

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



May 10, 2004

OBSOLETEReason 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

CSS LETTER: 04-08

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

SUBJECT: UPDATED CHILD SUPPORT COMPLIANCE REVIEW GUIDE AND
 FORMS (REPLACES AND SUPERCEDES CSS LETTER 03-01)

This letter formally transmits the federal fiscal year (FFY) 2004 edition of the Child Support Compliance Review Guide and Forms. This guide applies to quarterly compliance reviews conducted during FFY 2004. The guide has been in use since October, 2003, and is now being issued formally by CSS Letter.

The review guide is updated annually to reflect changes in regulations, policies, and/or procedures affecting the compliance review. However, the review guide does not contain all Child Support Program requirements and is not intended to replace the regulations or other formally issued program policies and instructions.

Recent State legislation, Assembly Bill (AB) 738 (Chapter 308, Statutes of 2003), codified existing State requirements pertaining to the child support program and memorialized in statute the Quality Assurance and Performance Improvement (QAPI) program. The assessment of program compliance is now incorporated into QAPI and is an integral part of the overall effort to improve program performance. AB 738 also reduced the reviews of individual local child support agencies (LCSAs), using a representative sample of cases, from occurring annually to at least once every three years for those LCSAs found in compliance with program requirements. LCSAs out of compliance are reviewed every year until they are in compliance.

Under QAPI, each LCSA shall conduct a quarterly review of program compliance, using a "scaled down" sample of cases. In an effort to maximize LCSA resources, the compliance reviews are coordinated with quarterly data reliability reviews, using the same sample of cases.

This review process is designed to meet federal requirements for an annual self-assessment of compliance with child support program requirements, set out in federal regulations at 45 CFR 308. In addition, compliance is also a requirement for eligibility for State incentive funding.

The compliance review process has been refined to better assist LCSAs in maintaining compliance with federal and State requirements, but it remains consistent with the process used in prior years. The following is a summary of changes from the previous year.

OVERALL CHANGES

1. **Review Period:** Each quarterly review has been given a unique identification (review ID), referring to the Federal Fiscal Year (FFY) quarter, from which the case review sample listing is derived. For example, the review ID for the first review was designated as Q403, which references the fourth quarter of FFY 2003. The next review was Q104, and will be followed by Q204 and Q304. The review period will continue to be one year as this has traditionally been a reasonable period within which case actions and time frame requirements can be measured and is specified in federal self-assessment regulations cited above. However, the one year review period moves forward with each subsequent quarterly review. The following chart illustrates this change:

REVIEW ID	REVIEW PERIOD	BEGIN REVIEW
Q403	October 1, 2002 – September 30, 2003	October 2003
Q104	January 1 – December 31, 2003	January 2004
Q204	April 1, 2003 – March 31, 2004	April 2004
Q304	July 1, 2003 – June 30, 2004	July 2004
Q404	October 1, 2003 – September 30, 2004	October 2004

2. **Review Time Frames:** LCSAs conducted the first of the quarterly reviews (Q403) commencing in October 2003, using the enclosed updated review guide. Upon completion of each review, LCSAs submit a Compliance Review Letter of Findings to:

Department of Child Support Services
Quality Assurance Branch
P.O. Box 419064, MS-30
Rancho Cordova, California 95741-9064

The second quarterly review (Q104) commenced mid-January, followed by the third (Q204) in mid-April and the fourth which will begin (Q304) in July.

The enclosed guide will be used for all quarterly reviews until it is updated for the Q404 review (to be conducted in October 2004).

3. **Case Sample:** The case samples for each quarterly review include 25 cases for LCSAs having a caseload under 10,000 and 50 cases for all other LCSAs, except those currently out of compliance, who must review a larger, statistically valid sample. The first review under this process (Q403) used samples drawn from case listings as of September 30, 2003. As mentioned above, the same sample of cases drawn for the compliance review is also used for the quarterly data reliability reviews, except that LCSAs with the larger statistically valid sample for the compliance review will only have to review 25 or 50 cases for the data reliability review, as appropriate.
4. **Review Process:** The Q403 review was used to generate statewide findings that were summarized for inclusion in the federally required annual self-assessment report. Because of this, all LCSAs participated in the Q403 review and it included all review components – Case Review, Expedited Process and Program Administration. Subsequent quarterly reviews conducted during FFY 2004 include only the Case Review Component, while the other two components are only needed annually, under the aforementioned federal self-assessment requirements.

LCSAs achieving an overall case review score of 90 percent or greater in a quarterly review are exempt from subsequent quarterly reviews for the remainder of the current federal fiscal year. This is in recognition of the LCSAs' achievement of the compliance goal of 90 percent established by the Statewide Strategic Plan. Other compliance definitions remain the same as in past reviews.

CASE REVIEW COMPONENT CHANGES

1. **Review and Adjustment:** In the Review and Adjustment component, former questions CB01, CB02 and CB05 have been removed. Question AB06 (addressing cases where SSI/SSP was the only income) has been moved from the Review and Adjustment component to the Enforcement component as new question CC07. This leaves just two questions in this component (new CB01 and CB02, pertaining to the adjustment of the order and the 180-day time frame).
2. **Enforcement:** In the Enforcement component, Question CC03 has been revised to exclude personal property liens, since they are not mandatory. Question CC11 has been changed to reflect the two-day time frame for issuing a wage assignment after new employee information is entered into the State Directory of New Hires (SDNH).

When employer information is received from any other source, the wage assignment requirement remains at 15 calendar days.

3. **Medical Support:** In the Medical Support component, question CF03 was clarified to require that the employer be notified if medical support is no longer being enforced (in all cases, not just in medical-only).
4. **Case Closure:** In the Case Closure component, references to MPP section 12-300 and CSS Letter 01-16 have been replaced by references to California Code of Regulations (CCR) §118203, which was adopted in March 2002.

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EXPEDITED PROCESS CHANGES

September 2002 is the base month for measuring compliance for the expedited process requirement.

PROGRAM ADMINISTRATION CHANGES

1. **Declarations of Paternity:** This component is now a compliance requirement.
2. **Case Transfer:** These questions have been revised to ensure that the LCSAs have completed case transfer for all of the cases identified on the August 2002 Duplicate Case Report. This component is designated “state only”, as it is not a required component in the federal self-assessment process.
3. **Complaint Resolution Tracking System:** This component remains administrative. The questions have been substantially revised to address the proper and timely handling of complaints, as opposed to the use of the tracking system.

MISCELLANEOUS CHANGES

1. The case list validation and assistance/nonassistance comparison are no longer required.
2. The internet-based review tool, Compliance Review Tool for Child Support (CRTCS), will continue to be used for recording the results of the review process.

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As in the past, Quality Assurance Branch (QAB) staff are available to provide ongoing assistance to LCSA reviewers. Questions regarding the compliance review process may be directed to your QAB analyst by telephone or by electronic mail at first name.last name@dcss.ca.gov, or to your Regional Administrator.

Sincerely,

OBSOLETE

on behalf of

DONNA S. HERSHKOWITZ

Deputy Director

Child Support Services Division

Enclosure

OBSOLETE Q403 CHILD SUPPORT COMPLIANCE REVIEW GUIDE & FORMS

For reviews designated as Q403, Q104, Q204 and Q304



California Department of Child Support Services
Quality Assurance Branch

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Background: A Performance Standards Model for the Child Support Program in California was first established by Chapter 1647, Statutes of 1990 (AB 1033). This legislation established a process of annual compliance reviews of the county family support divisions' administration of the Child Support Program and provided for corrective action and program improvement to address findings of non-compliance. The reviews were designed to meet federal audit criteria, as well as applicable state and federal program regulations and requirements. Provisions of the legislation tied county compliance to eligibility for state incentive payments, based on a percentage of distributed collections credited to each county. Initial reviews under this model were conducted in 1991 and have continued each year.

AB 1033 expired June 30, 1998 and was replaced by Chapter 404, Statutes of 1998 (SB 1410), making permanent the requirement for the annual performance reviews and corrective action/program improvement. A new incentive program was established, with eligibility again tied to compliance. Statutory language is contained in Family Code Section 17702.

At the federal level, Public Law 104-93, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) requires states to conduct an annual self-assessment of Title IV-D (Child Support) program operations. This replaces the federal triennial program audits, which have been discontinued. Section 342 of the PRWORA established the self-assessment requirement and mandates a report of the results of the reviews be submitted to the Secretary, Department of Health and Human Services. Guidelines were developed under the authority of the Act and have been issued by Federal Action Transmittal (AT-98-12). The guidelines specify review parameters intended to measure compliance with program requirements contained in 45 CFR 302 & 303. Also, Action Transmittal OCSE-AT-00-09, dated and effective December 12, 2000, transmitted the Final Rule on State Self Assessment. The rule is designated as 45 CFR Part 308 and implements the guidelines into regulation.

Recent state legislation, Chapter 308, Statutes of 2003 (AB 738) added statutory language to establish a new State initiative to the child support program, the Quality Assurance and Performance Improvement (QAPI) program. The assessment of program compliance will be incorporated into QAPI and become an integral part of the overall effort to ensure program compliance and improve program performance. AB 738 also altered language addressing the compliance reviews in that reviews of individual counties, using a representative sample of cases, are reduced from at least annually to at least once every three years for those counties found in compliance. Local child support agencies (LCSAs) found out of compliance are reviewed every year until they are move into compliance.

Under QAPI, the intent is to conduct a quarterly compliance review (QCR) in each LCSA, using a "scaled down" sample of cases and combining the process with data reliability reviews, using the same sample of cases. LCSAs with fewer than 10,000 cases will review a sample of 25 cases and the remaining LCSAs will review 50 cases. An exception is that LCSAs found out of compliance in the case review portion in the previous year's review will be required to review a statistically valid sample of cases for the first quarterly review.

The initial quarterly review was conducted in October and November 2003, using samples derived from the Federal Fiscal Year (FFY) Audit Case Listing. The results of this review will also be used to determine statewide compliance for purposes of meeting the federal self-assessment requirement.

LCSAs which score 90 percent or greater in a quarterly case review will be exempt from the requirement to conduct reviews for the remaining quarters. Otherwise, LCSAs will be subject to the same requirements for corrective action and program improvement as currently exist.

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Compliance Review Changes: The current compliance review process, as outlined in this review guide, is designed to meet both state and federal mandates described above. LCSAs are reviewed to determine compliance with mandates in effect during the review period. Although changing from an annual to a quarterly process, the basic methodology remains the same as in previous reviews. The following is a summary of the changes from the previous review.

1. The review period for this review is October 1, 2002 through September 30, 2003.
2. Reviews will be conducted on a quarterly basis, using the same sample of cases drawn for quarterly data reliability reviews. The samples will be 25 cases for LCSAs having a caseload under 10,000 and 50 cases for all other LCSAs, except those currently out of compliance, who must review a larger statistically valid sample.
3. The first review under this process was conducted beginning late October, using samples drawn from case listings as of September 30, 2003.
4. Each review will be given a unique identification, referring to the FFY quarter, the end from which the case listing is taken. For example, the first review was designated as Q403, which references the fourth quarter of FFY 2003. The next review will be Q104, followed by Q204, etc.
5. The review period will continue to be one year, but that year will move forward with each subsequent quarterly review. The following chart illustrates this change:

REVIEW ID	REVIEW PERIOD
Q403	October 1, 2002 – September 30, 2003
Q104	January 1, 2003 – December 31, 2003
Q204	April 1, 2003 – March 31, 2004
Q304	July 1, 2003 – June 30, 2004
Q404	October 1, 2003 – September 30, 2004

6. The Q403 review was used to generate statewide findings that will be summarized for inclusion in the federally required self-assessment report; therefore, all LCSAs participated in the Q403 review.

7. The Q403 review included all review components – case review, expedited process and program administration. Subsequent quarterly reviews will only include the case review component.
8. LCSAs achieving an overall case review score of 90 percent or greater in a quarterly review will be exempt from subsequent quarterly reviews, until the Q404 review. Other compliance definitions remain the same.
9. In the Review and Adjustment component, questions CB01, CB02 and CB05 have been removed. Question AB06 (addressing cases where SSI/SSP was the only income) has been moved from the Review and Adjustment component to the Enforcement component as a new CC07 question.

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NOTE: The new CC07 question was changed from administrative to compliance, since the requirement was in place prior to the review period.

10. In the Enforcement component, Question CC03 has been revised to exclude personal property liens, as they are not mandatory. Question CC11 has been changed to reflect the two-day time frame for issuing a wage assignment after new employee information is entered into the State Directory of New Hires (NERS). When employer information is received from any other source, the wage assignment requirement remains at 15 calendar days.
11. In the Medical Support component, question CF03 was clarified to require that the employer be notified if medical support is no longer being enforced (in all cases, not just in medical-only).
12. In the Case Closure component, references to MPP section 12-300 and CSS Letter 01-16 have been replaced by California Code of Regulations (CCR) §118203, which was adopted in March 2002.
13. In measuring compliance in Expedited Process, September 2002 will be used as the base month.
14. In Program Administration, the Declarations of Paternity component is now considered a compliance requirement. Both the Case Transfer and Complaint Resolution Tracking System components remain administrative. The Case Transfer component questions have been revised to ensure that the LCSA completed case transfer for the remaining two-thirds of the cases identified on the August 2002 Duplicate Case Report. The Complaint Resolution Tracking System component questions have been substantially revised to address the proper and timely handling of complaints overall, rather than only focusing on their entry into a tracking system.



NOTE: The Case Transfer and Complaint Resolution Tracking System components are also designated “state only”, as they are not required components in the federal self-assessment process.

15. A case list validation will no longer be required.
16. The "Assistance/Non-Assistance Comparison" is no longer required.
17. Sample lists used for the review are those generated for the quarterly data reliability reviews as well. The internet-based review tool, Compliance Review Tool for Child Support (CRTCS), was adapted for recording the results of both review processes.

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Review Guide and Process: This Compliance Review Guide is intended to provide guidance to the California Department of Child Support Services (DCSS) and the LCSA staff regarding the compliance reviews. It contains information about the scope of the reviews, definitions, general steps involved in conducting the reviews, and other information pertinent to the review process.

Reviews are generally conducted by LCSA staff and verified by DCSS. In rare cases, DCSS may conduct the review directly.

Review Period: The review period is October 1, 2002 through September 30, 2003.

Review Time Frames: The Q403 Compliance Review commenced October 20, 2003 and was completed by December 1, 2003. The LCSA was required to conduct the review and submit a letter of findings to the DCSS Quality Assurance Branch (QAB) at the conclusion of the review.

Review Requirement References: In each of the quarterly compliance reviews, the LCSA staff will review to the state and federal requirements, administrative instructions and state policies in effect during the review period as described in the Compliance Review Guide which follows. They may include any of the following:



NOTE: Regulations referenced in the Compliance Review Guide add some new program requirements and repeal some sections contained in the State of California's Manual of Policies and Procedures.

- ◆ Code of Federal Regulations (CFR)
- ◆ Manual of Policies and Procedures (MPP)
- ◆ Code of Civil Procedure (CCP)
- ◆ Family Code (FC)
- ◆ Child Support Services Letters (CSS)
- ◆ Child Support Services Informational Letters (CSSIN)
- ◆ Local Child Support Agency Letters (LCSA)
- ◆ Family Support Director Letters (FSD)
- ◆ Family Support Director Informational Notices (FSDIN)

Reviewers are required to follow the review procedures and forms as outlined in this Review Guide. The Review Guide, compliance requirements, forms and form instructions will be accessible through CRTCS, which will be updated and available for the new review period. New requirements from adopted regulations are generally incorporated into the compliance review once they have been in effect for an entire review period. In some cases new requirements are introduced as “administrative” issues (not counted toward compliance).

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Part I: Case Review:

The DCSS and LCSA reviewers will review a sample of cases to determine case compliance, confirm and annotate results, and interview county staff as needed. Case review forms and case compliance criteria will be used for this portion of the compliance review. If DCSS staff are conducting the review, for each case found out of compliance, a Case Review Finding Verification form is completed by the DCSS reviewer(s) describing the problem. LCSA staff conducting a self-review may also use the form as an option. Also, during the self-review monitoring process, for each case where the findings differed from the LCSA reviewer(s), the DCSS reviewer(s) completes a similar feedback form. Either of these feedback forms is submitted, along with the case being reviewed, to the appropriate LCSA staff for comment and/or possible additional clarification. This process allows for immediate resolution of discrepancies as well as a continuous, ongoing status of the review.

SPECIAL PROVISIONS:

Review Period Crossover: If a required action was or should have been initiated prior to the review period, but the required time frame(s) ended during the review period, the action is applicable and the initial date must be considered in the review. If an action was required prior to the review period and the time frame(s) began and ended before the current review period (but the required action was still not completed as of the beginning of the current review period), the action is applicable for the current review and October 1 is used as the beginning date of the required time frame. Cases with no required activity in any component during the review period are not reviewable and are “no forms” cases.

“Notwithstanding” Provision: Federal self-assessment rules provide that certain accomplishments in case actions essentially “overcome” some errors in preliminary actions or time frames leading to the accomplishment as long as the end result occurs within the review period. Included under this provision are the following actions:

1. The establishment or modification of a support order or the registration of a foreign order. (Does not include establishment of paternity only)
2. An enforcement action resulting in a payment. (Does not include a tax intercept)

“Latest Required Action” Provision: Federal rules also provide that, within a case review component, if the “notwithstanding” provision cannot be applied, case compliance may be measured by whether the LCSA correctly carried out the “latest required action” (LRA) for the case in the review period. Under this provision, if an LCSA exceeds a time limit for a required action, the case could still be found in compliance if a subsequent action is taken timely within the review period. It does not apply to the same action, unless that action is required to be repeated. This provision applies to the Establishment/Modification, Enforcement and Interstate review components.

Procedures for Reviewing Cases Involved in Intercounty Transfer: A transfer case being reviewed in a sending LCSA will be subject to appropriate review components until the LCSA is allowed to close it. A transfer case in a receiving LCSA must be treated as a referral of a new case and is subject to case review requirements. For purposes of the review, it is evaluated the same as any other case, with appropriate actions determined by the status of the case.

Conflict of Interest: The LCSA needs to ensure it has a process to avoid possible conflicts of interest, which may arise during the review.

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What constitutes a conflict of interest case:

- ◆ A case the compliance reviewer had personally worked during the review period.
- ◆ A case in which the compliance reviewer previously had direct involvement as a line supervisor during the review period.
- ◆ A case involving individuals who are relatives or friends of the compliance reviewer.
- ◆ A case for which the compliance reviewer was subject to disciplinary action as a result of case handling and processing.
- ◆ A case where, in the professional judgment of the compliance reviewer, it is in the best interest of all concerned that the case be reassigned.

Once a case has been determined to be a conflict of interest, an alternate staff member who has no conflict should review the case. If this cannot be accomplished at the LCSA level, the case may be reviewed, but must be held for state reviewers to re-review. In its report, the LCSA should address whether conflict of interest was an issue and, if so, how it was handled.

Establishing a Sample Case List



NOTE: For this review, a sample of cases for each LCSA is derived from the annual Audit Case Listing, generated for federal audit purposes. For subsequent quarterly reviews, samples will be obtained from the consortia systems.

Standard statistical methods are used to select random samples, which encompass all types of cases existing in LCSA caseloads during the review period. The DCSS will make the actual sample case selections and notify each LCSA of the cases subject to review. These lists are pre-loaded into CRTCS.

Case Review Face Sheet Instructions

A Case Review Face Sheet must be completed for each case reviewed. Instructions are included below, followed by review forms. The face sheet is designed to capture basic case-related information to avoid duplicate, time-consuming entries on other case review forms.

Case Review #	This number is assigned with the first two digits being the county code, a hyphen, a three-digit consecutive number from the case list sample, a hyphen, and the last three digits identify the review by FFY quarter.
Top Section	In the left area of this section, enter basic information about the case, if available – the latest order date and amounts, the NCP’s county of residence, and locate date. The right area is used to designate the case type (assistance, non-assistance or a combination of the two) and whether the case was found in or out of compliance.
Part A	The LCSA case number and names should be pre-loaded. Enter “yes” if the Social Security Number (SSN) is available or “no” if not
Part B	Check all categories that apply to the case during the review period.
Part C	In the “Review Components” section, check the review forms used during the review of the case. Indicate whether the case was found “in” or “out” of compliance for each of the components checked.
Part D	Use this section to provide a brief overview of the case, making comments on any aspect of the case that may clarify the review findings. If no review forms are appropriate for the case, state the reason in this section.

NOTE: For purposes of this review, cases are considered “assistance” if the child or all of the children in the case are on public assistance throughout the review period. They are considered “non-assistance” if the child(ren) were not on public assistance at any time during the review period and there is no assistance arrears balance against which collections could be applied. Otherwise cases are counted as “combination”. Also, for a situation in which the only child in the IV-D case is a “maximum family grant” child in the public assistance unit, the case is considered a “combination” case.



Also, please note that the depiction of the form below is for purposes of this guide. It will have a different appearance in CRTCS, but will contain the same information.

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY

DEPARTMENT OF CHILD SUPPORT SERVICES

CASE REVIEW # _____- 403

CASE REVIEW FACE SHEET
Review Period: October 1, 2002 through September 30, 2003

Latest support order date: ___/___/___
[current \$ per month]
[arrear \$ per month]
County NCP resided in during review period:
Date locate confirmed: ___/___/___

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	COMPLIANCE	YES	NO
ASSISTANCE			
NON-ASSISTANCE			
COMBINATION			

PART A

Reviewer
LCSA Case # (last four digits) _____
NCP Social Security Number _____ yes _____ no
NCP (first four letters of last name) _____
CP (first four letters of last name) _____

PART B – Check all that apply during the review period

<input type="checkbox"/>	Assistance	<input type="checkbox"/>	Non-Assistance
<input type="checkbox"/>	Assistance Arrears Only	<input type="checkbox"/>	Non-Assistance Arrears Only
<input type="checkbox"/>	UIFSA Initiating	<input type="checkbox"/>	UIFSA Responding
<input type="checkbox"/>	Foster Care	<input type="checkbox"/>	MNO

PART C

REVIEW COMPONENTS	√	COMPLIANCE	
		YES	NO
ESTABLISHMENT/MODIFICATION (A)			
REVIEW AND ADJUSTMENT (B)			
ENFORCEMENT (C)			
COLLECTIONS & DISTRIBUTION (D)			
INTERSTATE (E)			
MEDICAL SUPPORT (F)			
CASE CLOSURE (G)			

PART D – Provide brief overview of case:

Case Review Component Form Instructions



NOTE: The case review component forms are presented in this guide for illustration purposes. Actual completion of them is done in CRTCS.

Space has been provided on the forms for comments for each question. This space is used to record the rationale for the response, which will be yes (“Y”), no (“N”) or non-applicable (“U”). The comment should be as brief as possible, but still convey the reason for the response. It is important for monitoring purposes that notations are made in the comment section to support the responses indicated. Remember to also provide a brief overview of the case in Part D of the Case Review Face Sheet. (Case review forms begin on the next page with the Establishment/Modification component.)



NOTE: CRTCS automatically overrides “no” answers when appropriate based on the Notwithstanding Provisions. However, the Latest Required Action Provision is subjective and the reviewer can override “no” answers except in the Enforcement component when “no” answers cannot be overridden for the first five case requirements. Also, when the Notwithstanding provision applies, it is redundant to use Latest Required Action.

Case Compliance Criteria: Each case review component includes compliance questions followed by case compliance criteria. The compliance criteria contain federal and state requirements and instructions corresponding to each review component, i.e., Establishment/Modification, Review and Adjustment, etc. This material is intended to provide guidance to the reviewer in completing the corresponding review forms. Each section contains the following:

- ◆ A guideline of when the particular review form should be used. Please note that it may not list all possible situations; consequently, reviewer judgment should be exercised.
- ◆ Special Considerations: This section contains information of which the reviewer should be aware in making case determinations. Sometimes, this section is used to merely emphasize a point that can be found in one of the references. At other times, this material is in addition to the references.
- ◆ Compliance Requirements: This section describes the particular requirements that must be met for compliance in that component.
- ◆ References: The Guide includes background references applicable to the component.

(Case Compliance Criteria begins on page 15 in the Establishment/Modification component.)

COMPLIANCE

Establishment/Modification Review Form

CA01 [] If a support order was established or modified or a foreign order was registered during the review period did it:
 a) contain a provision for a wage assignment and medical support;
 b) follow the statewide formula for determining support; and
 c) include an amended judgment, if applicable?
 (Notwithstanding Provision)

Comments: **OBSOLETE**

CA02 [] If a support petition was dismissed by the court (not at the LCSA request), did the LCSA document the reasons and if it was determined that a future petition was needed, was a support order sought at the time? (Notwithstanding Provision)

Comments:

CA03 [] A) If a support order was required during the review period and the CP provided the LCSA with locate information, was the service of process completed within 60 days?
 Date locate confirmed:
 Date service of process completed:
 Elapsed days: (60 calendar days)
 Was the CP informed in writing of the results?

B) If a support order was required during the review period and locate information was obtained through a source other than the CP, was service of process completed within 90 days?
 Date locate confirmed:
 Date service of process completed:
 Elapsed days: (90 calendar days)
 Comments:

COMPLIANCE Establishment/Modification Review Form (continued)

CA04 [] If a case requiring establishment of an order was opened or reopened during the review period, or was opened prior to the review period (but required intake actions were never completed), did the LCSA:

A) Conduct an interview with the CP within 10 business days of date case opened or reopened; and
Date case opened or reopened:

Date CP interviewed: (10 business days)

B) establish a case record, solicit necessary information from the CP or other sources (if appropriate) and initiate verification of that information within 20 calendar days?

Date of application or referral:

Date intake completed: (20 calendar days)

Comments:

CA05 [] If location of the NCP/alleged father is necessary, did the LCSA access all appropriate federal, state and local locate sources, and as appropriate, initiate verification of any information received within 75 days?

Date locate became necessary:

Date of locate action:

Elapsed days: (75 calendar days)

Note locate source(s) and date(s):

Comments:

CA06 [] If the NCP/alleged father is not located within the initial 75 days and sufficient identifying information is available, did the LCSA continue to access appropriate locate sources quarterly?

Comments:

CA07 [] Was new information which may have assisted in locating the NCP or NCP's assets/earnings, acted upon immediately (in no more than 75 days)?

Date(s) new information received:

Date(s) new information acted upon:

Elapsed days (75 calendar days)

Comments:

COMPLIANCE Establishment/Modification Review Form (continued)

CA08 [] To gather information necessary to pursue paternity and establish an order, did the LCSA:

- ◆ interview the CP; and
- ◆ use Form AG 107 "Paternity Questionnaire", or
- ◆ Form CS 870 "Attestation Statement" (if applicable); or
- ◆ otherwise obtain/receive pertinent documentation.

Comments: **OBSOLETE**

CA09 [] If applicable, did the LCSA prepare and transmit the "Referral to Local Child Support Agency" Form CW 371, to the county welfare department as notice that the CP failed to cooperate?

Comments:

CA10 [] Has the LCSA conducted screening for family violence and provide the CP and/or NCP (in person or by mail) the "Child Support Domestic Violence Questionnaire" Form CSS 2142?

Comments:

CA11 [] If the LCSA mailed the domestic violence cover letter #1 (Form CSS 2140) and "Child Support Domestic Violence Questionnaire" (Form CSS 2142), was it mailed within five business days of first locating a CP or an NCP?

Date CP or NCP located:
 Date letter mailed:
 Elapsed days (5 business days)

Comments:

CA12 [] LATEST REQUIRED ACTION
 Does the "Latest Required Action" provision (pertaining to time frames) apply to this component? (Answer either "yes" or "N/A".)
 If yes, explain:

Establishment and Modification Compliance Criteria

This review form is to be used if, during the review period, one or more of the following apply:

- ◆ A case requiring establishment or modification of an order is opened or reopened
- ◆ A case requiring establishment or modification of an order was opened prior to the review period, but required intake actions were never completed or initiated
- ◆ An existing order is modified during the review period
- ◆ An order is established during the review period
- ◆ A foreign support order is registered during the review period
- ◆ No order exists, but a non-custodial parent (NCP) has been identified
- ◆ A putative father is located or an alleged father is excluded

OBSOLETE

SPECIAL CONSIDERATIONS:

“Notwithstanding” Provision: Consistent with requirements of 45 CFR 308, the LCSA will be considered to have taken appropriate action in this component if an order is established or modified, or if a foreign order is registered during the review period, notwithstanding the failure of the LCSA to meet required time frames leading to this result. In order to be considered to meet the notwithstanding criterion, the order must contain required provisions listed below under Compliance Requirements.

“Latest Required Action” Provision: Consistent with federal self-assessment guidelines, if the “notwithstanding” provision cannot be applied, the “latest required action” provision may be considered; that is, if the latest appropriate action for this case in this component was taken correctly, the case is considered in compliance.




NOTE: If an LCSA’s pursuit of an order is dismissed by the court, the LCSA does not lose consideration for the Notwithstanding Provision. It is applied by answering question CA02.

NOTE: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.

QUESTION CA01 should be completed if one or more of the following actions occurred during the review period:

1. A support order was established or modified; and/or
2. A foreign support order was registered.

COMPLIANCE REQUIREMENTS	
A	The LCSA shall petition the court for a wage assignment provision for any support order entered or adjusted after July 1, 1990. (45 CFR 303.100; FC 5230 [b])
B	For new or modified orders the LCSA shall petition the court or administrative authority to include in the order a provision for health insurance that is or may become available to the NCP at reasonable cost, except when: (45 CFR 303.31; FC 3751) <ol style="list-style-type: none"> 1. The CP and child have satisfactory health insurance (other than Medi-Cal); or 2. There is an arrears only order or an order reserving judgment.
C	The LCSA shall use the child support guidelines in effect at the time the order is entered to determine the amount of support sought. (45 CFR 303.4 [d]; MPP 12-106.1) <div style="display: flex; align-items: center; margin-top: 10px;">  <div> <p><i>NOTE: If the court did not order the amount of support requested by the LCSA, the specific reason that rebuts the guideline amount must be documented on the order or attachments.</i></p> </div> </div>
D	The LCSA shall amend a proposed judgment if additional financial information is received within 30 days of service of the complaint and proposed judgment and the additional information would result in a support order that is different from the amount in the proposed judgment. (FC17430[c])

QUESTION CA02 should be answered if the support petition was dismissed during the review period. If the court dismisses a petition for a support order without prejudice, the LCSA must at the time of dismissal, examine the reasons for dismissal, determine when it would be appropriate to seek an order in the future and seek a support order at that time. (45 CFR 303.4 [e]; MPP 12-106.3)

QUESTION CA03 should be answered if an order required establishment or modification and the NCP and/or assets were located prior to or during the review period. Within 60 days of receiving information from the CP or 90 days of receiving information through a source other than the CP, the LCSA must either establish an order for support, complete service of process or document unsuccessful attempts to serve process in accordance with the state guidelines defining diligent efforts. If two such actions occur in the review period, review to the latter. (45 CFR 303.4 [d]; MPP 12106.1; FC Section 17401, effective 9/28/00)

SPECIAL CONSIDERATIONS:

For service of process, “diligent effort” means the LCSA shall attempt all appropriate statutory mechanisms for service of process and shall repeat such attempts as soon as new information becomes available or yearly, whichever occurs first. (MPP 12-101.3 [d][4])

OBSOLETE

QUESTION CA04 should be answered if a case requiring establishment of an order is opened or reopened during the review period. This question also applies if required intake actions were never completed on a case opened prior to the review period. This question is to determine if cases requiring establishment/modification of an order are being opened and assessed in the time frames prescribed by state and federal regulations.

Applications are not required of assistance recipients who are discontinued from aid. For those cases, all child support enforcement services must continue to be provided until a request is made to terminate services. A signed application is required for all non-assistance cases and for all non-Federal Foster Care cases because they are considered non-assistance.

COMPLIANCE REQUIREMENTS	
A	The LCSA must conduct an initial interview with the CP, unless the CP is a foster care agency, or a NCP if that individual is the applicant for Title IV-D services, within 10 business days of opening a case, unless an interview was conducted pursuant to CCR Section 112100(e). (CCR Section 112140, effective 9/10/01)
B	The LCSA must within 20 calendar days of receipt of referral or application establish a case record which shall contain: <ol style="list-style-type: none"> 1. All documents regarding the case; 2. All relevant facts and dates; and 3. A record of all actions taken and contacts made including the name of the person taking the action, the name of any person contacted and the date of contact. (CCR Section 112130(a), formerly MPP 12-103.2)
C	Based on the assessment of the case the LCSA must: <ol style="list-style-type: none"> 1. Solicit any necessary information from the CP if appropriate; 2. Solicit any necessary information from any other relevant sources if appropriate; and 3. Initiate verification of the information obtained (if appropriate). (CCR Section 112130(c), formerly MPP 12-103.2)

QUESTIONS CA05 THROUGH CA07 relate to locating the NCP and/or assets. These questions should be answered if an order needed to be established or modified and the NCP and/or assets were not located.

SPECIAL CONSIDERATIONS:

The definition of "location" is information concerning the physical whereabouts of the NCP, the NCP's employer(s), other sources of income/assets, which is sufficient to take appropriate action in a case. (45 CFR 303.3 [a]; CCR 110413, formerly MPP 12-101). Location efforts used as described in MPP 12-302.1 (d) for closure purposes are for the physical whereabouts of NCP(s). Location efforts for purposes of establishing a support order include both the physical whereabouts necessary for service of process (MPP 12-106.1) and for sources of income/assets used to determine the appropriate amount of child support. (MPP 12-223.1)

OBSOLETE**COMPLIANCE REQUIREMENTS**

A	Within 75 days of determining locate is necessary, the LCSA will access all appropriate federal, state and local locate sources. The LCSA must ensure that location information received is sufficient to take the next appropriate action or service. The Federal Parent Locator Services (FPLS) need not be accessed if locate information sufficient to take the next appropriate action in a case is otherwise obtained within the 75 calendar day time frame. If locate information from a locate source that was accessed within the initial 5 calendar days was received after the 75 days have elapsed, then the information would be treated as new information (defined in paragraph B below; hence, another 75 calendar day time period would begin). (45 CFR 303.3 [b][3]; CCR 113100 (b)(1)(B), formerly MPP 12-104.2)
B	Following the 75-day time period, locate actions must be repeated in cases in which previous attempts to locate the NCP or sources of income/assets have failed, but adequate identifying and other information exists to meet requirements for submittal for location. Repeated locate attempts must be done either quarterly or immediately upon receipt of new information which may aid in location, whichever occurs first. Quarterly attempts may be limited to automated sources, but must include accessing state (EDD) employment records. (45 CFR 303.3 [b][5]; CCR 113100 (c)(2), formerly MPP 12-104.3)

QUESTIONS CA08 should be answered if paternity needs to be established.

COMPLIANCE REQUIREMENTS

A	If paternity is at issue, the LCSA must solicit information (i.e., use the three-part AG 107 form, interview the CP, or form CS 870, interview process, etc.) necessary to pursue establishment of paternity. (45 CFR 303.2 [b][1]; FSD Letters 92-02, 92-19; CCR Section 112100, effective 9/10/01)
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QUESTION CA09 should be answered if the applicant or recipient has failed to assist the LCSA in all required activities necessary to establish paternity, or to establish, modify or enforce a medical or child support order, unless a finding of good cause has been made as specified in CCR Section 112210.

QUESTIONS CA10 AND CA11 relate to the family violence indicator policy.

COMPLIANCE REQUIREMENTS	
A	The LCSA shall screen all CP and NCP for family violence in all new cases opened during the review period, except interstate responding. This screening shall occur during the initial interview as specified in GCR Sections 112100(e) and 112140. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)
B	If the LCSA mails the domestic violence cover letter and Child Support Domestic Violence Questionnaire, was it mailed within five days of first locating the CP or NCP. If a child is in foster care, the forms shall be mailed to both NCPs. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)

QUESTION CA12 should be answered “yes” if the “latest required action” provision is applicable; other answer “not applicable”. DO NOT answer this question “no”.

(Blank Intentionally)

OBSOLETE

COMPLIANCE

Review and Adjustment Review Form

CB01 [] As a result of the review and adjustment process, was a modification of the support order issued? (Answer either "yes" or "N/A"). (Notwithstanding Provision)
Comments:

OBSOLETE

CB02 [] Was the required review and adjustment process completed within 180 days?
Date process was initiated: Date Completed:
Elapsed days: (180 calendar days)
Comments:

(Blank Intentionally)

OBSOLETE

Review and Adjustment Compliance Criteria

SPECIAL CONSIDERATIONS:

“Notwithstanding” Provision: Consistent with requirements in 45 CFR 308, if, as a result of this process, a modification of the support order is issued during the review period, the LCSA will be considered to have met the review and adjustment requirements, notwithstanding the failure of the LCSA to meet the required time frame for completing the review process.

OBSOLETE

All child support orders are subject to the review and adjustment process as follows:

- ◆ A review may be requested by either parent subject to a child support order or by any person or entity that may have standing to make the request, including the IV-D agency.
- ◆ All orders in which there is a request for review must be reviewed if there has been a significant change in circumstances regardless of when the order was last reviewed or adjusted.

LCSAs have a maximum of 180 calendar days from the date it is determined either a review should be conducted or the non-requesting parent is located, whichever is later, to complete the review and adjustment process.

COMPLIANCE Enforcement Review Form

CC01 [] If eligible, was the case submitted for IRS/FTB intercept?
 Comments:

CC02 [] **OBSOLETE** If eligible, was the case submitted for FTB/SDI withholding?
 Comments:

CC03 [] Was a real property lien recorded?
 County:
 Date:
 Comments:

CC04 [] If an employer was known, was a wage assignment that included both current support and arrears, if applicable, sent to the NCP's employer?
 Comments:

CC05 [] If this case was applicable as of the end of the review period, was it referred to FTB under the 60-day delinquent requirement?
 Comments:

CC06 [] For enforcement cases in which either the CP or NCP are located during the review period, did the LCSA conduct screening for family violence and provide the CP and/or NCP (in person or by mail) the "Child Support Domestic Violence Questionnaire" Form CSS 2142 (if necessary)?
 Comments:

CC07 [] If the LCSA became aware that the NCP receives Supplemental Security Income/State Supplementary Payments (SSI/SSP) benefits and that the income was used in the calculation of the support order; did the LCSA file a motion for a modification within 30 calendar days?
 Date LCSA became aware of benefits?
 Date the motion filed?
 Elapsed days: (30 calendar days)
 Comments:

COMPLIANCE Enforcement Review Form (continued)

CC08 [] Was a collection received during the review period as a result of an enforcement action? (IRS/FTB intercept excluded) (Answer either "yes" or "N/A"). (Notwithstanding Provision)
Comments:

OBSOLETE

CC09 [] If the NCP became delinquent in the payment of current support, or in the case of an ongoing delinquency, if the county located an asset, was either administrative action (enforcement action not requiring service of process) taken within 30 days or legal action (enforcement action requiring service of process) taken (or process served or unsuccessful attempts documented) within 60 days?
Date of delinquency or locate?
Date of action or service of process?
Elapsed number of days:
Comments:

CC10 [] If an enforcement action was unsuccessful or could not be completed because of a court delay (after successful service of process), was the reason documented and a date for future action determined and initiated or taken as appropriate?
Comments:

CC11 [] A) If a wage assignment was used as an enforcement action, was the wage assignment served within 2 business days after new employee information was entered into the State Directory of New Hires (SDNH)?
Date of SDNH entry?
Date wage assignment served?
Elapsed days:
B) If a wage assignment was used as an enforcement action and the employer information was received from a source other than SDNH, was it served within 15 calendar days from when the information was received?
Date employer known?
Date wage assignment served?
Elapsed days:
Comments:

COMPLIANCE Enforcement Review Form (continued)

CC12 [] If this case was delinquent at intake was it referred (if applicable) to FTB within 60 calendar days of case opening?
Date case opened:
Date referred to FTB:
Comments:

OBSOLETE

CC13 [] If a case that already contained an enforceable order was opened or reopened during the review period, or was opened prior to the review period, but required intake actions were never completed, did the LCSA complete all of the following within 20 calendar days:
Establish a case record;
Solicit necessary information from the CP or other sources (if appropriate);
Initiate verification of that information (if appropriate)?
Date of application or referral:
Date intake completed: (20 calendar days)
Comments:

CC14 [] If location of the NCP or assets is necessary, did the LCSA access all appropriate federal, state and local locate sources, and as appropriate, initiate verification of any information received within 75 days?
Date locate became necessary:
Date of locate action:
Elapsed days: (75 calendar days)
Note locate sources(s) and date(s):
Comments:

CC15 [] If the NCP or his/her assets are not located within the initial 75 days and sufficient identifying information is available, did the LCSA continue to access appropriate locate sources quarterly?
Comments:

COMPLIANCE Enforcement Review Form (continued)

CC16 [] Was new information which may have assisted in locating the NCP or NCP's assets/earnings, acted upon immediately (within 75 days)?
 Date(s) new information received:
 Date(s) new information acted upon:
 Elapsed days: (75 calendar days)
 Comments:

OBSOLETE

CC17 [] If the LCSA mailed the domestic violence cover letter #1 Form CSS 2140 and "Child Support Domestic Violence Questionnaire" Form CSS 2142, were they mailed within five business days of first locating a CP or NCP?
 Date CP or NCP located:
 Date letter mailed:
 Elapsed days (5 business days)
 Comments:

CC18 [] LATEST REQUIRED ACTION
 Does the "Latest Required Action" provision (pertaining to time frames) apply to this component? (Answer either "yes" or "N/A".)
 If yes, explain:

(Blank Intentionally)

OBSOLETE

Enforcement Compliance Criteria

The review form for this component is generally used if the case contains an enforceable support order during the review period.

SPECIAL CONSIDERATIONS:

OBSOLETE

In order to be in compliance in this component, the county must meet the following federal and state requirements, regardless of other actions taken:

- ◆ If eligible, the case must be submitted for IRS/FTB intercept and UIB/SDI withholding.
- ◆ If an employer is known, a wage assignment addressing both current support and arrears (if appropriate) must be sent to the employer.
- ◆ A real property lien must be recorded (if applicable).
- ◆ If the case is applicable, it must be referred to FTB under the 60-day delinquent requirement and family violence screening must have been addressed.
- ◆ If family violence screening or SSI/SSP income is an issue, it must be addressed.

“Notwithstanding” Provision: Beyond the above requirements, consistent with requirements of 45 CFR 308, the LCSA will be considered to have taken appropriate action if at least one enforcement technique is used that results in a collection (other than a tax intercept) during the review period, notwithstanding the failure of the LCSA to meet time frames in intake, locate and enforcement actions.

“Latest Required Action” Provision: Consistent with federal self-assessment guidelines, if the “notwithstanding” provision cannot be applied, the “latest required action” provision may be considered; that is, if the latest appropriate action for this case in this component was taken correctly, the case is considered in compliance. However, in this component this provision does not apply if any of questions one through four are answered “no”.



NOTE: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.

QUESTION CC01 is to be answered if during the review period, a case meets the eligibility requirements for IRS/FTB intercept at the time of submittal.



NOTE: If all other eligibility requirements are met, LCSAs may submit cases to the integrated database with arrearages below dollar limits, and for IRS cases, if the case will be three months in arrears at the beginning of the new process year.

SPECIAL CONSIDERATION:

OBSOLETE

The DCSS processes all intercept cases through an integrated database (IDB). Because of the IDB, the LCSA can submit less than minimum arrearage and the IDB system will combine the arrearage amounts with any other LCSA's arrearage. If the combined arrearages meet the criteria for submission, the case will be submitted.

COMPLIANCE REQUIREMENTS

- | | |
|---|---|
| A | <p>Procedures for Federal Tax Refund Intercept:</p> <ol style="list-style-type: none"> 1. Submit annually all eligible cases to DCSS for submission to the IRS tax refund intercept program as follows: (MPP 12-702.1; FSDIN 1-35-96) <ol style="list-style-type: none"> a) Have a court order or an order of an administrative process established under state law. (MPP 703.11; FSDIN 1-35-96) b) The amount owed under the order must be at least three months delinquent and not less than \$150 as of January of the process year. (MPP 12-704.131; FSDIN 1-35-96) c) Assistance and foster care arrearage amounts for multiple cases with the same SSN or name should be combined. Assistance, foster care and non-assistance arrearage for cases with the same SSN or name should not be combined. (FSDIN 1-35-96) d) For non-assistance related cases, the support must be owed on behalf of a minor child, and records reviewed to determine if an assistance arrearage exists for the family. (MPP 12-704.141; FSDIN 1-35-96) e) The case record must contain a copy of the order and any modifications upon which the amount referred is based, which specify the date of issuance and amount of support. (45 CFR 303.72; MPP 12-704.16) f) If the LCSA cannot verify the amount owed using a copy of the payment record, the CP shall sign an affidavit attesting to the amount of child support arrears. (45 CFR 303.72; MPP 12-704.15) 2. Update all individual case arrearage amounts in IRS tax refund intercept cases and submit them to DCSS at least monthly whenever the certified arrearage has been reduced by any amount. (MPP 12-710.1; FSDIN 1-35-96) |
|---|---|

B	<p>Procedures for State Tax Refund Intercept:</p> <ol style="list-style-type: none"> 1. Use the following minimum criteria for submission of cases for state income tax refund offset. (45 CFR 303.102; MPP 12-703.1; FSD 98-24) 2. Ensure that the amount referred is accurate, has been verified and that assistance and non-assistance arrearage are not combined. (45 CFR 303.102; FSDIN 1-35-96) 3. Annually submit all eligible cases to DCSS for submission to the FTB tax refund intercept program. Eligible cases shall be submitted in a manner and time frame prescribed by DCSS. (MPP 12-703.1)
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OBSOLETE

QUESTION CC02 will be answered if during the review period there is:

1. An arrearage;
2. An unmet current amount of child support that has been established or adjusted by a court order; or
3. The case was not and should have been submitted for UIB/SDI intercept prior to the review period.

SPECIAL CONSIDERATION:

Federal requirements cover the withholding of Unemployment Insurance Benefits (UIB). The DCSS requires withholding of State Disability Insurance (SDI), in addition to UIB (FSD 92-13). This section of the review guide pertains to both UIB and SDI.

“Assigned arrears” are arrears owed at the time a family receives assistance which automatically become assigned to the LCSA for recoupment for aid paid.



NOTE: Do not answer the question for cases which were submitted prior to the review period and currently remain on the UIB/SDI submission list.

COMPLIANCE REQUIREMENTS


A	<p>The LCSA shall have written criteria for selecting cases to pursue withholding of UIB/SDI for support purposes. These criteria must be designed to ensure maximum case selection and minimal discretion in the selection process. (45 CFR 302.65; FC 17518; FSD Letter 92-02)</p> <ol style="list-style-type: none"> 1. All eligible assistance and non-assistance cases shall be submitted for UIB/SDI intercept and all assistance cases must include an assignment of support rights. (FSD 92-13) 2. An eligible case is defined as one in which an arrearage or unmet current amount of child support has been established by a court order. (FC 17518; FSD Letter 92-13) <ol style="list-style-type: none"> a) The unmet current child/spousal support plus arrearage submitted cannot be less than \$150. Assistance and non-assistance arrearage can be combined to meet the \$150 requirement. All assigned arrearages accrued after going off aid are considered non-assistance arrears. (FSD Letter 92-13)
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QUESTION CC03 should be answered if during the review period:

1. A new support order is obtained.
2. A foreign order is registered.
3. A lien was not recorded, but should have been, on an existing court order and had not been by the end of the review period.

OBSOLETE

COMPLIANCE REQUIREMENTS

A	<p>The LCSA shall create a real property lien: (45 CFR 302.70 (a)(4))</p> <ol style="list-style-type: none"> 1. In all intra county cases and all intercounty/interstate responding cases. (CCR Section 116130(c)(1) and (2), formerly MPP 12 603.1; FSD Letter 89-02) 2. In interstate initiating cases only if the obligor is known to have, or is likely to acquire real property interests in California (CCR Section 116130(c)(3), formerly MPP 12-603.14, 12-603.141; FSD Letter 89-02) 3. Within 15 days of the date a money judgment or order is received by the LCSA, a case is opened for enforcement of an existing order or judgment, or an existing order is registered for enforcement. (CCR Section 116130(a), formerly MPP 12-604.1; FSD Letter 89-02) (see NOTE #1 below). 4. If not previously recorded, record each existing order as the case is worked. (FSD Letter 89-02) <p> <i>NOTE #1: For purposes of the review, a lien is not required if there is a \$0 or reserved order. (CCR Section 116130(a))</i></p> <p><i>NOTE #2: Effective January 1, 1996, per AB 554 (Chpt. 583, statutes of 1995), liens are only required to be recorded on new (not modified) orders. Liens shall be recorded:</i></p> <ol style="list-style-type: none"> a) In the county in which the obligor resides. (CCR Section 116130(e)(1), formerly MPP 12-605.11, FSD Letter 89-02) b) In the county in which the obligor's parents reside, if known and different from the county in which the obligor resides. (CCR Section 116130(e)(2), formerly MPP 12-605.12; FSD Letter 89-02) c) In any other county in which the NCP is known to have, or could reasonably be expected to acquire a real property interest. (CCR Section 116130(e)(3), formerly MPP 12-605.13; FSD Letter 89-02) <ol style="list-style-type: none"> 5. The LCSA shall record one of the following: <ol style="list-style-type: none"> a) An abstract of support judgment. (CCR Section 116130(d)(1), formerly MPP 12-606.11) b) A certified copy of the support order. (CCR Section 116130(d)(2), formerly MPP 12-606.12) <p>A notice of lien, Form OMB Control #0970-0153 Expiration date 3/31/04 (CCP Sections 697.310 and 697.320; OCSE-AT-02-01, CSSIN 02-23; CCR Section 116130(d)(3))</p>
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QUESTION CC04 should be answered if, during the review period:

1. An employer is known and an existing wage assignment was not previously served; or
2. If a new employer is identified.

SPECIAL CONSIDERATIONS:

OBSOLETE

A "Wage Assignment" is an enforcement action used to ensure current support payments (plus a specific payment on arrearage, if any) by withholding a portion of the NCP's salary or earnings. For purposes of the review and compliance determination, if a wage assignment was issued for current support only (no arrears) and cannot be served because no employer is known, and an employer subsequently becomes known, the LCSA should serve the existing wage assignment for current support on the NCP's employer within 15 calendar days or two days after employee information was entered into the State Directory of New Hires (NERS). The LCSA should initiate action to review the wage assignment immediately to include an amount to be applied towards arrears.

Should the time frame for serving the wage assignment not be met, but a subsequent collection results, the county is not considered to be out of compliance for question CC09 for this component.

If service of the assignment has been ordered stayed, the stay shall terminate:

1. On the obligor's failure to make timely support payments or earlier by court order if requested by the county or the obligor.

If requested by an obligee that can establish that good cause for the stay no longer exists. (FC 5261)

COMPLIANCE REQUIREMENTS

A	The LCSA must, in addition to the amount requested to be withheld to pay the current month's obligation, also include an amount to be applied toward liquidation of any overdue support. (45 CFR 303.100; FC 5230 [a][2]; CCR Section 116100(a)(2) and (3), formerly MPP 12-224)
B	To initiate withholding after the court orders it, the LCSA must serve the wage assignment on the NCP's employer, if known, within 15 calendar days of receipt of the order (CCR 116100(c)(1)(A)). Also, the LCSA must send the NCP's employer a notice, which includes the information on Wage and Earnings Assignment Order, Rule 1285.70 or Rule 1299.25. (45 CFR 303.100; FC 5210; CCR Section 116100(b), formerly MPP 12-224)
C	If the NCP changes employment when withholding is in effect, the LCSA must serve the NCP's new employer (when known) within 15 calendar days. (45 CFR 303.100; CCR Section 116100, formerly MPP 12-224)
D	Each new or adjusted support order established after November 1, 1990 must include a wage assignment provision, effective immediately, to allow the LCSA to withhold wages (unless a determination of good cause or alternative arrangement has been rendered by the court). The LCSA shall serve the wage assignment on the NCP's employer, if known, within 15 calendar days. (45 CFR 303.100; CCR Section 116100, formerly MPP 12-107.2; FSD Letter 92-02; FC 5200 et. seq.)

QUESTION CC05 should be answered if the case was applicable for referral to FTB at the end of the review period under the 60-day delinquent requirement. (MPP 12-505; Family Code Section 17500(c))

QUESTION CC06 relates to the family violence indicator policy.

COMPLIANCE REQUIREMENTS	
OBSOLETE	
A	The LCSA shall screen all CPs and NCPs for family violence for enforcement cases in which either the CP or NCP are located during the review period. This screening shall occur during the initial interview as specified in CCR Sections 112100(e) and 112140. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)
B	The LCSA is required to mail to the CP and the NCP a domestic violence cover letter and Child Support Domestic Violence Questionnaire. If a child is in foster care, the forms shall be mailed to both NCPs. (CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01)

QUESTION CC07 If the LCSA became aware that the NCP is receiving SSI/SSP benefits and the income was used in the calculation of the support order; then the LCSA must file a motion for a modification within 30 calendar days. (CSS 02-15).

QUESTION CC08 should be answered if a collection, other than an FTB/IRS intercept, is received during the review period as a result of an enforcement action.

QUESTIONS CC09 AND CC10 will be answered if during the review period a case becomes delinquent and/or sufficient locate information becomes available to pursue enforcement of a delinquent case.

QUESTION CC11 should be answered if a wage assignment was served on an employer during the review period.

SPECIAL CONSIDERATIONS:

The LCSA is required to maintain an effective system for identifying delinquencies on the date the NCP fails to make a payment equal to one month's support obligation. The IV-D agency must then initiate action to enforce the support order within specified time standards.

If the NCP has a delinquency which occurred prior to and has carried over into the review period and the LCSA is successful in locating the NCP or earnings/assets were located, enforcement action(s) has to occur either within the 30 or 60 days of the locate date.

For purposes of distribution, amounts collected shall be treated first as payment on the required support obligation for the month in which the support was collected. To be consistent with 45 CFR 302.51 [a] [1] and for purposes of the compliance review, the NCP is considered delinquent if he/she fails to make a payment in the amount of one month's support during the month in which it is due. Therefore, the delinquency occurs when the accumulated unpaid support totals an amount equal to or exceeding one month's support.

Enforcement attempts must include as many of the following actions as are appropriate and necessary: (MPP 12-107.2)

- ◆ Delinquency letter with specific language (first 30 days only)
- ◆ Civil or criminal contempt proceedings
- ◆ Wage assignment and garnishment
- ◆ Orders for examination of judgment debtor and debtor's creditors
- ◆ Writs of execution/levy
- ◆ Liens on workers' compensation awards
- ◆ Utilize action of credit reporting agencies (first 30 days only)
- ◆ Application to utilize United States District Courts
- ◆ Application for collection by the Secretary of the Treasury
- ◆ Any other collection or enforcement process authorized by state or federal law (for example the Program Save Our Children (PSOC), see CSS 01-13)

OBSOLETE

COMPLIANCE REQUIREMENTS	
A	If service of process is not necessary, take appropriate enforcement actions (except income tax refund offset) within no more than 30 calendar days of identifying a delinquency or other support related non-compliance with the court order, or locating the NCP, whichever occurs later. (45 CFR 303.6 [c] [2]; MPP 12-107.22)
B	If service of process is necessary prior to taking an enforcement action, service must be completed (or unsuccessful attempts to serve process must be documented in accordance with DCSS guidelines defining diligent efforts) or enforcement actions must be taken within no more than 60 calendar days of identifying a delinquency or other support related non-compliance, or locating the NCP when that person's location was unknown, whichever occurs later. (45 CFR 303.6 [c][2]; MPP 12-107.23)
C	In cases in which enforcement attempts have been unsuccessful, at the time an attempt to enforce fails, examine the reason why the enforcement attempt failed and determine when it would be appropriate to take an enforcement action in the future and take such action in accordance with the requirements of this section at that time. If legal action is subject to court delays, document the reason and the eventual completion of the action. (45 CFR 303.6 [c][4]; MPP 12-107.5)
D	The LCSA must implement a wage assignment (if one is not already in place) 15 calendar days of the date an employer was known or effective 10/21/02 within 2 business days after new employee information was entered into the NERS. (CCR Section 116100(c)(2); LCSA 02-18)

QUESTION CC12 will be answered if the case was delinquent at intake, and applicable for referral to FTB within 60 calendar days of case opening. (MPP 12-510.12, Family Code Section 17500)

QUESTION CC13 will be answered if:

1. During the review period, a case containing an enforceable support order was opened or reopened, or
2. The case was opened prior to the review period, but required intake actions were never completed or initiated.

SPECIAL CONSIDERATIONS

OBSOLETE

This section of the review guide is to determine if cases are being opened and assessed in the time frames prescribed by state and federal regulations.

Applications are not required of assistance recipients who are discontinued from aid. For these cases, all child support enforcement services must continue to be provided until a request is made to terminate services. A signed application is required for all non-assistance cases and for all non-Federal Foster Care cases.

COMPLIANCE REQUIREMENTS

The LCSA must: (MPP 12-103.2)

1. Within 20 calendar days of receipt of referral or application:
 - a) Establish a case record which shall contain:
 - (1) All documents regarding the case
 - (2) all relevant facts and dates
 - (3) a record of all actions taken and contacts made including the name of the person taking action, the name of any person contacted and the date of contact.
 - (4) Any results of the actions taken and contacts made.
 - b) Based on the assessment of the case:
 - (1) Solicit any necessary information from the CP if appropriate
 - (2) Solicit any necessary information from any of the relevant sources if appropriate
 - (3) Initiate verification of the information obtained (if appropriate).

QUESTIONS CC14 THROUGH CC16 will be answered if one or more of the following situations occur during the review period and the case contains an enforceable support order:

1. The NCP's whereabouts are not known; or
2. The NCP's whereabouts are known, but the location of income/assets is needed in order to proceed with enforcement.

SPECIAL CONSIDERATION:

For purposes of this section the definition of “location” is information concerning the physical whereabouts of the NCP, the NCP’s employer(s), or the NCP’s sources of income and/or assets which are used for the purpose of modifying and/or enforcing a child support obligation. (45 CFR 303.3[a]; CCR Section 110413, formerly MPP 12-101)

The definition of “quick locate” means a request for locate services from one state’s parent locator service to another state’s parent locator service with the responding state providing those services without opening a Title IV-D case. (CCR Section 110550)

COMPLIANCE REQUIREMENTS

A	Within 75 days of determining locate is necessary, the LCSA will access all appropriate federal, state and local locate sources. The LCSA must ensure that location information received is sufficient to take the next appropriate action or service. The Federal Parent Locator Services (FPLS) need not be accessed if locate information sufficient to take the next appropriate action in a case is otherwise obtained within the 75-calendar day time frame. If locate information from a locate source that was accessed within the initial 75 calendar days was received after the 75-calendar days have elapsed, then the information would be treated as new information (defined in paragraph B below; hence, another 75 calendar day time period would begin). (CCR Section 113100(b), formerly 45 CFR 303.3 [b][3] and MPP 12-104.2)
B	Following the 75-day time period, locate actions must be repeated in which previous attempts to locate the NCP or sources of income/assets have failed, but adequate identifying and other information exists to meet requirements for submittal for location. Repeated locate attempts must be done either quarterly or immediately upon receipt of new information which may aid in location, whichever occurs sooner. (45 CFR 303.3 [b][5]; CCR Section 113100(c), formerly MPP 12-104.3)
C	If the SSN is unknown, the LCSA must have made every reasonable effort to obtain it before making the request for FPLS information. (Sources include, but are not limited to: the Department of Motor Vehicles, (DMV), the Department of Justice (DOJ), and Credit Reporting Agencies, etc.) (45 CFR 303.70 [c][2]; FSD 92-19).
D	Additional locate action requirements are contained in CCR Section 113100.

QUESTION CC17 relates to the family violence indicator policy.

COMPLIANCE REQUIREMENTS

A	If the LCSA mails the domestic violence cover letter and Child Support Domestic Violence Questionnaire, was it mailed within five days of first locating the CP or NCP. If a child is in foster care, the forms shall be mailed to both CP and NCP. CCR Section 112300, effective 9/10/01; CSS 01-03, effective 1/25/01
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QUESTION CC18 should be answered “yes” if the “latest required action’ provision is applicable; otherwise, answer “not applicable.” DO NOT answer this question “no.”

(Blank Intentionally)

OBSOLETE

COMPLIANCE Collections and Distribution Review Form

CD01 [] Did the LCSA obtain and record the legal date of collection (LDOC) of the payments?
Comments:

OBSOLETE

CD02 [] Were payments received from an NCP with more than one case allocated correctly?
Comments:

CD03 [] For a current assistance case, did the LCSA notify the welfare department of the amount collected on the current obligation within 10 business days of the end of the month in which the support was received by the LCSA?
Comments:

CD04 [] Did the LCSA notify the welfare department when it learned that a support payment was paid directly to and retained by a current assistance CP?
Comments:

CD05 [] For a current assistance case, were the disregard, pass-on (Federal Foster Care case only), and/or excess payments issued correctly and timely?
Comments:

CD06 [] Were payments distributed correctly, based on the payment source and distribution hierarchy?
Comments:

COMPLIANCE **Collections and Distribution Review Form (continued)**

CD07 [] In non-assistance cases, were payments paid to the family or interstate initiating agency within two working days (or for IRS intercept payments within 30 calendar days) after the date of receipt?

Comments:

OBSOLETE

Collections and Distribution Compliance Criteria

This review form is to be used if any child support was collected at any time during the review period.

Payment Selection Criteria: For purposes of determining compliance in this component, identify and review only the last payment received and distributed by the county during the review period.

OBSOLETE

Definitions

Business Day

(or working day): A day that the LCSA office is open for business.

Collection Month: The month in which the support payment is received by the LCSA.

Date of Collection: The date that the support payment is initially received by a Title IV-D agency or employer, depending on the payment source, as follows:

Noncustodial Parent Payment (cash, check, or money order) – The date that the payment is initially received by the LCSA making the collection.

Intercept Payments (IRS, FTB, or Lottery) – The date the payment is identified in the title of the transfer report.

Liens – The date the payment is received by the LCSA initially making the collection.

UIB – The date the benefit is issued to the NCP, which is identified in the transfer report.

Wage withholding – The date the payment is withheld from the NCP’s wages by the employer. The employer provides this date.

(If the employer does not provide this date, the LCSA shall reconstruct the legal date of collection by: contacting the employer to obtain it, or comparing the actual amounts collected with the pay schedule specified in the court order or comparing the employer’s pay cycle, as reflected on the Order/Notice to Withhold Income from Child Support in lines 15a-d (CSS Letter 02-13))

Definitions

Writs/till taps – The date that the payment is received by the LCSA after the period for appealing the action has expired.

Intercounty payments – The date is contingent upon the payment source in the California county initially making the collection.

Interstate payments - The date is contingent upon the payment source in the responding jurisdiction initially making the collection.

Postdated checks – The date the payment is posted by the LCSA initially making the collection.

- Date of receipt:** The date that the county receives the support payment.
- Allocation:** The first step in the distribution process to apportion a support payment between more than one case.
- Regular payments:** All collections received, regardless of payment sources, except IRS tax intercepts.
- Disbursement:** The actual dispensing or paying out of a collection.
- Distribution:** The application of monies to specific accounts to determine the appropriate disbursement of monies.
- Case status:** Aid status, either currently receiving assistance, formerly received assistance, or never received assistance.
- Aid:** Assistance payments to former recipients of AFDC, and/or recipients of CalWORKs, KinGAP or Foster Care.

Current Assistance Case – A Title IV-D case that is currently receiving aid under CalWORKs, KinGAP or Foster Care.

Former Assistance Case – A Title IV-D case that in the past received aid under AFDC, CalWORKs, and/or Foster Care.

Never Assistance Case – A Title IV-D case that is not currently and has never in the past received AFDC, CalWORKs, KinGAP or Foster Care.

Mixed Status Case – A Title IV-D case where one or more of the children in the case have a different aid or non-aid status, either currently or in the past.

- Current support payment:** The amount of support collected that meets or partially meets the court-ordered support obligation for the current month.

Definitions

Disregard:	Up to the first \$50 of a current support collection made on behalf of a current assistance case receiving CalWORKS aid.
Excess:	The amount of support that exceeds the Unreimbursed Assistance Pool.
Pass-on:	OBSOLETE The amount by which the current support collection exceeds the current assistance paid in the same month in a Federal Foster Care case.
Unreimbursed Assistance Pool (UAP):	The total cumulative amount of aid paid to the family assistance unit for AFDC, CalWORKs, KinGAP or Foster Care programs which have not been repaid by the recoupment of collections of assigned current support or arrearages. The UAP must also be reduced by any state optional payments (disregards and pass-on payments) paid to the current assistance family.
Arrearage:	The unpaid support payments for past periods owed by a parent who is obligated to pay by court order.
Assigned:	The rights to support payments have been turned over to the state (and the county) as a condition of receiving aid.

Conditionally Assigned Arrears – The arrearages that were temporarily assigned while the family received aid, but the temporary assignment has ended because the family is no longer receiving aid. These arrears are normally unassigned and paid to the family if collected from a source other than an IRS tax intercept. However, when collections are received from the IRS tax intercept these arrears are conditionally assigned and will be used to reimburse aid paid.

Never Assigned Arrears – Arrearages that have never been assigned to the state in never assistance cases. Never assigned arrears are also the arrearages in former assistance cases that accrued after the family's most recent period of aid ends.

Permanently Assigned Arrears – Unpaid support that is assigned to the state as of September 30, 1998 and the unpaid support that accrues on or after October 1, 1998, while the family is receiving aid.

Temporarily Assigned Arrears – The unpaid support that accrues after October 1, 1998 and before the period the family receives aid (pre-assistance arrears), and any unassigned arrears that accrued before October 1, 1998, when the family goes on aid after October 1, 1998. These arrearages are not permanently assigned. The temporary assignment ends when the family stops receiving aid and these arrears then become categorized as *conditionally assigned arrears*.

Definitions

Unassigned During Assistance Arrearages – Unpaid support in former assistance cases that accrued while the family was receiving aid (permanently assigned arrearages) but which exceeded the total UAP.

Unassigned Pre-assistance Arrearages – Unpaid support in former assistance cases that accrued before the family was receiving aid (temporarily assigned arrearages) and which exceeded the total UAP.

OBSOLETE

Futures: Collections that are received from and credited to a noncustodial parent that are in excess of the current support obligations and no arrearages exist.

Current Assistance families – Assistance future payments are not paid to the assistance family, they are held in suspense until the NCP misses a payment and then used as current support in that future month.

Non-assistance families – These payments are paid immediately to the non-assistance family, they are not held in suspense like assistance future payments.

Compliance Requirements:

QUESTION CD01: Did the LCSA obtain and record the legal date of collection (LDOC) of the payment?

The legal date of collection for various types of payments is included in the definition of “date of collection” above (MPP 12-101(d)(1)(A)). This question should be answered “yes” or “no” for all collections reviewed, even those in which the LDOC is the same as the date of receipt.

OBSOLETE

QUESTION CD02: Was the payment received from a NCP with more than one case allocated correctly?

When the LCSA receives a collection from or on behalf of an NCP with more than one case in the county, the payment shall be either applied to one specific case and distributed within the case based on the case status, or allocated between multiple cases depending upon the payment source and distributed within each case based on the case status. The allocation rules based upon payment sources are in MPP 12-415.111.

Also for NCPs with multiple cases, the allocation rules require the LCSA to prorate regular (non-IRS) collections, first to satisfy all current support obligations, then to satisfy arrearages. IRS intercept collections are allocated first to certified assigned arrears, then to certified unassigned arrears. The allocation methodology for determining each case’s share of the allocation is in MPP 12-415.12.

After the allocation of each case’s share of a payment, support is applied based on the distribution hierarchy for the case status (see question CD06 below).

QUESTION CD03: For a current assistance case, did the LCSA notify the welfare department of the amount collected on the current obligation within 10 business days of the end of the month in which the support was received by the LCSA?

Within 10 business days of the end of the month in which the support is received by the LCSA, the LCSA must inform the welfare agency of the amount of the collection which represents payment on the required support obligation for the month. (MPP 12-108.1)

QUESTION CD04: Did the LCSA notify the welfare department when it learned that a support payment was paid directly to and retained by a current assistance CP?

The LCSA must notify the welfare agency whenever it discovers that directly received payments are or have been retained by a current assistance recipient (MPP 12-225.1)

QUESTION CD05: For a current assistance case, was the disregard, and/or excess payment issued correctly and timely?

The LCSA is responsible for ensuring that all distribution amounts are proper and the time frames are met for completing the welfare distribution process and disbursing disregard, pass-on and excess payments to the family or to the foster care placement agency

OBSOLETE

If a current support payment is received on behalf of a current CalWORKs and KinGAP assistance case, the LCSA shall authorize up to \$50 of a collection as a *disregard payment*. In a Federal Foster Care case (but not a non-Federal Foster Care case), any amount of current child support that exceeds the assistance paid in the same month will be sent to the county welfare department (for a foster care child) as a pass-on payment. Any amount collected that exceeds the UAP will be paid to the family or the county welfare department as an *excess payment*.

The required time frames are:

1. For disregards, payments must have been disbursed within two business days from the date the payment was received by the county.
2. Beginning April 1, 2000, pass-on payments were discontinued except in Federal Foster Care cases, and the time frame requirements for disbursement of both excess and pass-on payments was changed to 15 calendar days after the end of the collection month.
3. The welfare distribution process must have been completed within 13 calendar days after the end of the aid and collection month. (MPP 12-425(a)(1))

QUESTION CD06: Was the payment distributed correctly, based on the payment source and distribution hierarchy?

The priority for distribution of collections depends on the case status and the payment source, either regular or IRS intercept. The distribution hierarchy is in MPP 12-420.

QUESTION CD07: In non-assistance cases, was the payment paid to the family or interstate initiating agency within two business days (or for IRS intercept payments within 30 calendar days) after the date of receipt?

When the LCSA disburses collections made on behalf of cases not currently receiving CalWORKs, KinGAP or foster care, any payments due to the former assistance and never assistance family shall be paid within two business days from the date of receipt by the LCSA (MPP 12-108.8). The only exceptions are IRS intercept payments, which must be disbursed within 30 calendar days after the date of receipt.

COLLECTIONS AND DISTRIBUTION WORKSHEET - Instructions

Heading: Enter Case Review Number, amount of current obligation, whether arrears are owed, and case status (current assistance, former assistance, or never assistance).

The worksheet is designed to track one payment on one page.

OBSOLETE

Receipt #: Enter the receipt number or other control number needed to track the payment through the various screens to answer the review questions.

Indicate the source of the payment (wage assignment, UIB, NCP payment, etc.). You may use whatever abbreviation your computer system uses to identify payment sources.

Amount of payment refers to the total amount received. Amount credited to this case may be the same as the amount of payment or may be less if the payment is allocated between two or more cases. Enter the amount actually credited.

Indicate the part of the amount credited which was applied to current support, interest, and/or arrears.

The remaining entries relate directly to the review questions. For example, the information requested to the right of the box labeled CD01 is needed to answer question 1 in the Collections and Distribution component. Please refer to the questions to determine how to complete the worksheet.

Note that CD02 asks for the “amount to be allocated.” This is the amount that *should* have been allocated to this case when the payment was divided between two or more cases. Compare this to the actual amount credited by the LCSA to determine compliance. Because of problems rounding to the nearest dollar, this amount may vary slightly from the amount actually credited to this case and still be correct.

Question CD04 is not related to any payment actually received by the LCSA and is therefore not included on the worksheet.

COLLECTIONS & DISTRIBUTION WORKSHEET		
Review Period October 1, 2002 through September 30, 2003		
Case Review # _____		<input type="checkbox"/> Current Assistance (CA)
Current Obligation \$ _____		<input type="checkbox"/> Former Assistance (FA)
Arrears ? <input type="checkbox"/> Yes <input type="checkbox"/> No	OBSOLETE	<input type="checkbox"/> Never Assistance (NA)
Review Criteria		Payment
Review Q's	Receipt # _____	
	Source _____	
	Amount of Payment _____	
	Amount Credited to this case _____	
	Amount to : Current Interest Arrears	
CD01	Date received _____	
	LDOC _____	
CD02	# Multiple cases _____	
	Amount to be allocated _____	
CD03	CA: Date IV-A notified _____	
	Elapsed days _____	
CD05	Date of Disregard _____	
	Elapsed days _____	
	Date of Excess/Pass-on _____	
	IV-A distribution date _____	
	Elapsed days _____	
CD06	Correct Hierarchy? _____	
CD07	Date sent to family _____	
	Elapsed days _____	

(INSERT IRS COLLECTIONS AND DISTRIBUTION HIERARCHY)

OBSOLETE

(Blank Intentionally)

OBSOLETE

(INSERT NON-IRS COLLECTIONS AND DISTRIBUTION HIERARCHY)

OBSOLETE

(Blank Intentionally)

OBSOLETE

COMPLIANCE Interstate Review Form

INTERSTATE-INITIATING CASES

CE01 [] When appropriate, did the LCSA attempt to use the "long-arm" statute to establish paternity?

Comments:

OBSOLETE

CE02 [] A) When did the LCSA determine that this is an interstate case and when was all the necessary information needed to process this case received? Date(s) information received:

B) When was the case referred to the responding state's central registry? Date(s) of referral:

Elapsed days: (20 calendar days)

Comments:

CE03 [] A) When did the LCSA receive a request for additional information from the responding state? Date request received?

B) When did the LCSA provide information to responding state, or notify the responding state the information would be provided? Date information provided:

Elapsed days: (30 calendar days)

Comments:

CE04 [] A) When did the initiating LCSA receive new information on the case? Date information received:

B) When was the information forwarded to the responding state? Date information forwarded:

Elapsed days: (10 working days)

Comments:

COMPLIANCE Interstate Review Form (continued)

INTERSTATE-REVIEW AND ADJUSTMENT

NOTE: Interstate cases are subject to the same time frames and notice requirements as in-state cases. Interstate initiating cases must meet additional requirements as specified in that section of this form.

CE05 [] After determining it was appropriate to request a review of a child support order in another state, did the LCSA send the request for review to that state within 20 calendar days of receipt of sufficient information to conduct the review?

Date sufficient information was received for review/adjustment:

Date review request sent:

Elapsed days: (20 calendar days)

Comments:

Three horizontal lines for writing comments.

CE06 [] Did the LCSA forward to the CP in its jurisdiction a copy of the review notice issued by the responding jurisdiction?

Date notice received:

Date forwarded:

Elapsed days:

(5 working days)

Comments:

Three horizontal lines for writing comments.

CE07 [] Did the LCSA forward to the CP in its jurisdiction a copy of review results issued by the responding jurisdiction?

Date results received:

Date forwarded:

Elapsed days:

(5 working days)

Comments:

Three horizontal lines for writing comments.

INTERSTATE-RESPONDING CASES

CE08 [] A) When did the LCSA receive the appropriate interstate documentation from the initiating state requesting services?

Date:

Three horizontal lines for writing the date.

COMPLIANCE Interstate Review Form (continued)

B) When did the LCSA provide the requested services/information or request additional information from the initiating state to proceed?

Date:

Elapsed days: (75 calendar days)

Comments:

OBSOLETE

CE09 [] A) When was it determined that the case was no longer enforceable by the LCSA because the NCP had moved to another California County?

Date:

B) When did the LCSA:

Transfer the case to the new county? Date:

Notify the initiating state? Date:

Notify the California Central Registry? Date:

Elapsed days: (10 working days)

Comments:

CE10 [] A) When did the LCSA receive information that the NCP was located in a state other than California?

Date:

B) When was the interstate form, including the NCP’s new location, sent to the initiating state or forwarded to the central registry in the state where the NCP has been located, and California’s Central Registry notified?

Date:

Elapsed days: (10 working days)

Comments:

CE11 [] LATEST REQUIRED ACTION

Does the “Latest Required Action” provision (pertaining to time frames) apply to this component? (Answer either “yes” or “N/A”.)

If yes, explain:

(Blank Intentionally)

OBSOLETE

Interstate Component Compliance Criteria

This review form is to be used if during the review period:

1. The “long arm” statute has or should have been used; or
2. Initiating or responding activities have, or should have, occurred.

The PRWORA requires all states to enact the Uniform Interstate Family Support Act of 1996 (UIFSA) effective January 1, 1998. UIFSA replaces the previous uniform act, the Uniform Reciprocal Enforcement of Support Act (URESA); UIFSA is the law currently governing interstate child support enforcement in California. (FSD Letter 97-16)

OBSOLETE

SPECIAL CONSIDERATIONS:

The initiating jurisdiction is defined as the jurisdiction in which the applicant for support resides. The responding jurisdiction is defined as the place where the NCP or respondent petitioner resides. The “long arm” statute for paternity provides that a person who has sexual intercourse in this state submits to the jurisdiction of the courts of this state for an action brought with respect to a child who may have been conceived by that act of intercourse. (FSD Letter 92-02)

The long arm provision has been expanded under UIFSA. Family Code Section 4905 states: In a proceeding to establish, enforce or modify a support order or to determine parentage, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual’s guardian or conservator if any of the following apply:

- (1) The individual is personally served with notice within this state.
- (2) The individual submits to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction.
- (3) The individual resided with the child in this state.
- (4) The individual resided in this state and provided prenatal expenses or support for the child.
- (5) The child resides in this state as a result of the acts or directives of the individual.
- (6) The individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse.
- (7) The individual has filed a declaration of paternity pursuant to Chapter 3 (commencing with Section 7570) of Part 2 of Division 12.
- (8) There is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

In order for the case to be considered an interstate case, the LCSA must have determined that it cannot take any further action without the assistance of the other jurisdiction. The 20-calendar day time frame for referring an interstate case begins with the receipt of information necessary to process the case. (45 CFR 303.7[b][2]; CCR Chapter 7, formerly MPP 12-104.4)

“Latest Required Action” Provision: In considering actions and time frames for interstate processing, case compliance is measured by whether the county completed that action or met that time frame nearest the end of the review period. Compliance with each requirement is to be documented, but question CE11 is added to apply the “latest required action” provision. (Answer only “yes” or “not applicable”.)



NOTE # 1: The “latest required action” does not apply to a situation where a required time frame was not met, but where the action associated with that time frame was eventually completed within the review period. It only applies to a subsequent (next required) action where the time frame was met.



*NOTE # 2: UIFSA has introduced a new concept to interstate cases. That is, if an order already exists in another state, California should NOT establish a new one. LCSAs must consider whether that other state has “continuing exclusive jurisdiction” **OBSOLETE** before it may modify that order in California even to add medical. If multiple orders already exist, then a LCSA may need to bring a notice of determination of controlling order.*



NOTE #3: Wage assignments may be enforced directly in other states and a LCSA may directly withhold income under UIFSA without going through the responding tribunal.

NOTE #4: If a LCSA takes advantage of our “long-arm” jurisdiction to sue a parent out of state directly, or if a LCSA enforces via a direct wage assignment to an NCP’s out of state employer (no other state IV-D agency involved in either situation), then the time frame requirements for handling interstate cases do not apply.

QUESTIONS CE01 THROUGH CE04 relate to establishing Interstate-initiating cases.

COMPLIANCE REQUIREMENTS	
A	Use the “long arm” statute authority to establish paternity whenever appropriate. (45 CFR 303.7[b][1]; CCR Section 117200(a), formerly MPP 12-226.1; FSD Letter 92-02) (See Special Considerations for expansion of “long-arm” provisions under UIFSA.)
B	Within 20 calendar days of determining that the NCP is in another state, and if appropriate, receipt of any necessary information needed to process the case, refer the case to the responding state’s central registry for action including interstate petition (or a computer generated replica), request for location, document verification, administrative reviews in IRS tax refund offset cases, wage assignment in child support cases. (See NOTE #3 above regarding direct income withholding.) (45 CFR 303.3[b][4] & CFR 303.7[b][2]; CCR Section 117400(d)(1), formerly MPP 12-104, 12-226.2)
C	Within 30 calendar days of receipt of request for additional information, provide all requested information or notify the responding state when the information will be provided. This can be accomplished by submitting an updated review form or a computer-generated replica of the form containing the same information and all necessary additional documentation. (45 CFR 303.7[b][3][4]; CCR Section 117400(d)(2), formerly MPP 12-226.2; FSD Letter 92-02).
D	Within ten working days of receipt of new information on a case, notify the child support agency in the responding state by submitting an updated review form and all necessary documentation. (45 CFR 303.7[b][5]; CCR Section 117400(d)(3), formerly MPP 12-226.2; FSD Letter 92-02)

QUESTIONS CE05 THROUGH CE07 relate to Interstate-Review and Adjustment cases.

COMPLIANCE REQUIREMENTS	
A	If an LCSA determines that it is appropriate to request a review of a child support order in another state, the request for review must be sent to that state within 20 calendar days of receipt of sufficient information to conduct the review. If the request for review is the first contact between the initiating and responding states in the case, the request for review must be sent to the central registry in the responding state. If the initiating state previously referred the case to the responding state for action, the request for review may be sent directly to the appropriate agency in the responding state for processing. (45 CFR 303.8[f][1]; CCR Section 117403(a); FSD Letters 93-22, 94-02)
B	In order to meet all notification requirements for initiating cases, the responding state must issue a notice of the review and a notice of the review results to the parent in the initiating jurisdiction by sending the notice through the initiating IV-D agency. (45 CFR 303.8[f][1]; FSD Letter 93-22)
C	The initiating state is required to send the parent in his/her state a copy of any notice issued by a responding state within five working days of receipt of such notice. (45 CFR 303.8[c][f][1][vi]; FSD Letter 93-22)

QUESTIONS CE08 THROUGH CE10 relate to Interstate-Responding cases.

COMPLIANCE REQUIREMENTS	
A	Within 75 calendar days of receipt of an interstate request from the central registry the LCSA must: (45 CFR 303.7[c][4]; CCR Section 117500(b), formerly MPP 12-226.3) <ul style="list-style-type: none"> a) Provide requested/needed locate services. b) Request the initiating state to provide all necessary additional documentation or information. c) Process the case to the extent possible, pending receipt of additional information.
B	Within ten working days of locating the NCP in another county in California the LCSA must: (45 CFR 303.7[c][5]; CCR Section 117502(a), formerly MPP 12-226.3; FSD Letter 92-02) <ul style="list-style-type: none"> a) Transfer the case to the appropriate jurisdiction. b) Notify the initiating state and the California Central Registry of the transfer.
C	Within ten working days of locating the NCP in a different state, the LCSA must: (45 CFR 303.7[c][6]; CCR Section 117502(b), formerly MPP 12-226.3; FSD Letter 92-02) <ul style="list-style-type: none"> a) Return the interstate form and documentation, including the new location to the initiating state or if requested, forward to the central registry in the state where the NCP has been located. b) Notify the California Central Registry where the case has been sent.

QUESTION CE11 should be answered “yes” if the “latest required action” provision is applicable; otherwise, answer “not applicable.” DO NOT answer this question “no.”

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OBSOLETE

COMPLIANCE Medical Support Review Form

ALL CASES

CF01 [] If there is a functioning wage assignment during the review period and there is no provision in the existing order for medical support, did the LCSA seek an adjustment of the order to include a medical support provision?

Comments:

OBSOLETE

◆ Exception: Where non-assistance parent declined medical support services and verified the children are covered by insurance.

To pursue the health insurance coverage required by the support order, (or, in situations where coverage was provided, but the NCP changed employment), did the LCSA:

CF02A [] A) Determine whether employment-related group or other group health insurance coverage was available?

Comments:

CF02B [] B) Enforce the medical support provision in the order through a National Medical Support Notice (MNSN)?

Comments:

CF02C [] C) Forward the health insurance coverage information (if any) to the CP?

Comments:

CF03 [] Did the LCSA inform the employer when it is no longer enforcing medical support?

Comments:

COMPLIANCE **Medical Support Review Form**

CF04 [] ALL ASSISTANCE AND MNO CASES
If medical insurance information was secured, was all required information transmitted to DHS on DHS Form 6110?
Comments:

OBSOLETE

CF05 [] Was DHS informed of any lapse or change in the health insurance coverage?
Comments:

Medical Support Component Compliance Criteria

This review form is to be used if during the review period:

1. A case has a NEW or ADJUSTED order;
2. If there is a functioning wage assignment and there is no provision in the existing order for medical support;
3. If an order was established prior to the review period, but no actions were taken to enforce the medical support provision; or
4. A MNO referral has been received.

OBSOLETE

SPECIAL CONSIDERATIONS:

Health insurance cost is considered reasonable if it is employment related or other group health insurance, regardless of the service delivery mechanism. Health insurance includes fees for service, health maintenance organizations, preferred provider organizations, and other types of medical services that could be provided to the dependent child of the NCP. (CCR Section 110336 & 110337)

Activities to obtain and enforce health insurance coverage for dependent children must occur in all cases referred by the IV-A Agency (assistance, foster care and MNO cases), as well as all non-assistance cases. Medical support activities are a responsibility of the LCSA when establishing and enforcing a child support obligation.



NOTE #1: The February 9, 1999 Federal Register (Vol. 64, No. 26) issues a change which requires the Secretary to issue regulations requiring State agencies to petition for inclusion of medical support in a child support order whenever health care coverage is available to the noncustodial parent at reasonable cost except as specified by 45 CFR 303.31 (b)(1). Therefore, non-IV-A applicants or recipients of services under 45 CFR 302.33 no longer have the option, in receiving IV-D services, to refuse the inclusion of health insurance coverage in the order.



NOTE #2: Health insurance includes dental and vision coverage. (CCR Section 110336)

QUESTIONS CF01 THROUGH CF03 relate to all cases with a functioning wage assignment during the review period.

COMPLIANCE REQUIREMENTS	
A	Identify cases which do not include a provision for medical insurance and where the NCP is having wages withheld for a child support obligation. For those cases identified, the LCSA shall petition the courts to modify those cases to include health insurance coverage for the dependent children. (45 CFR 303.31[b][3-4]; CCR Section 116114(a))
B	Once a support order has been established requiring the obligor to secure health insurance the LCSA must determine whether health insurance is available to the NCP at reasonable cost. If health insurance has not been obtained at the time the order is entered, the LCSA must take steps to enforce the health insurance coverage required by the support order. (45 CFR 303.31 [b] [7]; CCR Section 116114(c))
C	Require the LCSA to notify employers when there is no longer a current order for medical support in effect for which the child support agency is responsible. (45 CFR 303.32; CCR Section 116120)

QUESTIONS CF04 AND CF05 relate to all assistance and MNO cases.

COMPLIANCE REQUIREMENTS	
A	<p>If the information in Items 1-7 below is available at the time of referral, the IV-A agency must transmit the information to the Department of Health Services (DHS). If the IV-A agency does not transmit the information, then the child support agency must transmit the information to DHS. The information as specified below shall be provided to DHS. A DHS 6110 form will meet this requirement: (45 CFR 303.30[a], 303.31 [b] [6-8]; CCR Section 116114(a))</p> <ol style="list-style-type: none"> 1. The CP assistance or foster care number, medical number or SSN. 2. Name and SSN of child(ren). 3. Name of NCP. 4. SSN of NCP. 5. Home address of NCP. 6. Name and address of NCP's place of employment. 7. The NCP's health insurance policy, if any, should include the insurance company's name(s), policy number(s), and name(s) of person(s) covered.
B	Forward information regarding any health insurance coverage obtained to the custodial parent. (CCR Section 116114(f))

CG01 [] If the child support case was closed, was it closed in accordance with case closure regulations?

Comments:

OBSOLETE

CG02 [] Was written notice of intent, using required language, sent to the CP prior to closing? (Exceptions permitted)

A) Date notice sent:

B) Date case closed:

Elapsed days: (Minimum 60 calendar days)

Comments:

CG03 [] If the child support case was eligible for closure under the provisions of CCR Section 118203, was it closed during the review period?

Comments:

(Blank Intentionally)

OBSOLETE

Case Closure Component Compliance Criteria

This review form is to be used if during the review period the case was closed or was eligible for closure under CCR Section 118203.

QUESTIONS CG01 THROUGH CG03 should be answered is a case was closed or was eligible for closure.

OBSOLETE

SPECIAL CONSIDERATION:

Case closure means that Title IV-D services will no longer be provided. However, case closure does not affect the support order if the order is still current, or arrearages accrued under the order. Although the LCSA closes a case, a support order that is current remains in effect and arrearage continues to accrue for the life of the order.

Effective March 25, 2002, the Department repealed the case closure regulations found in the MPP Chapter 12-300 and adopted case closure regulations into Chapter 8 of Division 13 of Title 22 of the CCR that supercede CSS Letter 01-16.

COMPLIANCE REQUIREMENTS

- | | |
|---|--|
| A | <p>The LCSA shall close any case that meets at least one case closure criteria (45 CFR 303.11[b]; CCR 118203(a)):</p> <ol style="list-style-type: none"> 1. There is no longer a current support order and no arrearage payments were made in the preceding twelve consecutive months, and assigned and unassigned arrearages are under \$500; or arrearages are unenforceable under state law. Situations to which these criteria apply include, but are not limited to the following: (45 CFR 303.11(b): CCR Section 118203(a)(1)) <ol style="list-style-type: none"> a) Reconciliation of the family or the death of a child. (CCR Section 118203(a)(1)(A) and (B)) b) Paternity is established and is the only Title IV-D service provided because both parents in a Title IV-grant are living together (CCR Section 118203(a)(1)(C)) c) The child for whom support is sought dies before paternity is established. (CCR Section 118203(a)(1)(D)) d) Cases with medical support orders with a specific dollar amount and arrears which accrue under such orders. (CCR Section 118203(a)(1)(E)) e) Emancipation of the youngest child. (CCR Section 118203(a)(1)(F)) 2. NCP or alleged father is deceased and no further action can be taken, including a levy against the estate.(45 CFR 303.11(b)(2), CCR Section 118203(a)(2). The LCSA shall verify the death of the NCP or alleged father and shall document attempts to identify assets in the estate, which could be levied against, were unsuccessful. The case closure notice shall include information about possible Social Security Administration death benefits. (CCR Section 118203(a)(2)(A) and (B)) 3. Paternity cannot be established because one of the following:.(45 CFR 303.11[b][3]; CCR118203(a)(3) <ol style="list-style-type: none"> a) The youngest child requiring paternity establishment has reached 18 years of age and there is no pending judicial action to establish the child’s paternity. (45 CFR 303.11(b)(3)(i); CCR Section 118203(a)(3)(A)) |
|---|--|

COMPLIANCE REQUIREMENTS

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cont.

- OBSELETE**
- b) A genetic test or court or administrative process has excluded the alleged father and the custodial party has attested under penalty of perjury that he/she does not know the identity of other individuals who could be the father. (45 CFR 303.11[b](3)(ii)); CCR Section 118203(a)(3)(B))
 - c) The LCSA , in conjunction with the county welfare department, determines that the child's best interest will not be served by establishing paternity in a case involving incest or forcible rape, or a case where legal proceedings for adoption are pending. (45CFR 303.11[b](3)(iii); CCR Section 118203(a)(3)(C))
 - d) The first or last name of the biological father is unknown and cannot be identified after diligent efforts, including at least one face-to-face interview by the LCSA with the custodial party. Diligent efforts means the LCSA must act on leads the custodial party provides that help identify and locate the biological father, such as the biological father's last known address or employer. The LCSA may conduct the interview by telephone when, to be interviewed face-to-face, the CP would have to travel 60 miles or take time off from work, or the CP is disabled or lacks transportation. (45 CFR 303.11(b)(3)(iv); CCR Section 118203(a)(3)(D))
 - e) The child was conceived as the result of artificial insemination of a woman other than the donor's wife, and the husband of the woman, if any, did not consent to the insemination. (CCR Section 118203(a)(3)(E))
4. The LCSA has no knowledge of any on of the following: the NCP's or alleged father's residence, employment address, earnings or assets are unknown and the LCSA has made quarterly attempts using all locate sources to locate the NCP, all of which have been unsuccessful. Such efforts shall be made over a three year period when there is sufficient information to initiate an automated locate, or over a one year period when there is insufficient information to initiate an automated locate effort.
- a) Sufficient information means the first and last name, and date of birth, and/or social security number of the NCP or alleged father.
 - b) When there is insufficient information, the LCSA shall at least once ask the CP for additional information to assist with identifying or locating the NCP or alleged father. The LCSA shall make ever effort to obtain a social security number of the NCP or alleged father using all appropriate sources, including, but not limited to the Department of Justice, Department of Motor Vehicles, Social Security Administration, and the Federal Parent Locator Service." (45 CFR 303.11[b](4); CCR Section 118203(a)(4))
5. The NCP cannot pay support for the duration of the child's minority for any of the three reasons state below and the LCSA determines that no income assets are available to the NCP which could be levied or attached for support. (45 CFR 303.11[b](5); CCR Section 118203(a)(5))
- a) The NCP is institutionalized in a psychiatric facility. (CCR Section 118203(a)(5)(A))
 - b) The NCP is incarcerated with no chance of parole. (CCR Section 118203(a)(5)(B))
 - c) The NCP has a medically verified total an permanent disability with no evidence of support potential. (CCR Section 118203(a)(5)(C))
 - d) The NCP receives SSI/SSP and has no other attachable income or assets. (CCR Section 118203(a)(5)(D))
- 6a. The NCP lives in a foreign country, other than Mexico, and all of the following apply: (45 CFR 303.11(b)(6); CCR Section 118203(a)(6)(A))
- a) The NCP is a citizen of that foreign country. (CCR Section 118203(a)(6)(A)1.)
 - b) The NCP does not work for the U.S. Government or a company, which has its headquarters of offices in the United States. (CCR Section 118203(a)(6)(A)2.)

COMPLIANCE REQUIREMENTS

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cont.

- OBSOLETE**
- c) The NCP has no reachable domestic income or assets; (CCR Section 118203(a)(6)(A)3.)
 - d) California does not have reciprocity with the country. (CCR Section 118203(a)(6)(A)4.)
 - 6b. The NCP resides in Mexico and in addition to a) through c) above, the case is a California-initiated request for retroactive child support services with Mexico, and at least one of the following apply. (CCR Section 118203(a)(6)(B))
 - a) Paternity is at issue and California does not have the basis to establish paternity using long-arm jurisdiction specified in Section 4905, Family Code, or the use of long-arm jurisdiction to establish paternity is appropriate, but the LCSA is unable to establish paternity. (CCR Section 118203(a)(6)(B)1.)
 - b) The NCP's location is not known. (CCR Section 118203(a)(6)(B)2.)
 - c) The NCP is not known to be working or the LCSA is unable to determine the NCP's employer. (CCR Section 118203(a)(6)(B)3.)
 - d) The LCSA cannot be provided with a photograph of the NCP. (CCR Section 118203(a)(6)(B)4.)
 - e) The only issue in the case is retroactive support for past public assistance paid. (CCR Section 118203(a)(6)(B)5.)
 - 7. The LCSA has provide non-Title IV-D location-only services as requested by the CP, legal guardian, attorney or agent of a child who is not receiving assistance, whether or not such services were successful. (45 CFR 303.11(b)(7); CCR Section 118203(a)(7))
 - 8. The recipient of services who is currently not receiving public assistance under Title IV-A requests closure of a case and there is no assignment for medical support and no assigned arrears. (45 CFR 303.11(b)(8); CCR Section 118203(a)(8))
 - 9. The court determines it would be inappropriate to establish a child support order for a case in which retroactive child support for past assistance paid is the only issue. (CCR Section 118203(a)(9))
 - 10. There has been a finding of good cause as specified in Welfare and Institutions Code Sections 11477.04 or 14008.6 or other exceptions to cooperation with the LCSA and the state or county welfare department has determined that support enforcement may not proceed without risk or harm to the child or caretaker relative. (45 CFR 303.11(b)(9); CCR Section 118203(a)(10))
 - 11. Except as specified in (c), the LCSA is unable to contact the non-Title IV-A recipient of services over 60-calendar days despite attempts to contact the recipient of services both by phone and first class letter, sent to the last known address and after using the Department of Motor Vehicles and other locate sources to locate the recipient of services.
 - a) The 60-day period shall begin the date the contact letter is mailed to the last known address of the recipient of services.
 - b) A LCSA shall not mail the notice of case closure until 60 days have elapsed from the date the contact letter was mailed to the recipient of services and all responses from queried locate sources have been received indicating no new information is available that would allow the case to remain open.
 - c) When the recipient of services is a CP and a LCSA has a child support collection that needs to be distributed to the CP, the LCSA shall attempt to locate the CP for 6 months, applying the same requirements and locate sources for locating NCPs, before the case qualifies for closure under this criterion.
 - d) Medically Needy Only cases shall not be closed under this closure criterion. The LCSA shall contact the county welfare department for assistance in locating the recipient of services. (45 CFR 303.11(b)(10); CCR Section 118203(a)(11))

COMPLIANCE REQUIREMENTS

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cont.

- OBSOLETE**
12. The non-Title IV-A CP, except a Medically Needy Only recipient is uncooperative and all of the following apply: (45 CFR 303.11(b)(11); CCR Section 118203(a)(12))
 - a) The LCSA documents the circumstances of noncooperation in the case file.
 - b) An action by the recipient of services is essential for the next step in providing child support services.
 - c) The LCSA shall explain the incident(s) of noncooperation to the recipient of services, in writing, and shall warn the recipient of services that further noncooperation may result in case closure.
 - d) Noncooperation shall include any action or inaction by the recipient of services that is essential for the next step in providing Title IV-D services, including but not limited to:
 - 1) Continuing to collection direct child support payments.
 - 2) Failing to attend hearings.
 - 3) Refusing to sign forms.
 - 4) Refusing to report private attorney actions.
 13. The recipient of services has moved to another county or state and both a) and b) apply: (CCR Section 118203(a)(13))
 - a) The recipient of services has applied for service in another county or state.
 - b) The LCSA documents in the case file that contact was made with the other county or state to confirm that the recipient of services has applied for services in the other county or state, or in the case of an intercounty transfer, to confirm that the case has been transferred.
 - c) In addition to a) and b), when there are assigned arrears, the case shall not close until one of the following occurs:
 - 1) The assigned arrears are collected.
 - 2) The case can be closed under another closure criterion.
 - 3) The responsibility for collecting the assigned arrears is transferred to another jurisdiction.
 14. A LCSA documents failure by an initiating state in an interstate case to take an action which is essential for the next step in providing Title IV-D services (45 CFR 303.11[b][12]; CCR Section 118203(a)(14))
 - a) If California is the responding state and a LCSA needs additional information to process an interstate case, that LCSA shall send to the initiating state a notice requesting the initiating state to provide the information within 30 days, or provide a response within 30 days as to when the information shall be provided.
 - 1) If the information or notice of when information will be provided is not received by the responding LCSA after 30 days from mailing the request specified in (a) above, the responding LCSA shall notify the initiating state that the case will be closed in 60 days.
 - 2) The responding local child support agency shall also send a copy of the closure notification to the initiating state's central registry with a notation requesting any assistance the central registry can provide the initiating state's Title IV-D agency in obtaining information necessary to keep the case open.
 - b) The case shall be closed after 60 days have elapsed from the date of mailing the closure notice specified above, if the initiating state does not provide the information needed to process the interstate case or a response stating when the information will be provided.

COMPLIANCE REQUIREMENTS

<p>A cont.</p>	<p>c) When the initiating state requests case closure and does not provide the case closure criterion, or provides a case closure criterion that is inconsistent with CCR Sections 118203(a)(1) through (13) and (15), the LCSA shall send the initiating state a written notice of intent to close the case in 60 days, unless the initiating state provides a case closure criterion that is consistent with CCR Sections 118203(a)(1) through (13) and (15). After 60 days, if the initiating state does not provide the appropriate case closure criterion, the case shall be closed as specified in b).</p> <p>15. A Title IV-D case is erroneously opened and both of the following apply:</p> <ul style="list-style-type: none"> a) No Title IV-D services can be appropriately provided for the case. b) There is clear and complete documentation in the case file explaining why the case was erroneously opened and why no Title IV-D services can be provided. (CCR Section 118203(a)(15))
<p>B</p>	<p>The LCSA shall notify the recipient of services in writing of the LCSA's intent to close the case. A written notice of case closure shall be mailed to the last known address of the recipient of services 60 calendar days prior to closing the case pursuant to CCR Section 118203(a)(1) through (6) and (11) through (14). (45 CFR 303.11(c); CCR Section 118203(b))</p> <ul style="list-style-type: none"> 1. Written notice shall not be provided for cases closed under CCR Section 118203(a)(7) through (10) and (15). 2. The written notice of intent to close a case shall include the following: <ul style="list-style-type: none"> a) The reason the case is closed. b) The circumstances under which the case may be reopened. c) Whom to contact to apply for possible Social Security benefits, for case closed under. (CCR Section 118203(a)(2)) 3. When the case is eligible for closure pursuant to Section 118203(a)(1) because the parents have reconciled, consequently the family is ineligible for public assistance, and there are no arrears assigned to the state, the LCSA shall mail the written notice of case closure to both the custodial party and noncustodial parent. The notice shall state the following: <ul style="list-style-type: none"> a) The case is closed because the family has reconciled. b) Title IV-D services shall be terminated. 4. The case shall be kept open if the recipient of services responds to the closure notice with information that could lead to the establishment of paternity, a support order or enforcement of an order. 5. The case shall remain open if contact is re-established with the recipient of services in the instance of CCR Section 118203(a)(11). 6. A case shall be reopened at a later date if a non Title IV-A former recipient of services requests that the case be reopened and can provide information that could lead to the establishment of paternity or a support order or enforcement of an order. When a non Title IV-A former recipient of services requests resumption of Title IV-D services, the recipient of services shall complete a new application package. (45 CFR 303.11(c); CCR Section 118203(c))

COMPLIANCE REQUIREMENTS

B
cont.

- OBSOLETE**
7. The LCSA shall retain closed Title IV-D case records for a minimum of four years and four months from the date of closure, unless otherwise specified. Summary criminal history information shall be disposed of in accordance with record disposal requirements specified in CCR Section 111460. (45 CFR 303.11(d); CCR Section 118203(d))
 8. When Title IV-D cases are closed, LCSAs shall evaluate the case to determine whether it is appropriate to release, remove, rescind or terminate establishment and enforcement activities initiated against the obligor. Release, removal, rescission or termination includes, but is not limited to:
 - a) Dismissal of Summons and Complaint.
 - b) Termination of income withholding orders and National Medical Support Notices.
 - c) Removal of obligor's name and social security number from intercepts.
 - d) Release of personal and real property liens.
 - e) Substitution of payee. (CCR Section 118203(e))
 9. When a recipient of services has a family violence indicator, a LCSA shall obtain from the recipient of services a substitute address, when necessary for releasing, removing, rescinding or terminating establishment and enforcement actions, and shall not disclose the whereabouts of the recipient of services and the affected child(ren) unless ordered to do so by a court of competent jurisdiction after proper notice and hearing. (CCR Section 118203(e)(4))

Part II: Expedited Process

The measurement of compliance with expedited process requirements, as specified by regulations (MPP 12-106.2, 12-109 and 12-211; FSD 98-04) will be completed as follows:

- a) Obtain the expedited process log or record for the month of September 2002. This should list all cases entering expedited process during that month.
- b) Track these cases forward for one year to determine the date of disposition for each. The requirement is that 75 percent must be completed within 6 months and 90 percent within 12 months, leaving not more than 10 percent that may exceed 12 months.
- c) Record the results on the Expedited Process Tabulation Form (in CRTCS) and include the results in the review report, with a finding of either compliance or non-compliance.
- d) If there are fewer than 11 cases for the month of September 2002, the county will be considered in compliance in Expedited Process, but will be encouraged to take voluntary corrective action if the percentage scores are below the required standard.

Expedited Process Tabulation Form Instructions: For those cases included on the September 2002 Expedited Process Tabulation Form page 77, calculate the elapsed time between the service of process dates and disposition dates.

Review Month	Enter month reviewed (from IV-D expedited process case log).
Page ___ of ___	Enter number of pages used to record expedited process case time frames.
IV-D Case Number	Enter the LCSA case number (last four digits only).
Date of Service of Process	Enter the date the NCP was served.
Date of Disposition	Enter the date of disposition.
Completed Disposition Time Frames	Enter a check mark in applicable column(s) to indicate when action in a case reached disposition within the expedited process time frames. For any case where a check is placed in the 6-month column, also check the 12-month column.
Subtotal	Enter appropriate count in each column.
Total	On last page only—enter total count of all subtotaled pages.
Grand Total	On last page only—enter total count of the three total columns.
Percentage	On last page only—enter appropriate calculated percentages from the grand total amount for the three columns using the following: $\frac{6 \text{ mo. column}}{\text{GRAND TOTAL}} = \% \quad \frac{12 \text{ mo. column}}{\text{GRAND TOTAL}} = \% \quad \frac{>12 \text{ months column}}{\text{GRAND TOTAL}} = \%$
County is considered to be	On last page only—enter, via check mark, appropriate compliance status of county’s expedited process time frames.

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Part III: Program Administration

In the Program Administration Section there are six components. The first four (Required Notices, Case Application, Safeguard Activity, and Declarations of Paternity) involve federal requirements and are, therefore, compliance areas for purposes of the compliance review. That is, the LCSA's failure to meet the minimum requirement of any one of these components will result in a finding of non-compliance and will require a corrective action plan. The remaining two (Case Transfer and Complaint Resolution Tracking System) involve state requirements only and are considered "administrative;" that is, a finding of noncompliance in either will not affect the overall compliance result, but will require a program improvement plan to correct the noncompliance.

OBSOLETE

REQUIRED NOTICES QUESTIONNAIRE

<p>PART 1 MONTHLY STATEMENT OF COLLECTIONS AND DISTRIBUTIONS</p>
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REFERENCES: CCR Section 119184, effective 5/29/02

REQUIREMENTS: As a result of the Barnes vs. Anderson lawsuit and federal requirements, the counties are required to send notices monthly to CPs who are assistance and non-assistance recipients of IV-D services if a payment or distribution has occurred during the month.

- A. The notices must be sent within 45-calendar days after the last day of the month.
- B. Each LCSA shall issue a "Monthly Statement of Collections and Distribution," CS 916, dated (03/02), and "Notice of Important Information:", CS 917, dated (03/02) to each custodial party who is a recipient of child support services.
- C. The notice must be sent to both assistance and non-assistance recipients of IV-D services. Notices do not need to be sent to foster care IV-D cases or responding UIFSA cases. For intercounty cases, the county that distributes the collection must send a notice. The notice must be sent to former assistance recipients who were also recipients of Title IV-D services, even if they are no longer receiving Title IV-D services unless no collection is made in the month, the assignment is no longer in effect and there are no longer any assigned arrearages.
- D. The notices are to include the following:
 - 1. The Date of Collection must be used and shown under "collections to LCSA." For wage assignment payments, the legal date of collection is the date the employer withheld the payment from the NCP's paycheck. If no data is available, the county must reconstruct that date by contacting the employer or comparing actual amounts collected with the pay schedule specified in the court order or comparing the employer's pay cycle, as reflected on the Order/Notice to Withhold Income for Child Support in lines 15a-d (CSS 01-13).

2. The explanation why a CP did not receive a disregard must be one of the following:
- a) "The collection dated _____ came from a federal income tax refund. Under federal law, tax refund money can only be used to pay past due child support and is applied first to repayment of CalWORKs previously paid to you."
 - b) "There is no order for current support to be paid by the noncustodial parent. When no current support is ordered, no disregard can be paid to you. Support collected on an order for past due support of a year or more only cannot be used to pay a disregard."

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions:

- 1) Did the LCSA use CS 916 (Monthly Statement of Collections and Distribution) and CS 917 (Important Information Sheet) to comply with the monthly Barnes Notice?
- 2) Did the LCSA meet the most recent deadline for issuing the monthly notice?
 YES NO
- 3) Did the notice contain all the required elements?
 YES NO

PART II
 REQUIREMENT TO NOTIFY PARENTS OF THEIR RIGHT TO REQUEST A
 REVIEW OF THEIR CURRENT SUPPORT ORDER

REFERENCE: CCR 115500

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following question:

- 4) Does the county have a procedure to notify parents every three years of their right to request a review of their current support order?
 YES NO
- 5) Explain the procedure:
- 6) Conclusion: State whether the county met or did not meet the requirements for both notices by the end of the review period. (FOR USE BY THE REVIEWER)

- 3) Does the LCSA use the following forms for the case intake process:
- CS 196 Child Support Services Program Notice
 - CS 870 Attestation Statement
 - CSS 2101 Application for Support Services
 - CSS 2103 Information Regarding the Application for Support Services
 - CSS 2105 Child Care Verification
 - CSS 2107 Visitation Verification
 - CSS 2109 Declaration of Support Payment History
 - CSS 2111 Health Insurance Information
 - CSS 2115 Request for Support Services
 - CSS 2142 Child Support Domestic Violence Questionnaire
- _____YES _____NO
- 4) Does the LCSA provide the following information with the application?
- a) Available services
 - b) The applicant's rights and responsibilities
 - c) Fees and cost recovery procedures
 - d) Distribution policies
- _____YES _____NO
- 5) Does the LCSA provide the above information within five working days for cases referred from the IV-A Agency?
- _____YES _____NO
- 6) Conclusion: State whether the county met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

OBSOLETE

SAFEGUARD ACTIVITY REPORT (SAR) QUESTIONNAIRE

Federal law requires an annual SAR to be prepared by each county as a condition of receiving federal tax return information. These safeguards are designed to ensure the confidentiality of IRS data and prevent its unauthorized use. LCSAs must prepare a SAR and make it available for the performance review process.

REFERENCE: FSDIN I-64-98

OBSOLETE

REQUIREMENTS:

- ◆ Federal law requires an annual SAR be prepared by each recipient agency of tax information.
- ◆ (Publication 1075 is to inform all agencies of the Internal Revenue Service (IRS) safeguards for protecting federal tax return information.)
- ◆ Safeguards must be in place at the state and LCSA levels as a condition of receiving federal tax return information.
- ◆ The safeguards are designed to ensure the confidentiality of IRS data and prevent its unauthorized use in accordance with Internal Revenue Code (IRC) Section 6103 (p)(4).
- ◆ Each county must prepare an annual SAR and make it available for the state to review during the performance review process.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following question.

1) Does the LCSA have a SAR to comply with FSDIN I-64-98?

_____YES _____NO

2) Conclusion: State whether the LCSA met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

DECLARATIONS OF PATERNITY IN CHILD SUPPORT CASES

Federal and State regulations require that for IV-D cases needing paternity establishment, the IV-D agency must first determine if a voluntary acknowledgement has been recorded in the statewide database in accordance with 303.5(g)(8) before proceeding to file for paternity establishment or administrative process. In addition to this regulation the Federal Register (45 CFR Parts 301-305, Volume 56, Number 246, dated 12-23-94) states, in part, that once the IV-D agency matches a case with a voluntary acknowledgment recorded in the State database, it must then use that acknowledgment to seek a support order.

OBSOLETE

REFERENCE: CSS Letter 02-11, effective 5/3/02

REQUIREMENTS:

- ❖ The LCSA must review the statewide Paternity Opportunity Program (POP) database of filed declarations of paternity prior to filing a summons and complaint
- ❖ The LCSA must recognize that a filed voluntary declaration of paternity is a legal establishment of paternity
- ❖ Failure to adopt and follow policy will result in a finding of non-compliance

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions.

- 1) In all IV-D cases where paternity is at issue, did the LCSA review the statewide Paternity Opportunity Program (POP) database for a voluntary acknowledgement of paternity prior to filing a summons and complaint with the court system?
 YES NO

- 2) Does the LCSA follow policy and practice to recognize that a filed voluntary declaration of paternity obviates the need for a legal establishment of paternity through the courts?
 YES NO

- 3) Conclusion: State whether the LCSA met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

CASE TRANSFER – ADMINISTRATIVE (STATE REQUIREMENT)

To ensure consistent statewide implementation of the revised duplicate case transfer policy, county compliance with the following requirements is necessary. An administrative verification that the prescribed procedures were followed and/or the review of a sampling of cases from the LCSAs duplicate case list will determine if the LCSA met the requirements. This is an administrative component; that is, a finding of noncompliance, as described below, will not affect the overall compliance review result, but will require a program improvement plan addressing actions to be taken to achieve compliance.

OBSOLETE

REFERENCE: CSS 02-18, effective 6/6/02; CSS 02-21, effective 11/1/02

REQUIREMENTS:

- ❖ The LCSA must designate staff to serve as the LCSA’s case transfer coordinator.
- ❖ Cases must be properly transferred using a standardized case transfer package (either by the sending or receiving LCSA), in accordance with the revised case transfer policy.
- ❖ The LCSA must forward a complete Case Transfer Financial Summary Package (includes an accounting of arrears, interest and a calculation of the UAP), as applicable.
- ❖ The sending LCSA shall calculate the UAP balance, if any, by ensuring that all recoupment amounts are subtracted from the cumulative UAP.
- ❖ The sending LCSA shall close the case when the receiving LCSA acknowledges the case transfer.
- ❖ The LCSA shall complete case transfer for the remaining two-thirds of the cases on the Duplicate Case Report dated August 2002 as specified by the implementation schedule in CSS 02-18. “Initiate” means the case transfer coordinator in either the sending or receiving LCSA contacts the case transfer coordinator in the other LCSA and confirms the necessity of transferring the case.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions.

- 1) Does the LCSA’s sample duplicate case report comply with all the above requirements as stated in CSS Letters 02-18 and 02-21?
 YES NO
- 2) Is the LCSA following the revised duplicate case transfer procedures?
 YES NO
- 3) Did the LCSA complete case transfer for the remaining two thirds of the cases identified on the August 2002 Duplicate Case Report?
 YES NO
- 4) Did the LCSA submit a letter to DCSS attesting to the percentage reduction of cases?
 YES NO
- 5) Conclusion: State whether the LCSA met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

COMPLAINT RESOLUTION TRACKING SYSTEM - ADMINISTRATIVE (STATE REQUIREMENT)

The DCSS required the establishment of a uniform complaint resolution process within the LCSA, to ensure uniform complaint handling and resolution. LCSAs are under obligation to acknowledge complaints made by recipients of services and take certain specific actions within required time frames. Under this component, LCSAs are to certify whether they are in compliance with the requirements of this process. This is an administrative component; that is, a finding of noncompliance, as described below, will not affect the overall compliance review result, but will require a program improvement plan addressing actions to be taken to achieve compliance.

OBSOLETE

For each complaint received by the LCSA, actions must be taken to resolve it, or refer it to another appropriate jurisdiction, within no more than 30 days (unless extended by the director). Complaints are to be discussed with the complainant and s/he is to be notified of the result.

REFERENCE: CCR Sections §§ 1120100-120105

REQUIREMENTS:

- ❖ The LCSA reviewer will need to review up to the last twenty (20) complaints (initially received by the LCSA) during the review period.
- ❖ If there are fewer than 20 complaints, review them all.
- ❖ If at least 75 percent of the complaints meet all three requirements, the questions can be answered “yes”. If not, the county has not met the requirements and must pursue program improvement.

REVIEW QUESTIONS: To determine if the LCSA fulfilled the above requirements, please respond to the following questions.

- 1) Are complaints resolved (or referred to another appropriate jurisdiction) within 30 days (or 60 days, if extended)?
 YES NO
- 2) In the process of attempting to resolve complaints, do county investigators discuss the complaint with the complainant?
 YES NO
- 3) Are complainants properly notified of the results of the investigation, the actions to be taken, and the complainant’s right to pursue a state hearing?
 YES NO
- 4) Conclusion: State whether the county met or did not meet the requirement by the end of the review period. (FOR USE BY THE REVIEWER)

Through CRTCS, LCSA reviewers are to document compliance reviews by including:

- ◆ Overall case review findings
- ◆ Specific case review findings by component
- ◆ Expedited Process findings
- ◆ Program Administration findings

OBSOLETE

The purpose of these reports is to provide a basis for: 1) development of program improvement and corrective action; and 2) state monitoring.

Part I: Report Forms

The Case Compliance Worksheet and Case Review Tabulation reports are generated by the CRTCS from entries made on the Case Review Face Sheets and Case Review Forms.

Case Compliance Worksheet Instructions (generated by CRTCS): The information from this worksheet will be used after the case review has been completed to:

- 1) Compute case compliance findings
- 2) Account for cases for which no review forms were appropriate

This worksheet is generated from Case Review Face Sheet data, providing information on the case type (assistance, non-assistance, combination or no forms) and whether the case was in or out of compliance.



NOTE: The case must be in compliance in all components for the case to be marked "Yes." For any components not in compliance the case must be marked "No."

Case Number Column	Step 1	This column contains the sample review numbers in consecutive order. Each number needs to be accounted for.
Assistance Columns	Step 2	Compliance status for all cases defined as "assistance."
Non-assistance Columns	Step 3	Compliance status for all cases defined as "non-assistance."
Combination Columns	Step 4	Compliance status for all cases defined as a "combination" of assistance and non-assistance.
No Forms Column	Step 5	Cases that are not reviewable to any component.
Subtotal/Total Rows	Step 6	Subtotals each page and indicates the total on the last page of each worksheet.

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OBSOLETE

The figures from the worksheet totals are transferred to the compliance review summary form, according to the following formula.

Case Compliance Formula		
Add columns 1 – 6	X- Y	Total of cases reviewed
Add columns 1, 3, 5	X	Total of cases in compliance
Add columns 2, 4, 6	Y	Total of cases out of compliance
Divide X by X + Y	%	Percentage of cases in compliance

OBSOLETE

Compliance Review Summary (generated by CRTCS)

Overall Compliance	Step 1	If the LCSA is in compliance in Case Review, Expedited Process and Program Administration, the IN BOX is checked. If the LCSA is out of compliance in Case Review, Expedited Process or Program Administration, the OUT BOX is checked.
Case Review Findings (by total case compliance)	Step 1	The Case Compliance Worksheet is used.
	Step 2	<p style="text-align: center; font-size: 2em; opacity: 0.5;">OBSOLETE</p> "Total Cases Reviewed", is the combined total of Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 3	"Cases In Compliance", is the combined totals of the "Yes" columns for Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 4	"Cases Out of Compliance", is the combined totals of the "NO" columns for Assistance, Non-assistance and Combination cases. (DOES NOT INCLUDE THE "NO FORMS" COLUMN)
	Step 5	"Percentage", is the computed percentage of the cases in compliance using the following formula: $\frac{\text{CASES IN COMPLIANCE}}{\text{TOTAL CASES REVIEWED}} = \text{PERCENTAGE}$ <div style="display: flex; align-items: center;">  <p><i>NOTE: The total reviewed only includes cases for which at least one review component was applicable.</i></p> </div>
Case Review Findings by Component	Step 1	The totals from the Case Review Tabulation Forms are computed automatically and reflect each component.
	Step 2	The number of cases in compliance (YES).
	Step 3	The number of cases not in compliance (NO).
	Step 4	The total number of cases (TOTAL OF YES and NO).
	Step 5	The number of cases in compliance (YES) is divided by the number of cases reviewed (TOTAL): $\frac{\text{YES}}{\text{TOTAL}} = \text{PERCENTAGE}$
	Step 6	The appropriate boxes are automatically checked if a PIP or CAP is required for that component.
Expedited Process Findings	Step 1	The appropriate expedited process findings for the county are obtained from the Expedited Process Tabulation Form.
Program Admin. Findings	Step 1	The conclusions from the six Program Administration questionnaires are automatically entered.

_____ COUNTY

Compliance Review Summary
 October 1, 2002 through September 30, 2003

OVERALL COMPLIANCE	IN	OUT

OBSOLETE

1. Case Review Findings

CASE COMPLIANCE							
TOTAL CASES REVIEWED	CASES IN COMPLIANCE	CASES OUT OF COMPLIANCE	PERCENTAGE				
CASE REVIEW FINDINGS BY COMPONENT							
COMPONENT	YES	NO	TOTAL	PERCENTAGE	PIP	CAP	
A. ESTABLISHMENT/MODIFICATION							
B. REVIEW & ADJUSTMENT							
C. ENFORCEMENT							
D. COLLECTIONS & DISTRIBUTION							
E. INTERSTATE							
F. MEDICAL SUPPORT							
G. CASE CLOSURE							

2. Expedited Process Findings

SIX-MONTH PERCENTAGE	12-MONTH PERCENTAGE	REQUIREMENTS	
		MET	NOT MET

3. Program Administration Findings

COMPONENT	REQUIREMENTS	
	MET	NOT MET
REQUIRED NOTICES		
CASE APPLICATION		
SAFEGUARD ACTIVITY REPORT		
DECLARATIONS OF PATERNITY		
CASE TRANSFER ADMINISTRATIVE (state requirement)		
COMPLAINT RESOLUTION TRACKING SYSTEM ADMINISTRATIVE (state requirement)		

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OBSOLETE

Case Review Tabulation Instructions (generated by CRTCS)

The tabulating of the results of individual case reviews is an important step in the process because this will determine the LCSA’s compliance with each program standard being assessed during the review. The tabulating and summarizing of review results is completed automatically in CRTCS. Procedures and sample forms are contained in this guide. Not every tabulation sheet will be used for every case; rather, only those that correspond to the review form(s) completed for that individual case.

OBSOLETE

Case Number Column	Step 1	The assigned case review number is entered. CRTCS will tabulate each answer as it is entered on the review form. (Y=Yes, N=No or blank=Not applicable).
Coding Column	Step 2	Note that certain questions do not include an “N” option. <i>EXAMPLE: Question No. 3 of Establishment/Modification was answered “N”. The code for Question No. 3 is CA03. The entry by CRTCS under code CA03 on the Establishment/Modification tabulation form will indicate that the case is not in compliance.</i>
Compliance Column	Step 3	Except as described below, a “No” answer takes precedence over any “Yes” answer in a component. If all codes are marked “Y” a “Yes” will appear in the compliance column. <u>Establishment/Modification:</u> a “Yes” answer to question number CA01 will override a “No” answer to questions CA02 through CA11. <u>Review and Adjustment:</u> a “Yes” answer to question CB01 will override a “No” answer to questions CB02. <u>Enforcement:</u> a “Yes” answer to question CC08 will override a “No” answer to question CC09 through CC17. <u>Enforcement:</u> if “No” is marked to any of questions CC01 through CC07, the “Latest Required Action” question cannot be answered “Yes” to override a “No.” <u>Latest Required Action:</u> If “The Latest Required Action” question is marked “Y”, a “Yes” will appear in the compliance column.
Total	Step 4	For each tabulation sheet, subtotals are completed automatically for each column at the bottom. One or more tabulation sheets will be used for each of the components. If more than one tabulation sheet is used, the grand total will appear on the last sheet. CRTCS will automatically enter the data on the Compliance Review Summary Form (Case Review Findings by Component).

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Part II: Writing the Report

State-review County Compliance Review Report. The DCSS reviewers will compile data, analyze findings and prepare a preliminary report. DCSS will submit a copy of the report to the LCSA Administrator, who will have 45 calendar days to submit formal comments. The DCSS reviewers will review the formal comments and incorporate them into the report as appropriate, then issue the final report.

Self-review County Compliance Review Report. After self-review LCSAs have completed the review they are to submit a letter of findings to DCSS with the results. The LCSA Director **must** sign reports prepared by LCSA reviewers.

OBSOLETE

As most of the report detail is available from CRTCS, LCSAs need only submit a report narrative consisting of the following:

Compliance Review Report Format
<ol style="list-style-type: none">1) A brief summary highlighting the overall findings and areas of major significance.2) Describe any case problems, i.e., transfer cases, inaccurate case identification, misplaced case records, etc.3) Number of cases reviewed (that is, cases with at least one review component applicable), number of cases with no review components applicable and number of cases not found.4) Conflict of interest statement and explanation of the handling of conflict cases, if any.

Monitoring Report

For the self-review LCSAs, DCSS staff may conduct a monitoring review to ensure the required review procedures were followed. This includes reviewing the LCSA's report, conducting a monitoring visit, if necessary, and provide the LCSA with a written monitoring report addressing the LCSA's report of findings. This will provide a formal notice of compliance or non-compliance to the LCSA.

If the monitoring review finds the LCSA report is inaccurate or insufficient in determining compliance, DCSS may require the LCSA to reconduct all or part of the review, or may elect to reconduct all or part of the review directly. (MPP 12-202 et seq.)

Compliance Definitions

The annual compliance review process is used to evaluate LCSA compliance with federal and state requirements. Findings associated with the review in general and with the specific review sections and components are categorized in the following compliance levels:

Overall Compliance: The LCSA is deemed to be in overall compliance for the review if it is in compliance (see compliance definition below) in all three review sections.

Substantial Compliance: In the total case review findings and in each case review component, with the exception of case closure, the LCSA is deemed in substantial compliance if greater than 80 percent of the cases reviewed meet all applicable requirements. For Case Closure, the county will be deemed in substantial compliance if at least 90 percent of the cases meet all applicable requirements. (Administrative questions are excluded from compliance requirements.)

Marginal Compliance: In the total case review findings and in each case review component, with the exception of Case Closure, the LCSA is deemed in marginal compliance if at least 75 percent, but not more than 80 percent of the cases reviewed meet all applicable requirements. For Case Closure, the county will be deemed in marginal compliance if at least 75 percent, but less than 90 percent of the cases meet all applicable requirements.

Compliance:

- ◆ In the Case Compliance Criteria section it is used to refer to the status of a case meeting all applicable component criteria
- ◆ In the Expedited Process section it refers to the LCSA meeting case disposition requirements
- ◆ In the Program Administration section it means the LCSA met component requirements
- ◆ It is also used in general reference to a LCSA in overall compliance status.

Out of Compliance (Non-compliance) In the Case Review section, the county is deemed out of compliance or there is a finding of non-compliance if less than 75 percent of the cases reviewed meet all of the applicable requirements. This is subject to the statistical validity tests described below. In the Expedited Process section, the LCSA is out of compliance if it does not meet both minimum standards of compliance. In the Program Administration section, the LCSA is out of compliance if it does not meet the minimum requirements for each component. If the LCSA is found out of compliance, it must complete the program improvement/corrective action process.

The following chart illustrates the results of various findings:

COMPLIANCE CHART		
TOTAL BY COMPLIANCE	FINDINGS BY COMPONENT*	COMPLIANCE RESULT**
Greater than 80% Substantial Compliance	Greater than 80%	None
	Between 75% - 80%	None
	Less than 75%	Program Improvement Plan
Between 75% - 80% Marginal Compliance	Greater than 80%	None
	Between 75% - 80%	Program Improvement Plan
	Less than 75%	Program Improvement Plan
Less than 75% Out of Compliance	Greater than 80%	None
	Between 75% - 80%	Program Improvement Plan
	Less than 75%	Corrective Action Plan

* For substantial compliance in Case Closure the LCSA must have at least 90 percent of the cases meet all applicable requirements. For marginal compliance in Case Closure the LCSA must have at least 75 percent, but less than 90 percent of the cases meet all applicable requirements.

**A Program Improvement Plan (PIP) is always required for a marginal compliance finding in Case Closure, but for the other case review components, a marginal finding requires a PIP when there is a finding of non-compliance or marginal compliance in the case compliance component.

A Corrective Action Plan (CAP) is required in response to a finding of non-compliance in the total compliance finding.

Statistical Significance

There are two statistical significance tests that can be applied to case review findings:

1. In order for a valid judgment to be made, at least 11 cases must have been reviewed. For purposes of the review, this applies to two areas:
 - a. In the Case Review section, compliance is determined by the total number of in-compliance cases compared to the total applicable for review, which will always be greater than 10 cases. Because of this, the individual components need not be tested for statistical validity, even if the number of cases in a component is fewer than 11.
 - b. In the Expedited Process section, compliance is measured using those cases entering Expedited Process during the month of September 2002, it is possible there will be fewer than 11 cases applicable in some smaller counties. For purposes of the review in those circumstances the county will be considered in compliance in Expedited Process, but will be encouraged to take voluntary corrective action if the percentage scores are below the required standard.
2. In the Case Review section, a statistical test of confidence may need to be applied before the results can be considered valid, if the score is slightly below 75 percent. If the results are validated, the county is found out of compliance and a CAP is required. If the results do not pass the significance test, the county is considered to be in marginal compliance for purposes of the review and a PIP may be required (see chart on page 102).