



Board Agenda Item 33

DATE: July 9, 2024

TO: Board of Supervisors

SUBMITTED BY: Kari Gilbert, Director, Department of Child Support Services

SUBJECT: Amended Plan of Cooperation between the California Department of Child Support Services and the Fresno County Department of Child Support Services

RECOMMENDED ACTION(S):

Approve and authorize the Director of the Department of Child Support Services to execute an Amended Plan of Cooperation between the California Department of Child Support Services and the Fresno County Department of Child Support Services effective October 1, 2024 through September 30, 2025 (\$0).

There is no Net County Cost associated with the recommended action. The purpose of the Plan of Cooperation (POC) is to define and allocate responsibilities for administering Child Support Enforcement services within the County, in relation to Title IV-D of the Social Security Act of 1935. The current POC was amended and went into effect on May 20, 2021. Approval of the recommended action will authorize the Director of the Department of Child Support Services to sign and execute an Amended POC with the California Department of Child Support Services. The California Department of Child Support Services only requires the Fresno County Department of Child Support Services Director signature on the POC. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved and the Director of the Department of Child Support Services does not sign and return the POC to the California Department of Child Support Services, it may result in the withholding of part or all federal and state funds including incentive funds, or other compliance actions authorized by federal or state law, regulation, or policy.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The Department is fully funded by Federal (66%) and State (34%) revenue sources.

DISCUSSION:

Fresno County Department of Child Support Services functions as the State's Local Child Support Agency (LCSA) for Fresno County. The primary purpose of the POC is to define and allocate responsibilities for both the California Department of Child Support Services (DCSS) and the LCSA in securing and enforcing child support, including but not limited to support establishment; collection and distribution services; medical support; determining parentage; and providing other public services in accordance with the provisions of Title IV-D of the Social Security Act (Title 42 United States Code 651, et. seq).

Additionally, the POC provides that in the event the LCSA fails to meet the terms and conditions of the

agreement, and non-compliance becomes an issue, the parties will agree to an informal resolution process. If there is a compliance issue that cannot be resolved with an informal resolution process, the issue may be escalated to the formal process as stated in Family Code section 17604, which could involve the withholding of funds by the California Department of Child Support Services, among other actions.

On March 23, 2021, the Board approved the Director to sign the current Amended POC effective May 20, 2021. The initial term of the Amended POC was completed at the end of Federal Fiscal Year (FFY) 2021. The current Amended POC automatically renews at the start of each FFY unless superseded by a revised POC.

On May 13, 2024, State DCSS sent out an Amended POC to all LCSAs, including the County. The Amended POC adds clarifying language to various sections pertaining to the LCSA's responsibility regarding audits, customer service, the Ombudsperson program, information security, and compliance. Changes also include updating the federal "Office of Child Support Enforcement (OCSS)" to "Office of Child Support Services (OCSS)", and updating the terms "custodial parents" and "noncustodial parents" to "persons receiving support" and "parents ordered to pay support", respectively. The Internal Revenue Service (IRS) has also updated the required length of record retention for electronic and non-electronic Federal Tax Information (FTI) logs from five to seven years, per IRS Publication 1075 (Rev. 11-2021), as noted in Section V.A.3.c of the POC.

This recommended Amended POC shall be effective October 1, 2024, and shall expire on September 30, 2025. The Amended POC will automatically renew at the start of the FFY and shall be subject to renewal or amendment as necessary to reflect new or revised state and federal laws, regulations, and requirements.

REFERENCE MATERIAL:

BAI #34, March 23, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - State DCSS Amended POC FFY 2025

CAO ANALYST:

Fine Nai