

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



September 22, 2006

ERRATA

CSS LETTER: 06-16

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

SUBJECT: CSS LETTER 06-16 ERRATA

REFERENCE: CSS LETTER 04-30

This letter corrects CSS Letter 06-16 and clarifies the appropriate action by a local child support agency (LCSA) when a motion is made under subparagraph (3) of subdivision (a) of Section 7646 of the Family Code [Assembly Bill (AB) 252, Chapter 849, Statutes of 2004] to set aside or vacate a default judgment establishing paternity issued on or before January 1, 2005.

CSS Letter 06-16 erroneously states that the two-year period to file a motion to set aside/vacate a paternity judgment pursuant to AB 252 ends October 28, 2006. The error occurs in two citations of the letter as follows:

- Page 4, Answer 7 and Page 9, Answer 23

CSS Letter 04-30 provides the correct timeframe for a motion to be filed to set aside/vacate a paternity judgment under the heading of "Time Frames to Set Aside/Vacate a Paternity Judgment", on Page 2, item #3 as follows:

- **Within a two-year period commencing January 1, 2005 for a default judgment issued on or before January 1, 2005.**

Therefore, an LCSA is not to oppose on the basis of a late filing any otherwise valid motion to set aside or vacate a default judgment filed within a two-year period commencing January 1, 2005.

Reason for this Transmittal

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

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If you have any questions or concerns regarding this letter, please contact
Cindi Pocoroba at (916) 464-5055.

Sincerely,

/s/

KAREN ECHEVERRIA
Deputy Director
Child Support Services Division