



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 17-1101, **Version:** 1

Approve and authorize the Director of Child Support Services to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey (Court), retroactive from July 1, 2017 and extending through June 30, 2019, to secure the assistance of the Court to perform the duties in relation to the child support enforcement program under Title IV-D of the Social Security Act (42 U.S.C. §601 et seq.)

RECOMMENDATION:

Approve and authorize the Director of Child Support Services to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey (Court), retroactive from July 1, 2017 and extending through June 30, 2019, to secure the assistance of the Court to perform the duties in relation to the child support enforcement program under Title IV-D of the Social Security Act (42 U.S.C. §601 et seq.)

SUMMARY/DISCUSSION:

California Assembly Bill 1058, signed in 1996, established the Child Support Commissioner and Family Law Facilitator program. The purpose of the Assembly Bill was to provide a cost-effective, expedited, and accessible process in Court for establishing and enforcing child support orders in cases being enforced by Child Support Services. Also, it provided for dedicated child support staff in the Courts, including a Child Support Commissioner and a Family Law Facilitator. The purpose of this POC is to describe distinct roles and responsibilities to be performed by Child Support Services and the Court in carrying out the functions mandated under Title IV-D of the Social Security Act. Child Support Services and the Court are authorized to enter into this POC under the authority of 42 USC §654(7), 45 CFR §302.34 and 45 CFR §303.107.

The delay in bringing the POC to the Board of Supervisors for approval and authorization is attributed to a delay by the California Department of Child Support Services (State DCSS) in sending the POC, template and instructions, and the required time to negotiate terms and seek subsequent approvals with State DCSS and the Court.

OTHER AGENCY INVOLVEMENT:

The California Department of Child Support Services; the Acting Director of the Center for Families, and the Judicial Council of California and the Superior Court of California, County of Monterey, 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 the 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.

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

BOARD OF SUPERVISORS STRATEGIC INITIATIVES

The POC supports and advances the Health and Human Services Strategic Initiative in that the POC is crucial to increasing the frequency and reliability of child support payments for families in Monterey County, so they can depend on this important source of income. It also supports and advances the Administrative Strategic Initiative in that it describes the distinct roles and responsibilities to be performed by Child Support Services and the Court and provides for streamlined procedures, enhancing the cost-effectiveness of Child Support Services.

Mark a check to the related Board of Supervisors Strategic Initiatives

- ☐ Economic Development
- ☒ Administration
- ☒ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Attachments: POC_MCDCSS_Monterey Superior Court_July 1, 2017 to June 30, 2019