

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



February 20, 2004

CSS LETTER: 04-04

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

SUBJECT: ADMINISTRATIVE ASSESSMENTS FROM AUSTRALIA

The purpose of this letter is to inform you of the Australian child support assessment process and to clarify that California is required to register and enforce an Australian administrative assessment.

The Australian Child Support (Assessment) Act of 1989 provides a process whereby a parent can apply for an administrative assessment of child support (instead of a court order) by completing an application form or by providing the information that is contained on that form. As part of this process, parentage of the children must be demonstrated in accordance with Australian child support laws. Upon completion of this process, a child support assessment is established (similar to an administrative order) which includes the amount of child support the non-custodial parent is required to pay.

Australia and the United States have a reciprocal child support enforcement agreement which requires states to provide the same services to Australia as with any other interstate request. Specifically, this agreement provides that states will register and enforce Australia's child support orders or administrative assessments. This agreement, which became effective May 21, 2001, supercedes California's declaration of reciprocity with Australia. Therefore, California is required to recognize and enforce the Australian administrative assessments as enforceable decisions made by an authorized agency in a reciprocating jurisdiction.

The Department of Child Support Services (DCSS) has been informed that not all of California's local child support agencies (LCSAs) are treating these assessments as enforceable. Upon receipt of a child support case from Australia with a request to enforce an administrative assessment, the LCSA must proceed to register and enforce the

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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assessment as with any other child support order. The administrative assessment must be certified by the Australian agency, and a Registration Statement is required.

If you have any questions regarding this process, please contact Deputy Attorney General Mary Dahlberg at the Attorney General's Office at (916) 323-3546, or by e-mail at mary.dahlberg@doj.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna S. Hershkowitz', with a large, stylized flourish at the end.

DONNA S. HERSHKOWITZ
Deputy Director
Child Support Services Division

cc: Mary Dahlberg
Deputy Attorney General
Department of Justice
Mary.Dahlberg@doj.ca.gov