

**CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES**

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

Reason for this Transmittal

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

January 14, 2005

CSS LETTER: 05-03

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

SUBJECT: MATERNITY PAUSE POLICY FOR UNBORN CHILDREN

This letter implements a "maternity pause" policy and clarifies the processing of Title IV-D cases that involve pregnant women. In these cases, the Department of Child Support Services (DCSS) has determined that there is no legal cause for action until the child is born. Therefore, the "maternity pause" policy delays the establishment of paternity, if necessary, and/or a child support order, until the birth of the child.

Current intake policy requires local child support agencies (LCSAs) to accept all applications and Title IV-A referrals for pregnant women regardless of the stage of pregnancy. LCSAs are required to open a Title IV-D case within 20 days of receipt of the application or Title IV-A referral. LCSAs shall perform all necessary activities, including locate, within the federally mandated time frames. LCSAs shall implement the "maternity pause" prior to service of process.

**MATERNITY PAUSE POLICY**

- The LCSA shall not issue a summons and complaint until the child is born.
- The "maternity pause" ends and case activities resume on the day the LCSA is informed of the child's birth. The LCSA shall contact the parties in the case within 10 calendar days following the estimated due date of the child to verify the birth of the child. Once verified, the LCSA must resume establishment activities and initiate service of process.

- The “maternity pause” does not affect the requirements regarding a retroactive child support order found in Family Code Sections 4009 and 17402.
- If the custodial party has existing children, the “maternity pause” does not affect the establishment of paternity or a child support order for those children.

The “maternity pause” policy is implemented immediately, as authorized by Family Code Section 17306(e)(1). This policy will remain in force until regulations are adopted in the California Code of Regulations.

If you have any questions or concerns regarding this matter, please contact Lesley Hull, Section Chief, Case Management Establishment Policy Section, at (916) 464-5055.

Sincerely,

A handwritten signature in cursive script that reads "Sandra Poole".

SANDRA O. POOLE  
Deputy Director  
Child Support Services Division