

## NOTICE OF CHILD SUPPORT SERVICES PROGRAM

DCSS 0064 (04/21/2024)

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Child Support Services is here to work with parents and guardians of children who might benefit from these services.

**These services are available to everyone, regardless of income, citizenship, or marital status.**

In California, Child Support Services are provided by a local child support agency (LCSA) who works with the local Superior Court for all child support processes. The goal of our services is to make it easier for you and your child(ren) to receive the support they need.

### CHILD SUPPORT SERVICES WORKS WITH PARENTS AND GUARDIANS TO:

- Establish a legal parent-child relationship (parentage)
- Establish court orders for child, spousal, and medical support
- Review existing child support orders to see if the amount should be changed
- Collect and distribute support payments, maintaining records of what is paid and owed
- Take enforcement or legal action as needed to ensure on-time and in full child support payments
- Or any combination of the above items

### WHAT IS YOUR ROLE WHILE WORKING WITH CHILD SUPPORT SERVICES?

- Provide the LCSA information about yourself, the other parent, and the child(ren) on the case
- Fill out forms the LCSA sends you, even if they seem repetitive or long and complicated
- Contact the LCSA if you have any questions or concerns
- Report any and all changes

### CHANGES YOU MUST REPORT TO THE LCSA:

- If support payments are made directly from the Parent Ordered to Pay Support to the Person Ordered to Receive Support
- If any child(ren) on your case moves out of your home
- If your telephone number, address, employer, or name changes
- If you start a legal divorce action, or are changing custody or visitation for the child(ren) on your case
- If the child(ren) enrolls in or stops receiving private health insurance coverage
- If you have legal representation changes (e.g., attorney)
- If you are aware of any of the above changes for the other parent on the case

## YOU HAVE THE RIGHT TO:

- Seek legal assistance from:
    - Private attorneys
    - Legal service offices (ex: Legal Aid, military legal services, etc.)
    - Superior Court Family Law Facilitator
- Note: Any costs for legal representation are at your own expense.*
- Ask the LCSA to review an existing child support order to see if the amount should be changed
    - If the LCSA is not able to change the support order, they will provide information about how you can pursue the change with help from the Superior Court Family Law Facilitator
  - Be informed of all court dates regarding your child support case
    - To receive court date information, you must keep your address on file with the LCSA up to date
  - Receive and review copies of court documents from your file that are NOT confidential and on file with the LCSA
  - Notify the LCSA that you want to ask the court to take enforcement actions:
    - If the LCSA does not respond within 30 days or you are notified that you may proceed, you may file your own enforcement action as long as all support remains payable through the State Disbursement Unit

## THE LCSA WILL:

- Locate missing information using all available resources
  - Includes locating income and assets of the Parent Ordered to Pay Support by matching with resources such as; Social Security Administration, Internal Revenue Service, etc.
- Collect support payments using appropriate actions, like intercepting from the Parent Ordered to Pay Support:
  - Federal Income Tax refunds and other payments issued by the IRS
    - These payments may be held for 6 months or longer before they can be distributed to you
  - Federal Government retirement, vendor expense reimbursements, travel payments, etc.
  - California State Income Tax Refunds and lottery distributions from the Franchise Tax Board
- Distribute child, spousal, and medical support payments as listed below:
  - Current Monthly Support/Disregard
  - Past Due Support
  - Interest
  - Future Obligations
- Distribute Disregard to parents who receive cash public assistance; (up to) the first \$100 in payments received will be paid to families with one child or (up to) the first \$200 in payments received will be paid to families with two or more children, and the remaining amount will be applied to assigned past due support before existing family-owed obligations.
- Provide a monthly statement of the support collected and distributed to the Person Ordered to Receive Support each month. This notice can be provided electronically by email or in paper form by regular mail.

- Deduct a \$35 Annual Service Fee from the first support payment distributed for any family that has never received cash public assistance
  - Fee applies to any Child Support case where at least \$550 of support was distributed during the prior year (October 1st - September 30th)
  - If your case involves another state that charges a fee for their services, they may deduct their fee from support payments or add it to the balance owed
- Disburse child support collected for the purpose of satisfying assigned past due support to former recipients of cash public assistance

### **THE LCSA MUST NOT:**

- File a Stipulation that changes current support or arrears owed to you without your approval and signature. This does not include support due while you receive(d) cash public assistance.
- Set a support amount below state guidelines if you receive cash public assistance
- Provide any services related to Custody or Visitation
- Provide legal representation or legal advice to any case participant. The job of the LCSA Attorney is to make sure child support law is followed in managing the child support case. The LCSA and LCSA Attorney are not allowed to be your legal representatives.

### **CHILD SUPPORT AND PUBLIC ASSISTANCE**

When you receive cash public assistance, the LCSA is required to open a child support case on behalf of your family. Aid amounts may be reduced for families that do not work with the LCSA to obtain child support.

#### **What if I have safety concerns about opening a child support case?**

Parents with valid safety concerns may claim Good Cause for not working with the LCSA.

#### **What happens if I stop receiving cash public assistance?**

All support obligations owed to the family must be satisfied before payments for assigned past due support can be issued to the Person Ordered to Receive Support. Support obligations that accrue while your family receives public assistance are still considered assigned support obligation, even if the payment(s) collected to satisfy the obligation is being sent to the family.

After public assistance is discontinued, if we can't find you or we are unable to deliver support obligations we collect that are applied to assigned past due support:

- We will use the funds to repay cash aid that was paid
- You will have 12 months to claim funds once a support payment(s) is sent to CalWORKS

### **MEDICAL SUPPORT**

The LCSA is required to make sure children are enrolled in private health insurance if/when benefits are available at no or reasonable cost through an employer. Every support order must include language that outlines whether one or both parents will be expected to provide private health insurance.

When necessary, the LCSA will work with the employer of the Parent Ordered to Pay Support to enroll children in affordable health coverage. There is no conflict to being enrolled in both private health insurance and Medi-Cal.

The Person Ordered to Receive Support must:

- Notify the CalWORKs eligibility worker and/or child support agency about any order regarding health insurance and
- Report to the CalWORKs eligibility worker and/or child support agency within ten (10) days when private health coverage changes or stops

If the Person Ordered to Receive Support is only receiving Medi-Cal, they must cooperate in establishing parentage and obtaining medical support in order to continue their own eligibility for Medi-Cal benefits. The child(ren) will still be eligible for Medi-Cal.

- The Person Ordered to Receive Support is not required to participate if they have filed a claim of "good cause" for non-cooperation (CW 51) Good Cause Claim for Noncooperation approved by the County Welfare Department.

All child support services are provided unless the Person Ordered to Receive Support tells the LCSA that they do not want services that are unrelated to obtaining medical support and establishing parentage.

Obtaining medical support may reduce the amount of the child support received. In cases where both parents are in the home, the LCSA will establish parentage only.

## **NONDISCRIMINATION STATEMENT**

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It is the policy of the State of California to ensure that all individuals are treated equally and that no person shall, on the basis of ethnic group identification, race, color, national origin, political affiliation or belief, religion, sex, age or disability be excluded from participation in, denied the benefits of any program or service, or otherwise be subjected to treatment that is different than that provided to others.

Each local child support agency has a designated Civil Rights Coordinator. Any applicant/recipient who feels they have been subjected to discriminatory treatment may file a complaint of discrimination by first contacting the local child support agency's designated Civil Rights Coordinator through the State Customer Service Support Center (CSSC) or by writing to the California Department of Child Support Services, Attn: Human Services Section, Civil Rights Office, P.O. Box 419064, Rancho Cordova, CA 95741-9064 or call [PHONE\_CSSC].