

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



October 17, 2005

CSSIN LETTER: 05-16

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

SUBJECT: CHILD SUPPORT LEGISLATION 2005-2006

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

The Governor recently signed legislation related to child support services. The purpose of this letter is to provide you with a brief summary of those bills. Any required regulation or policy instructions will be provided under a separate letter.

AB 1743 (Committee on Judiciary) Chapter 198 Effective January 1, 2006

Requires the Department of Social Services, in establishing regulations to determine whether it is in the best interest of a child placed in foster care to refer the case to the local child support agency for reimbursement to the State for the foster care costs, to include not only federally funded foster care cases, but all other foster care cases, including CalWORKs payments to caretaker relatives and Kin-GAP cases.

SB 1082 (Morrow) Chapter 154 Effective August 30, 2005

Establishes a process for activated military personnel or National Guard service members who are party to a child support judgment, based on a change in income, to seek a modification of their child support obligations prior to deployment out of state. If a service member is unable to obtain a modification of the order prior to deployment, the court is required to grant a stay of proceedings until the service member has returned, or appoint counsel in the service member's absence. In the absence of filing for a modification, civil penalties or interest will be applied only to the amount of support that would have been determined in the modification order, and the service member is allowed to apply for a compromise of any arrears balance that accumulated without the modification.

Sincerely,

/s/ Susan R. Turek

SUSAN R. TUREK
 Legislative Director

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