CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES
P.O. Box 419064, Rancho Cordova, CA 95741-9064

Reason for this Transmittal
[ ] State Law or Regulation Change
[ ] Federal Law or Regulation Change
[ ] Court Order or Settlement Change
[ ] Clarification requested by One or More Counties
[x] Initiated by DCSS

May 19, 2005

CSS LETTER: 05-15

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

SUBJECT: AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY REPORT AND INSTRUCTIONS

In order for the Department of Child Support Services (DCSS) to measure the impact of AB 252 on child support collections, local child support agencies (LCSAs) are being asked to submit statistical data on a quarterly basis for those cases directly affected by the provisions of AB 252. As stated in CSS Letter 04-30, dated December 15, 2004, a copy of the new form and instructions to report specific data to DCSS is attached. The form and instructions were developed jointly by DCSS staff, Judicial Council, and representatives from LCSAs.

The DCSS 0427 (05/05/05), AB 252 Paternity Set Aside/Vacate Quarterly Report, is a quarterly report to be prepared and submitted using Excel format. The LCSAs are asked to prepare and submit the first two quarterly reports (January – March 2005 and April – June 2005) to DCSS no later than July 15th, 2005. LCSAs that wish to include both first and second quarter data on one report, may do so. Please identify both quarters on the first line of the report (i.e., quarter/year). Subsequent reports are due no later than the 15th of the month following the end of the report quarter.

The electronic version of this letter and attachments (AB 252 Paternity Set Aside/Vacate Quarterly Report and instructions) can be accessed via the DCSS Public Website Reference Library indicated under the heading "Letters and Notices" by clicking on the "Local Child Support Agency (LCSA)" icon and the appropriate year. A listing of CSS letters for the corresponding year will be displayed. Click on the specific Letter you are interested in viewing. A separate AB 252 Paternity Set Aside/Vacate Quarterly Report (DCSS 0427) is accessible via the DCSS Public Website Reference Library under "Forms and Publications".

The quarterly report should be completed and emailed to Gail Bigelow at Gail.Bigelow@dcss.ca.gov. If you have any questions or concerns regarding this process, please contact Helen Faust, at (916) 464-5809 or by email at Helen.Faust@dcss.ca.gov.

Sincerely,

SANDRA O. POOLE
Deputy Director
Child Support Services Division

Enclosures

AB 252 PATERNITY SET ASIDE/VACATE SUMMARY
QUARTERLY REPORT INSTRUCTIONS

The Department of Child Support Services CSS Letter 04-30, dated December 15, 2004, provides guidance to local child support agencies (LCSA) in the implementation of AB 252 effective January 1, 2005. AB 252, within specified time frames and conditions, permits a judgment establishing paternity to be set aside or vacated upon a motion by the previously established mother or father of a child, the child or legal representative if genetic testing indicates the previously established father is not the biological father of that child.

In order to measure the impact of AB 252 on child support collections, LCSAs are required to submit statistical data on a quarterly basis for cases directly affected by the provisions of AB 252. This report is <u>cumulative</u> and all new cases for the report quarter should be highlighted (i.e., maintain one report, providing data on on-going cases and adding new cases, as appropriate, each quarter). LCSAs with no AB 252 related activity during the report quarter, are not required to submit a report for that report quarter.

All quarterly reports with AB 252 related data, should be submitted using the form provided, via email to the Department of Child Support Services, Data and Performance Analysis Branch, at the following email address: <u>Gail.Bigelow@dcss.ca.gov</u>. Reports are due by the 15th day of the month following the end of the quarter.

COUNTY: Enter the name of the local child support agency.

QUARTER: Enter the quarter (month and year) of the report period.

CASE NUMBER: Enter the case number of each case requesting AB 252 services.

INITIATOR: Enter the name of the individual requesting AB 252 services.
- ✓ the mother (**MO**)
- ✓ the previously established father (**PEF**)
- ✓ the child (**CH**)
- ✓ the legal representative (**LEG**)
- ✓ the LCSA (**LCSA**)

MOTION FILE DATE: Enter the date the motion to set aside or vacate paternity was filed.

BASED ON DEFAULT: Enter Y = Yes or N = No as appropriate, whether the paternity judgment was entered upon default.

GENETIC TEST ORDERED: Enter Y = Yes or N = No as appropriate, whether the genetic testing was ordered (either by the court or administratively).

EXCLUDED BY DNA: Enter a Y = Yes or N = No as appropriate. whether the PEF was excluded as a result of genetic testing.

BEST INTERESTS HEARING (time est.): Enter the estimated time spent preparing for and participating in the best interest hearing.

JUDGMENT/POP DEC VACATED OR SET ASIDE AFTER BI HEARING?:
Enter an N = No, or enter the method used to establish paternity – Y = Yes,
JUD = Judgment or POP = Paternity Opportunity Program declaration, as appropriate.

FINANCIAL DATA (This information need only be completed if the judgment is set aside)

> Col. 1. Enter the approximate percent of current support paid compared to current support ordered during the previous 12 month period (i.e., total the amount of current support paid over the 12 months preceding the filing of the motion, divided by the total amount of current support billed over the preceding 12 months). Example: Order of $300/month, billed for 12 months = $3,600. Amount paid in current support = $1,800; $1,800/$3,600 = 50%.

> Col. 2. Enter the monthly amount of current support (MSO) established in the order.

ARREARS RELIEVED: Enter the amount of arrears that will be relieved or forgiven as a result of the paternity being set aside or vacated.

AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY REPORT

DCSS 0427 (03/16/05)

COUNTY NAME							QUARTER/YEAR			
								FINANCIAL DATA *		
Case Number	Initiator	Motion File Date	Judgment Based on Default? Y/N	Genetic Test Ordered? Y/N	Excluded by DNA? Y/N	Best Interests Hearing (time est)	Judgment/ POP Dec Vacated After BI Hearing?	Paying Case? (approx % of current support paid over previous year and MSO)		Arrears Relieved (In $)
								Col. 1	Col. 2	
TOTAL										$0

* This information need only be completed if the judgement is set aside

AB 252 PATERNITY SET ASIDE/VACATE QUARTERLY REPORT

DCSS 0427 (03/16/05)

EXAMPLE

COUNTY NAME						QUARTER/YEAR		FINANCIAL DATA *		
Case Number	Initiator	Motion File Date	Judgment Based on Default? Y/N	Genetic Test Ordered? Y/N	Excluded by DNA? Y/N	Best Interests Hearing (time est)	Judgment/ POP Dec Vacated After BI Hearing?	Paying Case? (approx % of current support paid over previous year and MSO)		Arrears Relieved (In $)
								Col. 1	Col. 2	
Example	LCSA	1/4/2005	Y	Y	N	1.5	JUD	50%	$300/mo	$5,200
	MO		N	Y	N		POP	50%	$400/mo	$6,000
TOTAL										$11,200

* This information need only be completed if the judgement is set aside