

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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



June 30, 2005

CSS LETTER: 05-21

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

SUBJECT: CONVERSION OF EARNINGS WITHHOLDING ORDERS TO
ORDER/NOTICE TO WITHHOLD

Effective July 1, 2005, responsibility for the administration of the Child Support Full Collections Program (FCP) transferred from the Franchise Tax Board (FTB) to the Department of Child Support Services (DCSS). The FCP performs collection actions on accounts with arrears referred by the local child support agencies (LCSA).

Under FTB administration, the FCP issues Earnings Withholding Orders (EWO) to employers to collect child support arrearages. Under DCSS administration, the federally mandated Order/Notice to Withhold (ONTW) will be utilized for all wage withholding. Therefore, the FCP will discontinue issuing new EWOs effective June 30, 2005, and all outstanding, paying EWOs must be replaced by the ONTWs issued by LCSAs.

EWO-ONTW Transition Process

To facilitate the EWO-ONTW conversion process, FCP staff will produce lists of outstanding, paying EWOs for each LCSA. The lists will be emailed to an EWO coordinator selected by each IV-D Director. By Friday, July 8, 2005, please email the name, email address, and telephone number of your identified coordinator to Teri LaGrassa at Teri.LaGrassa@dcss.ca.gov. If an EWO coordinator is not identified, the lists will be sent to the IV-D Director.

In mid-July 2005, each EWO coordinator will receive a report listing single-county cases with EWOs which must be replaced by ONTWs. At a later date, each coordinator will receive a report listing multiple-county EWOs which must be replaced by ONTWs. Upon receipt of the reports, each LCSA must develop and implement a process to issue an ONTW for each reported case.

Reason for this Transmittal

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

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The reports will include instructions on how to report established ONTWs to the FCP so that the related EWOs can be released. To enable you to track your progress, the reports will be periodically updated and forwarded to the EWO coordinators. The coordinators will continue to receive updated reports until the transition process is complete.

All ONTWs must be in place no later than September 30, 2005, after which all remaining paying EWOs will be released. If your staff have any questions about the EWO-ONTW transition process, please have them call an FCP liaison at (916) 845-7766.

EWOs which are not currently generating payments need not be replaced by ONTWs at this time. Should a payment be received prior to the expiration of an EWO (365 days after its issuance), FCP staff will vacate the EWO only after advising the appropriate LCSA to issue an ONTW.

NOTE: LCSA referrals of delinquent cases to the FCP for the purpose of bank levies will continue until full implementation of California Child Support Automation System Version 2.

We appreciate your efforts in this transition process.

If you have any questions or concerns regarding this matter, please contact Lindsay Farris, Manager of the Case Management Enforcement Policy Unit, at (916) 464-0547.

Sincerely,

o/s/KAREN ECHEVERRIA for

SANDRA O. POOLE
Deputy Director
Child Support Services Division