



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

Legistar File Number: 15-1314

December 15, 2015

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Current Status: Agenda Ready

Matter Type: General Agenda Item

Approve and authorize the Acting Director of Child Support Services (CSS) to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey, for the period of July 1, 2015 through June 30, 2017, to secure the assistance of the Court to perform the duties listed in California Code of Civil Procedure §259 and California Family Code §4251(d), in relation to the child support enforcement program under Title IV-D of the Social Security Act.

RECOMMENDATION:

Approve and authorize the Acting Director of Child Support Services (CSS) to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey, for the period of July 1, 2015 through June 30, 2017, to secure the assistance of the Court to perform the duties listed in California Code of Civil Procedure §259 and California Family Code §4251(d), in relation to the child support enforcement program under Title IV-D of the Social Security Act.

SUMMARY/DISCUSSION:

Under Code of Federal Regulations Title 45 Part 303.107(c), IV-D of the Social Security Act, local agencies, such as the Monterey County Department of Child Support Services, enter into cooperative arrangements to obtain the assistance of courts and law enforcement officials in carrying out the functions of the IV-D program: the location of absent parents, the establishment of paternity and support obligations, and the collection and enforcement of those obligations.

To achieve the goals outlined by Title IV-D of the Social Security Act and in accordance with Family Code §17304, the California Department of Child Support Services (DCSS) has provided a POC for use by each local child support agency (LCSA) and local court. The POC details the duties, functions and responsibilities, standards of performance, financial arrangements, records maintenance and records safeguarding for local child support agencies and the local court.

The Director of the California DCSS and the Director of the Center for Families, Children and the Courts have approved the POC. Any renewals or amendments to this POC must also be approved by the Director of the California Department of Child Support Services and by the Director of the Center for Families, Children and the Courts.

The delay in bringing the POC to the Board of Supervisors for approval and authorization is attributed to a delay by the State DCSS in sending the POC and difficulty in coordinating meeting schedules with California Department of Child Support Services and the Superior Court of California, County of Monterey, to discuss the terms of the POC.

OTHER AGENCY INVOLVEMENT:

The California Department of Child Support Services and the Director of the Center for Families, Children and the Courts have approved this POC. County Counsel and the Auditor-Controller have reviewed and approved this POC as to legal form and fiscal provisions, respectively.

FINANCING:

Direct and indirect costs incurred by Superior Court of California, County of Monterey, in performance of Title IV-D activities or services, including but not limited to, provision of Title IV-D Commissioners and Family Law Facilitators are already funded under the contract between the California Department of Child Support Services and the Judicial Council of California. No direct or indirect costs for services or supplies may be claimed or paid under the provisions of this POC. Government Code §6103.9 only allows for the courts to claim these costs through their contract(s) with the Judicial Council of California, not through this Plan of Cooperation with the Monterey County Department of Child Support Services.

The CSS program is fully-funded by Federal (66%) and State (34%) funds; approval of this action has no impact on the County General Fund contributions.

Prepared by: Shirley Liu, Administrative Secretary, (831) 769-8714

Approved by: Jo Ellen Holtzworth, Acting Director of Child Support Services,
(831) 769-8721



Attachments: POC_MCDCSS_Monterey Superior Court_July 1, 2015 to June 30, 2017