). (CCR Section 112140, effective 9/10/01)
B	The LCSA must within 20 calendar days of receipt of referral or application establish a case record which shall contain: <ol style="list-style-type: none"> <li>1. All documents regarding the case;</li> <li>2. All relevant facts and dates; and</li> <li>3. A record of all actions taken and contacts made including the name of the person taking the action, the name of any person contacted and the date of contact. (CCR Section 112130(a), formerly MPP 12-103.2)</li> </ol>
C	Based on the assessment of the case the LCSA must: <ol style="list-style-type: none"> <li>1. Solicit any necessary information from the CP if appropriate;</li> <li>2. Solicit any necessary information from any other relevant sources if appropriate; and</li> <li>3. Initiate verification of the information obtained (if appropriate). (CCR Section 112130(c), formerly MPP 12-103.2)</li> </ol>

**QUESTIONS CA05 THROUGH CA07** relate to locating the NCP and/or assets. These questions should be answered if an order needed to be established or modified and the NCP and/or assets were not located.



**SPECIAL CONSIDERATIONS:**

The definition of “location” is information concerning the physical whereabouts of the NCP, the NCP’s employer(s), other sources of income/assets, which is sufficient to take appropriate action in a case. (45 CFR 303.3 [a]; CCR 110413, formerly MPP 12-101). Location efforts used as described in MPP 12-302.1 (d) for closure purposes are for the physical whereabouts of NCP(s). Location efforts for purposes of establishing a support order include both the physical whereabouts necessary for service of process (MPP 12-106.1) and for sources of income/assets used to determine the appropriate amount of child support. (MPP 12-223.1)

**COMPLIANCE REQUIREMENTS**

A	Within 75 days of determining locate is necessary, the LCSA will access all appropriate federal, state and local locate sources. The LCSA must ensure that location information received is sufficient to take the next appropriate action or service. The Federal Parent Locator Services (FPLS) need not be accessed if locate information sufficient to take the next appropriate action in a case is otherwise obtained within the 75 calendar day time frame. If locate information from a locate source that was accessed within the initial 5 calendar days was received after the 75 days have elapsed, then the information would be treated as new information (defined in paragraph B below; hence, another 75 calendar day time period would begin). (45 CFR 303.3 [b][3]; CCR 113100 (b)(1)(B), formerly MPP 12-104.2)
B	Following the 75-day time period, locate actions must be repeated in cases in which previous attempts to locate the NCP or sources of income/assets have failed, but adequate identifying and other information exists to meet requirements for submittal for location. Repeated locate attempts must be done either quarterly or immediately upon receipt of new information which may aid in location, whichever occurs first. Quarterly attempts may be limited to automated sources, but must include accessing state (EDD) employment records. (45 CFR 303.3 [b][5]; CCR 113100 (c)(2), formerly MPP 12-104.3)

**QUESTIONS CA08** should be answered if paternity needs to be established.

**COMPLIANCE REQUIREMENTS**

A	If paternity is at issue, the LCSA must solicit information (i.e., use the three-part AG 107 form, interview the CP, or form CS 870, interview process, etc.) necessary to pursue establishment of paternity. (45 CFR 303.2 [b][1]; FSD Letters 92-02, 92-19; CCR Section 112100, effective 9/10/01)
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**QUESTION CA09** should be answered if the applicant or recipient has failed to assist the LCSA in all required activities necessary to establish paternity, or to establish, modify or enforce a medical or child support order, unless a finding of good cause has been made as specified in CCR Section 112210.

**QUESTIONS CA10 AND CA11** relate to the family violence indicator policy.

COMPLIANCE REQUIREMENTS	
A	The LCSA shall screen all CP and NCP for family violence in all new cases opened during the review period, except interstate responding. This screening shall occur during the initial interview as specified in CCR Sections 112100(e) and 112140. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)
B	If the LCSA mails the domestic violence cover letter and Child Support Domestic Violence Questionnaire, was it mailed within five days of first locating the CP or NCP. If a child is in foster care, the forms shall be mailed to both NCPs. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)

**QUESTION CA12** should be answered “yes” if the “latest required action” provision is applicable; other answer “not applicable”. DO NOT answer this question “no”.

(Blank Intentionally)

COMPLIANCE                      Review and Adjustment Review Form

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CB01    [    ]    Did the LCSA notify each parent or entity of the upcoming review and request information, if necessary, at least 30 calendar days prior to the review?

Comments:

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CB02    [    ]    Were both parties informed of the determination whether or not to seek a modification, and given 30 calendar days to challenge the decision?

Comments:

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CB03    [    ]    As a result of the review and adjustment process, was a modification of the support order issued? (Answer either “yes” or “N/A”).  
(Notwithstanding Provision)

Comments:

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CB04    [    ]    Was the required review and adjustment process completed within 180 days? (Notwithstanding Provision)

Date process was initiated:

Date Completed:

Elapsed days:

(180 calendar days)

Comments:

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CB05    [    ]    On what date was the request to review the order received?

Date:

Elapsed days:

(15 calendar days)

Comments:

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COMPLIANCE

Review and Adjustment Review Form

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AB06 [ ] If the LCSA became aware that the NCP receives Supplemental Security Income/State Supplementary Payments (SSI/SSP) benefits and that the income was used in the calculation of the support order; did the LCSA file a motion for a modification within 30 calendar days?

(ADMINISTRATIVE)

Date LCSA became aware of benefits?

Date the motion filed?

Elapsed days: (30 calendar days)

Comments:

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**Review and Adjustment Compliance Criteria**

**SPECIAL CONSIDERATIONS:**

“Notwithstanding” Provision: Consistent with requirements in 45 CFR 308, the county will be considered to have taken appropriate action in this component if the 180-day requirement is met for completion of the review and adjustment process, notwithstanding the failure of the county to meet the screening and notification time frames noted below. However, the completion of the process must have occurred within the review period. Also, if, as a result of this process, a modification of the support order is issued during the review period, the county will be considered to have met the review and adjustment requirements, notwithstanding the failure of the county to meet any of the aforementioned time frames.

**SCREENING CRITERIA:** Counties may, but are not required to review any case for adjustment if:

1. The case has been reviewed for adjustment within the prior 12 months; or
2. The order has been modified within the prior 24 months; or
3. The most recent quarterly locate attempt was unsuccessful and there is no new information.

If a case does not meet any of the screening criteria, counties must conduct a review. If a case meets the screening criterion in either 1 or 2 above, but there has been a significant change in circumstance, counties must conduct a review. A significant change in circumstance for purposes of Review and Adjustment is defined as a change in custody or a change in employment status.

All child support orders are subject to the review and adjustment process as follows:

- ◆ A review may be requested by either parent subject to a child support order or by any person or entity that may have standing to make the request, including the IV-D agency.
- ◆ All orders in which there is a request for review must be reviewed if there has been a significant change in circumstances regardless of when the order was last reviewed or adjusted.

Counties have a maximum of 180 calendar days from the date it is determined either a review should be conducted or the non-requesting parent is located, whichever is later, to complete the review and adjustment process. The 180 calendar day time frame must also include **30 calendar days** in which either or both parties may challenge or appeal the decision.

COMPLIANCE REQUIREMENTS	
<b>A</b>	Both parents must be sent a notice at least 30 calendar days before the commencement of a review informing them that a review will be conducted. The review may be conducted in either an administrative or a judicial setting. (Formerly 45 CFR 303.8 (b) (2) (iii); FSD Letters 93-22, 94-02)
<b>B</b>	Counties must wait the full 30 days before conducting the review unless both parents jointly agree to waive this requirement. Counties may, however, begin to collect information necessary to conduct the review during the 30-day notice period, including accessing automated employment information and contacting employers pursuant to FC Section 5282. (FSD Letters 93-22, 94-02)
<b>C</b>	Counties that will conduct their review in a judicial setting may meet the 30-day notice requirement by sending both parents copies of the Order to Show Cause (OSC) or Notice of Motion as long as the copies are sent at least 30 calendar days before the date of the scheduled hearing. (FSD Letters 93-22, 94-02)
<b>D</b>	Once the review has been completed, both parents must receive notice of any proposed adjustment to the order or of a determination that there should be no change to the order. The notice must also inform each parent of his/her right to initiate proceedings to challenge the proposed adjustment or determination within at least 30 calendar days of the date of the notice. (45 CFR 303.8 (b) (2) (v) (B); FSD Letters 93-22, 94-02)
<b>E</b>	Counties, which conduct an administrative review and determine that the order meets the criteria for attempting an adjustment may file a motion and notify both parents of the date of the hearing through normal service of process. Receipt of the new order by both parents will meet the requirement for notice of review results for these cases and for cases in which counties did not conduct an administrative review, but simply filed a Notice of Motion or OSC. (FSD 93-22, 94-02)
<b>F</b>	If it is administratively determined that an order does not meet the criteria for adjustment or if counties opt to send an administrative notice for all proposed adjustments, the notice to both parents must inform them of the review decision (i.e., the amount of the proposed adjustment, or that there should not be an adjustment, or that medical insurance coverage will be sought and that both parents have 30 calendar days to challenge the decision. Challenges may be limited to miscalculations of the guideline amount, mistake of fact, or a parent providing new or additional pertinent information, which was not previously considered. Notice of review results must be sent as soon as possible to ensure that the entire review/adjustment process including challenges/appeals are completed within the 180 days allowed. (Formerly 45 CFR 303.8 [c][7]; 303.8 [e](3))
<b>G</b>	All cases (assistance, non-assistance and MNO) in which a request for review has been received must be screened within 15 calendar days of receipt of the request to determine which cases are subject to the review criteria. (Formerly 45 CFR 303.8 [e] (2); FSD Letters 93-22, 94-02)
<b>H</b>	If the LCSA became aware that the NCP is receiving SSI/SSP benefits and the income was used in the calculation of the support order; then the LCSA must file a motion for a modification within 30 calendar days. (ADMINISTRATIVE) (CSS 02-15).

COMPLIANCE **Enforcement Review Form**

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CC01 [ ] If eligible, was the case submitted for IRS/FTB intercept?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC02 [ ] If eligible, was the case submitted for UIB/SDI withholding?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC03 [ ] Was a real or personal property lien recorded?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC04 [ ] If an employer was known, was a wage assignment that included both current support and arrears, if applicable, sent to the NCP's employer?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC05 [ ] If this case was applicable as of the end of the review period, was it referred to FTB under the 60-day delinquent requirement?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC06 [ ] For enforcement cases in which either the CP or NCP are located during the review period, did the LCSA conduct screening for family violence and provide the CP and/or NCP (in person or by mail) the "Child Support Domestic Violence Questionnaire" Form CSS 2142 (if necessary)?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



COMPLIANCE **Enforcement Review Form (continued)**

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CC07 [ ] Was a collection received during the review period as a result of an enforcement action? (IRS/FTB intercept excluded) (Answer either "yes" or "N/A"). (Notwithstanding Provision)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC08 [ ] If the NCP became delinquent in the payment of current support, or in the case of an ongoing delinquency, if the county located an asset, was either administrative action (enforcement action not requiring service of process) taken within 30 days or legal action (enforcement action requiring service of process) taken (or process served or unsuccessful attempts documented) within 60 days?  
Date of delinquency or locate?  
Date of action or service of process?  
Elapsed number of days:  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC09 [ ] If an enforcement action was unsuccessful or could not be completed because of a court delay (after successful service of process), was the reason documented and a date for future action determined and initiated or taken as appropriate?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC10 [ ] If a wage assignment was used as an enforcement action, was the wage assignment served within 15 calendar days of the date an employer was known or (effective 10/21/02-ADMINISTRATIVE) within 2 business days after new employee information was entered into the State Directory of New Hires (NERS)?  
Date employer known?  
Date wage assignment served?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC11 [ ] If this case was delinquent at intake was it referred (if applicable) to FTB within 60 calendar days of case opening?  
Date case opened:  
Date referred to FTB:  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC12 [ ] If a case that already contained an enforceable order was opened or reopened during the review period, or was opened prior to the review period, but required intake actions were never completed, did the LCSA complete all of the following within 20 calendar days:  
    ◆ Establish a case record;  
    ◆ Solicit necessary information from the CP or other sources (if appropriate);  
    ◆ Initiate verification of that information (if appropriate)?  
Date of application or referral:  
Date intake completed: (20 calendar days)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC13 [ ] If location of the NCP or assets is necessary, did the LCSA access all appropriate federal, state and local locate sources, and as appropriate, initiate verification of any information received within 75 days?  
Date locate became necessary:  
Date of locate action:  
Elapsed days: (75 calendar days)  
Note locate sources(s) and date(s):  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC14 [ ] If the NCP or his/her assets are not located within the initial 75 days and sufficient identifying information is available, did the county continue to access appropriate locate sources quarterly?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC15 [ ] Was new information which may have assisted in locating the NCP or NCP's assets/earnings, acted upon immediately (within 75 days)?  
 Date(s) new information received:  
 Date(s) new information acted upon:  
 Elapsed days: (75 calendar days)  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CC16 [ ] If the LCSA mailed the domestic violence cover letter #1 Form CSS 2140 and "Child Support Domestic Violence Questionnaire" Form CSS 2142, were they mailed within five business days of first locating a CP or NCP?  
 Date CP or NCP located:  
 Date letter mailed:  
 Elapsed days (5 business days)  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CC17 [ ] LATEST REQUIRED ACTION  
 Does the "Latest Required Action" provision (pertaining to time frames) apply to this component? (Answer either "yes" or "N/A".)  
 If yes, explain:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Enforcement Compliance Criteria

The review form for this component is generally used if the case contains an enforceable support order during the review period.

#### SPECIAL CONSIDERATIONS:

In order to be in compliance in this component, the county must meet the following federal and state requirements, regardless of other actions taken:

- ◆ If eligible, the case must be submitted for IRS/FTB intercept and UIB/SDI withholding.
- ◆ If an employer is known, a wage assignment addressing both current support and arrears (if appropriate) must be sent to the employer.
- ◆ A real property lien must be recorded (if applicable).
- ◆ If the case is applicable, it must be referred to FTB under the 60-day delinquent requirement.

“Notwithstanding” Provision: Beyond the above requirements, consistent with requirements of 45 CFR 308, the county will be considered to have taken appropriate action if at least one enforcement technique is used that results in a collection (other than a tax intercept) during the review period, notwithstanding the failure of the county to meet time frames in intake, locate and enforcement actions.

“Latest Required Action” Provision: Consistent with federal self-assessment guidelines, if the “notwithstanding” provision cannot be applied, the “latest required action” provision may be considered; that is, if the latest appropriate action for this case in this component was taken correctly, the case is considered in compliance. However, in this component this provision does not apply if any of questions one through four are answered “no”.



*NOTE: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.*

**QUESTION CC01** is to be answered if during the review period, a case meets the eligibility requirements for IRS/FTB intercept at the time of submittal.



*NOTE: If all other eligibility requirements are met, counties may submit cases to the integrated database with arrearages below dollar limits, and for IRS cases, if the case will be three months in arrears at the beginning of the new process year.*

**SPECIAL CONSIDERATION:**

The DCSS processes all intercept cases through an integrated database (IDB). Because of the IDB, the LCSA can submit less than minimum arrearage and the IDB system will combine the arrearage amounts with any other county's LCSA arrearage. If the combined arrearages meet the criteria for submission, the case will be submitted.

**COMPLIANCE REQUIREMENTS**

- |   |   |
|---|---|
| A | <p>Procedures for Federal Tax Refund Intercept:</p> <ol style="list-style-type: none"> <li>1. Submit annually all eligible cases to DCSS for submission to the IRS tax refund intercept program as follows: (MPP 12-702.1; FSDIN 1-35-96)             <ol style="list-style-type: none"> <li>a) Have a court order or an order of an administrative process established under state law. (MPP 703.11; FSDIN 1-35-96)</li> <li>b) The amount owed under the order must be at least three months delinquent and not less than \$150 as of January of the process year. (MPP 12-704.131; FSDIN 1-35-96)</li> <li>c) Assistance and foster care arrearage amounts for multiple cases with the same SSN or name should be combined. Assistance, foster care and non-assistance arrearage for cases with the same SSN or name should not be combined. (FSDIN 1-35-96)</li> <li>d) For non-assistance related cases, the support must be owed on behalf of a minor child, and records reviewed to determine if an assistance arrearage exists for the family. (MPP 12-704.141; FSDIN 1-35-96)</li> <li>e) The case record must contain a copy of the order and any modifications upon which the amount referred is based, which specify the date of issuance and amount of support. (45 CFR 303.72; MPP 12-704.16)</li> <li>f) If the LCSA cannot verify the amount owed using a copy of the payment record, the CP shall sign an affidavit attesting to the amount of child support arrears. (45 CFR 303.72; MPP 12-704.15)</li> </ol> </li> <li>2. Update all individual case arrearage amounts in IRS tax refund intercept cases and submit them to DCSS at least monthly whenever the certified arrearage has been reduced by any amount. (MPP 12-710.1; FSDIN 1-35-96)</li> </ol> |
|---|---|

B	<p>Procedures for State Tax Refund Intercept:</p> <ol style="list-style-type: none"> <li>1. Use the following minimum criteria for submission of cases for state income tax refund offset. (45 CFR 303.102; MPP 12-703.1; FSD 98-24)</li> <li>2. Ensure that the amount referred is accurate, has been verified and that assistance and non-assistance arrearage are not combined. (45 CFR 303.102; FSDIN 1-35-96)</li> <li>3. Annually submit all eligible cases to DCSS for submission to the FTB tax refund intercept program. Eligible cases shall be submitted in a manner and time frame prescribed by DCSS. (MPP 12-702.1)</li> </ol>
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**QUESTION CC02** will be answered if during the review period there is:

1. An arrearage;
2. An unmet current amount of child support that has been established or adjusted by a court order; or
3. The case was not and should have been submitted for UIB/SDI intercept prior to the review period.

SPECIAL CONSIDERATION:

Federal requirements cover the withholding of Unemployment Insurance Benefits (UIB). The DCSS requires withholding of State Disability Insurance (SDI), in addition to UIB (FSD 92-13). This section of the review guide pertains to both UIB and SDI.

“Assigned arrears” are arrears owed at the time a family receives assistance which automatically become assigned to the LCSA for recoupment for aid paid.



*NOTE: Do not answer the question for cases which were submitted prior to the review period and currently remain on the UIB/SDI submission list.*


**COMPLIANCE REQUIREMENTS**

A	<p>The LCSA shall have written criteria for selecting cases to pursue withholding of UIB/SDI for support purposes. These criteria must be designed to ensure maximum case selection and minimal discretion in the selection process. (45 CFR 302.65; FC 17518; FSD Letter 92-02)</p> <ol style="list-style-type: none"> <li>1. All eligible assistance and non-assistance cases shall be submitted for UIB/SDI intercept and all assistance cases must include an assignment of support rights. (FSD 92-13)</li> <li>2. An eligible case is defined as one in which an arrearage or unmet current amount of child support has been established by a court order. (FC 17518; FSD Letter 92-13)             <ol style="list-style-type: none"> <li>a) The unmet current child/spousal support plus arrearage submitted cannot be less than \$150. Assistance and non-assistance arrearage can be combined to meet the \$150 requirement. All assigned arrearages accrued after going off aid are considered non-assistance arrears. (FSD Letter 92-13)</li> </ol> </li> </ol>
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**QUESTION CC03** should be answered if during the review period:

1. A new support order is obtained.
2. A foreign order is registered.
3. A lien was not recorded, but should have been, on an existing court order and had not been by the end of the review period.

### COMPLIANCE REQUIREMENTS

A	<p>The LCSA shall create a real property lien: (45 CFR 302.70 (a)(4))</p> <ol style="list-style-type: none"> <li>1. In all intra county cases and all intercounty/interstate responding cases. (CCR Section 116130(c)(1) and (2), formerly MPP 12 603.1; FSD Letter 89-02)</li> <li>2. In interstate initiating cases only if the obligor is known to have, or is likely to acquire real property interests in California (CCR Section 116130(c)(3), formerly MPP 12-603.14, 12-603.141; FSD Letter 89-02)</li> <li>3. Within 15 days of the date a money judgment or order is received by the LCSA, a case is opened for enforcement of an existing order or judgment, or an existing order is registered for enforcement. (CCR Section 116130(a), formerly MPP 12-604.1; FSD Letter 89-02) (see NOTE #1 below).</li> <li>4. If not previously recorded, record each existing order as the case is worked. (FSD Letter 89-02)</li> </ol> <div style="display: flex; align-items: flex-start; margin-top: 10px;">  <p><i>NOTE #1: For purposes of the review, a lien is not required if there is a \$0 or reserved order. (CCR Section 116130(a))</i></p> <p><i>NOTE #2: Effective January 1, 1996, per AB 554 (Chpt. 583, statutes of 1995), liens are only required to be recorded on new (not modified) orders. Liens shall be recorded:</i></p> <ol style="list-style-type: none"> <li>a) In the county in which the obligor resides. (CCR Section 116130(e)(1), formerly MPP 12-605.11, FSD Letter 89-02)</li> <li>b) In the county in which the obligor's parents reside, if known and different from the county in which the obligor resides. (CCR Section 116130(e)(2), formerly MPP 12-605.12; FSD Letter 89-02)</li> <li>c) In any other county in which the NCP is known to have, or could reasonably be expected to acquire a real property interest. (CCR Section 116130(e)(3), formerly MPP 12-605.13; FSD Letter 89-02)</li> </ol> </div> <ol style="list-style-type: none"> <li>5. The LCSA shall record one of the following:             <ol style="list-style-type: none"> <li>a) An abstract of support judgment. (CCR Section 116130(d)(1), formerly MPP 12-606.11)</li> <li>b) A certified copy of the support order. (CCR Section 116130(d)(2), formerly MPP 12-606.12)</li> </ol> <p>A notice of lien, Form OMB Control #0970-0153 Expiration date 3/31/04 (CCP Sections 697.310 and 697.320; OCSE-AT-02-01, CSSIN 02-23; CCR Section 116130(d)(3)).</p> </li> </ol>
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## COMPLIANCE REQUIREMENTS (Continued)

B	<p>For personal property liens: (45 CFR 302.70; Family Code Section 17523; FSD Letters 89-04 and 92-02)</p> <ol style="list-style-type: none"> <li>1. The LCSA shall place a lien against the known personal property of an NCP who owes overdue support and whose personal property is subject to attachment in the State of California. To place a lien on personal property, the following circumstances must exist: (FSD Letter 89-04)             <ol style="list-style-type: none"> <li>a) A court has ordered the obligor to pay child support. (FSD Letter 89-04; NOTE: FSD Letter 87-14 pertains to real property liens)</li> <li>b) It is a child support case being enforced by the child support agency. (FSD Letter 89-04)</li> <li>c) The obligor is delinquent in paying child support for at least six months. (FSD Letters 89-04 and 92-02)</li> <li>d) Requirements of a judgment lien are met as follows:                 <ol style="list-style-type: none"> <li>(1) A judgment lien may be placed only if the judgment is a money judgment that was first entered in California after June 30, 1983, and (Code of Civil Procedure (CCP) Section 697.510(a); FSD Letters 89-04 and 92-02),</li> <li>(2) The judgment is an installment judgment in which all of the installments have come due and payable at the time the notice is filed. (CCP Section 697.510(a); FSD Letters 89-04 and 92-02)</li> </ol> </li> </ol> </li> <li>2. The following personal property is subject to attachment:             <ol style="list-style-type: none"> <li>a) Accounts Receivable (CCP Section 697.5309(a)(1); FSD Letters 89-04 and 92-02)</li> <li>b) Chattel Paper (CCP Section 697.530(a)(2); FSD Letters 89-04 and 92-02)</li> <li>c) Equipment (including farm equipment) (CCP Section 697.530(a)(3); FSD Letters 89-04 and 92-02)</li> <li>d) Farm Products (CCP Section 697.530(a)(4); FSD Letters 89-04 and 92-02)</li> <li>e) Inventory (durable goods with retail value of \$500 or more) (CCP Section 697.530(a)(5); FSD Letter 92-02)</li> <li>f) Negotiable Documents of Title (CCP Section 697.530(a)(6); FSD Letters 89-04 and 92-02)</li> </ol> </li> </ol>
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**QUESTION CC04** should be answered if, during the review period:

1. An employer is known and an existing wage assignment was not previously served; or
2. If a new employer is identified.



SPECIAL CONSIDERATIONS:

A “Wage Assignment” is an enforcement action used to ensure current support payments (plus a specific payment on arrearage, if any) by withholding a portion of the NCP’s salary or earnings. For purposes of the review and compliance determination, if a wage assignment was issued for current support only (no arrears) and cannot be served because no employer is known, and an employer subsequently becomes known, the LCSA should serve the existing wage assignment for current support on the NCP’s employer within 15 calendar days or two days after employee information was entered into the State Directory of New Hires (NERS). The LCSA should initiate action to review the wage assignment immediately to include an amount to be applied towards arrears.

Should the time frame for serving the wage assignment not be met, but a subsequent collection results, the county is not considered to be out of compliance for question CC09 for this component.

If service of the assignment has been ordered stayed, the stay shall terminate:

1. On the obligor’s failure to make timely support payments or earlier by court order if requested by the county or the obligor.
2. If requested by an obligee that can establish that good cause for the stay no longer exists. (FC 5261)

COMPLIANCE REQUIREMENTS

A	The LCSA must, in addition to the amount requested to be withheld to pay the current month’s obligation, also include an amount to be applied toward liquidation of any overdue support. (45 CFR 303.100; FC 5230 [a][2]; CCR Section 116100(a)(2) and (3), formerly MPP 12-224)
B	To initiate withholding after the court orders it, the LCSA must serve the wage assignment on the NCP’s employer, if known, within 15 calendar days of receipt of the order (CCR 116100(c)(1)(A)). Also, the LCSA must send the NCP’s employer a notice, which includes the information on Wage and Earnings Assignment Order, Rule 1285.70 or Rule 1299.25. (45 CFR 303.100; FC 5210; CCR Section 116100(b), formerly MPP 12-224)
C	If the NCP changes employment when withholding is in effect, the LCSA must serve the NCP’s new employer (when known) within 15 calendar days. (45 CFR 303.100; CCR Section 116100, formerly MPP 12-224)
D	Each new or adjusted support order established after November 1, 1990 must include a wage assignment provision, effective immediately, to allow the LCSA to withhold wages (unless a determination of good cause or alternative arrangement has been rendered by the court). The LCSA shall serve the wage assignment on the NCP’s employer, if known, within 15 calendar days. (45 CFR 303.100; CCR Section 116100, formerly MPP 12-107.2; FSD Letter 92-02; FC 5200 et. seq.)

**QUESTION CC05** should be answered if the case was applicable for referral to FTB at the end of the review period under the 60-day delinquent requirement. (MPP 12-505; Family Code Section 17500(c))

**QUESTION CC06** relates to the family violence indicator policy.

COMPLIANCE REQUIREMENTS	
A	The LCSA shall screen all CPs and NCPs for family violence for enforcement cases in which either the CP or NCP are located during the review period. This screening shall occur during the initial interview as specified in CCR Sections 112100(e) and 112140. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)
B	The LCSA is required to mail to the CP and the NCP a domestic violence cover letter and Child Support Domestic Violence Questionnaire. If a child is in foster care, the forms shall be mailed to both NCPs. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)

**QUESTION CC07** should be answered if a collection, other than an FTB/IRS intercept, is received during the review period as a result of an enforcement action.

**QUESTIONS CC08 AND CC09** will be answered if during the review period a case becomes delinquent and/or sufficient locate information becomes available to pursue enforcement of a delinquent case.

**QUESTION CC10** should be answered if a wage assignment was served on an employer during the review period.

**SPECIAL CONSIDERATIONS:**

The LCSA is required to maintain an effective system for identifying delinquencies on the date the NCP fails to make a payment equal to one month's support obligation. The IV-D agency must then initiate action to enforce the support order within specified time standards.

If the NCP has a delinquency which occurred prior to and has carried over into the review period and the county is successful in locating the NCP or earnings/assets were located, enforcement action(s) has to occur either within the 30 or 60 days of the locate date.

For purposes of distribution, amounts collected shall be treated first as payment on the required support obligation for the month in which the support was collected. To be consistent with 45 CFR 302.51 [a] [1] and for purposes of the compliance review, the NCP is considered delinquent if he/she fails to make a payment in the amount of one month's support during the month in which it is due. Therefore, the delinquency occurs when the accumulated unpaid support totals an amount equal to or exceeding one month's support.

Enforcement attempts must include as many of the following actions as are appropriate and necessary: (MPP 12-107.2)

- ◆ Delinquency letter with specific language (first 30 days only)
- ◆ Civil or criminal contempt proceedings
- ◆ Wage assignment and garnishment
- ◆ Orders for examination of judgment debtor and debtor’s creditors
- ◆ Writs of execution/levy
- ◆ Liens on workers’ compensation awards
- ◆ Utilize action of credit reporting agencies (first 30 days only)
- ◆ Application to utilize United States District Courts
- ◆ Application for collection by the Secretary of the Treasury
- ◆ Any other collection or enforcement process authorized by state or federal law (for example the Program Save Our Children (PSOC), see CSS 01-13)

COMPLIANCE REQUIREMENTS	
A	If service of process is not necessary, take appropriate enforcement actions (except income tax refund offset) within no more than 30 calendar days of identifying a delinquency or other support related non-compliance with the court order, or locating the NCP, whichever occurs later. (45 CFR 303.6 [c] [2]; MPP 12-107.22)
B	If service of process is necessary prior to taking an enforcement action, service must be completed (or unsuccessful attempts to serve process must be documented in accordance with DCSS guidelines defining diligent efforts) or enforcement actions must be taken within no more than 60 calendar days of identifying a delinquency or other support related non-compliance, or locating the NCP when that person’s location was unknown, whichever occurs later. (45 CFR 303.6 [c][2]; MPP 12-107.23)
C	In cases in which enforcement attempts have been unsuccessful, at the time an attempt to enforce fails, examine the reason why the enforcement attempt failed and determine when it would be appropriate to take an enforcement action in the future and take such action in accordance with the requirements of this section at that time. If legal action is subject to court delays, document the reason and the eventual completion of the action. (45 CFR 303.6 [c][4]; MPP 12-107.5)
D	The LCSA must implement a wage assignment (if one is not already in place) 15 calendar days of the date an employer was known or (effective 10/21/02-ADMINISTRATIVE) within 2 business days after new employee information was entered into the NERS. (CCR Section 116100(c)(2); LCSA 02-18)

**QUESTION CC11** will be answered if the case was delinquent at intake, and applicable for referral to FTB within 60 calendar days of case opening. (MPP 12-510.12, Family Code Section 17500)

**QUESTION CC12** will be answered if:

1. During the review period, a case containing an enforceable support order was opened or reopened, or
2. The case was opened prior to the review period, but required intake actions were never completed or initiated.

**SPECIAL CONSIDERATIONS:**

This section of the review guide is to determine if cases are being opened and assessed in the time frames prescribed by state and federal regulations.

Applications are not required of assistance recipients who are discontinued from aid. For these cases, all child support enforcement services must continue to be provided until a request is made to terminate services. A signed application is required for all non-assistance cases and for all non-Federal Foster Care cases.

**COMPLIANCE REQUIREMENTS**

The LCSA must: (MPP 12-103.2)

1. Within 20 calendar days of receipt of referral or application:
  - a) Establish a case record which shall contain:
    - (1) All documents regarding the case
    - (2) all relevant facts and dates
    - (3) a record of all actions taken and contacts made including the name of the person taking action, the name of any person contacted and the date of contact.
    - (4) Any results of the actions taken and contacts made.
  - b) Based on the assessment of the case:
    - (1) Solicit any necessary information from the CP if appropriate
    - (2) Solicit any necessary information from any of the relevant sources if appropriate
    - (3) Initiate verification of the information obtained (if appropriate).

**QUESTIONS CC13 THROUGH CC15** will be answered if one or more of the following situations occur during the review period and the case contains an enforceable support order:

1. The NCP's whereabouts are not known; or
2. The NCP's whereabouts are known, but the location of income/assets is needed in order to proceed with enforcement.

**SPECIAL CONSIDERATION:**

For purposes of this section the definition of “location” is information concerning the physical whereabouts of the NCP, the NCP’s employer(s), or the NCP’s sources of income and/or assets which are used for the purpose of modifying and/or enforcing a child support obligation. (45 CFR 303.3[a]; CCR Section 110413, formerly MPP 12-101)

The definition of “quick locate” means a request for locate services from one state’s parent locator service to another state’s parent locator service with the responding state providing those services without opening a Title IV-D case. (CCR Section 110550)

**COMPLIANCE REQUIREMENTS**

A	Within 75 days of determining locate is necessary, the LCSA will access all appropriate federal, state and local locate sources. The LCSA must ensure that location information received is sufficient to take the next appropriate action or service. The Federal Parent Locator Services (FPLS) need not be accessed if locate information sufficient to take the next appropriate action in a case is otherwise obtained within the 75-calendar day time frame. If locate information from a locate source that was accessed within the initial 75 calendar days was received after the 75-calendar days have elapsed, then the information would be treated as new information (defined in paragraph B below; hence, another 75 calendar day time period would begin). (CCR Section 113100(b), formerly 45 CFR 303.3 [b][3] and MPP 12-104.2)
B	Following the 75-day time period, locate actions must be repeated in which previous attempts to locate the NCP or sources of income/assets have failed, but adequate identifying and other information exists to meet requirements for submittal for location. Repeated locate attempts must be done either quarterly or immediately upon receipt of new information which may aid in location, whichever occurs sooner. (45 CFR 303.3 [b][5]; CCR Section 113100(c), formerly MPP 12-104.3)
C	If the SSN is unknown, the LCSA must have made every reasonable effort to obtain it before making the request for FPLS information. (Sources include, but are not limited to: the Department of Motor Vehicles, (DMV), the Department of Justice (DOJ), and Credit Reporting Agencies, etc.) (45 CFR 303.70 [c][2]; FSD 92-19).
D	Additional locate action requirements are contained in CCR Section 113100.

**QUESTION CC16** relates to the family violence indicator policy.

**COMPLIANCE REQUIREMENTS**

A	If the LCSA mails the domestic violence cover letter and Child Support Domestic Violence Questionnaire, was it mailed within five days of first locating the CP or NCP. If a child is in foster care, the forms shall be mailed to both CP and NCP. CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01
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**QUESTION CC17** should be answered “yes” if the “latest required action’ provision is applicable; otherwise, answer “not applicable.” DO NOT answer this question “no.”

COMPLIANCE **Collections and Distribution Review Form**

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CD01 [ ] Did the LCSA obtain and record the legal date of collection (LDOC) of the payments?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CD02 [ ] Were payments received from an NCP with more than one case allocated correctly?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CD03 [ ] For a current assistance case, did the LCSA notify the welfare department of the amount collected on the current obligation within 10 business days of the end of the month in which the support was received by the LCSA?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CD04 [ ] Did the LCSA notify the welfare department when it learned that a support payment was paid directly to and retained by a current assistance CP?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CD05 [ ] For a current assistance case, were the disregard, pass-on (Federal Foster Care case only), and/or excess payments issued correctly and timely?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CD06 [ ] Were payments distributed correctly, based on the payment source and distribution hierarchy?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMPLIANCE

**Collections and Distribution Review Form (continued)**

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CD07 [ ]

In non-assistance cases, were payments paid to the family or interstate initiating agency within two working days (or for IRS intercept payments within 30 calendar days) after the date of receipt?

Comments:

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### Collections and Distribution Compliance Criteria

This review form is to be used if any child support was collected at any time during the review period.

**Payment Selection Criteria:** For purposes of determining compliance in this component, identify and review only the last payment received and distributed by the county during the review period.

### Definitions

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**Business Day**

**(or working day):** A day that the LCSA office is open for business.

**Collection Month:** The month in which the support payment is received by the LCSA.

**Date of Collection:** The date that the support payment is initially received by a Title IV-D agency or employer, depending on the payment source, as follows:

*Noncustodial Parent Payment (cash, check, or money order)* – The date that the payment is initially received by the LCSA making the collection.

*Intercept Payments (IRS, FTB, or Lottery)* – The date the payment is identified in the title of the transfer report.

*Liens* – The date the payment is received by the LCSA initially making the collection.

*UIB* – The date the benefit is issued to the NCP, which is identified in the transfer report.

*Wage withholding* – The date the payment is withheld from the NCP's wages by the employer. The employer provides this date.

(If the employer does not provide this date, the LCSA shall reconstruct the legal date of collection by: contacting the employer to obtain it, or comparing the actual amounts collected with the pay schedule specified in the court order or comparing the employer's pay cycle, as reflected on the Order/Notice to Withhold Income from Child Support in lines 15a-d (CSS Letter 02-13))



## Definitions

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*Writs/till taps* – The date that the payment is received by the LCSA after the period for appealing the action has expired.

*Intercounty payments* – The date is contingent upon the payment source in the California county initially making the collection.

*Interstate payments* - The date is contingent upon the payment source in the responding jurisdiction initially making the collection.

*Postdated checks* – The date the payment is posted by the LCSA initially making the collection.

- Date of receipt:** The date that the county receives the support payment.
- Allocation:** The first step in the distribution process to apportion a support payment between more than one case.
- Regular payments:** All collections received, regardless of payment sources, except IRS tax intercepts.
- Disbursement:** The actual dispensing or paying out of a collection.
- Distribution:** The application of monies to specific accounts to determine the appropriate disbursement of monies.
- Case status:** Aid status, either currently receiving assistance, formerly received assistance, or never received assistance.
- Aid:** Assistance payments to former recipients of AFDC, and/or recipients of CalWORKs, KinGAP or Foster Care.

*Current Assistance Case* – A Title IV-D case that is currently receiving aid under CalWORKs, KinGAP or Foster Care.

*Former Assistance Case* – A Title IV-D case that in the past received aid under AFDC, CalWORKs, and/or Foster Care.

*Never Assistance Case* – A Title IV-D case that is not currently and has never in the past received AFDC, CalWORKs, KinGAP or Foster Care.

*Mixed Status Case* – A Title IV-D case where one or more of the children in the case have a different aid or non-aid status, either currently or in the past.

- Current support payment:** The amount of support collected that meets or partially meets the court-ordered support obligation for the current month.

**Definitions**

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<b>Disregard:</b>	Up to the first \$50 of a current support collection made on behalf of a current assistance case receiving CalWORKS aid.
<b>Excess:</b>	The amount of support that exceeds the Unreimbursed Assistance Pool.
<b>Pass-on:</b>	The amount by which the current support collection exceeds the current assistance paid in the same month in a Federal Foster Care case.
<b>Unreimbursed Assistance Pool (UAP):</b>	The total cumulative amount of aid paid to the family assistance unit for AFDC, CalWORKs, KinGAP or Foster Care programs which have not been repaid by the recoupment of collections of assigned current support or arrearages. The UAP must also be reduced by any state optional payments (disregards and pass-on payments) paid to the current assistance family.
<b>Arrearage:</b>	The unpaid support payments for past periods owed by a parent who is obligated to pay by court order.
<b>Assigned:</b>	The rights to support payments have been turned over to the state (and the county) as a condition of receiving aid.

*Conditionally Assigned Arrears* – The arrearages that were temporarily assigned while the family received aid, but the temporary assignment has ended because the family is no longer receiving aid. These arrears are normally unassigned and paid to the family if collected from a source other than an IRS tax intercept. However, when collections are received from the IRS tax intercept these arrears are conditionally assigned and will be used to reimburse aid paid.

*Never Assigned Arrears* – Arrearages that have never been assigned to the state in never assistance cases. Never assigned arrears are also the arrearages in former assistance cases that accrued after the family's most recent period of aid ends.

*Permanently Assigned Arrears* – Unpaid support that is assigned to the state as of September 30, 1998 and the unpaid support that accrues on or after October 1, 1998, while the family is receiving aid.

*Temporarily Assigned Arrears* – The unpaid support that accrues after October 1, 1998 and before the period the family receives aid (pre-assistance arrears), and any unassigned arrears that accrued before October 1, 1998, when the family goes on aid after October 1, 1998. These arrearages are not permanently assigned. The temporary assignment ends when the family stops receiving aid and these arrears then become categorized as *conditionally assigned arrears*.

**Definitions**

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*Unassigned During Assistance Arrearages* – Unpaid support in former assistance cases that accrued while the family was receiving aid (permanently assigned arrearages) but which exceeded the total UAP.

*Unassigned Pre-assistance Arrearages* – Unpaid support in former assistance cases that accrued before the family was receiving aid (temporarily assigned arrearages) and which exceeded the total UAP.

**Futures:** Collections that are received from and credited to a noncustodial parent that are in excess of the current support obligations and no arrearages exist.

*Current Assistance families* – Assistance future payments are not paid to the assistance family, they are held in suspense until the NCP misses a payment and then used as current support in that future month.

*Non-assistance families* – These payments are paid immediately to the non-assistance family, they are not held in suspense like assistance future payments.

**Compliance Requirements:**

**QUESTION CD01:** Did the LCSA obtain and record the legal date of collection (LDOC) of the payment?

The legal date of collection for various types of payments is included in the definition of “date of collection” above (MPP 12-101(d)(1)(A)). This question should be answered “yes” or “no” for all collections reviewed, even those in which the LDOC is the same as the date of receipt.

**QUESTION CD02:** Was the payment received from a NCP with more than one case allocated correctly?

When the LCSA receives a collection from or on behalf of an NCP with more than one case in the county, the payment shall be either applied to one specific case and distributed within the case based on the case status, or allocated between multiple cases depending upon the payment source and distributed within each case based on the case status. The allocation rules based upon payment sources are in MPP 12-415.111.

Also for NCPs with multiple cases, the allocation rules require the LCSA to prorate regular (non-IRS) collections, first to satisfy all current support obligations, then to satisfy arrearages. IRS intercept collections are allocated first to certified assigned arrears, then to certified unassigned arrears. The allocation methodology for determining each case's share of the allocation is in MPP 12-415.12.

After the allocation of each case's share of a payment, support is applied based on the distribution hierarchy for the case status (see question CD06 below).

**QUESTION CD03:** For a current assistance case, did the LCSA notify the welfare department of the amount collected on the current obligation within 10 business days of the end of the month in which the support was received by the LCSA?

Within 10 business days of the end of the month in which the support is received by the LCSA, the LCSA must inform the welfare agency of the amount of the collection which represents payment on the required support obligation for the month. (MPP 12-108.1)

**QUESTION CD04:** Did the LCSA notify the welfare department when it learned that a support payment was paid directly to and retained by a current assistance CP?

The LCSA must notify the welfare agency whenever it discovers that directly received payments are or have been retained by a current assistance recipient (MPP 12-225.1)

**QUESTION CD05:** For a current assistance case, was the disregard, and/or excess payment issued correctly and timely?

The LCSA is responsible for ensuring that all distribution amounts are proper and the time frames are met for completing the welfare distribution process and disbursing disregard, pass-on and excess payments to the family or to the foster care placement agency.

If a current support payment is received on behalf of a current CalWORKs and KinGAP assistance case, the LCSA shall authorize up to \$50 of a collection as a *disregard payment*. In a Federal Foster Care case (but not a non-Federal Foster Care case), any amount of current child support that exceeds the assistance paid in the same month will be sent to the county welfare department (for a foster care child) as a pass-on payment. Any amount collected that exceeds the UAP will be paid to the family or the county welfare department as an *excess payment*.

The required time frames are:

1. For disregards, payments must have been disbursed within two business days from the date the payment was received by the county.
2. Beginning April 1, 2000, pass-on payments were discontinued except in Federal Foster Care cases, and the time frame requirements for disbursement of both excess and pass-on payments was changed to 15 calendar days after the end of the collection month.
3. The welfare distribution process must have been completed within 13 calendar days after the end of the aid and collection month. (MPP 12-425(a)(1))

**QUESTION CD06:** Was the payment distributed correctly, based on the payment source and distribution hierarchy?

The priority for distribution of collections depends on the case status and the payment source, either regular or IRS intercept. The distribution hierarchy is in MPP 12-420.

**QUESTION CD07:** In non-assistance cases, was the payment paid to the family or interstate initiating agency within two business days (or for IRS intercept payments within 30 calendar days) after the date of receipt?

When the LCSA disburses collections made on behalf of cases not currently receiving CalWORKs, KinGAP or foster care, any payments due to the former assistance and never assistance family shall be paid within two business days from the date of receipt by the LCSA (MPP 12-108.8). The only exceptions are IRS intercept payments, which must be disbursed within 30 calendar days after the date of receipt.

**COLLECTIONS AND DISTRIBUTION WORKSHEET - Instructions**

Heading: Enter Case Review Number, amount of current obligation, whether arrears are owed, and case status (current assistance, former assistance, or never assistance).

The worksheet is designed to track one payment on one page.

Receipt #: Enter the receipt number or other control number needed to track the payment through the various screens to answer the review questions.

Indicate the source of the payment (wage assignment, UIB, NCP payment, etc.). You may use whatever abbreviation your computer system uses to identify payment sources.

Amount of payment refers to the total amount received. Amount credited to this case may be the same as the amount of payment or may be less if the payment is allocated between two or more cases. Enter the amount actually credited.

Indicate the part of the amount credited which was applied to current support, interest, and/or arrears.

The remaining entries relate directly to the review questions. For example, the information requested to the right of the box labeled CD01 is needed to answer question 1 in the Collections and Distribution component. Please refer to the questions to determine how to complete the worksheet.

Note that CD02 asks for the “amount to be allocated.” This is the amount that *should* have been allocated to this case when the payment was divided between two or more cases. Compare this to the actual amount credited by the county to determine compliance. Because of problems rounding to the nearest dollar, this amount may vary slightly from the amount actually credited to this case and still be correct.

Question CD04 is not related to any payment actually received by the LCSA and is therefore not included on the worksheet.

COLLECTIONS & DISTRIBUTION WORKSHEET		
Review Period January 1 through December 31, 2002		
Case Review # _____	<input type="checkbox"/>	Current Assistance (CA)
Current Obligation \$ _____	<input type="checkbox"/>	Former Assistance (FA)
Arrears ? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	Never Assistance (NA)
Review Criteria		Payment
<b>Review Q's</b>	Receipt #	
	Source	
	Amount of Payment	
	Amount Credited to this case	
	Amount to : <span style="float: right;">Current Interest Arrears</span>	
<b>CD01</b>	Date received	
	LDOC	
<b>CD02</b>	# Multiple cases	
	Amount to be allocated	
<b>CD03</b>	CA: Date IV-A notified	
	Elapsed days	
<b>CD05</b>	Date of Disregard	
	Elapsed days	
	Date of Excess/Pass-on	
	IV-A distribution date	
	Elapsed days	
<b>CD06</b>	Correct Hierarchy?	
<b>CD07</b>	Date sent to family	
	Elapsed days	

(INSERT IRS COLLECTIONS AND DISTRIBUTION HIERARCHY)



(Blank Intentionally)

(INSERT NON-IRS COLLECTIONS AND DISTRIBUTION HIERARCHY)

(Blank Intentionally)

COMPLIANCE **Interstate Review Form**

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INTERSTATE-INITIATING CASES

CE01 [ ] When appropriate, did the LCSA attempt to use the “long-arm” statute to establish paternity?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CE02 [ ] A) When did the LCSA determine that this is an interstate case and when was all the necessary information needed to process this case received?  
Date(s) information received:  
  
B) When was the case referred to the responding state’s central registry?  
Date(s) of referral:  
Elapsed days: (20 calendar days)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CE03 [ ] A) When did the LCSA receive a request for additional information from the responding state?  
Date request received?  
  
B) When did the LCSA provide information to responding state, or notify the responding state the information would be provided?  
Date information provided:  
Elapsed days: (30 calendar days)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CE04 [ ] A) When did the initiating LCSA receive new information on the case?  
Date information received:  
  
B) When was the information forwarded to the responding state?  
Date information forwarded:  
Elapsed days: (10 working days)  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMPLIANCE Interstate Review Form (continued)

INTERSTATE-REVIEW AND ADJUSTMENT

NOTE: Interstate cases are subject to the same time frames and notice requirements as in-state cases. Interstate initiating cases must meet additional requirements as specified in that section of this form.

CE05 [ ] After determining it was appropriate to request a review of a child support order in another state, did the LCSA send the request for review to that state within 20 calendar days of receipt of sufficient information to conduct the review?

Date sufficient information was received for review/adjustment:

Date review request sent:

Elapsed days: (20 calendar days)

Comments:

Four horizontal lines for writing comments.

CE06 [ ] Did the LCSA forward to the CP in its jurisdiction a copy of the review notice issued by the responding jurisdiction?

Date notice received:

Date forwarded:

Elapsed days:

(5 working days)

Comments:

Four horizontal lines for writing comments.

CE07 [ ] Did the LCSA forward to the CP in its jurisdiction a copy of review results issued by the responding jurisdiction?

Date results received:

Date forwarded:

Elapsed days:

(5 working days)

Comments:

Four horizontal lines for writing comments.

INTERSTATE-RESPONDING CASES

CE08 [ ] A) When did the LCSA receive the appropriate interstate documentation from the initiating state requesting services?

Date:

Three horizontal lines for writing the date.

COMPLIANCE Interstate Review Form (continued)

B) When did the LCSA provide the requested services/information or request additional information from the initiating state to proceed?

Date:

Elapsed days: (75 calendar days)

Comments:

Four horizontal lines for writing comments.

CE09 [ ]

A) When was it determined that the case was no longer enforceable by the LCSA because the NCP had moved to another California County?

Date:

B) When did the LCSA:

Transfer the case to the new county?

Date:

Notify the initiating state?

Date:

Notify the California Central Registry?

Date:

Elapsed days: (10 working days)

Comments:

Four horizontal lines for writing comments.

CE10 [ ]

A) When did the LCSA receive information that the NCP was located in a state other than California?

Date:

B) When was the interstate form, including the NCP’s new location, sent to the initiating state or forwarded to the central registry in the state where the NCP has been located, and California’s Central Registry notified?

Date:

Elapsed days: (10 working days)

Comments:

Four horizontal lines for writing comments.

CE11 [ ]

LATEST REQUIRED ACTION

Does the “Latest Required Action” provision (pertaining to time frames) apply to this component? (Answer either “yes” or “N/A”.)

If yes, explain:

Two horizontal lines for writing an explanation.

(Blank Intentionally)

### Interstate Component Compliance Criteria

This review form is to be used if during the review period:

1. The “long arm” statute has or should have been used; or
2. Initiating or responding activities have, or should have, occurred.

The PRWORA requires all states to enact the Uniform Interstate Family Support Act of 1996 (UIFSA) effective January 1, 1998. UIFSA replaces the previous uniform act, the Uniform Reciprocal Enforcement of Support Act (URESAs); UIFSA is the law currently governing interstate child support enforcement in California. (FSD Letter 97-16)

#### SPECIAL CONSIDERATIONS:

The initiating jurisdiction is defined as the jurisdiction in which the applicant for support resides. The responding jurisdiction is defined as the place where the NCP or respondent petitioner resides. The “long arm” statute for paternity provides that a person who has sexual intercourse in this state submits to the jurisdiction of the courts of this state for an action brought with respect to a child who may have been conceived by that act of intercourse. (FSD Letter 92-02)

The long arm provision has been expanded under UIFSA. Family Code Section 4905 states: In a proceeding to establish, enforce or modify a support order or to determine parentage, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual’s guardian or conservator if any of the following apply:

- (1) The individual is personally served with notice within this state.
- (2) The individual submits to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.
- (3) The individual resided with the child in this state.
- (4) The individual resided in this state and provided prenatal expenses or support for the child.
- (5) The child resides in this state as a result of the acts or directives of the individual.
- (6) The individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse.
- (7) The individual has filed a declaration of paternity pursuant to Chapter 3 (commencing with Section 7570) of Part 2 of Division 12.
- (8) There is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

In order for the case to be considered an interstate case, the LCSA must have determined that it cannot take any further action without the assistance of the other jurisdiction. The 20-calendar day time frame for referring an interstate case begins with the receipt of information necessary to process the case. (45 CFR 303.7[b][2]; CCR Chapter 7, formerly MPP 12-104.4)

“Latest Required Action” Provision: In considering actions and time frames for interstate processing, case compliance is measured by whether the county completed that action or met that time frame nearest the end of the review period. Compliance with each requirement is to be documented, but question CE11 is added to apply the “latest required action” provision. (Answer only “yes” or “not applicable”.)





*NOTE # 1: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.*



*NOTE # 2: UIFSA has introduced a new concept to interstate cases. That is, if an order already exists in another state, California should NOT establish a new one. Counties must consider whether that other state has “continuing exclusive jurisdiction” (CEJ) before it may modify that order in California even to add medical. If multiple orders already exist, then a county may need to bring a notice of determination of controlling order.*



*NOTE #3: Wage assignments may be enforced directly in other states and a county may directly withhold income under UIFSA without going through the responding tribunal.*

*NOTE #4: If a county takes advantage of our “long-arm” jurisdiction to sue a parent out of state directly, or if a county enforces via a direct wage assignment to an NCP’s out of state employer (no other state IV-D agency involved in either situation), then the time frame requirements for handling interstate cases do not apply.*

**QUESTIONS CE01 THROUGH CE04** relate to establishing Interstate-initiating cases.

COMPLIANCE REQUIREMENTS	
A	Use the “long arm” statute authority to establish paternity whenever appropriate. (45 CFR 303.7[b][1]; CCR Section 117200(a), formerly MPP 12-226.1; FSD Letter 92-02) (See Special Considerations for expansion of “long-arm” provisions under UIFSA.)
B	Within 20 calendar days of determining that the NCP is in another state, and if appropriate, receipt of any necessary information needed to process the case, refer the case to the responding state’s central registry for action including interstate petition (or a computer generated replica), request for location, document verification, administrative reviews in IRS tax refund offset cases, wage assignment in child support cases. (See NOTE #3 above regarding direct income withholding.) (45 CFR 303.3[b][4] & CFR 303.7[b][2]; CCR Section 117400(d)(1), formerly MPP 12-104, 12-226.2)
C	Within 30 calendar days of receipt of request for additional information, provide all requested information or notify the responding state when the information will be provided. This can be accomplished by submitting an updated review form or a computer-generated replica of the form containing the same information and all necessary additional documentation. (45 CFR 303.7[b][3][4]; CCR Section 117400(d)(2), formerly MPP 12-226.2; FSD Letter 92-02).
D	Within ten working days of receipt of new information on a case, notify the child support agency in the responding state by submitting an updated review form and all necessary documentation. (45 CFR 303.7[b][5]; CCR Section 117400(d)(3), formerly MPP 12-226.2; FSD Letter 92-02)

**QUESTIONS CE05 THROUGH CE07** relate to Interstate-Review and Adjustment cases.

COMPLIANCE REQUIREMENTS	
A	If a county determines that it is appropriate to request a review of a child support order in another state, the request for review must be sent to that state within 20 calendar days of receipt of sufficient information to conduct the review. If the request for review is the first contact between the initiating and responding states in the case, the request for review must be sent to the central registry in the responding state. If the initiating state previously referred the case to the responding state for action, the request for review may be sent directly to the appropriate agency in the responding state for processing. (45 CFR 303.8[f][1]; CCR Section 117403(a); FSD Letters 93-22, 94-02)
B	In order to meet all notification requirements for initiating cases, the responding state must issue a notice of the review and a notice of the review results to the parent in the initiating jurisdiction by sending the notice through the initiating IV-D agency. (45 CFR 303.8[f][1]; FSD Letter 93-22)
C	The initiating state is required to send the parent in his/her state a copy of any notice issued by a responding state within five working days of receipt of such notice. (45 CFR 303.8[c][f][1][vi]; FSD Letter 93-22)

**QUESTIONS CE08 THROUGH CE10** relate to Interstate-Responding cases.

COMPLIANCE REQUIREMENTS	
A	Within 75 calendar days of receipt of an interstate request from the central registry the LCSA must: (45 CFR 303.7[c][4]; CCR Section 117500(b), formerly MPP 12-226.3) <ul style="list-style-type: none"> <li>a) Provide requested/needed locate services.</li> <li>b) Request the initiating state to provide all necessary additional documentation or information.</li> <li>c) Process the case to the extent possible, pending receipt of additional information.</li> </ul>
B	Within ten working days of locating the NCP in another county in California the LCSA must: (45 CFR 303.7[c][5]; CCR Section 117502(a), formerly MPP 12-226.3; FSD Letter 92-02) <ul style="list-style-type: none"> <li>a) Transfer the case to the appropriate jurisdiction.</li> <li>b) Notify the initiating state and the California Central Registry of the transfer.</li> </ul>
C	Within ten working days of locating the NCP in a different state, the LCSA must: (45 CFR 303.7[c][6]; CCR Section 117502(b), formerly MPP 12-226.3; FSD Letter 92-02) <ul style="list-style-type: none"> <li>a) Return the interstate form and documentation, including the new location to the initiating state or if requested, forward to the central registry in the state where the NCP has been located.</li> <li>b) Notify the California Central Registry where the case has been sent.</li> </ul>

**QUESTION CE11** should be answered “yes” if the “latest required action” provision is applicable; otherwise, answer “not applicable.” DO NOT answer this question “no.”



COMPLIANCE Medical Support Review Form

ALL CASES

CF01 [ ] If there is a functioning wage assignment during the review period and there is no provision in the existing order for medical support, did the LCSA seek an adjustment of the order to include a medical support provision?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

◆ *Exception: Where non-assistance parent declined medical support services and verified the children are covered by insurance.*

To pursue the health insurance coverage required by the support order, (or, in situations where coverage was provided, but the NCP changed employment), did the county:

CF02A [ ] A) Determine whether employment-related group or other group health insurance coverage was available?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CF02B [ ] B) Enforce the medical support provision in the order through a National Medical Support Notice (MNSN)?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CF02C [ ] C) Forward the health insurance coverage information (if any) to the CP?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CF03 [ ] In a case with a medical support order only, did the LCSA inform the employer when it is no longer enforcing medical support?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMPLIANCE **Medical Support Review Form**

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CF04 [ ] ALL ASSISTANCE AND MNO CASES  
If medical insurance information was secured, was all required information transmitted to DHS on DHS Form 6110?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CF05 [ ] Was DHS informed of any lapse or change in the health insurance coverage?  
Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Medical Support Component Compliance Criteria

This review form is to be used if during the review period:

1. A case has a NEW or ADJUSTED order;
2. If there is a functioning wage assignment and there is no provision in the existing order for medical support;
3. If an order was established prior to the review period, but no actions were taken to enforce the medical support provision; or
4. A MNO referral has been received.

#### SPECIAL CONSIDERATIONS:

Health insurance cost is considered reasonable if it is employment related or other group health insurance, regardless of the service delivery mechanism. Health insurance includes fees for service, health maintenance organizations, preferred provider organizations, and other types of medical services that could be provided to the dependent child of the NCP. (FC 3751 [a] 920)

Activities to obtain and enforce health insurance coverage for dependent children must occur in all cases referred by the IV-A Agency (assistance, foster care and MNO cases), as well as all non-assistance cases. Medical support activities are a responsibility of the LCSA when establishing and enforcing a child support obligation.



*NOTE #1: The February 9, 1999 Federal Register (Vol. 64, No. 26) issues a change which requires the Secretary to issue regulations requiring State agencies to petition for inclusion of medical support in a child support order whenever health care coverage is available to the noncustodial parent at reasonable cost except as specified by 45 CFR 303.31 (b)(1). Therefore, non-IV-A applicants or recipients of services under 45 CFR 302.33 no longer have the option, in receiving IV-D services, to refuse the inclusion of health insurance coverage in the order.*



*NOTE #2: Health insurance includes dental and vision coverage. (FC 3750)*

**QUESTIONS CF01 THROUGH CF03** relate to all cases containing a functioning wage assignment during the review period.

COMPLIANCE REQUIREMENTS	
A	Identify cases which do not include a provision for medical insurance and where the NCP is having wages withheld for a child support obligation. For those cases identified, the LCSA shall petition the courts to modify those cases to include health insurance coverage for the dependent children. (45 CFR 303.31[b][3-4]; FSD Letter 90-08)
B	Once a support order has been established requiring the obligor to secure health insurance the county must determine whether health insurance is available to the NCP at reasonable cost. If health insurance has not been obtained at the time the order is entered, the county must take steps to enforce the health insurance coverage required by the support order. (45 CFR 303.31 [b] [7])
C	Require the LCSA to notify employers when there is no longer a current order for medical support in effect for which the child support agency is responsible. (45 CFR 303.32 and 29 CFR 2590)

**QUESTIONS CF04 AND CF05** relate to all assistance and MNO cases.

COMPLIANCE REQUIREMENTS	
A	<p>If the information in Items 1-7 below is available at the time of referral, the IV-A agency must transmit the information to the Department of Health Services (DHS). If the IV-A agency does not transmit the information, then the child support agency must transmit the information to DHS. The information as specified below shall be provided to DHS. A DHS 6110 form will meet this requirement: (45 CFR 303.30[a], 303.31 [b] [6-8]; MPP 12-228.1-.2;.6-.7; FSD Letters 92-02, 99-09)</p> <ol style="list-style-type: none"> <li>1. The CP assistance or foster care number, medical number or SSN.</li> <li>2. Name and SSN of child(ren).</li> <li>3. Name of NCP.</li> <li>4. SSN of NCP.</li> <li>5. Home address of NCP.</li> <li>6. Name and address of NCP's place of employment.</li> <li>7. The NCP's health insurance policy, if any, should include the insurance company's name(s), policy number(s), and name(s) of person(s) covered.</li> </ol>
B	Forward information regarding any health insurance coverage obtained to the custodial parent. (MPP 12-228.63)

CG01 [ ] Was the child support case closed in accordance with case closure guidelines?

Comments:

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CG02 [ ] Was written notice of intent, using required language, sent to the CP prior to closing? (Exceptions permitted)

A) Date notice sent:

B) Date case closed:

Elapsed days:

(Minimum 60 calendar days)

Comments:

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CG03 [ ] If the child support case was eligible for closure (under provisions of CSS 01-16 or CCR Section 118203), was it closed during the review period?

Comments:

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(Blank Intentionally)

**Case Closure Component Compliance Criteria**

This review form is to be used if during the review period the case was closed or was eligible for closure under provisions of CSS Letter 01-16 or CCR Section 118203.

**QUESTIONS CG01 THROUGH CG03** should be answered is a case was closed or was eligible for closure.

**SPECIAL CONSIDERATION:**

Case closure means that Title IV-D services will no longer be provided. However, case closure does not affect the support order if the order is still current, or arrearages accrued under the order. Although the LCSA closes a case, a support order that is current remains in effect and arrearage continues to accrue for the life of the order. FSD Letters 91-06, 91-37, 93-01, 94-07 and 96-09 provide clarification to counties in applying IV-D case closure requirements.

CSS Letter 01-16 (dated June 25, 2001) transmitted revised case closure criteria effective July 1, 2001. Effective March 25, 2002, the Department repealed the case closure regulations found in the MPP Chapter 12-300 and adopted case closure regulations into Chapter 1 of Division 13 of Title 22 of the CCR that supercede CSS Letter 01-16.

**COMPLIANCE REQUIREMENTS**

- A. The LCSA shall close any case that meets at least one case closure criteria (45 CFR 303.11[b]; CSS Letter 01-16; CCR 118203(a), formerly MPP 12-301.11):
1. For cases closed prior to March 25, 2002. There is no longer a current support order and assigned and unassigned arrearages are under \$500; or arrearages are unenforceable under state law. Situations to which these criteria apply include, but are not limited to the following: (45 CFR 303.11(b); CSS 01-16); CCR Section 118203(a))
    - a) Reconciliation of the family or the death of a child constitutes grounds for terminating the current support order. CSS 01-16; CCR Section 118203(a)(1)(A)and (B)
    - b) Paternity is established and is the only Title IV-D service provided because both parents in a Title IV-grant are living together (CSS 01-16; CCR Section 118203(a)(1)(C)
    - c) The child for whom support is sought dies before paternity is established. (CSS 01-16; CCR Section 118203(a)(1)(D)
    - d) Cases with medical support orders with a specific dollar amount and arrears which accrue under such orders. (CSS 01-16; CCR Section 118203(a)(1)(E)
    - e) Emancipation of the youngest child. (CSS 01-16; CCR Section 118203(a)(1)(F)
    - f) Only for cases closed prior to March 25, 2002. Cases which meet the closure criteria under 1. above are not receiving child support arrearage payments. (CSS 01-16)

**For cases closed on or after March 25, 2002. There is no longer a current support order and no arrearage payments were made in the preceding twelve consecutive months, and assigned and unassigned arrearages are under \$500; or arrearages are unenforceable under state law. Situations to which this criterion apply include, but are not limited to 1(a) through 1(f) above. (45 CFR 303.11(b), CCR Section 118203(a)).**
  2. NCP or alleged father is deceased and no further action can be taken, including a levy against the estate.(45 CFR 303.11(b)(2), CSS 01-16; CCR Section 118203(a)(2). The LCSA shall verify the death of the NCP or alleged father and shall document attempts to identify assets in the estate, which could be levied against, were unsuccessful. The case

A.  
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- closure notice shall include information about possible Social Security Administration death benefits. (CSS 01-16; CCR Section 118203(a)(2))
3. Paternity cannot be established because one of the following: (45 CFR 303.11[b][3]; CCR 118203(a)(3), formerly MPP 12-302.1[c])
    - a) The youngest child requiring paternity establishment has reached 18 years of age. Additionally, for cases closed on or after March 25, 2002, there is also no pending judicial action to establish the child's paternity. (CSS 01-16; CCR Section 118203(a)(3)(A))
    - b) A genetic test or court or administrative process has excluded the alleged father and the custodial party has attested under penalty of perjury that he/she does not know the identity of other individuals who could be the father. (45 CFR 303.11[b]; CSS 01-16; CCR Section 118203(a)(3)(B))
    - c) The LCSA, in conjunction with the county welfare department, determines that the child's best interest will not be served by establishing paternity in a case involving incest or forcible rape, or a case where legal proceedings for adoption are pending. (45 CFR 303.11[b]; CSS 01-16, CCR Section 118203(a)(3)(C), formerly MPP 12-302.1[c][2].
  4. The NCP's or alleged father's residence, employment address, earnings and assets are unknown and the LCSA has made quarterly attempts using all locate sources to locate the NCP, all of which have been unsuccessful. Such efforts shall be made over a three year period when there is sufficient information to initiate an automated locate, or over a one year period when there is insufficient information to initiate an automated locate effort.
    - a) Sufficient information means the first and last name, and date of birth, and/or social security number of the NCP or alleged father.
    - b) When there is insufficient information, the LCSA shall at least once ask the CP for additional information to assist with identifying or locating the NCP or alleged father. The LCSA shall make every effort to obtain a social security number of the NCP or alleged father using all appropriate sources, including, but not limited to the Department of Justice, Department of Motor Vehicles, Social Security Administration, and the Federal Parent Locator Service." (45 CFR 303.11[b]; CSS 01-16; CCR Section 118203(a)(4))
  5. The NCP cannot pay support for the duration of the child's minority for any of the three reasons state below and the LCSA determines that no income assets are available to the NCP which could be levied or attached for support. (45 CFR 303.11[b]; CSS 01-16; CCR Section 118203(a)(5); CSS 01-16; CCR Section 118203(a)(5))
    - a) The NCP is institutionalized in a psychiatric facility. (CSS 01-16; CCR Section 118203(a)(5)(A))
    - b) The NCP is incarcerated with no chance of parole. (CSS 01-16; CCR Section 118203(a)(5)(B))
    - c) The NCP has a medically verified total and permanent disability with no evidence of support potential. (CSS 01-16; CCR Section 118203(a)(5)(C))
    - d) Only for cases closed on or after March 25, 2002. The NCP receives SSI/SSP and has no other attachable income or assets.
  - 6a. The NCP lives in a foreign country, other than Mexico, and all of the following apply: (45 CFR 303.11(b); CSS 01-16; CCR Section 118203(a)(6)(A))
    - a) The NCP is a citizen of that foreign country. (CSS 01-16; CCR Section 118203(a)(6)(A)1.)
    - b) The NCP does not work for the U.S. Government or a company, which has its headquarters of offices in the United States. (CSS 01-16; CCR Section 118203(a)(6)(A)2.)
    - c) The NCP has no reachable domestic income or assets; (CSS 01-16; CCR Section 118203(a)(6)(A)3.)
    - d) California does not have reciprocity with the country. (CSS 01-16; CCR Section 118203(a)(6)(A)4.)
  - 6b. The NCP resides in Mexico and in addition to a) through c) above, the case is a

A.  
cont

- California-initiated request for reciprocal child support services with Mexico, and at least one of the following apply. (CSS 01-16; CCR Section 118203(a)(6)(B))
- a) Paternity is at issue and California does not have the basis to establish paternity using long-arm jurisdiction specified in Section 4905, Family Code, or the use of long-arm jurisdiction to establish paternity is appropriate, but the LCSA is unable to establish paternity. (CSS 01-16; CCR Section 118203(a)(6)(B)1.)
  - b) The NCP's location is not known. (CSS 01-16; CCR Section 118203(a)(6)(B)2.)
  - c) The NCP is not known to be working or the LCSA is unable to determine the NCP's employer. (CSS 01-16; CCR Section 118203(a)(6)(B)3.)
  - d) The LCSA cannot be provided with a photograph of the NCP. (CSS 01-16; CCR Section 118203(a)(6)(B)4.)
  - e) The only issue in the case is retroactive support for past public assistance paid. (CSS 01-16; CCR Section 118203(a)(6)(B)5.)
7. The LCSA has provide non-Title IV-D location-only services as requested by the CP, legal guardian, attorney or agent of a child who is not receiving assistance, whether or not such services were successful. (45 CFR 303.119b; CSS 01-16; CCR Section 118203(a)(7))
8. The recipient of services who is currently not receiving public assistance under Title IV-A requests closure of a case and there is no assignment for medical support and no assigned arrears. (45 CFR 303.11(b)(8); CSS 01-16; CCR Section 118203(a)(8)) For cases closed prior to March 25, 2002, this closure criterion applies to situation including, but not limited to, when the court determines it would be inappropriate to establish a child support order against the NCP, when retroactive child support for past public assistance is the only issue.
9. For cases closed on or after March 25, 2002. The court determines it would be inappropriate to establish a child support order for a case in which retroactive child support for past assistance paid is the only issue. (CCR Section 118203(a)(9))
10. There has been a finding of good cause as specified in Welfare and Institutions Code Sections 11477.04 or 14008.6 or other exceptions to cooperation with the LCSA and the state or county welfare department has determined that support enforcement may not proceed without risk or harm to the child or caretaker relative. (45 CFR 303.11(b); CSS 01-16; CCR Section 118203(a)(10))
11. Except as specified in (c), the LCSA is unable to contact the non-Title IV-A recipient of services over 60-calendar days despite attempts to contact the recipient of services both by phone and first class letter, ~~including at least one certified, return receipt letter~~ sent to the last known address and after using the Department of Motor Vehicles and other locate sources to locate the recipient of services.
- a) The 60-day period shall begin the date the contact letter is mailed to the last known address of the recipient of services.
  - b) A LCSA shall not mail the notice of case closure until 60 days have elapsed from the date the contact letter was mailed to the recipient of services and all responses from queried locate sources have been received indicating no new information is available that would allow the case to remain open.
  - c) When the recipient of services is a CP and a LCSA has a child support collection that needs to be distributed to the CP, the LCSA shall attempt to locate the CP for 6 months, applying the same requirements and locate sources for locating NCPs, before the case qualifies for closure under this criterion.
  - d) Medically Needy Only cases shall not be closed under this closure criterion. A LCSA shall contact the county welfare department for assistance in locating a CP.. (45 CFR 303.11**19(b)(10)**; CSS 01-16; CCR Section 118203(a)(11))
12. The non-Title IV-A CP, except a Medically Needy Only recipient is uncooperative and all of the following apply: (45 CFR 303.11(b); CSS 01-16; CCR Section 118203(a)(12))
- a) The LCSA documents the circumstances of noncooperation in the case file.
  - b) An action by the CP is essential for the next step in providing child support services.

A.  
cont

- c) The LCSA shall explain the incident(s) of noncooperation to the recipient of services, in writing, and shall warn the recipient of services that further noncooperation may result in case closure.
  - d) Noncooperation shall include any action or inaction by the recipient of services that is essential for the next step in providing Title IV-D services, including but not limited to:
    - 1) Continuing to collection direct child support payments.
    - 2) Failing to attend hearings.
    - 3) Refusing to sign forms.
    - 4) Refusing to report private attorney actions.
13. The recipient of services has moved to another county or state and both a) and b) apply: (CSS 01-16; CCR Section 118203(a)(13))
- a) The recipient of services has applied for service in another county or state.
  - b) The LCSA documents in the case file that contact was made with the other county or state to confirm that the recipient of services has applied for services in the other county or state, or in the case of an intercounty transfer, to confirm that the case has been transferred.
  - c) In addition to a) and b), when there are assigned arrears, the case shall not close until one of the following occurs:
    - 1) The assigned arrears are collected.
    - 2) The case can be closed under another closure criterion.
    - 3) The responsibility for collecting the assigned arrears is transferred to another jurisdiction.
14. A LCSA documents failure by an initiating state in an interstate case to take an action which is essential for the next step in providing Title IV-D services (45 CFR 303.11[b][12]. (CSS Letter No. 01-16; CCR Section 118203(a)(14))
- a) If California is the responding state and a LCSA needs additional information to process an interstate case, that LCSA shall send to the initiating state a notice requesting the initiating state to provide the information within 30 days, or provide a response within 30 days as to when the information shall be provided.
    - 1) If the information or notice of when information will be provided is not received by the responding LCSA after 30 days from mailing the request specified in (a) above, the responding LCSA shall notify the initiating state that the case will be closed in 60 days.
    - 2) The responding local child support agency shall also send a copy of the closure notification to the initiating state's central registry with a notation requesting any assistance the central registry can provide the initiating state's Title IV-D agency in obtaining information necessary to keep the case open.
  - b) The case shall be closed after 60 days have elapsed from the date of mailing the closure notice specified above, if the initiating state does not provide the information needed to process the interstate case or a response stating when the information will be provided.
  - c) Only for cases closed on or after March 25, 2002:  
When the initiating state requests case closure and does not provide the case closure criterion, or provides a case closure criterion that is inconsistent with CCR Sections 118203(a)(1) through (13) and (15), the LCSA shall send the initiating state a written notice of intent to close the case in 60 days, unless the initiating state provides a case closure criterion that is consistent with CCR Sections 118203(a)(1) through (13) and (15). After 60 days, if the initiating state does not provide the appropriate case closure criterion, the case shall be closed as specified in b).
15. A Title IV-D case is erroneously opened and both of the following apply:
- a) No Title IV-D services can be appropriately provided for the case.
  - b) There is clear and complete documentation in the case file explaining why the case

was erroneously opened and why no Title IV-D services can be provided. (CSS Letter No. 01-16; CCR Section 118203(a)(15))

- B. The LCSA shall notify the recipient of services in writing of the LCSA's intent to close the case. A written notice of case closure shall be mailed to the last known address of the recipient of services 60 calendar days prior to closing the case pursuant to CCR Section 118203(a)(1) through (6) and (11) through (14). (45 CFR 303.11(c); CSS 01-16; CCR Section 118203(b))
1. Written notice need not be provided for cases closed under CCR Section 118203(a)(7) through (10) and (15).
  2. The written notice of intent to close a case shall include the following:
    - a) The reason the case is closed.
    - b) The circumstances under which the case may be reopened.
    - c) Whom to contact to apply for possible Social Security benefits, for case closed under. (CCR Section 118203(a)(2))
  3. The case shall be kept open if the recipient of services responds to the closure notice with information that could lead to the establishment of paternity, a support order or enforcement of an order.
  4. The case shall remain open if contact is re-established with the recipient of services in the instance of CCR Section 118203(a)(11).
  5. A case shall be reopened at a later date if a former recipient of services requests that the case be reopened and can provide information that could lead to the establishment of paternity or a support order or enforcement of an order. When a former recipient of services requests resumption of Title IV-D services, the recipient of services shall complete a new application package.
  6. The LCSA shall retain closed Title IV-D case records for a minimum of four years and four months, unless otherwise specified. Summary criminal history information shall be disposed of in accordance with record disposal requirements specified in CCR Section 111460.
  7. When Title IV-D cases are closed, LCSAs shall evaluate the case to determine whether it is appropriate to release, remove, rescind or terminate establishment and enforcement activities initiated against the obligor. Release, removal, rescission or termination includes, but is not limited to:
    - a) Dismissal of Summons and Complaint.
    - b) Termination of income withholding orders and National Medical Support Notices.
    - c) Removal of obligor's name and social security number from intercepts.
    - d) Release of personal and real property liens.
    - e) Substitution of payee. (CSS Letter No. 01-16; CCR Section 118203(e))
  8. Only for cases closed on or after March 25, 2002:

When a recipient of services has a family violence indicator, a LCSA shall obtain from the recipient of services a substitute address, when necessary for releasing, removing, rescinding or terminating establishment and enforcement actions, and shall not disclose the whereabouts of the recipient of services and the affected child(ren) unless ordered to do so by a court of competent jurisdiction after proper notice and hearing.



**Part II: Expedited Process**

The measurement of compliance with expedited process requirements, as specified by regulations (MPP 12-106.2, 12-109 and 12-211; FSD 98-04) will be completed as follows:

- a) Obtain the expedited process log or record for the month of November 2001. This should list all cases entering expedited process during that month.
- b) Track these cases forward for one year to determine the date of disposition for each. The requirement is that 75 percent must be completed within 6 months and 90 percent within 12 months, leaving not more than 10 percent that may exceed 12 months.
- c) Record the results on the Expedited Process Tabulation Form and include the results in the review report, with a finding of either compliance or non-compliance.
- d) If there are fewer than 11 cases for the month of November 2001, the county will be considered in compliance in Expedited Process, but will be encouraged to take voluntary corrective action if the percentage scores are below the required standard.

*Expedited Process Tabulation Form Instructions:* For those cases included on the November 2001 Expedited Process Tabulation Form page 73), calculate the elapsed time between the service of process dates and disposition dates.

Review Month	Enter month reviewed (from IV-D expedited process case log).
Page ____ of ____	Enter number of pages used to record expedited process case time frames.
IV-D Case Number	Enter the LCSA case number (last four digits only).
Date of Service of Process	Enter the date the NCP was served.
Date of Disposition	Enter the date of disposition.
Completed Disposition Time Frames	Enter a check mark in applicable column(s) to indicate when action in a case reached disposition within the expedited process time frames. For any case where a check is placed in the 6-month column, also check the 12-month column.
Subtotal	Enter appropriate count in each column.
Total	On last page only—enter total count of all subtotaled pages.
Grand Total	On last page only—enter total count of the three total columns.
Percentage	On last page only—enter appropriate calculated percentages from the grand total amount for the three columns using the following: $\frac{\text{6 mo. column}}{\text{GRAND TOTAL}} = \% \quad \frac{\text{12 mo. column}}{\text{GRAND TOTAL}} = \% \quad \frac{\text{>12 months column}}{\text{GRAND TOTAL}} = \%$
County is considered to be	On last page only—enter, via check mark, appropriate compliance status of county’s expedited process time frames.









**Part III: Program Administration**

The review components for Program Administration (Required Notices, Case Application, Safeguard Activity, and Complaint Resolution Tracking System) are compliance areas for purposes of the compliance review; that is, the county's failure to meet the minimum requirement of any one of these components will result in a finding of non-compliance and will require a corrective action plan. For this year's review, Case Transfer and Declarations of Paternity in Child Support Cases are administrative and will not count toward compliance.

**REQUIRED NOTICES QUESTIONNAIRE**

PART 1  
MONTHLY STATEMENT OF COLLECTIONS AND DISTRIBUTIONS

REFERENCES: FSD 92-07, 92-09, 93-06, 93-07, 97-14, 97-19, ALL IV-D DIRECTORS Letters dated 5/10/93, 12/17/93; CCR Section 119184, effective 5/29/02

REQUIREMENTS: As a result of the Barnes vs. Anderson lawsuit and federal requirements, the counties are required to send notices monthly to CPs who are assistance and non-assistance recipients of IV-D services if a payment or distribution has occurred during the month.

- A. The notices must be sent within 45-calendar days after the last day of the month.
- B. Each LCSA shall issue a "Monthly Statement of Collections and Distribution", CS 916, dated (03/02), and "Notice of Important Information:", CS 917, dated (03/02) to each custodial party who is a recipient of child support services.
- C. The notice must be sent to both assistance and non-assistance recipients of IV-D services. Notices do not need to be sent to foster care IV-D cases or responding UIFSA cases. For intercounty cases, the county that distributes the collection must send a notice. The notice must be sent to former assistance recipients who were also recipients of Title IV-D services, even if they are no longer receiving Title IV-D services unless no collection is made in the month, the assignment is no longer in effect and there are no longer any assigned arrearages.
- D. The notices are to include the following:
  - 1. The Date of Collection must be used and shown under "collections to LCSA". For wage assignment payments, the legal date of collection is the date the employer withheld the payment from the NCP's paycheck. If no data is available, the county must reconstruct that date by contacting the employer or comparing actual amounts collected with the pay schedule specified in the court order or comparing the employer's pay cycle, as reflected on the Order/Notice to Withhold Income for Child Support in lines 15a-d (CSS 01-13).

2. The explanation why a CP did not receive a disregard must be one of the following:
- a) "The collection dated \_\_\_\_\_ came from a federal income tax refund. Under federal law, tax refund money can only be used to pay past due child support and is applied first to repayment of CalWORKs previously paid to you."
  - b) "There is no order for current support to be paid by the noncustodial parent. When no current support is ordered, no disregard can be paid to you. Support collected on an order for past due support or arrears only cannot be used to pay a disregard."

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions:

- 1) As of 7/1/02, did the LCSA begin using CS 916 (Monthly Statement of Collections and Distribution) and CS 917 (Important Information Sheet) to comply with the monthly Barnes Notice? (ADMINISTRATIVE)
- 2) Did the LCSA meet the most recent deadline for issuing the monthly notice?  
 YES                       NO
- 3) Did the notice contain all the required elements?  
 YES                       NO

PART II  
 REQUIREMENT TO NOTIFY PARENTS OF THEIR RIGHT TO REQUEST A  
 REVIEW OF THEIR CURRENT SUPPORT ORDER

REFERENCE: FSD 97-20

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following question:

- 4) Does the county have a procedure to comply with FSD 97-20 notifying parents every three years of their right to request a review of their current support order?  
 YES                       NO
- 5) Explain the procedure:
- 6) Conclusion: State whether the county met or did not meet the requirements for both notices by the end of the review period. (FOR USE BY THE REVIEWER)



- 3) Does the LCSA use the following forms for the case intake process:
- CS 196 Child Support Services Program Notice
  - CS 870 Attestation Statement
  - CSS 2101 Application for Support Services
  - CSS 2103 Information Regarding the Application for Support Services
  - CSS 2105 Child Care Verification
  - CSS 2107 Visitation Verification
  - CSS 2109 Declaration of Support Payment History
  - CSS 2111 Health Insurance Information
  - CSS 2115 Request for Support Services
  - CSS 2142 Child Support Domestic Violence Questionnaire
- \_\_\_\_\_YES                      \_\_\_\_\_NO
- 4) Does the LCSA provide the following information with the application?
- a) Available services
  - b) The applicant's rights and responsibilities
  - c) Fees and cost recovery procedures
  - d) Distribution policies
- \_\_\_\_\_YES                      \_\_\_\_\_NO
- 5) Does the LCSA provide the above information within five working days for cases referred from the IV-A Agency?
- \_\_\_\_\_YES                      \_\_\_\_\_NO
- 6) Conclusion: State whether the county met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

**SAFEGUARD ACTIVITY REPORT (SAR) QUESTIONNAIRE**

Federal law requires an annual SAR to be prepared by each county as a condition of receiving federal tax return information. These safeguards are designed to ensure the confidentiality of IRS data and prevent its unauthorized use. Counties must prepare a SAR and make it available for the performance review process.

REFERENCE: FSDIN I-64-98

**REQUIREMENTS:**

- ◆ Federal law requires an annual SAR be prepared by each recipient agency of tax information.
- ◆ (Publication 1075 is to inform all agencies of the Internal Revenue Service (IRS) safeguards for protecting federal tax return information.)
- ◆ Safeguards must be in place at the state and county levels as a condition of receiving federal tax return information.
- ◆ The safeguards are designed to ensure the confidentiality of IRS data and prevent its unauthorized use in accordance with Internal Revenue Code (IRC) Section 6103 (p)(4).
- ◆ Each county must prepare an annual SAR and make it available for the state to review during the performance review process.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following question.

1) Does the LCSA have a SAR to comply with FSDIN I-64-98?

\_\_\_\_\_YES          \_\_\_\_\_NO

2) Conclusion: State whether the county met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)



**CASE TRANSFER – NEW COMPONENT (ADMINISTRATIVE)**

To ensure consistent statewide implementation of the revised duplicate case transfer policy, county compliance with the following requirements is necessary. An administrative verification that the prescribed procedures were followed and/or the review of a sampling of cases from the LCSAs duplicate case list will determine if the LCSA met the requirements:

REFERENCE: CSS 02-18, effective 6/6/02

**REQUIREMENTS:**

- ❖ The LCSA must designate staff to serve as the LCSA's case transfer coordinator.
- ❖ Was the case properly transferred using a standardized case transfer package (either by the sending or receiving county), in accordance with the revised case transfer policy?
- ❖ Did the LCSA forward a complete Case Transfer Financial Summary Package (includes an accounting of arrears, interest and a calculation of the UAP), as applicable?
- ❖ The sending county shall calculate the UAP balance, if any, by ensuring that all recoupment amounts are subtracted from the cumulative UAP.
- ❖ The sending county shall close the case when the receiving county acknowledges the case transfer.
- ❖ The LCSA shall initiate case transfer for one-third of the cases on the Duplicate Case Report dated August 2002 as specified by the implementation schedule. "Initiate" means the case transfer coordinator in either the sending or receiving county contacts the case transfer coordinator in the other county and confirms the necessity of transferring the case.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions.

- 1) Does the LCSA's sample duplicate case report comply with all the above requirements as stated in CSS Letter 02-18?  
 YES       NO
- 2) Is the LCSA following the revised duplicate case transfer procedures?  
 YES       NO
- 3) Did the LCSA initiate case transfer for one-third of the total number of cases identified by the August 2002, Duplicate Case Report?  
 YES       NO
- 4) Did the LCSA submit a letter to DCSS attesting to the percentage reduction of cases?  
 YES       NO
- 5) Conclusion: State whether the LCSA met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

**DECLARATIONS OF PATERNITY IN CHILD SUPPORT CASES -  
NEW COMPONENT (ADMINISTRATIVE)**

Federal and State regulations require that for IV-D cases needing paternity establishment, the IV-D agency must first determine if a voluntary acknowledgement has been recorded in the statewide database in accordance with 303.5(g)(8) before proceeding to file for paternity establishment or administrative process. In addition to this regulation the Federal Register (45 CFR Parts 301-305, Volume 56, Number 246, dated 12-23-94) states, in part, that once the IV-D agency matches a case with a voluntary acknowledgment recorded in the State database, it must then use that acknowledgement to seek a support order.

REFERENCE: CSS Letter 02-11, effective 5/3/02

REQUIREMENTS:

- ❖ The LCSA must review the statewide Paternity Opportunity Program (POP) database of filed declarations of paternity prior to filing a summons and complaint
- ❖ The LCSA must recognize that a filed voluntary declaration of paternity is a legal establishment of paternity
- ❖ Failure to adopt and follow policy will result in a finding of non-compliance

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions.

- 1) In all IV-D cases where paternity is at issue, did the LCSA review the statewide Paternity Opportunity Program (POP) database for a voluntary acknowledgement of paternity prior to filing a summons and complaint with the court system?  
\_\_\_\_\_YES \_\_\_\_\_NO
- 2) Does the LCSA follow policy and practice to recognize that a filed voluntary declaration of paternity obviates the need for a legal establishment of paternity through the courts?  
\_\_\_\_\_YES \_\_\_\_\_NO
- 3) Conclusion: State whether the LCSA met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

**COMPLAINT RESOLUTION TRACKING SYSTEM – NEW COMPONENT**

The DCSS required the establishment of a uniform complaint resolution process within the LCSA. To ensure uniform complaint resolution data tracking and reporting, DCSS has developed the automated Complaint Resolution Tracking System (CRTS). Effective July 1, 2001, LCSAs are required to use CRTS to enter complaint data through the internet.

For each complaint received by the LCSA, initial CRTS data entry is required to be completed within five (5) days after the complaint date, as defined by CCR Section 120003. In addition, all complaints that were entered on any other tracking system, including those systems developed by the LCSA for county use, are required to be entered on CRTS.

REFERENCE: LCSA 01-18, issued 6/19/01; LCSA 02-10, effective 10/12/02

REQUIREMENTS:

- ❖ The LCSA reviewer will need to review up to the last twenty (20) complaints (initially received by the county) during the review period.
- ❖ If there are fewer than 20 complaints, review them all.
- ❖ If at least 75 percent of the complaints meet the time frames, the questions can be answered “yes”. If not, the county has not met the requirements and must pursue corrective action.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following question.

- 1) Is the LCSA using CRTS to document and track complaint data?  
 YES                       NO
  
- 2) Are the complaints received by the LCSA entered into CRTS within five (5) days of receipt?  
 YES                       NO
  
- 3) In administering the complaint process, is the LCSA using the standard forms specified in CCR Section 120101-120105, including the following:  
 LCR 006 and SH 001            “Notice of Complaint Resolution”  
 LCR 001                            “Request for Complaint Resolution”  
 LCR 002                            “Request for Complaint Acknowledgement”  
 LCR 003                            “Complaint Amendment”  
  
 YES                       NO
  
- 4) Conclusion: State whether the county met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

County reviewers are to document compliance reviews by including:

- ◆ Overall case review findings
- ◆ Specific case review findings by component
- ◆ Assistance and non-assistance findings
- ◆ Expedited Process findings
- ◆ Program Administration findings

The purpose of these reports is to provide a basis for: 1) development of program improvement and corrective action; and 2) state monitoring.

**Part I: Report Forms**

The Case Compliance Worksheet, Case Review Tabulation, and Assistance/Non-assistance Error Rate Comparison reports are generated by web-based tool from entries made on the Case Review Face Sheets and Case Review Forms.

**Case Compliance Worksheet Instructions:** The information from this worksheet will be used after the case review has been completed to:

- 1) Compute case compliance findings
- 2) Compute the Assistance/Non-assistance Error Rate Comparison; and
- 3) Account for cases for which no review forms were appropriate

This worksheet is generated from Case Review Face Sheet data, providing information on the case type (assistance, non-assistance, combination or no forms) and whether the case was in or out of compliance.



*NOTE: The case must be in compliance in all components for the case to be marked “Yes.” For any components not in compliance the case must be marked “No.”*

Case Number Column	Step 1	This column contains the sample review numbers in consecutive order. Each number needs to be accounted for.
Assistance Columns	Step 2	Compliance status for all cases defined as “assistance.”
Non-assistance Columns	Step 3	Compliance status for all cases defined as “non-assistance.”
Combination Columns	Step 4	Compliance status for all cases defined as a “combination” of assistance and non-assistance.
No Forms Column	Step 5	Cases that are not reviewable to any component.
Subtotal/Total Rows	Step 6	Subtotals each page and indicates the total on the last page of each worksheet.

(Blank Intentionally)




(Blank Intentionally)

The figures from the worksheet totals are transferred to the compliance review summary form, according to the following formula.

Case Compliance Formula		
Add columns 1 – 6	X- Y	Total of cases reviewed
Add columns 1, 3, 5	X	Total of cases in compliance
Add columns 2, 4, 6	Y	Total of cases out of compliance
Divide X by X + Y	%	Percentage of cases in compliance



Compliance Review Summary Instructions

Overall Compliance	Step 1	If the county is in compliance in Case Review, Expedited Process and Program Administration, the IN BOX is checked. If the county is out of compliance in Case Review, Expedited Process or Program Administration, the OUT BOX is checked.
Case Review Findings (by total case compliance)	Step 1	The Case Compliance Worksheet is used.
	Step 2	"Total Cases Reviewed", is the combined total of Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 3	"Cases In Compliance", is the combined totals of the "Yes" columns for Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 4	"Cases Out of Compliance", is the combined totals of the "NO" columns for Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 5	<p>"Percentage", is the computed percentage of the cases in compliance using the following formula:</p> $\frac{\text{CASES IN COMPLIANCE}}{\text{TOTAL CASES REVIEWED}} = \text{PERCENTAGE}$ <p> <i>NOTE: The total reviewed only includes cases for which at least one review component was applicable.</i></p>
Case Review Findings by Component	Step 1	The totals from the Case Review Tabulation Forms are computed automatically and reflect each component.
	Step 2	The number of cases in compliance (YES).
	Step 3	The number of cases not in compliance (NO).
	Step 4	The total number of cases (TOTAL OF YES and NO).
	Step 5	<p>The number of cases in compliance (YES) is divided by the number of cases reviewed (TOTAL):</p> $\frac{\text{YES}}{\text{TOTAL}} = \text{PERCENTAGE}$
	Step 6	The appropriate boxes are automatically checked if a PIP or CAP is required for that component.
Expedited Process Findings	Step 1	The appropriate expedited process findings for the county are obtained from the Expedited Process Tabulation Form.
Program Admin. Findings	Step 1	The conclusions from the six Program Administration questionnaires are automatically entered.

\_\_\_\_\_ COUNTY

**Compliance Review Summary**

January 1, through December 31, 2002

<b>OVERALL COMPLIANCE</b>	IN	OUT

**1. Case Review Findings**

<b>CASE COMPLIANCE</b>							
TOTAL CASES REVIEWED	CASES IN COMPLIANCE	CASES OUT OF COMPLIANCE		PERCENTAGE			
<b>CASE REVIEW FINDINGS BY COMPONENT</b>							
COMPONENT	YES	NO	TOTAL	PERCENTAGE	PIP	CAP	
A. ESTABLISHMENT/MODIFICATION							
B. REVIEW & ADJUSTMENT							
C. ENFORCEMENT							
D. COLLECTIONS & DISTRIBUTION							
E. INTERSTATE							
F. MEDICAL SUPPORT							
G. CASE CLOSURE							

**2. Expedited Process Findings**

SIX-MONTH PERCENTAGE	12-MONTH PERCENTAGE	REQUIREMENTS	
		MET	NOT MET

**3. Program Administration Findings**

COMPONENT	REQUIREMENTS	
	MET	NOT MET
REQUIRED NOTICES		
CASE APPLICATION		
SAFEGUARD ACTIVITY REPORT		
CASE TRANSFER –(administrative)		
DECLARATIONS OF PATERNITY (administrative)		
COMPLAINT RESOLUTION TRACKING SYSTEM		

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Case Review Tabulation Instructions

The tabulating of the results of individual case reviews is an important step in the process because this will determine the county’s compliance with each program standard being assessed during the review. The tabulating and summarizing of review results is completed automatically in the web-based tool. Procedures and sample forms are contained in this guide. Not every tabulation sheet will be used for every case; rather, only those that correspond to the review form(s) completed for that individual case.

Case Number Column	Step 1	The assigned case review number is entered. The web-based tool will tabulate each answer as it is entered on the review form. (Y=Yes, N=No or blank=Not applicable).
Coding Column	Step 2	Note that certain questions do not include an “N” option. <i>EXAMPLE: Question No. 3 of Establishment/Modification was answered “N”. The code for Question No. 3 is CA03. The entry by the web-based tool under code CA03 on the Establishment/Modification tabulation form will indicate that the case is not in compliance.</i>
Compliance Column	Step 3	Except as described below, a “No” answer takes precedence over any “Yes” answer in a component. If all codes are marked “Y” a “Yes” will appear in the compliance column. <u>Establishment/Modification:</u> a “Yes” answer to question number CA01 will override a “No” answer to questions CA02 through CA11. <b><u>Review and Adjustment:</u> a “Yes” answer to question CB04 will override a “No” answer to question CB05. A “Yes” answer to question CB03 will override a “No” answer to questions CB04 or CB05. A “No” answer to questions CB01 or CB02 cannot be overridden.</b> <u>Enforcement:</u> a “Yes” answer to question CC07 will override a “No” answer to question CC08 through CC16. <u>Enforcement:</u> if “No” is marked to any of questions CC01 through CC07, the “Latest Required Action” question cannot be answered “Yes” to override a “No”. <u>Latest Required Action:</u> If “The Latest Required Action” question is marked “Y”, a “Yes” will appear in the compliance column.
Total	Step 4	For each tabulation sheet, subtotals are completed automatically for each column at the bottom. One or more tabulation sheets will be used for each of the components. If more than one tabulation sheet is used, the grand total will appear on the last sheet. The web-based tool will automatically enter the data on the Compliance Review Summary Form (Case Review Findings by Component).

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(INSERT TAB SHEET HERE)



**Part II: Writing the Report**

State-review County Compliance Review Report. The DCSS reviewers will compile data, analyze findings and prepare a preliminary report. DCSS will submit a copy of the report to the LCSA Administrator, who will have 45 calendar days to submit formal comments. The DCSS reviewers will review the formal comments and incorporate them into the report as appropriate, then issue the final report.

Self-review County Compliance Review Report. After self-review counties have completed the review they are to submit a report to DCSS with the results by April 30, 2003. The LCSA Director **must** sign reports prepared by county reviewers.

As most of the report detail is available from the web-based tool, counties need only submit a report narrative consisting of the following:

<b>Compliance Review Report Format</b>
<ol style="list-style-type: none"><li>1) A brief summary highlighting the overall findings and areas of major significance.</li><li>2) Describe any case problems, i.e., transfer cases, inaccurate case identification, misplaced case records, etc.</li><li>3) Number of cases reviewed (that is, cases with at least one review component applicable), number of cases with no review components applicable and number of cases not found.</li><li>4) Conflict of interest statement and explanation of the handling of conflict cases, if any.</li></ol>

**Monitoring Report**

For the self-review counties, DCSS staff will conduct a monitoring review to ensure the required review procedures were followed. This includes reviewing the county report, conducting a monitoring visit, if necessary, and provide the LCSA with a written monitoring report addressing the county's report of findings. This will provide a formal notice of compliance or non-compliance to the county.

If the monitoring review finds the county report is inaccurate or insufficient in determining compliance, DCSS may require the county to reconduct all or part of the review, or may elect to reconduct all or part of the review directly. (MPP 12-202 et seq.)



**Assistance/Non-assistance Error Rate Comparison**

As part of the compliance review, a comparison must be made of the percentage of errors in assistance versus non-assistance cases (refer to the Case Compliance Worksheet). If the difference in the percentages is substantial (greater than 10 percentage points) the county must respond to the findings with possible reasons for the difference and take corrective action if appropriate. The finding for this requirement is administrative and does not affect overall compliance.

Assistance/Non-assistance Error Rate Comparison Instructions:	
Step 1	The number of assistance cases found out of compliance is divided by the total of assistance cases reviewed. The percentage is computed automatically.
Step 2	The number of non-assistance cases found out of compliance is divided by the total of non-assistance cases reviewed. The percentage is computed automatically.
Step 3	The two percentages are compared. If the difference between the two figures exceeds 10 percentage points, it is considered significant and the county is obligated to address possible reasons for the difference.

An illustration of Step 1

$\frac{\text{Number of assistance cases out}}{\text{Number of assistance cases reviewed}} = X \text{ percent}$
--

An illustration of Step 2

$\frac{\text{Number of non-assistance cases out}}{\text{Number of non-assistance cases reviewed}} = Y \text{ percent}$
--

An illustration of Step 3

<p>Difference between X and Y = Z. If Z is greater than 10 percentage points, it is considered significant.</p>
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**Compliance Definitions**

The annual compliance review process is used to evaluate LCSA compliance with federal and state requirements. Findings associated with the review in general and with the specific review sections and components are categorized in the following compliance levels:

*Overall Compliance:* The county is deemed to be in overall compliance for the review if it is in compliance (see compliance definition below) in all three review sections.

*Substantial Compliance:* In the total case review findings and in each case review component, with the exception of case closure, the county is deemed in substantial compliance if greater than 80 percent of the cases reviewed meet all applicable requirements. For Case Closure, the county will be deemed in substantial compliance if at least 90 percent of the cases meet all applicable requirements. (Administrative questions are excluded from compliance requirements.)

*Marginal Compliance:* In the total case review findings and in each case review component, with the exception of Case Closure, the county is deemed in marginal compliance if at least 75 percent, but not more than 80 percent of the cases reviewed meet all applicable requirements. For Case Closure, the county will be deemed in marginal compliance if at least 75 percent, but less than 90 percent of the cases meet all applicable requirements.

*Compliance:*

- ◆ In the Case Compliance Criteria section it is used to refer to the status of a case meeting all applicable component criteria
- ◆ In the Expedited Process section it refers to the county meeting case disposition requirements
- ◆ In the Program Administration section it means the county met component requirements
- ◆ It is also used in general reference to a county in overall compliance status.

*Out of Compliance (Non-compliance)* In the Case Review section, the county is deemed out of compliance or there is a finding of non-compliance if less than 75 percent of the cases reviewed meet all of the applicable requirements. This is subject to the statistical validity tests described below. In the Expedited Process section, the county is out of compliance if it does not meet both minimum standards of compliance. In the Program Administration section, the county is out of compliance if it does not meet the minimum requirements for each component. If the county is found out of compliance, it must complete the program improvement/corrective action process.

The following chart illustrates the results of various findings:

COMPLIANCE CHART		
TOTAL BY COMPLIANCE	FINDINGS BY COMPONENT*	COMPLIANCE RESULT**
Greater than 80% Substantial Compliance	Greater than 80%	None
	Between 75% - 80%	None
	Less than 75%	Program Improvement Plan
Between 75% - 80% Marginal Compliance	Greater than 80%	None
	Between 75% - 80%	Program Improvement Plan
	Less than 75%	Program Improvement Plan
Less than 75% Out of Compliance	Greater than 80%	None
	Between 75% - 80%	Program Improvement Plan
	Less than 75%	Corrective Action Plan

\* For substantial compliance in Case Closure the county must have at least 90 percent of the cases meet all applicable requirements. For marginal compliance in Case Closure the county must have at least 75 percent, but less than 90 percent of the cases meet all applicable requirements.

\*\*A Program Improvement Plan (PIP) is always required for a marginal compliance finding in Case Closure, but for the other case review components, a marginal finding requires a PIP only when there is a finding of non-compliance in the case compliance component.

A Corrective Action Plan (CAP) is required in response to a finding of non-compliance.

**Statistical Significance**

There are two statistical significance tests that can be applied to case review findings:

1. In order for a valid judgment to be made, at least 11 cases must have been reviewed. For purposes of the review, this applies to two areas:
  - a. In the Case Review section, compliance is determined by the total number of in-compliance cases compared to the total applicable for review, which will always be a sufficient number to render a valid judgment. Because of this, the individual components need not be tested for statistical validity, even if the number of cases in a component is fewer than 11.
  - b. In the Expedited Process section, compliance is measured using those cases entering Expedited Process during the month of November 2001, it is possible there will be fewer than 11 cases applicable in some smaller counties. For purposes of the review in those circumstances the county will be considered in compliance in Expedited Process, but will be encouraged to take voluntary corrective action if the percentage scores are below the required standard.
2. In the Case Review section, a statistical test of confidence may need to be applied before the results can be considered valid, if the score is one or two points below 75 percent. If the results are validated, the county is found out of compliance and a CAP is required. If the results do not pass the significance test, the county is considered to be in marginal compliance for purposes of the review and a PIP may be required (see chart on page 94).

Y, N or NA	<b>A. ESTABLISHMENT and MODIFICATION</b>	Y, N or NA	<b>C. ENFORCEMENT (con't)</b>
	CA01 SO EST/MOD/REG? _____		CC16 LCSA MAIL CSS 2140 & CSS 2142 _____ (5BD)
	CA02 SO DISMISSED? _____		CC17 LATEST REQUIRED ACTION? _____
	CA03A NCP/ALLEGED LOC _____ SOP _____ (60CD)	<b>D. COLLECTIONS and DISTRIBUTION</b>	
	CA03B NCP/ALLEGED LOC _____ SOP _____ (90CD)		CD01 LDOC? OBTAIN/REC'D _____
	CA04A INTERVIEW CP _____ (10BD)		CD02 ALLOCATED CORRECTLY? _____
	CA04B REFFERAL _____ COMPLETED _____ (20CD)		CD03 IV-A NOTIF'D IF CURRENT COLL. _____ (10WDEOM)
	CA05 LOC NEC _____ LOC ACTION _____ (75CD)		CD04 IV-A NOTIF'D WHEN CP PAID DIRECTLY? _____
	CA06 LOC SOURCES? Q1 _____ Q2 _____		CD05 DIS/PASS-ON (FFC) / EXCESS TIMELY? _____
	Q3 _____ Q4 _____		CD06 PAYMENT DISTRIBUTION HIERARCHY _____
	CA07 NEW INFO _____ ACTED UPON _____ (75CD)		CD07 NON-ASST' TWO-DAY DISBURSEMENT _____
	CA08 PAT INFO INTERVIEW/AG107/ATTEST _____	<b>E. INTERSTATE (UIFSA)</b>	
	CA09 CW371 CP FAIL COOP _____	<i><b>INITIATING UIFSA (NCP in another state)</b></i>	
	CA10 COND'T FAM VIOL & PROV'D CSS 2142 _____		CE01 LONG-ARM USED? _____
	CA11 LCSA MAIL CSS 2140 & CSS 2142 _____ (5BD)		CE02 DETER INTST & REC INFO _____ REFER _____ (20CD)
	CA12 LATEST REQUIRED ACTION? _____		CE03 ADD'L INFO REQ _____ TO RESP ST _____ (30CD)
<b>B. REVIEW and ADJUSTMENT</b>			CE04 NEW INFO REC'D _____ TO RESP ST _____ (10WD)
	CB01 NOTICE OF REVIEW RESULTS? _____ (30CD)	<i><b>REVIEW AND ADJUSTMENT</b></i>	
	CB02 PARTIES INFORMED/CHALLENGED _____ (30CD)		CE05 SUF INFO REC'D _____ R/A REQ SENT _____ (20CD)
	CB03 MODIFICATION OF SO ISSUED _____		CE06 R/A NOTICE REC'D _____ TO CP _____ (5WD)
	CB04 R/A INIT'ED _____ R/A COMP'TED _____ (180CD)		CE07 RESULTS REC'D (FR RESP) _____ TO CP _____ (5WD)
	CB05 DATE REVIEW REQ'T _____ SCRN _____ (15CD)	<i><b>RESPONDING UIFSA (NCP in California)</b></i>	
	AB06 LCSA AWARE NCP GETS SSI/SSP _____		CE08 REC'D UIFSA _____ SVCS/INFO _____ (75CD)
	LCSA FILE MODIFICATION _____ (30CD)		CE09 NCP MOVED _____ TR/NOT I-ST/CCR _____ (10WD)
<b>C. ENFORCEMENT</b>			CE10 NCP LOC (DIF ST) _____ TR/NOT I-ST/CCR _____ (10WD)
	CC01 IRS/FTB? NO/YES DATE _____	<i><b>ALL CASES</b></i>	
	CC02 UIB/SDI? NO/YES DATE _____		CE11 LATEST REQUIRED ACTION? _____
	CC03 LIEN? DATE _____ CO _____	<b>F. MEDICAL SUPPORT</b>	
	CC04 WA SENT (EMP)? NO/YES DATE _____		CF01 W/A, NO PROV, LCSA ADJUST MED? _____
	CC05 FTB 60-DAY DELINQUENT _____	<i><b>TO PURSUE HEALTH INSURANCE COVERAGE:</b></i>	
	CC06 COND'T FAM VIOL & PROV'D CSS 2142 _____		CF02 A HEALTH INS AVAILABLE? _____
	CC07 COLLEC REC'D? YES/NA _____		CF02 B ENFORCE MED ORD (NMSN)? _____
	CC08 NCP DELINQ/LOC _____ ACTION _____ (30CD)		CF02 C FORWARD INFO TO CP? _____
	SOP _____ (60CD)	<i><b>ALL ASSISTANCE AND MNO CASES</b></i>	
	CC09 ENF ACTION? UNSEC/CT DELAY _____		CF03 NOTIFY EMP NO CUR SUPPORT ORDER _____
	CC10 WA? KNOWN _____ SV'D _____ (15CD)		CF04 SENT DHS FORM 6110? _____
	(administrative) NER KNOWN _____ SV'D _____ (2BD)		CF05 DHS INFOR'D OF LAPSE/CHANGE IN INS. COV? _____
	CC11 60-DAY DELINQUENT INTAKE/OPEN _____	<b>G. CASE CLOSURE</b>	
	CC12 REFERRAL _____ COMPLET'D _____ (20CD)		CG01 GUIDELINES USED? _____
	CC13 LOC NEC _____ LOC ACTION _____ (75CD)		CG02 NOTICE SENT _____ CASE CLOSED _____ (MIN60CD)
	CC14 LOC SOURCES? Q1 _____ Q2 _____		CG03 CASE ELIGIBLE & CLOSED _____
	Q3 _____ Q4 _____		
	CC15 NEW INFO _____ ACTED UPON _____ (75CD)		
COMMENTS			