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County of Santa Cruz

DEPARTMENT OF CHILD SUPPORT SERVICES
LYNN C. MILLER, DIRECTOR

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Agenda Date: October 16, 2001

October 2, 2001

The Honorable Tony Campos, Chairperson
and Members of the Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: QUARTERLY REPORT TO THE BOARD OF SUPERVISORS

Dear Chairperson Campos and Members of the Board:

At the June 12, 2001 Board of Supervisors meeting, the Department of Child Support Services made the commitment to provide quarterly reports of progress to your Board. This communication represents the first report under that agreement.

Each quarterly report will consist of three sections. The first provides a summary of recent State initiatives and programs affecting the work and objectives of the Department of Child Support Services. The second includes a narrative of initiatives and actions undertaken by the Department in response to State initiatives. Finally, the third section presents the most recent DCSS performance percentages employing the Federal Performance Measures.

Section I

The California Department of Child Support Services circulated a legislative update to all California counties in August of this year. That document is summarized below.

- **Complaint Resolution Process** AB472 requires the implementation of a complaint resolution process to resolve complaints received from custodial and non-custodial parents. The State DCSS adopted regulations implementing the local complaint

- resolution process requiring counties to resolve complaints within 30 days of receipt.
- **Customer Service Plans** On November 7, 2000, the State DCSS required each county to implement an Ombudsperson Program and develop Local Customer Service Initiatives. All counties have submitted initial and first quarter customer service plans including activities to improve client access to services, staff training, public outreach and services to encourage program participation.
- **Customer Service Satisfaction Survey** The State DCSS has established a workgroup to develop a customer satisfaction survey tool. A final report is due February 2002 with monthly updates beginning in August 2002.
- **Revised Case Closure Policy** In June 2001, the State DCSS published a revised case closure policy for comment and has drafted revised case closure legislation.
- **Undistributed Collections** The State DCSS has identified the accurate amount of undistributed collections to ensure that all money due families is distributed as quickly as possible.
- **Fathers, Families and Communities Initiative** This initiative will focus on low-income fathers who have employment or social barriers that prevent them from providing support to their children.

Section II

The County Department of Child Support Services has planned or implemented the following initiatives.

- **Complaint Resolution Process** The Department has implemented a Complaint Resolution Process to ensure customer complaints are responded to quickly and effectively. The Department's Complaint Resolution staff includes a bilingual Ombudsperson who serves as a point of contact, makes recommendations and meets with complainants to facilitate a satisfactory resolution and provide information regarding the State Hearing process. Please see the attached State Procedure.
- **Customer Service** The Department has staffed its Watsonville satellite office and has been serving South County clients since July 16, 2001. An additional contingent of case workers will relocate to Watsonville next quarter to provide a full range of case management services. In addition, the Department has implemented extended customer service hours (Saturday 8:00 a.m. to 12:00 p.m. and Wednesday 5:00 p.m. 7:00 p.m.) in both offices to enhance access as well as implemented an automated voice response system and toll-free number. Callers can access payment and case status information at any time using this secure system by entering identifying information.
- **Court Education and Referral Program** The Department understands that appearing in court can be intimidating. Further, the Department recognizes that fathers sometimes feel the Department is biased against them. In an effort to improve the Department's image and actively engage participants in the legal process, the Department has assigned a bilingual Child Support Officer to contact all parents with matters on the Family Support Court calendar before the hearing to provide information and assistance. This Officer then meets the participants before court to provide court room orientation, information and referral to community services including Adelante, the Human Resources Agency, Catholic Charities and the Santa Cruz Immigration Project.

- e **Undistributed Collections** The Department has allocated resources to ensure that payments are distributed to families in a timely manner and immediate action is taken to locate payees when payments are returned as undeliverable. These payments are reviewed weekly by assigned accounting staff persons
- e **Revised Case Closure Process** Procedures and training have been implemented in concert with the State case closure guidelines and performance standards. Our Department will investigate and attempt to locate persons early and if attempts fail, close cases as prescribed by the State case closure guidelines.
- e **Employer Outreach** The Department is planning two half-day workshops with area employers in January in support of the Outreach objectives set by the State. Fostering a strong partnership between the Department and employers is critical to our success as employers are the key to securing support for children.
- **Training and Staff Development** The State DCSS has identified training as a critical area of focus for all local child support agencies. The Department is developing a comprehensive staff development strategy which focuses on culture change in the post-transition environment, training for new workers and ongoing training for existing staff to refresh skills and keep abreast of changes in procedure and law. In addition, in an effort to improve communication within the Department, a rank and file Advisory workgroup has been created to provide feedback to management regarding best practices and training issues.

Section III

Performance Measures Summary

For the period April 1 through June 30, 2001

	Paternity Establishment	Cases with Support Orders	Current Collections	Collections on Arrears
California's Performance on Federal Measures:	63.70%	70.94 %	42.02%	44.58%
Santa Cruz:	71.60%	74.84%	50.30%	50.88%
County Average:	71.21%	78.74%	49.57%	48.49%


While the County of Santa Cruz is above California's performance standards on the Federal Measures in all areas, our strategic plan includes a Quality Assurance Unit to enhance performance. The staff of the Department continues to emphasize customer service that is inclusionary and supportive. I look forward to sharing the results of the State's Customer Service Satisfaction Survey before your Board in March 2002.

IT IS THEREFORE RECOMMENDED that your Board accept and file this quarterly report.

Respectfully,


LYNN C. MILLER, DIRECTOR
DEPARTMENT OF CHILD SUPPORT SERVICES

RECOMMENDED:


SUSANA A. MAURIELLO
COUNTY ADMINISTRATIVE OFFICER

Attachments:

State Complaint Resolution Process and State Hearing Procedure



CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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

Date June 29, 2001

CSS LETTER NO. 01-17

TO: ALL IV-D DIRECTORS
 ALL DISTRICT ATTORNEYS
 ALL COUNTY ADMINISTRATIVE OFFICERS
 ALL COUNTY BOARDS OF SUPERVISORS

Reason for this Transmittal

- ☒ [X] 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

SUBJECT: ADOPTION OF EMERGENCY REGULATIONS - COMPLAINT
 RESOLUTION PROCESS AND STATE HEARING PROCESS

Emergency Regulations

Effective July 1, 2001, the Department of Child Support Services (DCSS) has adopted the following emergency regulations in Title 22 of the California Code of Regulations (CCR):

- Chapter 10. Complaint Resolution.
 Article 1. Definitions.
 Article 2. Local Complaint Resolution.
 Article 3. State Hearing.

DCSS has e-mailed advanced copies of the regulations to all IV-D Directors. The emergency regulations may be accessed on the internet after July 12, 2001, at the following web site: <http://ccr.oal.ca.gov>.

Complaint Resolution Implementation

Family Code, Section 17804, requires each local child support agency in California to establish and maintain the child support complaint resolution process defined in Title 22, Chapter 10 of the CCR, as of the date each agency transitions from the Office of the District Attorney. DCSS has determined that a uniform statewide implementation of the complaint resolution process will provide better customer service to the child support population, rather than a segmented implementation as counties complete transition to local child support agencies. DCSS is therefore seeking an amendment to Family Code, Section 17804, that will require all counties to implement the complaint resolution process as of the effective date of the legislation.

DCSS anticipates the amendment to Family Code, Section 17804, will be effective September 2001. DCSS is requesting, and strongly encourages, the cooperation of non-transitioned counties to voluntarily implement the complaint resolution process beginning July 1, 2001, or as soon as possible thereafter. Non-transitioned counties that do not intend to implement the complaint resolution process July 1, 2001, should contact Francine Woods, Chief, Customer and Community Services Branch, at (916) 464-5377, or by email at Francine.Woods@dcss.ca.gov. DCSS will assume that non-transitioned counties that do not contact us will be implementing the complaint resolution process accordingly.

Non-transitioned counties that elect not to implement the complaint resolution process until the effective date of the amendment to Family Code, Section 17804, must continue to follow the Barnes complaint resolution process and any other existing complaint resolution processes required by the Manual of Policies and Procedures until such time as the county implements the new complaint resolution process. All counties must continue sending Barnes notices to custodial parents as currently required.

Complaint Process Time Frame

The complaint resolution regulations require resolution of any complaint within 30 days after the receipt of the complaint. However, the regulations allow the director of the local child support agency to make a one-time 30-day extension if the facts of the specific complaint demand additional time. The local child support agency is required to exercise due diligence in attempting to resolve all complaints within 30 days of the complaint receipt date, and should only take an extension under extraordinary circumstances.

State Hearing Implementation

DCSS has implemented the State Hearing process effective July 1, 2001, as required by Family Code, Section 17801. DCSS has contracted with the California Department of Social Services (CDSS) to be the State Hearing Office that will conduct child support State Hearings. CDSS will submit all proposed hearing decisions to DCSS for final adoption. Complainants are required to exhaust the complaint resolution process prior to requesting a State Hearing.

Required Forms

Local child support agencies are required to use the following forms for the complaint resolution process:

- LCROOI – Request for Complaint Resolution
- LCR002 – Request for Complaint Resolution Acknowledgement
- LCR003 – Complaint Amendment
- LCR004 – Complaint Transfer

LCR005 – Notice of Complaint Resolution Extension

LCR006 – Notice of Complaint Resolution

SH001 – Request for State Hearing

Jet form templates are available for all forms, except forms LCROOI and SH001. DCSS is emailing forms LCROOI and SH001 to all IV-D Directors with the release of this letter. Local child support agencies should photocopy forms LCROOI and SH001 for immediate use. Final forms LCROOI and SH001 will be non-carbon triplicate. DCSS will reproduce and distribute final forms LCROOI and SH001 to local child support agencies as soon as possible.

Complaint Resolution And State Hearing Roll-Out Plan

In addition to developing regulations and forms, DCSS has developed brochures and a Complaint Resolution Tracking System that all local child support agencies must use in the complaint resolution and State Hearing process. Enclosed you will find a table that provides counties a status update of the various activities related to the new complaint resolution and State Hearing process.

DCSS Contacts

Questions regarding the implementation of the complaint resolution process or State Hearing process should be directed to Francine Woods, Chief, Customer and Community Services Branch, at (916) 464-5377, or email Francine.Woods@dcss.ca.gov.

Questions regarding jet form templates or forms distribution should be directed to Kristy Johnson, Customer and Community Services Branch, at (916) 464-5219, or email at Kristy.Johnson@dcss.ca.gov.

Policy questions regarding the complaint resolution or State Hearing regulations should be directed to Cindy Cunningham, Policy Branch, at (916) 464-5225 or email at Cindy.Cunningham@dcss.ca.gov.

We understand that it may be difficult to implement all of the various activities related to the new complaint resolution and State Hearing process by July 1, 2001. However, we ask that counties exercise due diligence implementing the statutory and regulatory provisions of the complaint resolution process and State Hearing process as quickly as possible.

Sincerely,

CURTIS L. CHILD
Director

Complaint Resolution and State Hearings Roll-Out Plan

	Task	Status
1	<u>Regulations</u> Develop regulations for implementing the local complaint resolution and State Hearing process	The Office of Administrative Law signed the regulations on 6/28/01. The regulations will become effective 7/01/01.
2	<u>Training</u> Provide counties with training on the local complaint resolution and State Hearing process.	DCSS will make available web-based and CD ROM training to counties on the complaint resolution and State Hearing process. Counties will receive this training by the week of July 16, 2001.
3.	<u>Forms</u> Develop standardized complaint resolution and State Hearing Forms.	DCSS created new complaint resolution and State Hearing forms. The forms are in Jet Form format for consortia compatibility. By July 2, 2001, DCSS will provide counties with standardized forms that must be used in the local complaint and State Hearing process.
4.	<u>Brochures</u> Develop Ombudsperson Program, complaint resolution process, and State Hearing process brochures.	DCSS has drafted brochures and educational materials to promote the child support program. The materials are designed so that local child support agencies can include local contact information. Counties will receive the brochures by July 20, 2001.
5.	<u>Complaint Resolution Tracking System</u> Develop automated Complaint Resolution Tracking System.	DCSS has developed a web-based Complaint Resolution Tracking System (CRTS) to collect complaint information from all counties. Effective July 2, 2001, counties will be required to use CRTS to collect complaint information. By July 16, 2001, DCSS will make available web-based training on CRTS and have a CRTS Help Desk.
5.	<u>Ombudsperson</u> Establish an Ombudsperson Program in each county to facilitate the resolution of complaints at the earliest possible time.	DCSS provided an overview of the Ombudsperson Program at six sites throughout the state.
7.	<u>State Hearing</u> Contract, via interagency agreement, with Department of Social Services, State Hearing Office to hear child support State Hearing cases.	DCSS signed an interagency agreement with the Department of Social Services, State Hearing Office to adjudicate child support State Hearings. July -August 2001, DCSS will train the Administrative Law Judges on the child support program and jurisdictional guidelines.
3.	<u>County State Hearing Training</u> Train counties on the State Hearing Process.	July -August 2001, the State Hearing Office and DCSS legal staff will visit county hearing sites and train counties on the State Hearing process.

CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES

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

REQUEST FOR COMPLAINT RESOLUTION

FOR AGENCY USE ONLY
 LCSA DATE OF RECEIPT
 LCSA CASE NUMBER

COMPLAINANT'S NAME (Last) (First) (M.I.) TELEPHONE NUMBER

COMPLAINANT'S MAILING ADDRESS

E-MAIL ADDRESS

FAX NUMBER

CITY

COUNTY

STATE

ZIP CODE

DESCRIBE YOUR COMPLAINT:

If you need more room, you may continue on another page and attach it to this form.

COMPLAINANTS SIGNATURE

DATE

To request complaint resolution, you can either mail this form to the local child support agency you are complaining about, or call the local child support agency to file your complaint verbally.

--THIS SECTION TO BE COMPLETED BY LCSA REPRESENTATIVE--

This request was taken (check one): ☒ in person ☐ by telephone ☐ by letter

LCSA REPRESENTATIVE'S NAME (Print)

LCSA REPRESENTATIVE'S SIGNATURE

DATE

RIGHT TO COMPLAINT RESOLUTION:

- If you have a complaint against a local child support agency or the Franchise Tax Board for any action or inaction regarding your child support case, you have the right to request complaint resolution from the local child support agency.
- You can make a complaint in writing by completing the reverse side of this form, or you can call the local child support agency.
- **IMPORTANT: Your request for complaint resolution must be made within 90 days from the date you knew, or should have known, about the subject of your complaint.**
- The local child support agency has 30 days from the date it receives your complaint to give you with a written resolution of your complaint, unless the local child support agency needs more information or time to resolve your complaint. The local child support agency will contact you if it needs more information or time to resolve your complaint.

RIGHT TO A STATE HEARING:

- If the local child support agency **does not** respond to you within 30 days from receiving your complaint, you have the right to request a State Hearing before an Administrative Law Judge. **IMPORTANT: Your request for a State Hearing must be made within 90 days after you complained to the local child support agency.**
- If the local child support agency **does** respond to you within 30 days of making your complaint, and you are not satisfied with the local child support agency's complaint resolution or response, you have the right to request a State Hearing before an Administrative Law Judge. **IMPORTANT: Your request for State Hearing must be made within 90 days after you received the local child support agency's written response to your complaint.**
- You can request a State Hearing in writing by sending a Request for State Hearing (SH001) to the State Hearing Office, or you can call the State Hearing Office at 1-(866) 289-4714.
- The State Hearing Office will let you know the date, time, and place of your State Hearing.
- The State Hearing Office will provide an interpreter or disability accommodation for you at the hearing if you need one.
- **IMPORTANT: Not all complaints can be heard at a State Hearing.**

State Hearings will only be granted for the following issues:

- An application for child support has been denied or has not been acted upon within the required time frame.
- The child support services case has been acted upon in violation of federal or state law or regulation, or Department of Child Support Services policy letter, including services for the establishment, modification, and enforcement of child support orders and child support accountings.
- Child support collections have not been distributed, or have been distributed or disbursed incorrectly, or the amount of child support arrears, as calculated by the local child support agency is inaccurate.
- The local child support agency's decision to close a child support case.

IMPORTANT: The following issues cannot be heard at a State Hearing:

- Child support issues that must be addressed by motion, order to show cause, or appeal in a court.
- A review of any court order for child support or child support arrears.
- A court order or equivalent determination of paternity.
- A court order for spousal support.
- Child custody determinations
- Child visitation determinations.
- Complaints of alleged discourteous treatment by a local child support agency employee, unless such conduct resulted in a hearable action or inaction.

OMBUDSPERSON SERVICES:

- Every local child support agency has an Ombudsperson available to provide assistance regarding complaint resolution and/or State Hearing.
- The Ombudsperson can help you make your complaint with the local child support agency, or request a State Hearing from the State Hearing Office.
- The Ombudsperson can help you obtain information regarding your Complaint to help you prepare for your State Hearing.
- **IMPORTANT: The Ombudsperson cannot be your representative and will not give you legal advice.**

REQUEST FOR STATE HEARING

YOUR HEARING RIGHTS:

You have the right to request a state hearing if you are not satisfied with the local child support agency's resolution to your complaint, or if the local child support agency has not responded to you **or resolved your** complaint within 30 days of when **you** made your complaint. You have only **90 days** to request **a state** hearing. The **90** days starts after you receive the local child support agency's written resolution **to your** complaint. **If** the local child support agency has not responded **to** your complaint in writing, **the 90 days** starts the day you made your complaint.

TO ASK FOR A STATE HEARING:

- Fill out this form.
- Keep a copy of this form for your records.
- Send this form to:

State Hearing Office
744 P Street, M.S. 19-98
Sacramento, CA 95814

OR

Call toll free: 1-866-289-4714

HEARING REQUEST INFORMATION:

COMPLAINANT NAME (Last)		(First)	(M.I.)	TELEPHONE NUMBER
MAILING ADDRESS			E-MAIL ADDRESS	FAX NUMBER
CITY	COUNTY	STATE	ZIP CODE	

I want a state hearing because:

☐ If you need more space, check here and attach another page.

☐ I need the State to provide me with an interpreter at no cost to me. (A relative or friend cannot interpret for you at the hearing.)

My language or dialect is: _____

☐ I have a disability and need the State to provide me the following reasonable accommodation to participate at my hearing: _____

☐ I want the person named below to represent me at this hearing. I give my permission for this person to have access to my records or attend the hearing for me. (This person can be a friend or relative but cannot interpret for you.)

NAME _____ TELEPHONE NUMBER _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

COMPLAINANTS SIGNATURE	DATE
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