

AMENDED IN ASSEMBLY JULY 13, 1999

AMENDED IN SENATE MAY 28, 1999

AMENDED IN SENATE MAY 18, 1999

AMENDED IN SENATE APRIL 21, 1999

AMENDED IN SENATE APRIL 5, 1999

AMENDED IN SENATE MARCH 9, 1999

SENATE BILL

No. 240

Introduced by Senator Speier

January 26, 1999

An act to amend Section 30 of the Business and Professions Code, to amend Section 708.780 of the Code of Civil Procedure, to amend Section 5246, 7552.5, 7571, 7572, 7575, 10003, ~~and 10004~~ 10004, and 10005 of, and to add Sections 3680.5, ~~4702~~, 5005, 7551.5, 7571.7, 10013, ~~and 10014~~ 10014, and 10015 to, the Family Code, to add and repeal Section 19271.51 of the Revenue and Taxation Code, to add Section 1088.8 to the Unemployment Insurance Code, and to amend Sections 11350.6, 11355, and 11478.51 of, and to add Sections 11400.1, 11475.05, 11475.6, 11475.7, 11475.10, 11475.11, 11475.12, 11475.13, 11478.3, 11478.5, ~~11478.52, and 11478.53~~ and 11478.52 to, the Welfare and Institutions Code, relating to child support, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 240, as amended, Speier. Child support: enforcement.

Existing law precludes state professional licensing agencies from issuing or renewing a license if the licensee is on a list, maintained by the district attorney, of persons who have not complied with support orders and precludes the Secretary of State from appointing or commissioning a notary public if the applicant is on that list.

This bill would require any board regulating a professional license, the State Bar, and the Department of Real Estate to require a licensee to provide the social security number of each individual listed on the license and any person who qualifies a license and would revise the definition of licensee for these purposes to include, for licenses issued to an entity that is not an individual person, any individual who is either listed on a license or who qualifies a license. Because the list of persons who have not complied with support orders would be expanded to include additional individuals, this bill would impose a state-mandated local program by increasing the duties of ~~district attorneys~~ *local child support agencies*.

Existing law, known as the Family Law Facilitator Act, requires each superior court to maintain an office of the family law facilitator to provide specified services in actions or proceedings for temporary or permanent child support, spousal support, or health insurance. Those services include, but are not limited to, providing educational materials relating to those actions or proceedings.

~~This bill would require family law facilitators also to provide services in actions or proceedings for child custody or visitation, including providing educational materials relating to those proceedings. The~~

~~This bill would also provide that the family law facilitator shall not represent or have an attorney-client relationship with any party and that all communications between a family law facilitator, or all persons employed by or working with the facilitator, and the parties shall be confidential. The bill would require all persons employed by or working with the facilitator to *make no public comment, as specified, to receive copy of the Canons of Judicial Ethics, and to sign a specified confidentiality agreement an acknowledgement of the Canons of Judicial Ethics, as specified.* The bill would also authorize superior courts, by local rule, to impose further~~



duties on family law facilitators concerning child support issues, as specified. By imposing new duties on court personnel, this bill would create a state-mandated local program.

The bill would also declare the Legislature's intent to increase funding for family law facilitators.

Existing law *imposes various duties upon district attorneys in connection with the enforcement of child support obligations and* requires district attorneys enforcing child support obligations to refer child support delinquencies, as defined, to the Franchise Tax Board for collection ~~and~~. *Existing law also* authorizes those district attorneys also to refer child support obligations that are not child support delinquencies to the Franchise Tax Board for collection.

This bill *would instead imposes those duties on local child support agencies, as provided and* would establish a 2-year pilot project in ~~Los Angeles County~~ *the pilot counties* pursuant to which all child support obligations, whether delinquent or not, would be referred to the Franchise Tax Board for collection and the ~~district attorney in that county~~ *local child support agency in those counties* would be relieved of all responsibility with respect to those cases, except as specified. The bill would require the State Auditor to monitor the pilot project and to provide a specified report and recommendations to the Legislature by April 1, 2002.

Existing law requires each employer to file specified information with the Employment Development Department, including reporting the hiring of any employee who works in this state and to whom the employer anticipates paying wages. The implementing regulations provide that only employers in specified industrial classifications are required to report the hiring of employees and only when the employers have 5 or more employees employed concurrently.

This bill would require any "service recipient," as defined, who makes or is required to make a federal return relating to payments made to a "service provider," as defined, as compensation for services rendered, and who contracts with the state, to provide to the department certain information for each service provider who will perform work on the state contract, as specified. This bill would also require each state



agency that makes a state loan or awards a state grant to report to the department the loan or grant recipient's name, address, and social security number and the name of the recipient's employer for the same purpose and would require each applicant for a state loan or a state grant to sign an affidavit, as specified, regarding child support.

This bill would also require each state agency, including the California State University, to report the name and social security number of each contractor that contracts with the state agency to the Employment Development Department for inclusion in the state's new employee registry.

This bill would specify the time and method by which this information is to be submitted or transmitted and the length of time the Employment Development Department is to maintain this information.

This provision would become operative on July 1, 2000.

Existing law designates the State Department of Social Services as the single organizational unit for administering the state plan for securing child and spousal support and requires each county to maintain a single organizational unit located in the district attorney's office having responsibility over child support obligations.

This bill would require all ~~district attorneys~~ *local child support agencies* to follow uniform, statewide processes and procedures, developed by the department, as specified, for customer service and complaint resolution. The bill would also require the courts in each county, in child support cases, to utilize uniform, statewide forms and procedures to be developed by the Judicial Council, as specified, *and would require the Judicial Council to develop specified forms.*

Existing law requires the Department of Justice to maintain the California Parent Locator Service and Central Registry which collects and disseminates information, as specified, with respect to parents, putative parents, spouses, and former spouses. Existing law authorizes the California Parent Locator Service and Central Registry to receive from cable television corporations and public utilities, to the extent permitted by federal law, customer service information, as specified.

This bill would require the service and registry to request and to receive from cable television corporations, providers



of electronic digital pager communication, and providers of cellular telephone services, to the extent permitted by federal law, customer service information in accordance with provisions of existing law.

The bill would appropriate \$705,000 from the General Fund to the State Department of Social Services for purposes of the bill, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: ~~majority~~ ^{2/3}. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30 of the Business and
2 Professions Code is amended to read:
3 30. (a) Notwithstanding any other provision of law,
4 any board, as defined in Section 22, and the State Bar and
5 the Department of Real Estate shall at the time of
6 issuance or renewal of the license require that any
7 licensee provide its federal employer identification
8 number if the licensee is a partnership or his or her social
9 security number for all others.
10 (b) Any licensee failing to provide the federal
11 identification number or social security number shall be
12 reported by the licensing board to the Franchise Tax
13 Board and, if failing to provide after notification pursuant
14 to paragraph (1) of subdivision (b) of Section 19528 of the
15 Revenue and Taxation Code, shall be subject to the
16 penalty provided in paragraph (2) of subdivision (b) of
17 Section 19528 of the Revenue and Taxation Code.



1 (c) In addition to the penalty specified in subdivision
2 (b), a licensing board may not process any application for
3 an original license or for renewal of a license unless the
4 applicant or licensee provides its federal employer
5 identification number or social security number where
6 requested on the application.

7 (d) A licensing board shall, upon request of the
8 Franchise Tax Board, furnish to the Franchise Tax Board
9 the following information with respect to every licensee:

10 (1) Name.

11 (2) Address or addresses of record.

12 (3) Federal employer identification number if the
13 entity is a partnership or social security number for all
14 others.

15 (4) Type of license.

16 (5) Effective date of license or a renewal.

17 (6) Expiration date of license.

18 (7) Whether license is active or inactive, if known.

19 (8) Whether license is new or a renewal.

20 (e) For the purposes of this section:

21 (1) "Licensee" means any entity, other than a
22 corporation, authorized by a license, certificate,
23 registration, or other means to engage in a business or
24 profession regulated by this code or referred to in Section
25 1000 or 3600.

26 (2) "License" includes a certificate, registration, or
27 any other authorization needed to engage in a business or
28 profession regulated by this code or referred to in Section
29 1000 or 3600.

30 (3) "Licensing board" means any board, as defined in
31 Section 22, the State Bar, and the Department of Real
32 Estate.

33 (f) The reports required under this section shall be
34 filed on magnetic media or in other machine-readable
35 form, according to standards furnished by the Franchise
36 Tax Board.

37 (g) Licensing boards shall provide to the Franchise
38 Tax Board the information required by this section at a
39 time that the Franchise Tax Board may require.



1 (h) Notwithstanding Chapter 3.5 (commencing with
2 Section 6250) of Division 7 of Title 1 of the Government
3 Code, the social security number and federal employer
4 identification number furnished pursuant to this section
5 shall not be deemed to be a public record and shall not be
6 open to the public for inspection.

7 (i) Any deputy, agent, clerk, officer, or employee of
8 any licensing board described in subdivision (a), or any
9 former officer or employee or other individual who in the
10 course of his or her employment or duty has or has had
11 access to the information required to be furnished under
12 this section, may not disclose or make known in any
13 manner that information, except as provided in this
14 section to the Franchise Tax Board or as provided in
15 subdivision (k).

16 (j) It is the intent of the Legislature in enacting this
17 section to utilize the social security account number or
18 federal employer identification number for the purpose
19 of establishing the identification of persons affected by
20 state tax laws and for purposes of compliance with Section
21 11350.6 of the Welfare and Institutions Code and, to that
22 end, the information furnished pursuant to this section
23 shall be used exclusively for those purposes.

24 (k) If the board utilizes a national examination to issue
25 a license, and if a reciprocity agreement or comity exists
26 between the State of California and the state requesting
27 release of the social security number, any deputy, agent,
28 clerk, officer, or employee of any licensing board
29 described in subdivision (a) may release a social security
30 number to an examination or licensing entity, only for the
31 purpose of verification of licensure or examination status.

32 (l) For the purposes of enforcement of Section 11350.6
33 of the Welfare and Institutions Code, and
34 notwithstanding any other provision of law, any board, as
35 defined in Section 22, and the State Bar and the
36 Department of Real Estate shall at the time of issuance or
37 renewal of the license require that each licensee provide
38 the social security number of each individual listed on the
39 license and any person who qualifies the license. For the
40 purposes of this subdivision, "licensee" means any entity



1 that is issued a license by any board, as defined in Section
2 22, the State Bar, the Department of Real Estate, and the
3 Department of Motor Vehicles.

4 SEC. 2. Section 708.780 of the Code of Civil Procedure
5 is amended to read:

6 708.780. (a) Filing of the abstract or certified copy of
7 the judgment and the affidavit pursuant to this article
8 creates a lien on the money owing and unpaid to the
9 judgment debtor by the public entity in an amount equal
10 to that which may properly be applied to the satisfaction
11 of the money judgment under this article.

12 (b) When an affidavit is filed pursuant to subdivision
13 (c) of Section 708.730, it shall apply to all claims for refund
14 from the Franchise Tax Board under the Personal Income
15 Tax Law, Part 10 (commencing with Section 17001) of
16 Division 2 of the Revenue and Taxation Code, or the Bank
17 and Corporation Tax Law, Part 11 (commencing with
18 Section 23001) of Division 2 of the Revenue and Taxation
19 Code, which the judgment debtor subsequently claims
20 during a period one year after filing of the affidavit, or
21 October 1 of the year following the filing of the affidavit,
22 whichever occurs later, the same as if claims for these
23 overpayments were filed by the judgment debtor with
24 the appropriate state agency on the date the affidavit was
25 filed.

26 (c) When a request is filed pursuant to subdivision (d)
27 of Section 708.730 with the court, the clerk of the court
28 shall issue a Notice of Support Arrearage. The clerk of the
29 court shall issue the notice 30 days after the request was
30 filed pursuant to subdivision (d) of Section 708.730
31 without a hearing if no objection has been raised by the
32 judgment debtor pursuant to this subdivision. If an
33 objection has been raised, the notice shall not be ordered
34 until after a hearing. The notice shall contain the name
35 of the person ordered to pay support and his or her social
36 security number; the amount of the arrearage
37 determined by the court; whether the arrearage is for
38 child, spousal, or family support and the specific
39 combination thereof; a statement of how the recipient
40 may challenge the statement of arrearage; and the name,



1 address, and social security number of the person to
2 whom the arrearage is owed. Upon the clerk of the court
3 issuing the Notice of Support Arrearage, a copy of the
4 request, the affidavit, and the notice shall be served by
5 the party who requested the court to issue the Notice of
6 Support Arrearage upon the person ordered to pay
7 support and the Controller. Service may be personal, in
8 accordance with Section 1011, or by mail, in accordance
9 with Section 1013. Service upon the Controller shall be at
10 the Controller's office in Sacramento.

11 The judgment debtor may object to the request or
12 affidavit upon any of the following grounds: (1) there is
13 an error in the amount of the arrearage stated in the
14 affidavit; (2) the alleged judgment debtor is not the
15 judgment debtor from whom the support is due; (3) the
16 amount to be intercepted exceeds that allowable under
17 federal law; (4) a default in payment of the support for
18 30 days has not occurred; or (5) other necessary factual
19 allegations contained in the affidavit are erroneous.

20 Upon receipt of the Notice of Support Arrearage, the
21 Controller shall take reasonable measures to deduct from
22 any personal income tax refunds and lottery winnings
23 owed and processed for payment to the judgment debtor
24 and deposit with the court a warrant, subject to Sections
25 708.770 and 708.775, with service of a copy of the warrant
26 upon the ~~district attorney~~ *local child support agency* of
27 the county in which the support judgment is entered,
28 payable to the court, the amount due the judgment
29 creditor (after deducting an amount sufficient to
30 reimburse the state for any amounts advanced to the
31 judgment debtor or owed by the judgment debtor to the
32 state) required to satisfy the money judgment as shown
33 by the affidavit in full or to the greatest extent, and pay
34 the balance thereof, if any, to the judgment debtor. At
35 any hearing pursuant to Section 708.770, the judgment
36 debtor may challenge the distribution of these funds on
37 exemption or other grounds, including, but not limited to,
38 an allegation that the judgment has been satisfied or that
39 service was improper. The notice shall not apply to any
40 money which is exempt by law from execution. The



1 Controller shall determine the cost of enforcing the
2 notice and may establish a notice filing fee not to exceed
3 five dollars (\$5).

4 Service of the Notice of Support Arrearage and of the
5 request and affidavit pursuant to this subdivision creates
6 a lien on the money owing and unpaid to the judgment
7 debtor which shall become effective 30 days following
8 service upon the Controller. This notice shall remain in
9 effect for four years from the date of its issuance or until
10 the arrearage for which the notice was issued is satisfied,
11 whichever occurs first.

12 Any person who files a request with the court to issue
13 a Notice of Support Arrearage pursuant to subdivision (d)
14 of Section 708.730 shall notify the court and the Controller
15 of any satisfaction of the arrearage after the Notice of
16 Support Arrearage has been issued by the clerk of the
17 court. The notice to the court and the Controller shall be
18 filed with the court and the Controller and served upon
19 the ~~district attorney~~ *local child support agency* of the
20 county in which the support judgment is entered within
21 30 days of the satisfaction or discharge and shall show a
22 partial or full satisfaction of the arrearage or any other
23 resolution of the arrearage.

24 Upon filing and service, the Notice of Support
25 Arrearage shall be of no force and effect.

26 The State Department of Social Services shall, upon
27 request, inform the Legislature of the use and effect of
28 this subdivision on or before December 31, 2001.

29 This subdivision shall become operative on January 1,
30 1996, and shall become inoperative on December 31,
31 2001.

32 (d) For purposes of this section, “support” means an
33 obligation owing on behalf of a child, spouse, or family, or
34 combination thereof.

35 SEC. 3. Section 3680.5 is added to the Family Code, to
36 read:

37 3680.5. The ~~district attorney~~ *local child support*
38 *agency* shall monitor child support cases and seek
39 modifications, when needed.



1 ~~SEC. 4. Section 4702 is added to the Family Code, to~~
2 ~~read:~~

3 ~~4702. The State Department of Social Services shall~~
4 ~~seek federal funding for electronic storage of existing~~
5 ~~child support case documents. This storage may include~~
6 ~~the scanned original documents or other appropriate~~
7 ~~electronic storage methods. When funding is available,~~
8 ~~the State Department of Social Services shall report the~~
9 ~~fact to the appropriate committees of the Legislature and~~
10 ~~shall include in that report its recommendations as to the~~
11 ~~best method to reduce the amount of hard copy~~
12 ~~documents on existing child support cases and to increase~~
13 ~~the availability of this information without compromising~~
14 ~~confidentiality.~~

15 ~~SEC. 4.5.—~~

16 ~~SEC. 4. Section 5005 is added to the Family Code, to~~
17 ~~read:~~

18 ~~5005. When the Attorney General is satisfied that~~
19 ~~reciprocal provisions will be made by a foreign~~
20 ~~jurisdiction for the establishment of support orders for~~
21 ~~obligees in California, or for enforcement of support~~
22 ~~orders made within this state, the Attorney General may~~
23 ~~declare the foreign jurisdiction to be a reciprocating state~~
24 ~~for purposes of establishing and enforcing support~~
25 ~~obligations. Any such declaration may be revoked by the~~
26 ~~Attorney General. Any such declaration may be reviewed~~
27 ~~by the court in an action brought to support a support~~
28 ~~order, or to enforce the order of a reciprocating~~
29 ~~jurisdiction.~~

30 ~~SEC. 5. Section 5246 of the Family Code is amended~~
31 ~~to read:~~

32 ~~5246. (a) This section applies only to Title IV-D cases~~
33 ~~where support enforcement services are being provided~~
34 ~~by the district attorney pursuant to Section 11475.1 of the~~
35 ~~Welfare and Institutions Code. *by a local child support*~~
36 ~~*agency.*~~

37 ~~(b) In lieu of an earnings assignment order, the district~~
38 ~~attorney *local child support agency* may serve on the~~
39 ~~employer a notice of assignment in the manner specified~~



1 in Section 5232. A notice of assignment shall have the
2 same force and effect as an earnings assignment order.

3 (c) The notice of assignment shall contain, at a
4 minimum, the following information:

5 (1) The amount of current support ordered by the
6 court.

7 (2) Any additional amount to be withheld and applied
8 to arrearages.

9 (3) The date of the most recent support order.

10 (4) The name and address of the ~~district attorney~~ *local*
11 *child support agency* to whom the support is to be paid
12 or the Child Support Centralized Collection and
13 Distribution Unit.

14 (5) The amount of arrearages and the date through
15 which the arrearages have been calculated, and a
16 statement as to whether or not the arrearages include
17 interest.

18 (6) Instructions to the employer on how to comply
19 with the notice of assignment.

20 (7) A written statement of the obligor's rights under
21 the law to seek to quash or modify the notice of
22 assignment, together with a blank form which the obligor
23 can file with the court to request a hearing to modify or
24 quash the assignment with instructions on how to file the
25 form and obtain a hearing date.

26 (8) The toll-free telephone number of the local child
27 support agency, as defined in Section 11400.1 of the
28 Welfare and Institutions Code, for the employer to call if
29 he or she has questions.

30 (d) If the underlying court order for support does not
31 provide for an arrearage payment, or if an additional
32 arrearage accrues after the date of the court order for
33 support, the ~~district attorney~~ *local child support agency*
34 may send a notice of assignment directly to the employer
35 which specifies the updated arrearage amount and
36 directs the employer to withhold an additional amount
37 not to exceed 3 percent of the arrearage or fifty dollars
38 (\$50), whichever is greater, to be applied towards
39 liquidation of the arrearages.



1 (e) Within 10 days of service of the notice of
2 assignment, the employer shall deliver both of the
3 following to the obligor:

4 (1) A copy of the notice of assignment.

5 (2) The form to request a hearing described in
6 paragraph (7) of subdivision (c).

7 (f) If the obligor requests a hearing, a hearing date
8 shall be scheduled within 20 days of the filing of the
9 request with the court. The clerk of the court shall
10 provide notice of the hearing to the ~~district attorney~~ *local*
11 *child support agency* and the obligor no later than 10 days
12 prior to the hearing.

13 (1) If at the hearing the obligor establishes that he or
14 she is not the obligor or that there exists good cause or an
15 alternative arrangement as provided in Section 5260, the
16 court may order that service of the notice of assignment
17 be quashed. If the court quashes service of the notice of
18 assignment, the ~~district attorney~~ *local child support*
19 *agency* shall notify the employer within 10 days.

20 (2) If the obligor contends at the hearing that the
21 payment of arrearages at the rate specified in this section
22 is excessive or that the total arrearages owing is incorrect,
23 and if it is determined that payment of the arrearages at
24 the rate specified in this section creates an undue
25 hardship upon the obligor or that the withholding would
26 exceed the maximum amount permitted by Section
27 1673(b) of Title 15 of the United States Code Annotated,
28 the rate at which the arrearages must be paid shall be
29 reduced to a rate that is fair and reasonable considering
30 the circumstances of the parties and the best interest of
31 the child. If it is determined at a hearing that the total
32 amount of arrearages calculated is erroneous, the court
33 shall modify the amount calculated to the correct
34 amount. If the court modifies the total amount of
35 arrearages owed or reduces the monthly payment due on
36 the arrearages, the ~~district attorney~~ *local child support*
37 *agency* shall serve the employer with an amended notice
38 of assignment within 10 days.

39 (g) If an obligor's current support obligation has
40 terminated by operation of law, the ~~district attorney~~ *local*



1 *child support agency* may serve a notice of assignment on
2 the employer which directs the employer to continue
3 withholding from the obligor's earnings an amount not to
4 exceed the current support order that was in effect or 3
5 percent of the total support arrearages including interest,
6 whichever is greater, until such time that the employer
7 is notified by the ~~district attorney~~ *local child support*
8 *agency* that the arrearages have been paid in full. The
9 employer shall provide the obligor with the same
10 documents as provided in subdivision (e). The obligor
11 shall be entitled to the same rights to a hearing as
12 specified in subdivision (f).

13 (h) The ~~district attorney~~ *local child support agency*
14 shall retain a copy of the notice of assignment and shall file
15 a copy with the court whenever a hearing concerning the
16 notice of assignment is requested.

17 (i) Nothing in this section prohibits the ~~district~~
18 ~~attorney~~ *local child support agency* from seeking a
19 payment on arrearages which is greater than the amount
20 specified in this section. The ~~district attorney~~ *local child*
21 *support agency* may seek a higher payment on arrearages
22 by filing an ex parte application with the court.

23 (j) The ~~district attorney~~ *local child support agency*
24 may transmit a notice of earnings assignment and other
25 forms required by this section to the employer through
26 electronic means.

27 SEC. 6. Section 7551.5 is added to the Family Code, to
28 read:

29 7551.5. All hospitals, ~~district attorneys~~ *local child*
30 *support agencies*, welfare offices, and family courts shall
31 facilitate genetic tests for purposes of enforcement of this
32 chapter. This may include having a health care
33 professional available for purposes of extracting samples
34 to be used for genetic testing.

35 SEC. 7. Section 7552.5 of the Family Code is amended
36 to read:

37 7552.5. (a) A copy of the results of all genetic tests
38 performed under Section 7552 or 7558 shall be served
39 upon all parties, by any method of service authorized
40 under Chapter 5 (commencing with Section 1010) of



1 Title 14 of Part 2 of the Code of Civil Procedure except
2 personal service, no later than 20 days prior to any
3 hearing in which the genetic test results may be admitted
4 into evidence. The genetic test results shall be
5 accompanied by a declaration under penalty of perjury
6 of the custodian of records or other qualified employee of
7 the laboratory that conducted the genetic tests, stating in
8 substance each of the following:

9 (1) The declarant is the duly authorized custodian of
10 the records or other qualified employee of the laboratory,
11 and has authority to certify the records.

12 (2) A statement which establishes in detail the chain
13 of custody of all genetic samples collected, including the
14 date on which the genetic sample was collected, the
15 identity of each person from whom a genetic sample was
16 collected, the identity of the person who performed or
17 witnessed the collecting of the genetic samples and
18 packaged them for transmission to the laboratory, the
19 date on which the genetic samples were received by the
20 laboratory, the identity of the person who unpacked the
21 samples and forwarded them to the person who
22 performed the laboratory analysis of the genetic sample,
23 and the identification and qualifications of all persons
24 who performed the laboratory analysis and published the
25 results.

26 (3) A statement which establishes that the procedures
27 used by the laboratory to conduct the tests for which the
28 test results are attached are used in the laboratory's
29 ordinary course of business to ensure accuracy and
30 proper identification of genetic samples.

31 (4) The genetic test results were prepared at or near
32 the time of completion of the genetic tests by personnel
33 of the business qualified to perform genetic tests in the
34 ordinary course of business.

35 (b) The genetic test results shall be admitted into
36 evidence at the hearing or trial to establish paternity,
37 without the need for foundation testimony of
38 authenticity and accuracy, unless a written objection to
39 the genetic test results is filed with the court and served



1 on all other parties, by any party no later than five days
2 prior to the hearing or trial where paternity is at issue.

3 (c) If a written objection is filed ~~by~~ *with* the court and
4 served on all parties within the time specified in
5 subdivision (b), experts appointed by the court shall be
6 called by the court as witnesses to testify to their findings
7 and are subject to cross-examination by the parties.

8 (d) If a genetic test indicates the paternity of the
9 alleged father, the copy of the results mailed under
10 subdivision (a) shall be accompanied with a voluntary
11 declaration of paternity form, information prepared
12 according to Section 7572, and the toll-free telephone
13 number created under Section 11475.7 of the Welfare and
14 Institutions Code.

15 SEC. 8. Section 7571 of the Family Code is amended
16 to read:

17 7571. (a) On and after January 1, 1995, upon the
18 event of a live birth, prior to an unmarried mother
19 leaving any hospital, the person responsible for
20 registering live births under Section 102405 of the Health
21 and Safety Code shall provide to the natural mother and
22 shall attempt to provide, at the place of birth, to the man
23 identified by the natural mother as the natural father, a
24 voluntary declaration of paternity together with the
25 written materials described in Section 7572. The person
26 responsible for registering the birth shall forward the
27 completed declaration to the State Department of Social
28 Services, and, if requested, shall transmit a copy of the
29 declaration to the ~~district attorney~~ *local child support*
30 *agency* of the county where the birth occurred. A copy of
31 the declaration shall be made available to each of the
32 attesting parents.

33 (b) No health care provider shall be subject to any
34 civil, criminal, or administrative liability for any negligent
35 act or omission relative to the accuracy of the information
36 provided, or for filing the declaration with the
37 appropriate state or local agencies.

38 (c) The ~~district attorney~~ *local child support agency*
39 shall pay the sum of ten dollars (\$10) to birthing hospitals
40 and other entities that provide prenatal services for each



1 completed declaration of paternity that is filed with the
2 State Department of Social Services, provided that the
3 ~~district attorney~~ *local child support agency* and the
4 hospital or other entity providing prenatal services has
5 entered into a written agreement that specifies the terms
6 and conditions for the payment as required by federal
7 law.

8 (d) If the declaration is not registered by the person
9 responsible for registering live births at the hospital, it
10 may be completed by the attesting parents, notarized,
11 and mailed to the State Department of Social Services at
12 any time after the child's birth.

13 (e) Prenatal clinics shall offer prospective parents the
14 opportunity to sign a voluntary declaration of paternity.
15 In order to be paid for their services as provided in
16 subdivision (c), prenatal clinics must ensure that the
17 form is witnessed and forwarded to the State Department
18 of Social Services.

19 (f) Declarations shall be made available without
20 charge at all ~~district attorney~~ *local child support agency*
21 offices, offices of local registrars of births and deaths,
22 courts, and county welfare departments within this state.
23 Staff in these offices shall witness the signatures of parents
24 wishing to sign a voluntary declaration of paternity and
25 shall be responsible for forwarding the signed declaration
26 to the State Department of Social Services.

27 (g) The State Department of Social Services may pay
28 the sum of ten dollars (\$10) to local registrars of births and
29 deaths, county welfare departments, or courts for each
30 completed declaration of paternity that is witnessed by
31 staff in these offices and filed with the State Department
32 of Social Services. In order to receive payment, the State
33 Department of Social Services and the entity shall enter
34 into a written agreement that specifies the terms and
35 conditions for payment as required by federal law. The
36 State Department of Social Services shall study the effect
37 of the ten dollar (\$10) payment on obtaining completed
38 voluntary declaration of paternity forms and shall report
39 to the Legislature on any recommendations to change the



1 ten dollar (\$10) optional payment, if appropriate, by
2 January 1, 2000.

3 (h) The State Department of Social Services and
4 ~~district attorneys~~ *local child support agencies* shall
5 publicize the availability of the declarations. The ~~district~~
6 ~~attorney~~ *local child support agency* shall make the
7 declaration, together with the written materials
8 described in subdivision (a) of Section 7572, available
9 upon request to any parent and any agency or
10 organization that is required to offer parents the
11 opportunity to sign a voluntary declaration of paternity.
12 The ~~district attorney~~ *local child support agency* shall also
13 provide qualified staff to answer parents' questions
14 regarding the declaration and the process of establishing
15 paternity.

16 (i) Copies of the declaration filed with the State
17 Department of Social Services shall be made available
18 only to the parents, the child, the district attorney, the
19 county welfare department, the county counsel, ~~and~~ the
20 State Department of Social Services, *and the courts*.

21 (j) Publicly funded or licensed health clinics, pediatric
22 offices, Head Start programs, child care centers, social
23 services providers, prisons, and schools shall offer parents
24 the opportunity to sign a voluntary declaration of
25 paternity. In order to be paid for their services as
26 provided in subdivision (c), publicly funded or licensed
27 health clinics, pediatric offices, Head Start programs,
28 child care centers, social services providers, prisons, and
29 schools shall ensure that the form is witnessed and
30 forwarded to the ~~Attorney General~~ *State Department of*
31 *Social Services*.

32 (k) Any agency or organization required to offer
33 parents the opportunity to sign a voluntary declaration of
34 paternity shall also identify parents who are willing to
35 sign, but were unavailable when the child was born. The
36 organization shall then contact these parents within 10
37 days and again offer the parent the opportunity to sign a
38 voluntary declaration of paternity.

39 SEC. 9. Section 7571.7 is added to the Family Code, to
40 read:



1 7571.7. (a) The State Department of Social Services
2 shall monitor the implementation of this chapter, and, in
3 consultation with ~~district attorneys~~ *local child support*
4 *agencies*, nonprofit child support advocates, and agencies
5 or organizations required to offer parents the
6 opportunity to sign a voluntary declaration of paternity
7 and shall establish performance standards and an
8 incentive system for participating agencies and
9 organizations.

10 (b) The State Department of Social Services shall
11 develop a plan for the implementation of subdivision (a)
12 and report to the appropriate committees of the
13 Legislature by July 1, 2000. The report shall contain the
14 plan and the cost of implementation of the plan.

15 SEC. 10. Section 7572 of the Family Code is amended
16 to read:

17 7572. (a) The State Department of Social Services, in
18 consultation with the State Department of Health
19 Services, the California Association of Hospitals and
20 Health Systems, and other affected health provider
21 organizations, shall work cooperatively to develop
22 written materials to assist providers and parents in
23 complying with this chapter. This written material shall
24 include the toll-free telephone number established and
25 maintained under Section 11475.7 of the Welfare and
26 Institutions Code and shall be updated periodically by the
27 Attorney General to reflect changes in law, procedures,
28 or public need.

29 (b) The written materials for parents which shall be
30 attached to the form specified in Section 7574 and
31 provided to unmarried parents shall contain the
32 following information:

33 (1) A signed voluntary declaration of paternity that is
34 filed with the State Department of Social Services legally
35 establishes paternity.

36 (2) The legal rights and obligations of both parents and
37 the child that result from the establishment of paternity.

38 (3) An alleged father's constitutional rights to have the
39 issue of paternity decided by a court; to notice of any
40 hearing on the issue of paternity; to have an opportunity



1 to present his case to the court, including his right to
2 present and cross-examine witnesses; to have an attorney
3 represent him; and to have an attorney appointed to
4 represent him if he cannot afford one in a paternity action
5 filed by ~~the district attorney~~ *a local child support agency*.

6 (4) That by signing the voluntary declaration of
7 paternity, the father is voluntarily waiving his
8 constitutional rights.

9 (c) Parents shall also be given oral notice of the rights
10 and responsibilities specified in subdivision (b). Oral
11 notice may be accomplished through the use of audio or
12 videotape programs developed by the State Department
13 of Social Services to the extent permitted by federal law.

14 (d) The State Department of Social Services shall, free
15 of charge, make available to hospitals, clinics, and other
16 places of birth any and all informational and training
17 materials for the program under this chapter, as well as
18 the paternity declaration form. The State Department of
19 Social Services shall make training available to every
20 participating hospital, clinic, local registrar of births and
21 deaths, and other place of birth no later than June 30,
22 1999.

23 (e) The State Department of Social Services may
24 adopt regulations, including emergency regulations,
25 necessary to implement this chapter.

26 SEC. 11. Section 7575 of the Family Code is amended
27 to read:

28 7575. (a) Either parent may rescind the voluntary
29 declaration of paternity by filing a rescission form with
30 the State Department of Social Services within 60 days of
31 the date of execution of the declaration by the attesting
32 father or attesting mother, whichever signature is later,
33 unless a court order for custody, visitation, or child
34 support has been entered in an action in which the
35 signatory seeking to rescind was a party. The State
36 Department of Social Services shall develop a form to be
37 used by parents to rescind the declaration of paternity
38 and instruction on how to complete and file the rescission
39 with the State Department of Social Services. The form
40 shall include a declaration under penalty of perjury



1 completed by the person filing the rescission form that
2 certifies that a copy of the rescission form was sent by any
3 form of mail requiring a return receipt to the other
4 person who signed the voluntary declaration of paternity.
5 A copy of the return receipt shall be attached to the
6 rescission form when filed with the State Department of
7 Social Services. The form and instructions shall be written
8 in simple, easy to understand language and shall be made
9 available at the local family support office and the office
10 of local registrar of births and deaths.

11 (b) (1) Notwithstanding Section 7573, if the court
12 finds that the conclusions of all of the experts based upon
13 the results of the genetic tests performed pursuant to
14 Chapter 2 (commencing with Section 7550) are that the
15 man who signed the voluntary declaration is not the
16 father of the child, the court may set aside the voluntary
17 declaration of paternity.

18 (2) (A) The notice of motion for genetic tests under
19 this section may be filed not later than two years from the
20 date of the child's birth by ~~either the mother~~ *a local child*
21 *support agency, the mother,* or the man who signed the
22 voluntary declaration as the child's father in an action to
23 determine the existence or nonexistence of the father and
24 child relationship pursuant to Section 7630 or in any
25 action to establish an order for child custody, visitation, or
26 child support based upon the voluntary declaration of
27 paternity.

28 (B) The local child support agency's authority under
29 this subdivision is limited to those circumstances where
30 there is a conflict between a voluntary acknowledgment
31 of paternity and a judgment of paternity or a conflict
32 between two or more voluntary acknowledgments of
33 paternity.

34 (3) The notice of motion for genetic tests pursuant to
35 this section shall be supported by a declaration under oath
36 submitted by the moving party stating the factual basis
37 for putting the issue of paternity before the court.

38 (c) (1) Nothing in this chapter shall be construed to
39 prejudice or bar the rights of either parent to file an
40 action or motion to set aside the voluntary declaration of



1 paternity on any of the grounds described in, and within
2 the time limits specified in, Section 473 of the Code of
3 Civil Procedure and Chapter 10 (commencing with
4 Section 2120) of Part 1 of Division 6. If the action or
5 motion to set aside the voluntary declaration of paternity
6 is for fraud or perjury, the act must have induced the
7 defrauded parent to sign the voluntary declaration of
8 paternity. If the action or motion to set aside a judgment
9 is required to be filed within a specified time period
10 under Section 473 of the Code of Civil Procedure or
11 Section 2122, the period within which the action or
12 motion to set aside the voluntary declaration of paternity
13 must be filed shall commence on the date that the court
14 makes a finding of paternity based upon the voluntary
15 declaration of paternity in an action for custody,
16 visitation, or child support.

17 (2) The parent or local child support agency seeking
18 to set aside the voluntary declaration of paternity shall
19 have the burden of proof.

20 (3) Any order for custody, visitation, or child support
21 shall remain in effect until the court determines that the
22 voluntary declaration of paternity should be set aside,
23 subject to the court's power to modify the orders as
24 otherwise provided by law.

25 (4) Nothing in this section is intended to restrict a
26 court from acting as a court of equity.

27 (5) If the voluntary declaration of paternity is set aside
28 pursuant to paragraph (1), the court shall order that the
29 mother, child, and alleged father submit to genetic tests
30 pursuant to Chapter 2 (commencing with Section 7550).
31 If the court finds that the conclusions of all the experts, as
32 disclosed by the evidence based upon the genetic tests,
33 are that the person who executed the voluntary
34 declaration of paternity is not the father of the child, the
35 question of paternity shall be resolved accordingly. If the
36 person who executed the declaration as the father of the
37 child is not excluded as a possible father, the question of
38 paternity shall be resolved as otherwise provided by law.
39 If the person who executed the declaration of paternity
40 is ultimately determined to be the father of the child, any



1 child support that accrued under an order based upon the
2 voluntary declaration of paternity shall remain due and
3 owing.

4 (6) The Judicial Council shall develop the forms and
5 procedures necessary to effectuate this subdivision.

6 SEC. 12. Section 10003 of the Family Code is amended
7 to read:

8 10003. This division shall apply to all actions or
9 proceedings for temporary or permanent child support,
10 spousal support, health insurance, child custody, or
11 visitation in a proceeding for dissolution of marriage,
12 nullity of marriage, legal separation, or exclusive child
13 custody, or pursuant to the Uniform Parentage Act (Part
14 3 (commencing with Section 7600) of Division 12) or the
15 Domestic Violence Prevention Act (Division 10
16 (commencing with Section 6200)).

17 SEC. 13. Section 10004 of the Family Code is amended
18 to read:

19 10004. Services provided by the family law facilitator
20 shall include, but are not limited to, the following:
21 providing educational materials to parents concerning
22 the process of establishing parentage and establishing,
23 modifying, and enforcing child support; ~~spousal support,~~
24 ~~child custody, and visitation~~ *and spousal support* in the
25 courts; distributing necessary court forms and voluntary
26 declarations of paternity; providing assistance in
27 completing forms; preparing support schedules based
28 upon statutory guidelines; and providing referrals to the
29 ~~district attorney~~ *local child support agency*, family court
30 services, and other community agencies and resources
31 that provide services for parents and children. In counties
32 where a family law information center exists, the family
33 law facilitator shall provide assistance on child support
34 issues, ~~and on custody and visitation, as they relate to~~
35 ~~calculating child support.~~

36 SEC. 13.5. Section 10005 of the Family Code is
37 amended to read:

38 10005. (a) By local rule, the superior court may
39 designate additional duties of the family law facilitator,
40 which may include, but are not limited to, the following:



1 (1) Meeting with litigants to mediate issues of child
2 support, spousal support, and maintenance of health
3 insurance, subject to Section 10012. Actions in which one
4 or both of the parties are unrepresented by counsel shall
5 have priority.

6 (2) Drafting stipulations to include all issues agreed to
7 by the parties, which may include issues other than those
8 specified in Section 10003.

9 (3) If the parties are unable to resolve issues with the
10 assistance of the family law facilitator, prior to or at the
11 hearing, and at the request of the court, the family law
12 facilitator shall review the paperwork, examine
13 documents, prepare support schedules, and advise the
14 judge whether or not the matter is ready to proceed.

15 (4) Assisting the clerk in maintaining records.

16 (5) Preparing formal orders consistent with the court's
17 announced order in cases where both parties are
18 unrepresented.

19 (6) Serving as a special master in proceedings and
20 making findings to the court unless he or she has served
21 as a mediator in that case.

22 (7) Providing the services specified in Division 15
23 (commencing with Section 10100). Except for the
24 funding specifically designated for visitation programs
25 pursuant to Section 669B of Title 42 of the United States
26 Code, Title IV-D child support funds shall not be used to
27 fund the services specified in Division 15 (commencing
28 with Section 10100).

29 (8) *Providing the services specified in Section 10004*
30 *concerning the issues of child custody and visitation as*
31 *they relate to calculating child support, if funding is*
32 *provided for that purpose.*

33 (b) If staff and other resources are available and the
34 duties listed in subdivision (a) have been accomplished,
35 the duties of the family law facilitator may also include
36 the following:

37 (1) Assisting the court with research and any other
38 responsibilities which will enable the court to be
39 responsive to the litigants' needs.



1 (2) Developing programs for bar and community
2 outreach through day and evening programs, videotapes,
3 and other innovative means that will assist unrepresented
4 and financially disadvantaged litigants in gaining
5 meaningful access to family court. These programs shall
6 specifically include information concerning
7 underutilized legislation, such as expedited child support
8 orders (Chapter 5 (commencing with Section 3620) of
9 Part 1 of Division 9), and preexisting, court-sponsored
10 programs, such as supervised visitation and appointment
11 of attorneys for children.

12 SEC. 14. Section 10013 is added to the Family Code,
13 to read:

14 10013. The family law facilitator shall not represent
15 any party. No attorney-client relationship is created
16 between a party and the family law facilitator as a result
17 of any information or services provided to the party by
18 the family law facilitator. The family law facilitator shall
19 give conspicuous notice that no attorney-client
20 relationship exists between the facilitator, its staff, and
21 the family law litigant. *The notice shall include the advice*
22 *that the absence of an attorney-client relationship means*
23 *that communications between the party and the family*
24 *law facilitator are not privileged and that the family law*
25 *facilitator may provide services to the other party.*

26 SEC. 15. Section 10014 is added to the Family Code,
27 to read:

28 ~~10014. The family law facilitator and all persons~~
29 ~~employed by or working with the family law facilitator~~
30 ~~shall maintain the confidentiality of all information~~
31 ~~provided by or to any party in the course of providing the~~
32 ~~services described in this division. All persons employed~~
33 ~~by or working with the family law facilitator shall be~~
34 ~~required to sign a confidentiality agreement, to be~~
35 ~~drafted by the Judicial Council, to ensure the~~
36 ~~confidentiality of all communications. However, nothing~~
37 ~~in this section shall preclude the family law facilitator~~
38 ~~from providing information to multiple parties to the~~
39 ~~same case.~~



1 10014. A person employed by, or directly supervised
2 by, the family law facilitator shall not make any public
3 comment about a pending or impending proceeding in
4 the court as provided by paragraph (9) of subdivision (B)
5 of Canon 3 of the Code of Judicial Ethics. All persons
6 employed by or directly supervised by the family law
7 facilitator shall be provided a copy of paragraph (9) of
8 subdivision (B) of Canon 3 of the Code of Judicial Ethics,
9 and shall be required to sign an acknowledgment that he
10 or she is aware of its provisions.

11 SEC. 15.5. Section 10015 is added to the Family Code,
12 to read:

13 10015. The Judicial Council shall create any necessary
14 forms to advise the parties of the types of services
15 provided, that there is no attorney-client relationship,
16 that the family law facilitator is not responsible for the
17 outcome of any case, that the family law facilitator does
18 not represent any party and will not appear in court on
19 the party's behalf, and that the other party may also be
20 receiving information and services from the family law
21 facilitator.

22 SEC. 16. Section 19271.51 is added to the Revenue and
23 Taxation Code, to read:

24 19271.51. (a) The Franchise Tax Board shall, ~~in~~
25 ~~cooperation with the local child support agency of Los~~
26 ~~Angeles County, jointly establish a two-year pilot project~~
27 ~~establish in up to six counties a two-year pilot project~~ to
28 assess the feasibility, risks, and benefits of referring to the
29 Franchise Tax Board all child support obligations that are
30 being enforced by local support agencies pursuant to
31 Section 11475.1 of the Welfare and Institutions Code,
32 whether or not payments are delinquent. The pilot
33 project shall begin on January 1, 2000, and shall conclude
34 ~~on December 31, 2001. The County of Los Angeles shall~~
35 ~~pay all nonfederal costs of the pilot project. on December~~
36 ~~31, 2001.~~

37 (b) The pilot project shall consist of ~~25,000~~ a
38 statistically significant number of child support cases,
39 with established orders, drawn by random sample from
40 the county's existing caseload. For the purposes of this



1 pilot, the term “court order” shall include orders for
2 payment of current child support, orders for payment of
3 arrears, orders for health insurance coverage, reserved
4 orders, and interstate cases with orders from another
5 state. The pilot project shall not include cases in which the
6 obligor is on probation for violation of Section 270 or
7 paragraph (4) of subdivision (a) of Section 166 of the
8 Penal Code.

9 (c) In addition to the requirements of this section, the
10 local child support agency of ~~Los Angeles County~~ *each*
11 *pilot county* shall continue to be required to refer all child
12 support obligations being enforced pursuant to Section
13 11475.1 of the Welfare and Institutions Code to the
14 Franchise Tax Board to collect all child support
15 payments, that are not child support delinquencies, as
16 defined in this article, or past due amounts.

17 (d) Referrals shall be transmitted by the local child
18 support agency of ~~Los Angeles County~~ *each pilot county*
19 to the Franchise Tax Board in the form and manner
20 prescribed by the Franchise Tax Board.

21 (e) When a child support obligation is referred to the
22 Franchise Tax Board pursuant to this section, the amount
23 of the obligation shall be collected from any obligated
24 parent by the Franchise Tax Board in any manner
25 authorized under the law for collection of a child support
26 obligation.

27 (f) Any services or information available to the local
28 child support agency of ~~Los Angeles County~~ *each pilot*
29 *county* in collecting child support obligations or locating
30 absent or noncustodial parents shall be available to the
31 Franchise Tax Board for purposes of collecting child
32 support obligations under this section.

33 (g) The Franchise Tax Board shall have responsibility
34 for all federal and state-mandated case processing
35 requirements for periods of this pilot according to Section
36 11475.1 of the Welfare and Institutions Code, except that
37 the Franchise Tax Board shall not have responsibility to
38 establish paternity for a child born out of wedlock. For all
39 cases included in the pilot project, the Franchise Tax
40 Board shall bear sole responsibility for providing services



1 to both custodial and noncustodial parents. The local
2 child support agency of ~~Los Angeles County~~ *each pilot*
3 *county* shall be relieved of all responsibility for case
4 processing of cases referred to the Franchise Tax Board
5 under this pilot project.

6 (h) The Franchise Tax Board may make application
7 under Section 270 or paragraph (4) of subdivision (a) of
8 Section 166 of the Penal Code to the ~~District Attorney of~~
9 ~~Los Angeles County~~, *district attorney or local child*
10 *support agency of the pilot county, as applicable.*

11 (i) The Franchise Tax Board may refer a case under
12 this pilot project back to the local child support agency of
13 ~~Los Angeles County~~ *each pilot county* to establish
14 paternity for a child born out of wedlock subsequent to
15 the entry of the order to be enforced.

16 (j) During the term of this pilot project, the
17 calculation of performance for the purpose of
18 determining child support incentives for ~~Los Angeles~~
19 ~~County~~ *each pilot county* shall include those collections,
20 activities, and services provided by the Franchise Tax
21 Board under this pilot project.

22 (k) For purposes of this pilot project, the Franchise
23 Tax Board shall be treated as a ~~county district attorney~~
24 *local child support agency* and shall be subject to the state
25 performance review requirements pursuant to Section
26 11475.2 of the Welfare and Institutions Code.

27 (l) The Franchise Tax Board and the ~~District Attorney~~
28 ~~of Los Angeles County~~ *local child support agency of each*
29 *pilot county* shall provide the State Auditor with access to
30 pilot project data and case information for purposes of
31 review of the pilot project. The State Auditor shall
32 monitor this pilot project and by April 1, 2002, report to
33 the Legislature the amount of child support collected in
34 the pilot pursuant to this section, the number of cases in
35 the pilot in which support is collected, the number of
36 cases referred to the Franchise Tax Board as part of the
37 pilot for collection, and the average amount of support
38 collected in all cases referred during the pilot. The State
39 Auditor shall also make a recommendation as to
40 whether this pilot indicates whether the Franchise Tax



1 Board can effectively collect child support statewide in
2 the Title IV-D program.

3 (m) For purposes of this section, “local child support
4 agency” means the same as defined in Section 11400.1 of
5 the Welfare and Institutions Code.

6 (n) This section shall remain in effect only until
7 December 31, 2002, and as of that date is repealed, unless
8 a later enacted statute deletes or extends that date.

9 SEC. 17. Section 1088.8 is added to the
10 Unemployment Insurance Code, to read:

11 1088.8. (a) Any service recipient, as defined in
12 subdivision (b), who makes or is required to make a
13 return to the Internal Revenue Service, in accordance
14 with Section 6041A(a) of the Internal Revenue Code
15 (relating to payments made to a service provider as
16 compensation for services), shall file with the
17 department information as required under subdivision
18 (c).

19 (b) For purposes of this section:

20 (1) “Service recipient” means any individual, person,
21 corporation, association, or partnership, or agent thereof,
22 doing business in this state, deriving income from sources
23 within this state, or in any manner whatsoever subject to
24 the laws of this state. “Service recipient” also includes the
25 State of California or any political subdivision thereof,
26 including the Regents of the University of California, any
27 city organized under a freeholder’s charter, or any
28 political body not a subdivision or agency of the state, and
29 any person, employee, department, or agent thereof.

30 (2) “Service provider” means an individual who is not
31 an employee of the service recipient for state law
32 purposes and who receives compensation or executes a
33 contract for services performed for that service recipient
34 within or without the state.

35 (c) (1) Each service recipient shall report all of the
36 following information to the department for each service
37 provider within 20 days of the earlier of first making
38 payments for services rendered of six hundred dollars
39 (\$600) or more in any year to the service provider, or
40 entering into a contract or contracts with the service



1 provider providing for payments of six hundred dollars
2 (\$600) or more in any year:

3 (A) The full name and social security number of the
4 service provider.

5 (B) The service recipient's name, business name,
6 address, and telephone number.

7 (C) The service recipient's federal employer
8 identification number, California state employer account
9 number, social security number, or other identifying
10 number as required by the department.

11 (D) The date the contract is executed, or if no contract
12 is executed, the date payments for services rendered first
13 total six hundred dollars (\$600) or more.

14 (E) The total dollar amount of the contract, if any, and
15 the contract expiration date.

16 (d) The department shall retain information collected
17 pursuant to this section until November 1 following the
18 tax year in which the contract is executed, or if no
19 contract is executed, the tax year in which the payments
20 for services rendered first total six hundred dollars (\$600)
21 or more.

22 (e) Information obtained by the department pursuant
23 to this section may be released only for purposes of
24 establishing, modifying, or enforcing child support
25 obligations under Section 11475.1 of the Welfare and
26 Institutions Code and for child support collection
27 purposes authorized under Article 5 (commencing with
28 Section 19271) of Chapter 5 of Part 10.2 of the Revenue
29 and Taxation Code, or to the Franchise Tax Board for tax
30 enforcement purposes or for administering the provisions
31 of the Welfare and Institutions Code.

32 (f) This section shall become operative on July 1, 2000.

33 SEC. 18. Section 11350.6 of the Welfare and
34 Institutions Code is amended to read:

35 11350.6. (a) As used in this section:

36 (1) "Applicant" means any person applying for
37 issuance or renewal of a license.

38 (2) "Board" means any entity specified in Section 101
39 of the Business and Professions Code, the entities referred
40 to in Sections 1000 and 3600 of the Business and



1 Professions Code, the State Bar, the Department of Real
2 Estate, the Department of Motor Vehicles, the Secretary
3 of State, the Department of Fish and Game, and any other
4 state commission, department, committee, examiner, or
5 agency that issues a license, certificate, credential,
6 permit, registration, or any other authorization to engage
7 in a business, occupation, or profession, or to the extent
8 required by federal law or regulations, for recreational
9 purposes. This term includes all boards, commissions,
10 departments, committees, examiners, entities, and
11 agencies that issue a license, certificate, credential,
12 permit, registration, or any other authorization to engage
13 in a business, occupation, or profession. The failure to
14 specifically name a particular board, commission,
15 department, committee, examiner, entity, or agency that
16 issues a license, certificate, credential, permit,
17 registration, or any other authorization to engage in a
18 business, occupation, or profession does not exclude that
19 board, commission, department, committee, examiner,
20 entity, or agency from this term.

21 (3) “Certified list” means a list provided by the ~~district~~
22 ~~attorney~~ *local child support agency* to the State
23 Department of Social Services in which the ~~district~~
24 ~~attorney~~ *local child support agency* verifies, under
25 penalty of perjury, that the names contained therein are
26 support obligors found to be out of compliance with a
27 judgment or order for support in a case being enforced
28 under Title IV-D of the Social Security Act.

29 (4) “Compliance with a judgment or order for
30 support” means that, as set forth in a judgment or order
31 for child or family support, the obligor is no more than 30
32 calendar days in arrears in making payments in full for
33 current support, in making periodic payments in full,
34 whether court ordered or by agreement with the ~~district~~
35 ~~attorney~~ *local child support agency*, on a support
36 arrearage, or in making periodic payments in full,
37 whether court ordered or by agreement with the ~~district~~
38 ~~attorney~~ *local child support agency*, on a judgment for
39 reimbursement for public assistance, or has obtained a
40 judicial finding that equitable estoppel as provided in



1 statute or case law precludes enforcement of the order.
2 The ~~district attorney~~ is *local child support agencies* are
3 authorized to use this section to enforce orders for spousal
4 support only when the ~~district attorney~~ *local child*
5 *support agency* is also enforcing a related child support
6 obligation owed to the obligee parent by the same
7 obligor, pursuant to Sections 11475.1 and 11475.2.

8 (5) “License” includes membership in the State Bar,
9 and a certificate, credential, permit, registration, or any
10 other authorization issued by a board that allows a person
11 to engage in a business, occupation, or profession, or to
12 operate a commercial motor vehicle, including
13 appointment and commission by the Secretary of State as
14 a notary public. “License” also includes any driver’s
15 license issued by the Department of Motor Vehicles, any
16 commercial fishing license issued by the Department of
17 Fish and Game, and to the extent required by federal law
18 or regulations, any license used for recreational purposes.
19 This term includes all licenses, certificates, credentials,
20 permits, registrations, or any other authorization issued
21 by a board that allows a person to engage in a business,
22 occupation, or profession. The failure to specifically name
23 a particular type of license, certificate, credential, permit,
24 registration, or other authorization issued by a board that
25 allows a person to engage in a business, occupation, or
26 profession, does not exclude that license, certificate,
27 credential, permit, registration, or other authorization
28 from this term.

29 (6) “Licensee” means any person holding a license,
30 certificate, credential, permit, registration, or other
31 authorization issued by a board, to engage in a business,
32 occupation, or profession, or a commercial driver’s
33 license as defined in Section 15210 of the Vehicle Code,
34 including an appointment and commission by the
35 Secretary of State as a notary public. “Licensee” also
36 means any person holding a driver’s license issued by the
37 Department of Motor Vehicles, any person holding a
38 commercial fishing license issued by the Department of
39 Fish and Game, and to the extent required by federal law
40 or regulations, any person holding a license used for



1 recreational purposes. This term includes all persons
2 holding a license, certificate, credential, permit,
3 registration, or any other authorization to engage in a
4 business, occupation, or profession, and the failure to
5 specifically name a particular type of license, certificate,
6 credential, permit, registration, or other authorization
7 issued by a board does not exclude that person from this
8 term. For licenses issued to an entity that is not an
9 individual person, "licensee" includes any individual who
10 is either listed on the license or who qualifies for the
11 license.

12 (b) The ~~district attorney~~ *local child support agency*
13 shall maintain a list of those persons included in a case
14 being enforced under Title IV-D of the Social Security
15 Act against whom a support order or judgment has been
16 rendered by, or registered in, a court of this state, and who
17 are not in compliance with that order or judgment. The
18 ~~district attorney~~ *local child support agency* shall submit
19 a certified list with the names, social security numbers,
20 and last known addresses of these persons and the name,
21 address, and telephone number of the ~~district attorney~~
22 *local child support agency* who certified the list to the
23 State Department of Social Services. The ~~district attorney~~
24 *local child support agency* shall verify, under penalty of
25 perjury, that the persons listed are subject to an order or
26 judgment for the payment of support and that these
27 persons are not in compliance with the order or
28 judgment. The ~~district attorney~~ *local child support*
29 *agency* shall submit to the State Department of Social
30 Services an updated certified list on a monthly basis.

31 (c) The State Department of Social Services shall
32 consolidate the certified lists received from the ~~district~~
33 ~~attorneys~~ *local child support agencies* and, within 30
34 calendar days of receipt, shall provide a copy of the
35 consolidated list to each board which is responsible for the
36 regulation of licenses, as specified in this section.

37 (d) On or before November 1, 1992, or as soon
38 thereafter as economically feasible, as determined by the
39 State Department of Social Services, all boards subject to
40 this section shall implement procedures to accept and



1 process the list provided by the State Department of
2 Social Services, in accordance with this section.
3 Notwithstanding any other provision of law, all boards
4 shall collect social security numbers from all applicants
5 for the purposes of matching the names of the certified
6 list provided by the State Department of Social Services
7 to applicants and licensees and of responding to requests
8 for this information made by child support agencies.

9 (e) (1) Promptly after receiving the certified
10 consolidated list from the State Department of Social
11 Services, and prior to the issuance or renewal of a license,
12 each board shall determine whether the applicant is on
13 the most recent certified consolidated list provided by the
14 State Department of Social Services. The board shall have
15 the authority to withhold issuance or renewal of the
16 license of any applicant on the list.

17 (2) If an applicant is on the list, the board shall
18 immediately serve notice as specified in subdivision (f)
19 on the applicant of the board's intent to withhold issuance
20 or renewal of the license. The notice shall be made
21 personally or by mail to the applicant's last known mailing
22 address on file with the board. Service by mail shall be
23 complete in accordance with Section 1013 of the Code of
24 Civil Procedure.

25 (A) The board shall issue a temporary license valid for
26 a period of 150 days to any applicant whose name is on the
27 certified list if the applicant is otherwise eligible for a
28 license.

29 (B) Except as provided in subparagraph (D), the
30 150-day time period for a temporary license shall not be
31 extended. Except as provided in subparagraph (D), only
32 one temporary license shall be issued during a regular
33 license term and it shall coincide with the first 150 days
34 of that license term. As this paragraph applies to
35 commercial driver's licenses, "license term" shall be
36 deemed to be 12 months from the date the application fee
37 is received by the Department of Motor Vehicles. A
38 license for the full or remainder of the license term shall
39 be issued or renewed only upon compliance with this
40 section.



1 (C) In the event that a license or application for a
2 license or the renewal of a license is denied pursuant to
3 this section, any funds paid by the applicant or licensee
4 shall not be refunded by the board.

5 (D) This paragraph shall apply only in the case of a
6 driver's license, other than a commercial driver's license.
7 Upon the request of the district attorney or by order of
8 the court upon a showing of good cause, the board shall
9 extend a 150-day temporary license for a period not to
10 exceed 150 extra days.

11 (3) (A) The State Department of Social Services may,
12 when it is economically feasible for the department and
13 the boards to do so as determined by the department, in
14 cases where the department is aware that certain child
15 support obligors listed on the certified lists have been out
16 of compliance with a judgment or order for support for
17 more than four months, provide a supplemental list of
18 these obligors to each board with which the department
19 has an interagency agreement to implement this
20 paragraph. Upon request by the department, the licenses
21 of these obligors shall be subject to suspension, provided
22 that the licenses would not otherwise be eligible for
23 renewal within six months from the date of the request by
24 the department. The board shall have the authority to
25 suspend the license of any licensee on this supplemental
26 list.

27 (B) If a licensee is on a supplemental list, the board
28 shall immediately serve notice as specified in subdivision
29 (f) on the licensee that his or her license will be
30 automatically suspended 150 days after notice is served,
31 unless compliance with this section is achieved. The
32 notice shall be made personally or by mail to the licensee's
33 last known mailing address on file with the board. Service
34 by mail shall be complete in accordance with Section 1013
35 of the Code of Civil Procedure.

36 (C) The 150-day notice period shall not be extended.

37 (D) In the event that any license is suspended
38 pursuant to this section, any funds paid by the licensee
39 shall not be refunded by the board.



1 (E) This paragraph shall not apply to licenses subject
2 to annual renewal or annual fee.

3 (f) Notices shall be developed by each board in
4 accordance with guidelines provided by the State
5 Department of Social Services and subject to approval by
6 the State Department of Social Services. The notice shall
7 include the address and telephone number of the ~~district~~
8 ~~attorney~~ *local child support agency* who submitted the
9 name on the certified list, and shall emphasize the
10 necessity of obtaining a release from that ~~district~~
11 ~~attorney's office~~ *local child support agency* as a condition
12 for the issuance, renewal, or continued valid status of a
13 license or licenses.

14 (1) In the case of applicants not subject to paragraph
15 (3) of subdivision (e), the notice shall inform the
16 applicant that the board shall issue a temporary license,
17 as provided in subparagraph (A) of paragraph (2) of
18 subdivision (e), for 150 calendar days if the applicant is
19 otherwise eligible and that upon expiration of that time
20 period the license will be denied unless the board has
21 received a release from the ~~district attorney~~ *local child*
22 *support agency* who submitted the name on the certified
23 list.

24 (2) In the case of licensees named on a supplemental
25 list, the notice shall inform the licensee that his or her
26 license will continue in its existing status for no more than
27 150 calendar days from the date of mailing or service of
28 the notice and thereafter will be suspended indefinitely
29 unless, during the 150-day notice period, the board has
30 received a release from the district attorney who
31 submitted the name on the certified list. Additionally, the
32 notice shall inform the licensee that any license
33 suspended under this section will remain so until the
34 expiration of the remaining license term, unless the board
35 receives a release along with applications and fees, if
36 applicable, to reinstate the license during the license
37 term.

38 (3) The notice shall also inform the applicant or
39 licensee that if an application is denied or a license is
40 suspended pursuant to this section, any funds paid by the



1 applicant or licensee shall not be refunded by the board.
2 The State Department of Social Services shall also
3 develop a form that the applicant shall use to request a
4 review by the ~~district attorney~~ *local child support agency*.
5 A copy of this form shall be included with every notice
6 sent pursuant to this subdivision.

7 (g) (1) Each ~~district attorney~~ *local child support*
8 *agency* shall maintain review procedures consistent with
9 this section to allow an applicant to have the underlying
10 arrearage and any relevant defenses investigated, to
11 provide an applicant information on the process of
12 obtaining a modification of a support order, or to provide
13 an applicant assistance in the establishment of a payment
14 schedule on arrearages if the circumstances so warrant.

15 (2) It is the intent of the Legislature that a court or
16 ~~district attorney~~ *local child support agency*, when
17 determining an appropriate payment schedule for
18 arrearages, base its decision on the facts of the particular
19 case and the priority of payment of child support over
20 other debts. The payment schedule shall also recognize
21 that certain expenses may be essential to enable an
22 obligor to be employed. Therefore, in reaching its
23 decision, the court or the ~~district attorney~~ *local child*
24 *support agency* shall consider both of these goals in
25 setting a payment schedule for arrearages.

26 (h) If the applicant wishes to challenge the submission
27 of his or her name on the certified list, the applicant shall
28 make a timely written request for review on the form
29 specified in subdivision (f) to the ~~district attorney~~ *local*
30 *child support agency* who certified the applicant's name.
31 The ~~district attorney~~ *local child support agency* shall,
32 within 75 days of receipt of the written request, inform
33 the applicant in writing of ~~his or her~~ *its* findings upon
34 completion of the review. The ~~district attorney~~ *local child*
35 *support agency* shall immediately send a release to the
36 appropriate board and the applicant, if any of the
37 following conditions are met:

38 (1) The applicant is found to be in compliance or
39 negotiates an agreement with the ~~district attorney~~ *local*



1 *child support agency* for a payment schedule on
2 arrearages or reimbursement.

3 (2) The applicant has submitted a request for review,
4 but the ~~district attorney~~ *local child support agency* will
5 be unable to complete the review and send notice of ~~his~~
6 ~~or her~~ *its* findings to the applicant within 75 days. This
7 paragraph applies only if the delay in completing the
8 review process is not the result of the applicant's failure
9 to act in a reasonable, timely, and diligent manner upon
10 receiving notice from the board that his or her name is on
11 the list.

12 (3) The applicant has filed and served a request for
13 judicial review pursuant to this section, but a resolution
14 of that review will not be made within 150 days of the date
15 of service of notice pursuant to subdivision (f). This
16 paragraph applies only if the delay in completing the
17 judicial review process is not the result of the applicant's
18 failure to act in a reasonable, timely, and diligent manner
19 upon receiving the ~~district attorney's notice of his or her~~
20 *local child support agency's notice of its findings*.

21 (4) The applicant has obtained a judicial finding of
22 compliance as defined in this section.

23 (i) An applicant is required to act with diligence in
24 responding to notices from the board and the ~~district~~
25 ~~attorney~~ *local child support agency* with the recognition
26 that the temporary license will lapse or the license
27 suspension will go into effect after 150 days and that the
28 ~~district attorney~~ *local child support agency* and, where
29 appropriate, the court must have time to act within that
30 period. An applicant's delay in acting, without good
31 cause, which directly results in the inability of the ~~district~~
32 ~~attorney~~ *local child support agency* to complete a review
33 of the applicant's request or the court to hear the request
34 for judicial review within the 150-day period shall not
35 constitute the diligence required under this section
36 which would justify the issuance of a release.

37 (j) Except as otherwise provided in this section, the
38 ~~district attorney~~ *local child support agency* shall not issue
39 a release if the applicant is not in compliance with the
40 judgment or order for support. The ~~district attorney~~ *local*



1 *child support agency* shall notify the applicant in writing
2 that the applicant may, by filing an order to show cause
3 or notice of motion, request any or all of the following:

4 (1) Judicial review of the ~~district attorney's~~ *local child*
5 *support agency's* decision not to issue a release.

6 (2) A judicial determination of compliance.

7 (3) A modification of the support judgment or order.

8 The notice shall also contain the name and address of
9 the court in which the applicant shall file the order to
10 show cause or notice of motion and inform the applicant
11 that his or her name shall remain on the certified list if the
12 applicant does not timely request judicial review. The
13 applicant shall comply with all statutes and rules of court
14 regarding orders to show cause and notices of motion.

15 Nothing in this section shall be deemed to limit an
16 applicant from filing an order to show cause or notice of
17 motion to modify a support judgment or order or to fix a
18 payment schedule on arrearages accruing under a
19 support judgment or order or to obtain a court finding of
20 compliance with a judgment or order for support.

21 (k) The request for judicial review of the ~~district~~
22 ~~attorney's~~ *local child support agency's* decision shall state
23 the grounds for which review is requested and judicial
24 review shall be limited to those stated grounds. The court
25 shall hold an evidentiary hearing within 20 calendar days
26 of the filing of the request for review. Judicial review of
27 the ~~district attorney's~~ *local child support agency's*
28 decision shall be limited to a determination of each of the
29 following issues:

30 (1) Whether there is a support judgment, order, or
31 payment schedule on arrearages or reimbursement.

32 (2) Whether the petitioner is the obligor covered by
33 the support judgment or order.

34 (3) Whether the support obligor is or is not in
35 compliance with the judgment or order of support.

36 (4) The extent to which the needs of the obligor,
37 taking into account the obligor's payment history and the
38 current circumstances of both the obligor and the
39 obligee, warrant a conditional release as described in this
40 subdivision.



1 The request for judicial review shall be served by the
2 applicant upon the ~~district attorney~~ *local child support*
3 *agency* who submitted the applicant's name on the
4 certified list within seven calendar days of the filing of the
5 petition. The court has the authority to uphold the action,
6 unconditionally release the license, or conditionally
7 release the license.

8 If the judicial review results in a finding by the court
9 that the obligor is in compliance with the judgment or
10 order for support, the district attorney shall immediately
11 send a release in accordance with subdivision (h) to the
12 appropriate board and the applicant. If the judicial
13 review results in a finding by the court that the needs of
14 the obligor warrant a conditional release, the court shall
15 make findings of fact stating the basis for the release and
16 the payment necessary to satisfy the unrestricted
17 issuance or renewal of the license without prejudice to a
18 later judicial determination of the amount of support
19 arrearages, including interest, and shall specify payment
20 terms, compliance with which are necessary to allow the
21 release to remain in effect.

22 (l) The State Department of Social Services shall
23 prescribe release forms for use by ~~district attorneys~~ *local*
24 *child support agencies*. When the obligor is in
25 compliance, the district attorney shall mail to the
26 applicant and the appropriate board a release stating that
27 the applicant is in compliance. The receipt of a release
28 shall serve to notify the applicant and the board that, for
29 the purposes of this section, the applicant is in compliance
30 with the judgment or order for support.

31 If the ~~district attorney~~ *local child support agency*
32 determines subsequent to the issuance of a release that
33 the applicant is once again not in compliance with a
34 judgment or order for support, or with the terms of
35 repayment as described in this subdivision, the ~~district~~
36 ~~attorney~~ *local child support agency* may notify the board,
37 the obligor, and the State Department of Social Services
38 in a format prescribed by the State Department of Social
39 Services that the obligor is not in compliance.



1 The State Department of Social Services may, when it
2 is economically feasible for the department and the
3 boards to develop an automated process for complying
4 with this subdivision, notify the boards in a manner
5 prescribed by the department, that the obligor is once
6 again not in compliance. Upon receipt of this notice, the
7 board shall immediately notify the obligor on a form
8 prescribed by the department that the obligor's license
9 will be suspended on a specific date, and this date shall be
10 no longer than 30 days from the date the form is mailed.
11 The obligor shall be further notified that the license will
12 remain suspended until a new release is issued in
13 accordance with subdivision (h). Nothing in this section
14 shall be deemed to limit the obligor from seeking judicial
15 review of suspension pursuant to the procedures
16 described in subdivision (k).

17 (m) The State Department of Social Services may
18 enter into interagency agreements with the state
19 agencies that have responsibility for the administration of
20 boards necessary to implement this section, to the extent
21 that it is cost-effective to implement this section. These
22 agreements shall provide for the receipt by the other
23 state agencies and boards of federal funds to cover that
24 portion of costs allowable in federal law and regulation
25 and incurred by the state agencies and boards in
26 implementing this section. Notwithstanding any other
27 provision of law, revenue generated by a board or state
28 agency shall be used to fund the nonfederal share of costs
29 incurred pursuant to this section. These agreements shall
30 provide that boards shall reimburse the State
31 Department of Social Services for the nonfederal share of
32 costs incurred by the department in implementing this
33 section. The boards shall reimburse the State
34 Department of Social Services for the nonfederal share of
35 costs incurred pursuant to this section from moneys
36 collected from applicants and licensees.

37 (n) Notwithstanding any other provision of law, in
38 order for the boards subject to this section to be
39 reimbursed for the costs incurred in administering its
40 provisions, the boards may, with the approval of the



1 appropriate department director, levy on all licensees
2 and applicants a surcharge on any fee or fees collected
3 pursuant to law, or, alternatively, with the approval of the
4 appropriate department director, levy on the applicants
5 or licensees named on a certified list or supplemental list,
6 a special fee.

7 (o) The process described in subdivision (h) shall
8 constitute the sole administrative remedy for contesting
9 the issuance of a temporary license or the denial or
10 suspension of a license under this section. The procedures
11 specified in the administrative adjudication provisions of
12 the Administrative Procedure Act (Chapter 4.5
13 commencing with Section 11400) and Chapter 5
14 commencing with Section 11500) of Part 1 of Division 3
15 of Title 2 of the Government Code) shall not apply to the
16 denial, suspension, or failure to issue or renew a license or
17 the issuance of a temporary license pursuant to this
18 section.

19 (p) In furtherance of the public policy of increasing
20 child support enforcement and collections, on or before
21 November 1, 1995, the State Department of Social
22 Services shall make a report to the Legislature and the
23 Governor based on data collected by the boards and the
24 ~~district attorneys~~ *local child support agencies* in a format
25 prescribed by the State Department of Social Services.
26 The report shall contain all of the following:

27 (1) The number of delinquent obligors certified by
28 ~~district attorneys~~ *local child support agencies* under this
29 section.

30 (2) The number of support obligors who also were
31 applicants or licensees subject to this section.

32 (3) The number of new licenses and renewals that
33 were delayed, temporary licenses issued, and licenses
34 suspended subject to this section and the number of new
35 licenses and renewals granted and licenses reinstated
36 following board receipt of releases as provided by
37 subdivision (h) by May 1, 1995.

38 (4) The costs incurred in the implementation and
39 enforcement of this section.



1 (q) Any board receiving an inquiry as to the licensed
2 status of an applicant or licensee who has had a license
3 denied or suspended under this section or has been
4 granted a temporary license under this section shall
5 respond only that the license was denied or suspended or
6 the temporary license was issued pursuant to this section.
7 Information collected pursuant to this section by any
8 state agency, board, or department shall be subject to the
9 Information Practices Act of 1977 (Chapter 1
10 (commencing with Section 1798) of Title 1.8 of Part 4 of
11 Division 3 of the Civil Code).

12 (r) Any rules and regulations issued pursuant to this
13 section by any state agency, board, or department may be
14 adopted as emergency regulations in accordance with the
15 rulemaking provisions of the Administrative Procedure
16 Act (Chapter 3.5 (commencing with Section 11340) of
17 Part 1 of Division 3 of Title 2 of the Government Code).
18 The adoption of these regulations shall be deemed an
19 emergency and necessary for the immediate
20 preservation of the public peace, health, and safety, or
21 general welfare. The regulations shall become effective
22 immediately upon filing with the Secretary of State.

23 (s) The State Department of Social Services and
24 boards, as appropriate, shall adopt regulations necessary
25 to implement this section.

26 (t) The Judicial Council shall develop the forms
27 necessary to implement this section, except as provided
28 in subdivisions (f) and (l).

29 (u) The release or other use of information received
30 by a board pursuant to this section, except as authorized
31 by this section, is punishable as a misdemeanor.

32 (v) The State Board of Equalization shall enter into
33 interagency agreements with the State Department of
34 Social Services and the Franchise Tax Board that will
35 require the State Department of Social Services and the
36 Franchise Tax Board to maximize the use of information
37 collected by the State Board of Equalization, for child
38 support enforcement purposes, to the extent it is
39 cost-effective and permitted by the Revenue and
40 Taxation Code.



1 (w) (1) The suspension or revocation of any driver's
2 license, including a commercial driver's license, under
3 this section shall not subject the licensee to vehicle
4 impoundment pursuant to Section 14602.6 of the Vehicle
5 Code.

6 (2) Notwithstanding any other provision of law, the
7 suspension or revocation of any driver's license, including
8 a commercial driver's license, under this section shall not
9 subject the licensee to increased costs for vehicle liability
10 insurance.

11 (x) If any provision of this section or the application
12 thereof to any person or circumstance is held invalid, that
13 invalidity shall not affect other provisions or applications
14 of this section which can be given effect without the
15 invalid provision or application, and to this end the
16 provisions of this section are severable.

17 (y) All rights to administrative and judicial review
18 afforded by this section to an applicant shall also be
19 afforded to a licensee.

20 SEC. 19. Section 11355 of the Welfare and Institutions
21 Code is amended to read:

22 11355. (a) Notwithstanding any other provision of
23 law, in any action filed by the ~~district attorney~~ *local child*
24 *support agency* pursuant to Section 11350, 11350.1, or
25 11475.1, a judgment shall be entered without hearing,
26 without the presentation of any other evidence or further
27 notice to the defendant, upon the filing of proof of service
28 by the ~~district attorney~~ *local child support agency*
29 evidencing that more than 30 days have passed since the
30 simplified summons and complaint, proposed judgment,
31 blank answer, blank income and expense declaration, and
32 all notices required by this article and Article 7
33 (commencing with Section 11475) were served on the
34 defendant.

35 (b) If the defendant fails to file an answer with the
36 court within 30 days of having been served as specified in
37 subdivision (c) of Section 11475.1, the proposed judgment
38 filed with the original summons and complaint shall be
39 conformed by the court as the final judgment and a copy
40 provided to the ~~district attorney, unless the district~~



1 ~~attorney~~ *local child support agency, unless the local child*
2 *support agency* has filed a declaration and amended
3 proposed judgment pursuant to subdivision (c).

4 (c) If the ~~district attorney~~ *local child support agency*
5 receives additional financial information within 30 days of
6 service of the complaint and proposed judgment on the
7 defendant and the additional information would result in
8 a support order that is different from the amount in the
9 proposed judgment, the ~~district attorney~~ *local child*
10 *support agency* shall file a declaration setting forth the
11 additional information and an amended proposed
12 judgment. The declaration and amended proposed
13 judgment shall be served on the defendant in compliance
14 with Section 1013 of the Code of Civil Procedure or
15 otherwise as provided by law. The defendant's time to
16 answer or otherwise appear shall be extended to 30 days
17 from the date of service of the declaration and amended
18 proposed judgment.

19 (d) Upon entry of the judgment, the clerk of the court
20 shall provide a conformed copy of the judgment to the
21 ~~district attorney. The district attorney shall mail by~~ *local*
22 *child support agency. The local child support agency shall*
23 *mail by* first-class mail, postage prepaid, a notice of entry
24 of judgment by default and a copy of the judgment to the
25 defendant to the address where he or she was served with
26 the summons and complaint and last known address if
27 different than the address of service.

28 SEC. 20. Section 11400.1 is added to the Welfare and
29 Institutions Code, to read:

30 11400.1. For purposes of this chapter, "local child
31 support agency" means any local agency that receives
32 funding pursuant to Title IV-D of the federal Social
33 Security Act (Part D (commencing with Section 651) of
34 Subchapter 4 of Chapter 7 of Title 42 of the United States
35 Code) for the purpose of enforcing child support.

36 SEC. 21. Section 11475.05 is added to the Welfare and
37 Institutions Code, to read:

38 11475.05. (a) The Legislature finds that a lack of
39 uniformity of procedures and processes from district
40 attorney to district attorney, court to court, and county to



1 county on child support cases and issues has created great
2 difficulty and confusion for parties. The purpose of the
3 requirements imposed by this section is to assure
4 uniformity of procedures and processes in child support
5 cases and issues and, thereby, to provide increased
6 service.

7 (b) In proceedings involving child support, every local
8 child support agency shall follow uniform, statewide
9 procedures and processes for customer service ~~and~~
10 ~~complaint-resolution~~ that shall be developed by the
11 department, in consultation with the ~~district attorneys~~
12 *local child support agencies* and with nonprofit child
13 support advocates. On or before March 31 of each year,
14 the department shall clearly communicate these
15 procedures and processes to the ~~district attorneys of each~~
16 ~~county in writing.~~

17 ~~SEC. 23.—~~*local child support agency of each county in*
18 *writing.*

19 *SEC. 22.* Section 11475.6 is added to the Welfare and
20 Institutions Code, to read:

21 11475.6. In carrying out duties under this article, the
22 local child support agency shall interview the custodial
23 parent within 10 business days of opening a child support
24 case. This interview shall solicit financial and all other
25 information about the noncustodial parent. This
26 information shall be acted upon immediately. The local
27 child support agency shall reinterview the custodial
28 parent as needed.

29 ~~SEC. 24.—~~

30 *SEC. 23.* Section 11475.7 is added to the Welfare and
31 Institutions Code, to read:

32 11475.7. (a) Local child support agencies shall
33 maintain toll-free telephone numbers for use by the
34 public that have questions about a child support case
35 assigned to the ~~district attorney~~ *local child support*
36 *agency.*

37 (b) This telephone number shall be provided on all
38 communications from the district attorney relative to any
39 specific child support case.



1 (c) The local child support agency shall sufficiently
2 staff this telephone system so as to minimize or eliminate
3 time spent by callers waiting to speak with a local child
4 support agency representative and maximize
5 information provided on the telephone according to
6 standards set by the State Department of Social Services.

7 (d) The department shall review successful toll-free
8 call center operations used by other agencies, companies,
9 and organizations and determine appropriate statewide
10 standards for this telephone system. These standards shall
11 include goals for average wait for a person to reach staff,
12 average length of call, number of calls per day, number
13 of calls abandoned (caller hung up before reaching staff),
14 number of calls deflected (caller received a busy signal or
15 message), average length of time that a call is in the
16 “queue,” staff ratios of number of calls per worker, and
17 other relevant information.

18 (e) Nothing in this section shall prohibit local child
19 support agencies from utilizing joint powers agreements
20 or other methods of two or more ~~district attorneys~~ *local*
21 *child support agencies* sharing a single toll-free telephone
22 system.

23 (f) *Nothing in this section shall preclude a custodial or*
24 *noncustodial parent from using a statewide hearing*
25 *process or an otherwise established complaint resolution*
26 *process.*

27 ~~SEC. 25.—~~

28 *SEC. 24.* Section 11475.10 is added to the Welfare and
29 Institutions Code, to read:

30 11475.10. (a) It is the intent of the Legislature that,
31 whenever possible, practical, and consistent with due
32 process of law, the use of Judicial Council forms shall be
33 mandatory in all actions filed by the ~~district attorney~~ *local*
34 *child support agency*, whether as an initial pleading or
35 action in intervention, pursuant to Section 11350 or
36 11475.1.

37 (b) The Judicial Council, in consultation with the
38 department and representatives of the California Family
39 Support Council, *child support commissioners, family law*
40 *facilitators*, the State Department of Social Services, the



1 Senate Committee on Judiciary, the Assembly
2 Committee on Judiciary, and nonprofit organizations
3 recognized as representing the interests of obligor and
4 obligee parents, shall develop by ~~December 31, 2000~~ *July*
5 *1, 2001*, simplified pleading forms for use by litigants in all
6 actions stated in subdivision (a). Use of the forms shall be
7 mandatory.

8 (c) The Judicial Council shall continue the process of
9 consultation with the organizations referred to in
10 subdivision (b) annually to review the use of the forms
11 previously promulgated to insure that they meet the
12 pleading requirements of litigants to the greatest extent
13 possible without alteration or deviation. The Judicial
14 Council shall update forms and notify courts of updates as
15 appropriate to reflect changes in law or other actions
16 requiring updates in forms.

17 ~~SEC. 26.—~~

18 *SEC. 25.* Section 11475.11 is added to the Welfare and
19 Institutions Code, to read:

20 11475.11. The State Department of Social Services
21 shall develop uniform forms that are required to be
22 completed by applicants and recipients of Title IV-D of
23 the federal Social Security Act (42 U.S.C. Sec. 651)
24 services, including, but not limited to, custodial and
25 noncustodial parents. These forms shall be provided to
26 ~~district attorneys~~ *local child support agencies* and
27 developed by the State Department of Social Services in
28 consultation with nonprofit custodial and noncustodial
29 child support advocates and ~~district attorneys~~ *local child*
30 *support agencies*. The Attorney General shall update
31 these forms periodically as appropriate.

32 ~~SEC. 26.5.—~~

33 *SEC. 26.* Section 11475.12 is added to the Welfare and
34 Institutions Code, to read:

35 11475.12. (a) The State Department of Social
36 Services shall develop a toll-free telephone number for
37 use by the public when they are having difficulty
38 reaching resolution with the local child support agency.
39 The telephone number shall be posted in each public
40 office of the local child support agency. Local child



1 support agency staff shall provide this telephone number
2 to any individual who asks for further review or assistance
3 beyond that provided by the ~~district attorney~~ *local child*
4 *support agency*.

5 (b) The telephone system shall be staffed or allow for
6 automated access 24 hours a day. Staff shall be trained in
7 complaint resolution, and shall have automated access to
8 all California child support case actions when a statewide
9 automated system is fully implemented.

10 (c) The department shall develop a data base of
11 information extracted from calls received in the toll-free
12 telephone system. The department shall utilize this
13 information to develop corrective actions where ~~district~~
14 ~~attorneys~~ *local child support agencies* are having
15 customer service difficulties. This information shall
16 include, but not be limited to, the number of callers
17 reporting problems with payments, disputed arrears,
18 amount of accruing interest, untimely processing of case,
19 confidentiality concerns, lack of information, rude or
20 unprofessional behavior by the ~~district attorney~~ *local*
21 *child support agency*, and discrimination.

22 (d) *Nothing in this section shall preclude a custodial or*
23 *noncustodial parent from using a statewide hearing*
24 *process or an otherwise established compliant resolution*
25 *process.*

26 SEC. 27. Section 11475.13 is added to the Welfare and
27 Institutions Code, to read:

28 11475.13. The department shall establish appropriate
29 worker-to-caseload ratios for local child support agencies.
30 Additionally, the department shall develop and provide
31 uniform training for case workers, local child support
32 agencies, and other staff as appropriate. The department
33 shall consult with nonprofit child support advocates,
34 ~~district attorneys~~ *local child support agencies*, organized
35 labor, and other appropriate organizations in
36 implementing this section.

37 SEC. 28. Section 11478.3 is added to the Welfare and
38 Institutions Code, to read:

39 11478.3. (a) If the Attorney General is of the opinion
40 that a support order or support-related order is erroneous



1 and presents a question of law warranting an appeal, or
2 that an order is sound and should be defended on appeal,
3 in the public interest the Attorney General may:

4 (1) Perfect or oppose an appeal to the proper
5 appellate court if the order was issued by a court of this
6 state.

7 (2) If the order was issued in another state, cause an
8 appeal to be taken or opposed in the other state.

9 (b) In either case, expenses of the appeal may be paid
10 on order of the Attorney General from funds
11 appropriated for the Office of the Attorney General.

12 SEC. 28.5. Section 11478.5 of the Welfare and
13 Institutions Code is amended to read:

14 11478.5. (a) There is in the Department of Justice the
15 California Parent Locator Service and Central Registry
16 that shall collect and disseminate all of the following, with
17 respect to any parent, putative parent, spouse, or former
18 spouse:

19 (1) The full and true name of the parent together with
20 any known aliases.

21 (2) Date and place of birth.

22 (3) Physical description.

23 (4) Social security number.

24 (5) Employment history and earnings.

25 (6) Military status and Veterans Administration or
26 military service serial number.

27 (7) Last known address, telephone number, and date
28 thereof.

29 (8) Driver's license number, driving record, and
30 vehicle registration information.

31 (9) Criminal, licensing, and applicant records and
32 information.

33 (10) (A) Any additional location, asset, and income
34 information, including income tax return information
35 obtained pursuant to Section 19285.1 of the Revenue and
36 Taxation Code, and the address, telephone number, and
37 social security information obtained from a public utility,
38 cable television corporation, a provider of electronic
39 digital pager communication, or a provider of cellular
40 telephone services that may be of assistance in locating



1 the parent, putative parent, abducting, concealing, or
2 detaining parent, spouse, or former spouse, in
3 establishing a parent and child relationship, in enforcing
4 the child support liability of the absent parent, or
5 enforcing the spousal support liability of the spouse or
6 former spouse to the extent required by the state plan
7 pursuant to Section 11475.2.

8 (B) For purposes of this subdivision “income tax
9 return information” means all of the following regarding
10 the taxpayer:

- 11 (i) Assets.
- 12 (ii) Credits.
- 13 (iii) Deductions.
- 14 (iv) Exemptions.
- 15 (v) Identity.
- 16 (vi) Liabilities.
- 17 (vii) Nature, source, and amount of income.
- 18 (viii) Net worth.
- 19 (ix) Payments.
- 20 (x) Receipts.
- 21 (xi) Address.
- 22 (xii) Social security number.

23 (b) To effectuate the purposes of this section, the
24 Statewide Automated Child Support System, or its
25 replacement, the California Parent Locator Service and
26 Central Registry, and the Franchise Tax Board shall
27 utilize the federal Parent Locator Service to the extent
28 necessary, and may request and shall receive from all
29 departments, boards, bureaus, or other agencies of the
30 state, or any of its political subdivisions, and those entities
31 shall provide, that assistance and data that will enable the
32 State Department of Social Services, the Department of
33 Justice, and other public agencies to carry out their
34 powers and duties to locate parents, spouses, and former
35 spouses, and to identify their assets, to establish
36 parent-child relationships, and to enforce liability for
37 child or spousal support, and for any other obligations
38 incurred on behalf of children, and shall also provide that
39 information to any ~~district attorney~~ *local child support*
40 *agency* in fulfilling the duties prescribed in Section 270 of



1 the Penal Code, and in Chapter 8 (commencing with
2 Section 3130) of Part 2 of Division 8 of the Family Code,
3 relating to abducted, concealed, or detained children.
4 The State Department of Social Services' Statewide
5 Automated Child Support System, or its replacement,
6 shall be entitled to the same cooperation and information
7 as the California Parent Locator Service, to the extent
8 allowed by law. The Statewide Automated Child Support
9 System, or its replacement, shall be allowed access to
10 criminal record information only to the extent that access
11 is allowed by state and federal law.

12 (c) (1) To effectuate the purposes of this section, and
13 notwithstanding any other provision of California law,
14 regulation, or tariff, and to the extent permitted by
15 federal law, the California Parent Locator Service and
16 Central Registry and the Statewide Automated Child
17 Support System, or its replacement, may request and
18 shall receive from public utilities, as defined in Section
19 216 of the Public Utilities Code, customer service
20 information, including the full name, address, telephone
21 number, date of birth, employer name and address, and
22 social security number of customers of the public utility,
23 to the extent that this information is stored within the
24 computer data base of the public utility .

25 (2) To effectuate the purposes of this section, and
26 notwithstanding any other provision of California law,
27 regulation, or tariff, and to the extent permitted by
28 federal law, the California Parent Locator Service and
29 Central Registry and the Statewide Automated Child
30 Support System, or its replacement, shall request and
31 shall receive from cable television corporations, as
32 defined in Section 215.5 of the Public Utilities Code, the
33 providers of electronic digital pager communication, as
34 defined in Section 629.51 of the Penal Code, and the
35 providers of cellular telephone services, as defined in
36 Section 17538.9 of the Business and Professions Code,
37 customer service information, including the full name,
38 address, telephone number, date of birth, employer name
39 and address, and social security number of customers of
40 the cable television corporation, customers of the



1 providers of electronic digital pager communication, and
2 customers of the providers of cellular telephone services.

3 (3) In order to protect the privacy of utility, cable
4 television, electronic digital pager communication, and
5 cellular telephone customers, a request to a public utility,
6 cable television corporation, provider of electronic digital
7 pager communication, or provider of cellular telephone
8 services for customer service information pursuant to this
9 section shall meet the following requirements:

10 (A) Be submitted to the public utility, cable television
11 corporation, provider of electronic digital pager
12 communication, or provider of cellular telephone
13 services in writing, on a transmittal document prepared
14 by the California Parent Locator Service and Central
15 Registry or the Statewide Automated Child Support
16 System, or its replacement, and approved by all of the
17 public utilities, cable television corporations, providers of
18 electronic digital pager communication, and providers of
19 cellular telephone services. The transmittal shall be
20 deemed to be an administrative subpoena for customer
21 service information.

22 (B) Have the signature of a representative authorized
23 by the California Parent Locator Service and Central
24 Registry or the Statewide Automated Child Support
25 System, or its replacement.

26 (C) Contain at least three of the following data
27 elements regarding the person sought:

- 28 (i) First and last name, and middle initial, if known.
- 29 (ii) Social security number.
- 30 (iii) Driver's license number.
- 31 (iv) Birth date.
- 32 (v) Last known address.
- 33 (vi) Spouse's name.

34 (D) The California Parent Locator Service and
35 Central Registry and the Statewide Automated Child
36 Support System, or its replacement, shall ensure that each
37 public utility, cable television corporation, provider of
38 electronic digital pager communication services, and
39 provider of cellular telephone services has at all times a



1 current list of the names of persons authorized to request
2 customer service information.

3 (E) The California Statewide Automated Child
4 Support System, or its replacement, and the California
5 Parent Locator Service and Central Registry shall ensure
6 that customer service information supplied by a public
7 utility, cable television corporation, provider of
8 electronic digital pager communication, or provider of
9 cellular telephone services is applicable to the person
10 who is being sought before releasing the information
11 pursuant to subdivision (d).

12 (4) The public utility, cable television corporation,
13 electronic digital pager communication provider, or
14 cellular telephone service provider may charge a fee to
15 the California Parent Locator Service and Central
16 Registry or the Statewide Automated Child Support
17 System, or its replacement, for each search performed
18 pursuant to this subdivision to cover the actual costs to the
19 public utility, cable television corporation, electronic
20 digital pager communication provider, or cellular
21 telephone service provider for providing this
22 information.

23 (5) No public utility, cable television corporation,
24 electronic digital pager communication provider, or
25 cellular telephone service provider, or official or
26 employee thereof, shall be subject to criminal or civil
27 liability for the release of customer service information as
28 authorized or required by this subdivision.

29 (d) Notwithstanding Section 14202 of the Penal Code,
30 any records established pursuant to this section shall be
31 disseminated only to the Department of Justice, the
32 Statewide Automated Child Support System or its
33 replacement, the California Parent Locator Service and
34 Central Registry, the parent locator services and central
35 registries of other states as defined by federal statutes and
36 regulations, a ~~district attorney~~ *local child support agency*
37 of any county in this state, the federal Parent Locator
38 Service, and official child support enforcement agencies.
39 The State Department of Social Services' Statewide
40 Automated Child Support Enforcement System, or its



1 replacement, shall be allowed access to criminal offender
2 record information only to the extent that access is
3 allowed by law.

4 (e) (1) At no time shall any information received by
5 the California Parent Locator Service and Central
6 Registry or by the Statewide Automated Child Support
7 System, or its replacement, be disclosed to any person,
8 agency, or other entity, other than those persons,
9 agencies, and entities specified pursuant to Section 11478,
10 this section, or any other provision of law.

11 (2) This subdivision shall not otherwise affect
12 discovery between parties in any action to establish,
13 modify, or enforce child, family, or spousal support, that
14 relates to custody or visitation.

15 (f) (1) The Department of Justice, in consultation
16 with the State Department of Social Services, shall
17 promulgate rules and regulations to facilitate maximum
18 and efficient use of the California Parent Locator Service
19 and Central Registry.

20 (2) The State Department of Social Services, the
21 Public Utilities Commission, the cable television
22 corporations, providers of electronic digital pager
23 communication, and the providers of cellular telephone
24 services shall develop procedures for obtaining the
25 information described in subdivision (c) from public
26 utilities, cable television corporations, providers of
27 electronic digital pager communication, and providers of
28 cellular telephone services, and for compensating the
29 public utilities, cable television corporations, providers of
30 electronic digital pager communication, and providers of
31 cellular telephone services for providing that
32 information.

33 (g) The California Parent Locator Service and Central
34 Registry may charge a fee not to exceed eighteen dollars
35 (\$18) for any service it provides pursuant to this section
36 that is not performed or funded pursuant to Part D
37 (commencing with Section 651) of Subchapter IV of
38 Chapter 7 of Title 42 of the United States Code.

39 (h) This section shall be construed in a manner
40 consistent with the other provisions of this article.



1 SEC. 29. Section 11478.51 of the Welfare and
2 Institutions Code is amended to read:

3 11478.51. (a) The Employment Development
4 Department shall, when requested by the department,
5 local child support agency, or the Franchise Tax Board for
6 purposes of administering Article 5 (commencing with
7 Section 19271) of Chapter 5 of Part 10.2 of Division 2 of
8 the Revenue and Taxation Code, the federal Parent
9 Locator Service, or the California Parent Locator Service,
10 provide access to information collected pursuant to
11 Division 1 (commencing with Section 100) of the
12 Unemployment Insurance Code to the requesting
13 department or agency for purposes of administering the
14 child support enforcement program, and for purposes of
15 verifying employment of applicants and recipients of aid
16 under this chapter or food stamps under Chapter 10
17 (commencing with Section 18900) of Part 6.

18 (b) (1) To the extent possible the Employment
19 Development Department shall share information
20 collected under Section 1088.5 of the Unemployment
21 Insurance Code immediately upon receipt. This sharing
22 of information may include electronic means.

23 (2) This subdivision shall not authorize the
24 Employment Development Department to share
25 confidential information with any individuals not
26 otherwise permitted by law to receive the information or
27 preclude batch runs or comparisons of data.

28 SEC. 30. Section 11478.52 is added to the Welfare and
29 Institutions Code, to read:

30 11478.52. Once the statewide automated system is
31 fully implemented, the State Department of Social
32 Services shall periodically compare Employment
33 Development Department information collected under
34 Division 1 (commencing with Section 100) of the
35 Unemployment Insurance Code to child support obligor
36 records and identify cases where the obligor is employed
37 but there is no earning withholding order in effect. The
38 department shall immediately notify local child support
39 agencies in those cases.



1 ~~SEC. 31. Section 11478.53 is added to the Welfare and~~
2 ~~Institutions Code, to read:~~

3 ~~11478.53. (a) The Legislature finds and declares that~~
4 ~~currently, when Title IV-D participants move from~~
5 ~~county to county, court orders must be registered in the~~
6 ~~county where the children reside in order to effectuate~~
7 ~~a change in the underlying order. This requirement~~
8 ~~causes delay and lack of continuity of services. Federal~~
9 ~~law requires statewide jurisdiction of court orders for~~
10 ~~support. A statewide process for resolving actions where~~
11 ~~the participants reside in multiple counties would reduce~~
12 ~~fragmentation of services, increase access to the process,~~
13 ~~and minimize delays in changing orders.~~

14 ~~(b) By April 1, 2000, the State Department of Social~~
15 ~~Services shall convene a task force comprised of~~
16 ~~representatives from the Administrative Office of the~~
17 ~~Court, the State Bar, three Members of the State Senate~~
18 ~~(or their designees) appointed by the state Senate Rules~~
19 ~~Committee, three Members of the State Assembly (or~~
20 ~~their designees) appointed by the Speaker of the State~~
21 ~~Assembly, nonprofit advocates representing children,~~
22 ~~custodial parents, and noncustodial parents, and the~~
23 ~~California District Attorneys Association. Task force~~
24 ~~members shall serve without pay or per diem. The task~~
25 ~~force shall analyze the feasibility of:~~

- 26 ~~(1) Statewide jurisdiction of orders.~~
- 27 ~~(2) A statewide hearing process.~~
- 28 ~~(3) A process for venue determination and transfer.~~
- 29 ~~(4) Accessibility through electronic process including,~~
30 ~~but not limited to, appearances by telephonic and video~~
31 ~~conferencing or a court convenient to the parties.~~
- 32 ~~(5) A statewide electronic registry of all child support~~
33 ~~orders.~~

34 ~~(c) The task force shall prepare, and the department~~
35 ~~shall make recommendations to the Legislature by April~~
36 ~~1, 2002.~~

37 ~~SEC. 32.—~~

38 ~~SEC. 31.~~ It is the intent of the Legislature to increase
39 funding to the courts for family law facilitators.

40 ~~SEC. 33.—~~



1 SEC. 32. Notwithstanding Section 17610 of the
2 Government Code, if the Commission on State Mandates
3 determines that this act contains costs mandated by the
4 state, reimbursement to local agencies and school
5 districts for those costs shall be made pursuant to Part 7
6 (commencing with Section 17500) of Division 4 of Title
7 2 of the Government Code. If the statewide cost of the
8 claim for reimbursement does not exceed one million
9 dollars (\$1,000,000), reimbursement shall be made from
10 the State Mandates Claims Fund.

11 SEC. 33. *There is hereby appropriated the sum of*
12 *seven hundred five thousand dollars (\$705,000) from the*
13 *General Fund to the State Department of Social Services*
14 *to augment the Family Law Facilitator Program. The*
15 *State Department of Social Services shall enter into an*
16 *interagency agreement with the Judicial Council to*
17 *allocate the funds to the trial courts for family law*
18 *facilitators pursuant to Division 14 (commencing with*
19 *Section 10000) of the Family Code. The State*
20 *Department of Social Services shall reimburse the*
21 *Judicial Council pursuant to the interagency agreement.*

