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

December 17, 2003

POP LETTER: 03-07

ALL IV-D DIRECTORS
ALL LCSA PATERNITY OPPORTUNITY PROGRAM COORDINATOR

SUBJECT: **JUNE 26, 2003 PATERNITY OPPORTUNITY PROGRAM VIDEO WORKSHOP QUESTIONS AND ANSWERS**

This letter provides answers to the questions submitted at the Paternity Opportunity Program (POP) Video Workshop that was held on June 26, 2003. We attempted to record all of the questions and answers from the workshop in the attached document.

For those Local Child Support Agency staff members who were unable to attend the session, we have a condensed version of the workshop available in DVD and VHS formats. If your office is interested in obtaining a copy of the video, please contact state POP analyst at (916) 464-5350 or you may request a copy by sending an e-mail either directly to your state POP analyst or to askpop@dcss.ca.gov.

If you have any questions about the subjects addressed by this letter or about POP, please contact your state analyst directly or by calling (916) 464-5350.

Sincerely,

FRANCINE DOUGLAS-WOODS
Branch Chief
Customer and Community Services Branch

Enclosure

QUESTIONS AND ANSWERS
STATEWIDE POP VIDEO CONFERENCE
JUNE 26, 2003

NO.	LCSA	ATTENDEE	Q OR A	QUESTION/ANSWER
Questions after Wanda Smith's presentation – POP Coordinator Duties & Customer Service				
1			Q	Is the English POP video out now?
			A	Yes, the English video is out now.
2			Q	When is the POP Spanish video going to be available?
			A	The Spanish video is now available.
Questions after Elena Palmi's presentation – Desk Manual				
3	Riverside		Q	Regarding witnessing POP forms, sometimes only one parent will come into the county office and want us to witness their signature on a POP form. If the county witnesses the one parent's signature on the form, what is to keep the second parent or anyone else from then signing the form and writing in the same date and making it look like the county also witnessed their signature?
			A	In this case, DCSS instructs the LCSAs to note on the form who's signature they are witnessing, i.e., "I have witnessed the signature of Jenny Smith, mother." Specifically state which parent's signature you have witnessed.
4	Placer		Q	Will the POP manual be available on CD ROM or website?
			A	DCSS POP will look into putting the manual on CD ROM or the website.
5	Placer		Q	Is DCSS POP providing the manuals to the hospitals?
			A	Yes, the hospitals should have received their manuals about one week after the LCSAs received theirs.
6	Yolo		Q	Will hospitals also receive revisions for the POP manuals or should the LCSAs forward revisions to their area hospitals?
			A	DCSS will mail out the POP manual revisions directly to the hospitals.
7	Humboldt		Q	Did the Office of Vital Records receive the POP binder?
			A	No. DCSS does not anticipate providing copies to the Office of Vital Records.

8	Humboldt		Q	Would it be okay for the LCSAs to copy the binder and provide copies to the county Office of Vital Records?
			A	Yes, it is okay for the LCSA to make copies of the binders to provide to the Office of Vital Records.
Questions after SyTech Presentation – Processing POP Forms and Requests				
9	Sonoma		Q	When we look up a record on the CD ROM we only see a maiden name of the mother, but we need to see both the married name and the maiden name.
			A	The Office of Vital Records (OVR) was the first entity to be responsible for collecting POP Declarations. OVR only captured mother's maiden name. The vendor prior to SyTech captured only mother's maiden name for a short period of time, but then moved to capturing both married and maiden name. SyTech captures more data on the POP Declaration, including maiden and/or married names. If a consistent flaw appears in the database, contact your state POP analyst. LCSAs should also contact their lead consortia to verify the monthly update was installed properly. Finally, LCSAs should not load any information from the "Green" copy onto their databases. The CD ROM has the only official information.
10	Amador		Q	The POP CD ROM does not have the addresses of the parents. Could the address be included to help the LCSAs in their locate efforts?
			A	SyTech is currently working on the address data fields. They are including that information for new data and will work on the large backlog as time permits.
11	Tuolumne	Debra	Q	Turn around time from the time the POP declaration is signed to the time it is available to the counties on the CD ROM is around two months. Why the delay?
			A	A few things can contribute to the delay. It could be the county area hospitals, etc., not getting their POPs to SyTech until the end of the month. The monthly cut off time to submit POP forms is the 25th of the month. After that point, the declarations will not be entered into the system until the following month and released the month after that – causing an approximate two month delay. Also, forms coming in as "invalid" cause delays for those specific POP declarations to appear on CD ROM.

12			Q	What are the two lists SyTech spoke of showing components of a valid POP declaration and what makes a POP declaration invalid?
			A	From the SyTech PowerPoint presentation: **Valid Paternity Declarations Must Include** Name and Signature of Mother Name and Signature of Father Name of Child Date of Birth of Child Name and Signature of Person Who Witnessed Signing of Declaration **Reasons to Reject Paternity Forms** One of the required data fields listed is missing or incomplete Photocopy of the form is submitted Color carbon copy of form is sent instead of original Required information on form is not legible Form was completed in pencil Notary failed to affix stamp on declaration form Witness cannot be a jailer or from detention center
13	San Bernardino	Will Williamson	Q	The date to submit POP declarations to SyTech is the 25th of each month, and a new CD ROM is released every month on the 5th?
			A	Yes, the cut off time to submit POP declarations is the 25th of each month. SyTech sends the CD ROM to DCSS on the 5th and DCSS sends the CD out by the 10th of each month. Also, the Invalid Report goes out from DCSS around the 1st of each month.
14			Q	Regarding POP declarations entered for minors, does Sytech check for dates of birth of the minor parents? This should be tracked because there could be a problem with validity of declarations. We could think a declaration is valid when it really isn't.
			A	This issue will be addressed in a soon to be released LCSA letter. As of March 2003, SyTech has indexed dates of birth for State Fiscal Year 2002/2003. It is anticipated the remainder of dates of birth will be complete by December 2003.

			Q	When will Sytech get around to cleanup of the database for miscellaneous errors?
			A	SyTech will perform data cleanup as time and resources permit.
15	Santa Clara	Angelica	Q	Does each county have its own three-digit number?
			A	Yes, each county has its own three-digit number. SyTech has a master list of these numbers. If you don't know your LCSA's number, please contact your state POP analyst.
16	Stanislaus	Joyce	Q	Who is providing labels to the hospitals for mailing of POP declarations? It seems as though they have not been putting the three-digit code on the labels as requested by SyTech.
			A	DCSS initially provided mailing labels to the hospitals, but now the hospitals are expected to make their own, which should include the three-digit LCSA code. DCSS POP analysts will increase efforts to remind the hospitals about proper labeling and the three-digit code. Also, if the LCSAs notice a problem with the way their hospitals are labeling the packages they should inform the hospitals of the correct labeling procedure.
17	Stanislaus	Joyce	Q	Where should hospitals place the three-digit LCSA code on envelopes and packages used to mail paternity declarations?
			A	Anywhere near the mailing label, preferably in parentheses.
Questions after presentation by Jim Mullany and Lee Morhar – Policy Issues and Legal Overview				
18	San Bernardino	Will Williamson	Q	Re: Minor Parent. FC 7577 dictates that the LCSAs establish paternity with a POP declaration in order to comply, so the LCSA does that. However, the LCSA also establishes paternity through an order because POP declarations signed by a minor are not equivalent to a Judgment until 60 days after the younger parent reaches the age of majority.
			A	In this instance it is permissible to establish judgment even though there is a POP Declaration on file. The POP declaration then becomes a piece of evidence to establish the judgment. If court intervenes and establishes paternity, that action cuts off the right to rescind the POP declaration. **Very important - please read County of Los Angeles vs. Pattinson 2002) for case law pertaining to the LCSA's role in Set Asides of POP Declaration.**

19	Butte	Connie	Q	Is there a Section that we can cite to teen parents showing that the POP declaration cannot be used to charge a father with statutory rape? Teen parents often do not want to sign for fear of the declaration being used for this purpose.
			A	FC 7577 is the section that can be used as a reference. Subdivision (e) provides that the POP Declaration cannot be used as evidence in a trial for statutory rape.
20	Riverside	Benita	Q	What can DCSS do to help obtain the vital statistics offices cooperation in helping with the signing and administering of POP declarations? They should cooperate but that is not happening now. Also, our county OVR is misinforming people as to the process and the parents are being underserved. The OVR is providing parents with the VS22 form but is not providing them with the POP declarations.
			A	DCSS is working very hard with the Office of Vital Records to improve the customer service in this area. DCSS will continue to work with them and will specifically bring up the problems noted by Riverside County.
21	San Bernardino	Will Williamson	Q	Can DCSS provide information to the notaries regarding the requirements for a valid POP declaration?
			A	If San Bernardino will provide the information for the association of notaries to the state DCSS, DCSS will provide the notaries informational flyers or other informational materials to hand to the parents. (San Bernardino stated that they have the information and will provide it to Jim Mullany).
22	San Bernardino	Will Williamson	Q	I am looking for statistical information on POP, particularly for San Bernardino county. Is this available? Where can I obtain it?
			A	A report was provided to state POP staff as of July 2003. The report is available to county staff upon request.
23	El Dorado	Susan	Q	Should the LCSA mail in POP declarations signed by minors right away or should the LCSA hold them for a while due to the declaration not being valid until 60 days after the minors 18th birthday?
			A	The POP declarations should be sent in immediately. Do not hold the POP declarations. The law states that the POP declaration must be sent in within 20 days. Keep in mind that the declaration is not considered valid until it has been filed with DCSS.

24	San Francisco	Al	Q	How does the set aside information get into the POP database?
			A	The court is supposed to inform DCSS when a set aside occurs, but DCSS is having trouble obtaining that information from the courts. If your LCSA should be notified of a set aside, please inform a state POP analyst so that it is entered into the database.
25	Placer	Sharon	Q	In the case of a parent that has been deployed by the military, can two POP declarations be signed and submitted, one signed by the father and one by the mother, or do both signatures have to be on the same declaration?
			A	Both signatures must be on the same declaration. There are ways to expedite the process, such as e-mailing a blank declaration to the deployed parent to be signed in front of a notary, and then have the deployed parent overnight the signed, notarized declaration to the other parent to complete the declaration process.