

**CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES**

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



August 31, 2007

CERTIFICATION LETTER: 07-01

ALL IV-D DIRECTORS

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
- Federal Certification

**SUBJECT: PROCESS CHANGES REQUIRED FOR FEDERAL CERTIFICATION**

The purpose of this letter is to direct all Local Child Support Agencies (LCSAs) to adopt or revise processes, as appropriate, to conform with mandates stemming from the ongoing Federal Certification Review. This letter addresses specific certification findings that we expect can be closed once the attached processes are implemented and confirmed by the federal Certification Review Team.

There are two (2) attachments to the letter; Attachment I addresses two findings (ARS-19 and ADA-4), and Attachment II addresses one finding (ARS-14). The Process Description section in the attachments has been coordinated with the federal Certification Review Team, and must be adopted, effective immediately, by all LCSAs before the findings can be closed. The ultimate Federal Certification of California's Alternative System Configuration will not be possible until all findings have been formally closed by the federal Review Team. Findings have been reviewed in the Certification Workgroup process prior to being finalized and released.

Since the certification review is still in progress, we expect additional findings that will require LCSA process changes. Such findings will be addressed in future letters.

If you have any questions or concerns regarding this matter, please contact Kristy Johnson at (916) 464-4880 or Cindi Pocaroba at (916) 464-4887.

Sincerely,

/os/ by Wilfrid Otterbeck

WILFRID OTTERBECK  
Deputy Director

Enclosure: Certification Findings ARS – 19 and ADA – 4  
Certification Findings ARS – 14  
cc: Carmen Cody, Chief, CCSAS Program Liaison Office

### **Certification Requirement #: D-5.h.4**

The system must automatically support the review and adjustment of support obligations. The system must:

1. Collect income, asset, employment, and health insurance information through automated interfaces;
2. Provide a means for entry and edit of data received (including the input of manually obtained financial information), both from interfaces and financial affidavits received from other sources;
3. Perform all necessary guideline calculations;
4. Compare guideline calculation against quantitative standard developed by the State, if any;
5. Provide all information and calculations to the caseworker for determination of whether an adjustment should be pursued; and
6. Generate notices to inform parents of proposed actions and their right to challenge such actions, and generate any documents necessary to seek an adjustment or handle an appeal of such action.

### **Certification Finding**

Dissomaster is used for guideline calculations in the court. If this information is different than what was used with the CSE guideline calculation application, it may or may not get put back into CSE or the consortia systems after court. It is not being done the same in all units. **(PD-46)**

### **Process/Policy Description**

In CSE, if a commissioner orders a child support amount in the proposed judgment that is different from the amount the Internal Guideline Support Calculator (IGSC) calculated, LCSA staff, in the process of generating the Order After Hearing, have an option to enter the different amount. A drop-down screen is available on the Order Detail Screen with a list of reasons for the deviation, one of which is "Court Ordered Different Amount" to document the deviation. At present, if a calculator other than the IGSC is used by a commissioner to determine a child support amount, or the commissioner deviates from the amount produced for any reason, the usual business practice for LCSAs is to update the amount in the system in order to generate the Order After Hearing, set up accounts and generate billing; then make a note in the case record of the deviation. There is no method of saving the actual calculation that the commissioner used in the system.

It is DCSS' belief, that when the court uses a different guideline calculator to determine a guideline support amount, the fact that the support amount may not be the same as what was determined using the same circumstances in the CSE guideline calculator (or any other certified by the Judicial Council), does not represent a deviation from the statewide guideline. It should also be noted that the court's deviation from the guideline amount may not always be determined using any guideline calculator and cannot be recreated using one.

However, as a result of Federal Certification finding PD-46, IV-D workers are required to run a post-hearing IGSC calculation using exactly the same inputs as those used by the court for any case in which the court captured information for the final calculation of support that differs from that used in the proposed IGSC calculation. In CSE, this post-hearing calculation must be saved in the permanent case history and guideline deviations must be appropriately recorded using reason codes. Non-transitioned LCSAs should follow their usual business practices for saving a non-system document in the permanent case history file and documenting a different support amount from that which was calculated by the IGSC.

**Certification Requirement #: D-5.h.4**

The system must automatically support the review and adjustment of support obligations. The system must:

1. Collect income, asset, employment, and health insurance information through automated interfaces;
2. Provide a means for entry and edit of data received (including the input of manually obtained financial information), both from interfaces and financial affidavits received from other sources;
3. Perform all necessary guideline calculations;
4. Compare guideline calculation against quantitative standard developed by the State, if any;
5. Provide all information and calculations to the caseworker for determination of whether an adjustment should be pursued; and
6. Generate notices to inform parents of proposed actions and their right to challenge such actions, and generate any documents necessary to seek an adjustment or handle an appeal of such action.

### **Certification Finding**

Several new issues were noted relative to the use of the guideline calculator at the county level:

- a. In some counties, the draft guideline calculations used in court were being overwritten by a final version after the court decision was made. While it is correct to re-run the calculation as a final after any new information is revealed in court, both the draft and final versions of the calculation should be maintained in the system.
- b. In other counties, no final version of the guideline calculation was being run after the court hearing. The amount of the court order developed using the court's guideline calculation tool, Dissomaster, was entered into the system. County staff indicated that even if the same input data is used, Dissomaster and the CSE Guideline Calculator will not produce the same results, so re-running the guideline calculator in CSE is pointless. The certification requirement is for the Child Support Enforcement System's guideline calculation to be the system of record for determining the support amount. If the court orders a different amount, that deviation must be noted in the case record along with the reason for that deviation. It appears the State currently has no way to determine when the amount ordered by the court differs from the CSE Guideline Calculator amount, whether that difference is due to a deviation by the court, or due to a difference in the calculation tools.
- c. County staff use a default value for the child support amount when using minimum wage because the CSE Guideline Calculator tool does not support calculation using minimum wage. OCSE found this confusing.
- d. Results of the guideline calculator are not automatically populated into the summons and complaint document. Data must be re-keyed by the caseworker.

**(PD-69)**

### **Process/Policy Description**

- a. It was observed that in some LCSAs, the draft guideline calculations used in court were being overwritten by a final version after the court decision was made. In addition to the calculation used for the court decision, all draft calculations used by the LCSAs to make a determination in a IV-D case must be saved as “final” in CSE so that they will write the appropriate information to the case history. In CSE, these calculations must be saved in the permanent case history and guideline deviations must be appropriately recorded using reason codes. Non-transitioned LCSAs should follow their usual business practices for saving non-system documents in the permanent case history file and documenting a different support amount from that which was calculated by the IGSC, in addition to the draft calculation that was created by the LCSA and used in court.
- b. LCSAs must also be certain that the reason for the different support order amount is documented in the case history file, whether it is because the commissioner used a calculator other than the IGSC to obtain a different amount with the same input, or because the commissioner deviated from the proposed support amount for any other reason.
- c. Also, DCSS reminds the LCSAs that in order to enter minimum wage default guideline calculations, caseworkers must either check the “Presumed Income” box, or choose “Minimum Wage” from the “Earned Income Frequency” drop-down box. on the income detail screen; then from the “Minimum Wage” drop down menu, choose the minimum wage amount that is appropriate for the time period being calculated. A calculation based on any other hourly amount may be derived by choosing “Hourly Wage” from the “Earned Income Frequency” drop-down box, entering an hourly wage amount in the “Earned Income Amount” field, and entering the number of hours in the “Hours/week” field. However, if calculating presumed income for a Summons and Complaint to be generated without user input, the caseworker must check the “Presumed Income” box on the income detail screen

### **Certification Requirement #: C-3.b**

**The system must accept, maintain, and process information concerning established support orders. The system must maintain case data on the application of the guidelines and deviations from the guidelines for the required four-year guideline review.**

### **Certification Finding**

When the Guideline Calculation was run, the caseworker did not save the calculation or the data used since it led to a rejection of the request for adjustment. The amount of change did not meet the minimum requirement. (PD-41)

### **Process/Policy Description**

As per DCSS policy branch, current child support regulations require LCSAs to maintain documentation pertaining to the case including all documentation regarding modifications. All supporting documentation (I&Es, guideline calculation printout, etc.) used in the review of a support order must be maintained by the LCSA even if the review of the support order did not result in a modification.

References: Title 22, California Code of Regulations (CCR)

#### Section 110124. Case Record

“Case Record” means a file containing all information and documents pertaining to the case, including all relevant facts, dates, and actions taken related to the case, and all contacts made and the results of those contacts. The case record is the property of the local child support agency.

#### Section 111420. Record Maintenance

Each local child support agency shall maintain records necessary for the administration of the Title IV-D program, and the date of each, including all of the following:

(b) Actions to...obtain, modify, and enforce support orders.... This includes any relevant facts and actions taken by the local child support agency and the results of such action.

(g) Any other information and documents not required by subsections (a) through (f) pertaining to the case.